

## **Foreign workers on the labour market – work injuries, occupational diseases and discrimination**

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*Association for Integration and Migration (SIMI)*

What awaits many foreigners on the Czech labour market? Markedly greater workplace dangers, more frequent work injuries and, in all likelihood, occupational diseases as well. They also face discrimination and servile dependence on employers – all in the context of relative inaction on the part of the state. Non-profit organisations have reached this conclusion on the basis of individual work with foreigners in recent years. And they have decided to change this adverse state of affairs.

**For this reason, the Association for Integration and Migration (SIMI), in cooperation with the Organization for Aid to Refugees (OPU) and Multicultural Centre Prague (MKC), launched a project in October 2012 focused on equal rights for foreign workers and on enhancing their safety in the workplace.**

*'Hitherto, a minimum of attention has been paid to the issue of work safety for foreigners, procedures for exercising their rights to work and residence, and in general their opportunities to make effective use of tools under the rule of law, despite the fact that – based on our observations – the situation is alarming. And oversight activity on the part of the state turns out to be insufficient,' says Pavla Hradečná, the project's coordinator and programme director at SIMI, describing the circumstances, which led these three non-profit organisations to focus on the area of foreign employment in particular.*

According to the experience of non-profit organisations, foreigners working in the Czech Republic encounter disadvantages of various forms on the labour market, from non-adherence to working hours and lower wages for the same work as compared to the majority population, to lacking protective aids, completely unsuitable sanitary conditions (e.g. in dye works and paint shops), and in extreme cases even restrictions on personal freedom. These conclusions are confirmed by Martin Rozumek, director of the Organization for Aid to Refugees: *'Although foreigners have a legal right to equal treatment, some of them encounter such severe discrimination that it is appropriate to initiate changes to legislation as well as to the practices of the responsible entities in order to effectively prevent such occurrences.'*

Czech non-profit organisations have thus joined with foreign partners in order to create a functional thematic network, which they will use to address and involve key players and the expert public in the Czech Republic as well as in other EU countries in an effort to improve the position of foreigners on the labour market. To this end, partnerships have been created with Caritasverband für die Diözese Osnabrück in Germany and Anti-Slavery International in the UK, respected organisations which have longstanding experience with the issue of foreign employment and work safety for foreigners.

The issue of work safety for foreigners has received relatively little attention and is marginalised in the Czech environment, and thus it will also be presented to the public through **scholarly publications, case studies from the field, a special web platform, and with the help of a manual for foreigners and helping professions. Of no lesser importance will be public debates, foreign internships and seminars, and international conferences.** Partner organisations are thus attempting to create a space for a societal discussion on the topic of equal rights for foreigners. Representatives of state administration, responsible politicians, trade unions and other entities which can influence Czech

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legislation and migration policy will be familiarised with the results of this joint initiative of the non-profit sector as well. The activities will also include advocacy of foreigners' individual rights on the labour market against the background of foreign experience. Special emphasis will be placed on female foreigners on the labour market, who are in an even weaker position compared to others.

*'Despite the fact that foreigners officially account for less than 3% of work injuries in the Czech Republic, it can be assumed on the basis of various inquiries that the accident rate among foreigners is considerably higher and that the actual number of injuries is significantly greater. Unfortunately, it is not uncommon for these to have deadly consequences. And a similar situation can be assumed in the case of occupational diseases,'* says Marie Jelínková from the Association for Integration and Migration, explaining why it is important to address the issue seriously.

In this area, foreigners' restricted access to health insurance also plays a specific role, since *'valid legislation forces many foreigners to purchase only so-called commercial health insurance, which is criticised for numerous insurance gaps and the overall scheme of rules with respect to foreigners, among other things,'* adds Pavel Čížinský, an attorney cooperating with Multicultural Centre Prague.

At the same time, non-profit organisations believe that the reaction of the state is inadequate in the face of such grave circumstances, and are considering filing a complaint with the European Commission, e.g. for insufficient and intentionally vague implementation of the so-called sanctions directive. They are also planning other legal steps in the near future which could lead to better treatment of foreigners on the Czech labour market.

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