THE EFFECTS OF COVID-19 ON MIGRANT FRONTLINE WORKERS AND PEOPLE OF COLOUR

WRITTEN BY MIGRANTS' RIGHTS NETWORK, KANLUNGAN FILIPINO CONSORTIUM, THE3MILLION AND MIGRANTS AT WORK

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Contents

Authors of the report

Migrants' Rights Network is a UK based NGO that works alongside migrants in their fight for rights and justice.

Launched in 2006 as a campaigning organisation, Migrants' Rights Network brings together and deepens connections, understanding and solidarity within the migrants' rights sector and across sectors to share learning, facilitate access and bring about visionary and practical solutions. As an organisation, they tackle strategically important but unpopular issues that particularly impact on groups most harmed by anti-immigrant policies and narratives. MRN builds alliances with individuals and organisations so that migrants are properly represented at all levels of society. It works with and for migrant communities to influence stakeholders and effect structural change to achieve justice and equality for migrants. MRN recognises that achieving justice for *all* migrants strengthens society as a whole.

Website: https://migrantsrights.org.uk/
Email: info@migrantsrights.org.uk

Kanlungan Filipino Consortium is a registered charity consisting of several Filipino community organisations working closely together for the welfare and interests of the Filipino and other migrant communities in Britain.

Kanlungan has been serving the Filipino migrant community from more than 25 years now and was established to advance education and training of Filipinos and Southeast and East Asian migrants, promote economic welfare and help alleviate hardship and distress amongst Filipinos and other migrant communities, to raise awareness of the socio-economic, political and cultural conditions within the Philippines which engender forced migration and to build solidarity with migrant organisations of other nationalities and peoples who have similar aims and objectives.

Website: https://www.kanlungan.org.uk
Email: info@kanlungan.org.uk

the3million is the largest campaign organisation for EU citizens in the UK

It was formed after the 2016 EU referendum to protect the rights of people who have made the UK their home. the3million is an organisation of immigrants, for immigrants and takes its name from the estimated number of EU citizens who moved from another member state and have established a life in the UK. the3million's objectives are to defend the right of EU citizens to live, work, study, raise families, and vote in the UK (whatever the outcome of Brexit), to protect EU citizens' rights through advocacy in UK and EU institutions, influencing public opinion, and mobilising European and British citizens and to ensure that EU citizens in the UK know their rights and are empowered to stand up for them.

Website: https://www.the3million.org.uk
Email: info@the3million.org.uk

Migrants at Work brings together expertise in employment, immigration and human rights law in order to tackle immigration status-related exploitation.
They aim to inform individuals about their employment rights to help identify the potential signs of labour exploitation and to educate and inform communities so they can seek support to challenge bad employment practices.

Website: https://migrant-at-work.webnode.co.uk/
Email: ake@migrantsatwork.org

Introduction

In August 2020, the Migrants' Rights Network ('MRN') alongside the Kanlungan Filipino Consortium ('KFC'), the3million and Migrants at Work (MAW') launched a survey aimed at workers who are either migrants or people of colour, who work in the South of England, London or the West Midlands, in order to understand the lived experience of those who have continued to work throughout the COVID-19 pandemic. Four key industries were targeted, namely health and social care, the construction industry, security guards and delivery drivers.

At the time of writing, 65,520 people have died in the UK from coronavirus[1] and of those who have sadly lost their lives (taking into account geography, socio-economic characteristics and pre-existing health conditions), a disproportionate number are people of colour[2].

> *In England and Wales, males of Black African ethnic background had the highest rate of death involving COVID-19, 2.7 times higher than males of white ethnic background; females of Black Caribbean ethnic background had the highest rate, 2.0 times higher than females of white ethnic background.*
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> **The Office of National Statistics, 16th October 2020**

The objective of this survey was to gain direct understanding of how existing structural inequalities have been exacerbated during this time of national crisis within workplaces across the country. In addition to surveying respondents, case study interviews were also conducted to obtain qualitative data about the experience of those on the frontline.

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[1] https://github.com/CSSEGISandData/COVID-19
[2] Black African men are 2.5 times more likely to die from coronavirus than their white counterparts and women, 2.1 times more likely.

Key Findings

Many of those working on the frontline in service areas that are keeping the wheels of both the economy and the National Health Service ('NHS') turning (who are also people of colour) are experiencing racism, immigration status discrimination, financial pressures and mental health difficulties.

> *I remember one time I had to work the whole month, and I know it is illegal. Sometimes, after a 12 hour shift, I would sleep only 2 hours and go back for another 12 hour shift.*
>
> ***Black African security guard working in the West Midlands***
> ***(respondent 108)***

- 76% of our respondents said that they felt they were putting their own health at risk by continuing to work during the COVID-19 pandemic, with 54% of those believing that they were more likely to contract COVID-19 in their line of work
- Despite concerns in relation to their own health, 38% of respondents had the additional pressure of being concerned that they would lose their job if they didn't go to work
- The impact on those without recourse to public funds ('NRPF') has been more severe, for example 14% of those with NRPF have been unable to pay their rent or mortgage on time compared to 2% of those with recourse to public funds being unable to
- 27% of those surveyed have experienced overt racist abuse whilst working during the COVID-19 pandemic
- Of those subject to racist abuse, only 5% reported it to a manager/supervisor and 3% reported it to a Trade Union representative

Recommendations

The Government should

- Abolish the NRPF condition on migrant workers that prevents them from gaining access to support in times of crisis
- Conduct a full review of the effects of the hostile environment policy, as its effects are evidenced within this report, in addition to the policy having recently been found in breach of equalities law[3]
- Increase the national minimum wage to the living wage
- Increase statutory sick pay, which is currently well below the European average
- Increase the frequency and number of COVID-19 'spot checks' undertaken by the Health and Safety Executive ('HSE') and make the findings of those checks publicly available
- Require regulators such as the Security Industry Authority ('SIA') to align their reporting system with that of the Health and Safety Executive ('HSE')

Employers should

- Be required to publicly report on what accountability mechanisms they have in place for incidents of racism and discrimination
- Undertake risk assessments that specifically address the vulnerability of people of colour and make the findings publicly available
- Provide COVID-19 specific health and safety training to all frontline workers, particularly people of colour
- Have their accreditation removed for serious and persistent failures in the management of COVID-19 related health and safety (for example the revocation of SIA licences)
- Be required to publicise any incident reports sent to the HSE
- Provide written reasons to employees who are not offered the opportunity to work from home or be furloughed

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[3] See: https://www.equalityhumanrights.com/en/inquiries-and-investigations/assessment-hostile-environment-policies

Survey Demographics

We surveyed 170 respondents including 14 case studies, from across the South of England (29%), London (46%) and the West Midlands (25%). 37% were male, 62% were female and 1% described themselves as other. The majority of respondents (62%) lived with their immediate family, although some lived with friends (14%) or alone (14%).

Our survey respondents had worked for their employers for various lengths of time, with 24% having worked for their employers for between 1 – 2 years and 30% having worked for their employers for between 2 – 5 years. The majority of respondents (74%) were also on permanent contracts although 5% were on zero-hour contracts, 8% were on either a temporary or fixed term contract, 4% were self-employed and 4% worked through an agency

There was a handful of people seeking asylum and individuals who were undocumented and a small percentage of individuals who either didn't know how to describe their immigration status or preferred not to say. From the data we gathered, 21% of respondents were British Nationals, 23% have indefinite leave to remain, 17% are on restricted visas, 3% are on a dependents visa and 27% are EU citizens. In total, 32 different nationalities were represented, with the highest proportions being Filipino (32%), Polish (20%) and British (13%).

Workplace Adjustments

We asked frontline workers which of the Governments '5 steps to safer working together[4]' had been implemented at their places of work:

- Handwashing and hygiene procedures were only in place at 70% of places of work
- Only 36% of employers had allowed their employees to work from home
- 63% of employers had provided appropriate PPE
- Reasonable steps to ensure people could maintain a 2-meter distance (e.g., signage/floor markings, limiting the number of people in a particular area staggered start/break times) had only been taken in 55% of places of work
- Workspaces were adjusted (use of barriers or side to side working) at only 31% of places of work
- 7% of respondents said that their employers hadn't done any of the above
- 127 of our respondents had **not** been offered the opportunity to be furloughed

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[4] https://assets.publishing.service.gov.uk/media/5ef36cec86650c1295cb5e9d/staying-covid-19-secure-accessible.pdf

Health and Safety

There were 57 respondents who told us that there had been a dangerous occurrence at their place of work and 7% of employers in those circumstances had failed to report this in accordance with the necessary RIDDOR guidance[5].

Employee Engagement

- 40% of employers had not sought feedback from their employees during the COVID-19 pandemic
- 51% of respondents reported that interactions with their supervisor/manager had **not** increased
- 45% of employers had introduced incentives such as free food or bonuses to improve to employee motivation

Risk Assessments

We asked our survey respondents if they were aware of a risk assessment being undertaken at their place of work. 17% didn't know and 7% said risk assessments were not undertaken.

Of those who were aware of a risk assessment being undertaken at their place of work, 31% were not asked about their own health conditions or the health conditions of their immediate family. In addition, 48% of respondents said that the results of risk assessments that were conducted were not shared with them.

Working Conditions

We asked our survey respondents about whether there had been any changes to their working conditions, since the COVID-19 pandemic:

- 21% said they were working more hours for the same pay
- 34% were being given more responsibility for the same pay
- 13% were working shifts in excess of 7 hours
- 13% were working shifts in excess of 10 hours
- 11% were working shifts in excess of 12 hours

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[5] https://www.hse.gov.uk/coronavirus/riddor/index.htm

Construction Workers

- 33% of construction workers said that hand cleaning facilities were not provided on entry and exit to their site
- 66% said they did not have staggered start and break times and the same proportion said that a 'one-way system' had not been introduced on their site
- None of the construction workers we spoke to said that the number of access points to their site had changed nor had a fixed team system had been implemented at their place of work
- Half said that their tools were not being cleaned by their employer

Health & Social Care Workers

- 49% of the health and social care workers we spoke to said that shift scheduling had not been introduced
- 62% said there had been a shortage of PPE resulting in 43% of our survey respondents having to undertake physical examinations of patients or home visits with insufficient protection
- Of those who had been symptomatic during the COVID-19 pandemic (42% of our respondents), 39% were not able to access a coronavirus test
- 55% also felt that they were not able to maintain social distancing whilst undertaking their role

Logistics and Delivery Drivers

- 30% of employers in the logistics and delivery sector had not implemented a contactless delivery policy and 76% had not implemented a 'fixed team' or 'partnering' system
- Wipes and/or hand sanitiser had not provided in the vehicles of 18% of respondents who were logistics and delivery drivers
- Scheduling alterations to avoid rush hour and busy periods had not been implemented by 65% of employers
- Social distancing could not be maintained in the designated waiting areas for 24% of respondents who were logistics and delivery drivers
- 25% of respondents reported a relaxation of the 'driver's hours rules'

Security

- 13% of employers had not provided their security staff with PPE
- 62% of employers had not implemented an 'equipment handling' policy and a quarter had not provided employees with hygiene products to sanitise shared equipment such as the patrol mobile phone
- 62% of respondents who work in the security industry have been asked to enforce social distancing and/or face covering requirements

Impact on Workers

" I was anxious going back to work because of the PPE that doesn't work. Even if you complain they listen but do what they think right is for them. I emailed the management before I left, they stood on their decision. More of my anxieties were not on patients dying but on how the hospital treats me and the patients. "

Filipino health care worker working in London (respondent 55)

Mental Health

The statistics here were some of the most worrying. There was a very noticeable mental health impact due to stress with workers who felt they had no other option but to put themselves at risk. Of our respondents, 76% said they felt they were putting their own health at risk by continuing to work during the COVID-19 pandemic with 54% of those believing that they were more likely to contract COVID-19 in their line of work. We also found:

- 73% said they had experienced stress
- 63% said they had experienced anxiety
- 30% said they had experienced depression
- 48% said they had experienced low mood
- 39% said they had experienced burnout
- 50% said they had experienced exhaustion
- 51% said they had experienced fatigue
- 36% said they had experienced insomnia

Concerns about Employers

> *It is cheaper and easy for employers to go to recruitment agencies and get someone to replace you. The job I do is a stressful job. You need to be trained, but it is not my employer's priority to have someone knowledgeable. They just want someone with a uniform. If you say, I do not want to work because I do not feel safe. You could lose it. Your employer will say, I do not have anything for you, but I will call you when I have something for you. How you are going to pay your rent.*

> **Black African security guard working in London (respondent 23)**

Of our respondents, 38% were concerned that they would lose their job if they didn't go to work, 29% felt obliged to work and 11% were pressured by their employer.

Finances

The impact on those without recourse to public funds has been more severe, for example 14% of those with NRPF have been unable to pay their rent/mortgage on time, as compared to 2% of those with recourse to public funds. Similarly, 64% of those with NRPF stated they couldn't afford to not work, as compared to 46% of those with recourse to public funds. We also found:

- 54% can't afford to not work
- 30% are worse off financially
- 8% have been unable to pay their rent/mortgage on time
- 12% have been reliant on credit cards and 8% have been reliant on food banks
- 53% are without recourse to public funds

Discrimination

> *[A white colleague once said to me] we should not be letting you people in because you are the ones spreading the virus.*

> ***Black African health care worker working in the West Midlands (respondent 121)***

- 20% were concerned about the impact not working would have on their immigration status
- 17% felt their race influenced the way their employer has treated them during the COVID-19 pandemic
- 21% felt their ethnicity influenced the way their employer has treated them during the COVID-19 pandemic
- 23% felt their nationality influenced the way their employer has treated them during the COVID-19 pandemic
- 14% felt their immigration status influenced the way their employer has treated them during the COVID-19 pandemic
- 27% experienced overt racist abuse whilst working during the COVID-19 pandemic
- 19% have been required to undertake less desirable tasks than their white colleagues during the COVID-19 pandemic and 17% have been required to work less desirable shift patterns

> *Sometimes, I just believe it is because of my skin. I always say this person is racist; that's what I always say. When asked for more shifts, they give more shifts to my white colleague. When I book extra shifts, they turn it down. Only when my white colleague is off, they turn to me.*

> ***Black African security guard working in the West Midlands (respondent 108)***

Conclusion

The COVID-19 crisis in the UK has demonstrated the importance of workers from the low-waged sectors, in particular, social care, healthcare settings, and those on the frontline in construction or security industries. We are now finally appreciating those long-standing workers who have been on the frontline for decades caring for those in need, providing essential services, and keeping the UK economy alive.

However, as we stand outside our front doors and clap for some of these frontline workers, there is emerging evidence of exploitation of these workers by unscrupulous employees who are completely disregarding government guidelines as we move in and out of lockdown.

As our data shows over half of our respondents had no choice but to go back to work and over a third felt forced to return to work knowing that there was inadequate PPE, risk assessments and proper shielding being carried out. 76% of the frontline workers we spoke to felt they were putting their health at risk by continuing to work during the pandemic and 38% were concerned that they would lose their job if they didn't go to work. Clearly then, hardworking individuals have been put in the invidious position of having to continue to work, despite fears that it is not safe to do so. No one should be forced (whether directly by an unscrupulous employer or by virtue of duress of circumstance) to choose between their health and gainful employment, as every person has a right to feel secure in their workplace.

The added factor of immigration conditions or precarious immigration status including lack of status increases the likelihood of frontline migrant workers being taken advantage of by unscrupulous employers, especially where they do not have recourse to public funds. As our study shows, even though the majority of employers did attempt to put some of the Government's workplace recommendations in place, overwhelmingly there was lack of PPE, little or no social distance protocols, only 31% had adjusted workstations and 7% of people surveyed said no measures were put in place at all.

Nearly a quarter of the frontline workers we spoke to had been subject to overt racism from their colleagues and/or workplace discrimination (unfair deployment) on the basis of their nationality and/or immigration status.

Perhaps the increase of 'casualised forms of work designed to circumvent employment rights' is to blame, or maybe such vitriol can be attributed to the impact Brexit has had on workplace culture. Either way, what is abundantly clear is that we cannot allow those who are keeping the wheels of the country turning during these unprecedented times to be treated with such disdain as we enter a further period of uncertainty and/or national lockdown.