



## Economic and Social Council

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### Commission on the Status of Women

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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”

### Statement submitted by Centro de los Derechos del Migrante, Inc., and Global Workers Justice Alliance, non-governmental organizations in consultative status with the Economic and Social Council\*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* The present statement is issued without formal editing.



## Statement

### **Our future of (guest) work: Challenges to gender justice in labor migration programs**

Globally, migrant women make up an increasing portion of the workforce. In 2015, the International Labor Organization found that approximately 66.6 million of the 150 million migrant workers across the world were female.

Across the world, nation states are increasingly adopting labor migration programs to regulate the growing supply and demand for a migrant workforce. This is the case in the United States, where each year, employers recruit hundreds of thousands of workers through labor migration programs – sometimes called “guest worker programs” – on work visas or through employer-sponsored cultural exchanges. While work visas can provide women with opportunities to increase their incomes and to provide for their families, women’s experiences within these programs are often marred by systemic gender-based discrimination. For example, only 3–7 per cent of the over 200,000 workers hired for United States H-2A agricultural visas each year are women. Furthermore, rampant exploitation, isolation, and discrimination on the job have a documented impact on workers’ mental and physical well-being, as well as on their wages and earning potential. The significant structural barriers to equitable working conditions and access to justice for workplace rights violations that women face in these programs also contribute to the proliferation of gender-based violence in the workplace.

Across industries, visa categories, and countries of origin, migrant worker women recruited for United States employment all too often confront the following patterns of abuse and limitations to their rights:

- Sex-based discrimination – Employers often use the recruitment process to exclude women or to channel them into a limited range of gendered industries and roles. Limited government oversight in both countries of origin and destination fails to adequately document or sanction sex-based discrimination, either in recruitment or at the workplace.
- Labor rights violations – Women working on temporary visas confront the full range of workplace abuse and exploitation common to all guest workers, including wage theft, health and safety violations, retaliation, sexual harassment, and assault.
- Vulnerability to trafficking – Most women recruited for United States labor migration programs are legally bound to a single employer who exercises significant control over their economic and immigration status. Migrant worker women continue to face document retention, exorbitant recruitment fees, and debt bondage. These factors, combined with exploitative working conditions and isolation, set the stage for human trafficking.
- Barriers to justice – Rarely do migrant worker women in labor migration programs enjoy full and equal access to justice when their rights are violated. Many are also channelled into work environments where they are isolated from basic medical, legal, and communications services. Those who do manage to obtain legal assistance are often forced to fight for their rights from abroad.
- Breadwinners and caregivers – Labor migration programs fail to account for the dual role women play as primary caregivers and breadwinners for children and other family members. As such, migrant worker women rarely have access to services that allow them to adequately care for their families and for their own mental health.

## **Women building gender equity in labor migration**

This spring, a delegation of migrant worker women and over a dozen allied organizations from across industries, movements, and countries came together in Washington, D.C. for a conference, organized by Centro de los Derechos del Migrante, Inc. Over three days, we crafted a vision for a better future founded on core principles of dignity, health, opportunity, safety, justice, and voice. On 1 May, International Worker’s Day, our delegation delivered a letter to U.S. Congress authored by migrant worker women. Now, we bring their collective appeal to the representatives of the United Nations entities, Member States, and non-governmental organizations participating in the sixty-fourth session of the Commission on the Status of Women to push for changes locally, nationally, and internationally that reflect workers’ voices and centre their human rights.

We’re farmworkers, crab pickers, and cruise ship workers. We’re chocolate packers, engineers, veterinarians, nurses, domestic workers, and teachers from all around the world. We are united by our motivation, yearn for knowledge, and commit to creating change in our communities. Today, we stand with guest worker women across the globe to ensure that the policies that affect us reflect our experiences.

In several different ways, we have all endured inequity and hardships in our journeys to the United States and in our workplace. Our hopes to provide a better life for our children and families have been met with deceit, discrimination, and lack of access to opportunity. Many of us have suffered sexual harassment, which doesn’t let us live or work. Basic medical aid is non-existent, with something as little as an aspirin being inaccessible to us. At our employment-provided housing, we have access to only one bathroom for all workers and must take cold showers. We live and work in physical and mental isolation. We often don’t speak the language nor know anyone beyond our employer. Many of our employers take our passports and visas upon arrival. It is difficult to access justice or remedies.

As guest worker women, we are together in this movement. We are telling our story because we do not want others to face what we did. It is our responsibility to follow this path, to unite, organize, and not let our story get lost. We represent our families, our community, and future generations. As women, there is nothing braver than thinking aloud. We aren’t the “weaker sex”. We are strong and capable. We are courageous and triumphant.

We want equal rights and opportunities, as we have equal responsibilities. We want to speak up and be heard. We want transparency and to change conditions. We seek reforms in law. We want our employers, the people, and the government of this country to value us.

We envision an alternative future for ourselves and our communities – one where migrant women feel empowered to raise our voices and are not alone. This future holds concrete policy shifts in the way companies and employers work. Generations to come have strong protections and are free from abuse. Employers are held accountable. Women are not isolated. We have access to resources for our mental and physical health. We can exercise our rights.

In this joint vision, we are as powerful as ever. This vision requires disassembling guest worker programs to build gender equity in labor migration. Join us – the hundreds of thousands of guest worker women – in building that future now.