

**National Consultative Committee
on Racism and Interculturalism**

**First
North
South
Intercultural
Forum
Report**

**THEME:
Employment & Migration**

25th October 2005
Fairways Hotel
Dundalk Co Louth.

Report of the First North South Intercultural Initiative held on 25th October 2005 in the Fairways Hotel, Dundalk Co Louth.

Acknowledgements

The NCCRI would like to acknowledge the support of the Cross Border Consortium and the Special European Union Programmes Body which finances the SYNERGY North South Intercultural Initiative and the establishment of the North South Intercultural Initiative.

The Synergy Advisory Group comprises of representatives from;

- SEUPB
- Co-operation Ireland
- Dundalk Employment Partnership
- Centre for Cross Border Studies
- Donegal Travellers Project
- City Bridges
- Louth African Women's Support Group
- Monaghan County Council
- Triskele Community Training & Development
- ANIMATE (Dungannon)
- Pavee Point
- Pobail / CPA)
- Northern Ireland Human Rights Commission
- Equality Commission for NI
- Wah Hep Chinese Community Association (Craigavon)
- SIPTU
- NCCRI (Dublin)

Report structure

1. Background
2. Summary of key points from presentations
3. Proceedings and summary of key points

Annex 1: Terms of Reference for North/South Intercultural Forum

Annex 2: List of participants

1. Background

Dundalk, Co Louth was the location for the first North South Intercultural Forum (see annex 1), which met on 25 October 2005 to consider *challenges for employment policy and services arising from increased inward migration*. Future themes will include issues such as housing, health and policing.

The Forum is an integral strand of the NCCRI's SYNERGY North South Intercultural Initiative, which is based in the NCCRI's Regional Office, in Dundalk centre and coordinated by Joe Lenaghan, Regional Development Officer in NCCRI.

Financed through the European Union's INTEREG 111A Programme, SYNERGY is working to build an intercultural approach into policy and service delivery with a particular focus on the border region. It aims to develop strategies for the inclusion of minority ethnic groups, focusing on their participation in the planning, implementation of services.

The first Intercultural Forum focussed on the issue of employment including the challenges of:

- Managing migration at a macro policy and at a regional level
- Monitoring and enforcement of employment law and information on rights
- Working in an intercultural workplace
- Agencies involved in recruitment and human resource management
- Public services in seeking to respond positively to diversity

The contributors included:

Seán Murray, Principal in the Economic Migration Policy Department of Enterprise Trade and Employment

Tim Devine, Head of Employment Rights, Department of Employment and Learning (DEL), Northern Ireland

Lee Bartlett, Policy Advisor, Home Office (UK)

Patricia Curtin, Assistant Director General FÁS

Tayra McKee, Organiser, Amalgamated Transport and General Workers Union and

Daniel Holder Coordinator, ANIMATE, (migrant worker support project based in Dungannon).

More than sixty delegates attended including both government and non-government bodies concerned with employment and migration including, IBEC, Intertrade Ireland, Comhairle, Louth County Council, Newry & Mourne District Council, An Garda Síochána, the Department of Justice Equality and Law Reform, the Equality Commission (NI), the Labour Relations Agency, the ATGWU, the Centre for Cross Border Studies and a wide range of community and voluntary groups representing the interests of asylum

seekers and refugees, Travellers and migrant labour from communities in the border region, north and south.

2. Summary of presentations

Seán Murray, Employment Migration Policy, Department of Enterprise Trade and Employment

Economic and migration policy has changed significantly over the last ten years. Ireland has moved from a country of outward migration to becoming one of inward migration. Estimates have suggested that inward migration over this period is circa 70,000 and following the recent expansion of the European Union it has been increasing rapidly. For the period May 2004 to April 2005 the Department had estimated inward migration at around 100,000 which 50% comprised Eastern Europeans. There is also an unemployed labour pool of approximately 20 million across European Union States and apart from Britain and Sweden, Ireland was the most accessible to migrant labour from the new EU Accession States but within Ireland there was little access for employers to lower skilled labour. These were major 'push pull' factors influencing migration to Ireland.

Exploitation of migrant workers was a major concern for the Department and it has prepared the draft Employment Permits Bill which was expected to come into operation by 2006. Additional powers and resources would be available for example the Labour Inspectorate would be enhanced, coupled with greater protection for migrant workers. Employers would be prohibited from retaining migrant workers' personal documents such as passports and direct deductions from employees pay for recruitment expenses would also be unlawful.

Although it was proposed that employers would continue to retain the work permit, a decision on this aspect was yet to be made and the Department was still open to alternative proposals, for example, after twelve months there could be provision for mobility between employers and safeguards for those who wished to transfer earlier because of exploitation or dispute. It was also proposed in the draft Bill that further validation of the work permit would not be required following three years of its issue.

The Government also recognised the economic need to meet the demand for skilled workers in specific sectors of the labour market in Ireland. The Department estimates that it would issue around 60,000 work permits in Information Technology, Health, Biotechnology, Construction, Pharmacy and Finance sectors and in this regard consideration will also be given to the issue of 'Green Cards' for skilled workers in these sectors. Employers would in future be required to advertise vacancies with both FÁS and through the EURES system to ensure that workers from EU (including Accession States) are given priority.

There were also proposals on the table to support the longer term and permanent residency of married spouses and dependents but these would need the cooperation and support of the Department of Justice Equality and Law Reform and discussions in such proposals were currently ongoing.

The Department acknowledged the views of the NCCRI and other NGOs on the proposed work permits legislation and assurances were given to the Forum that these views would be taken fully into account in the formulation of this new legislation.

**Tim Devine Head of Employment Rights, Department of Employment and Learning (DEL), Northern Ireland
(supported by Tim Bartlett, Policy Advisor, Home Office UK)**

In Northern Ireland employment policy and legislation is devolved to the Department for Employment and Learning (DEL). Immigration and related work permits policy and procedures are ‘reserved’ matters and NI government must follow Home Office (UK) policy and procedures in relation to migrant workers and their status and wider rights. EU citizens have the right to travel and work anywhere in the EU although different arrangements apply for Accession countries (essentially the UK workers registration scheme).

The Home Office (UK) has lead responsibility for migration policy and now has a five-year strategy to deal with asylum and immigration. The consultation ‘Controlling Our Borders: Making Migration Work for Britain’ which will rationalize and change the work permit system.

It is estimated that there are circa 20,000 migrant workers representing about 2.5% of the NI labour force across all sectors and geographic areas in the North. In recent years the meat processing sector has witnessed significant growth of Portuguese workers. In the health and education sectors there are significant numbers of Filipino nurses, and language support staff from a range of EU states. Through the Seasonal Agricultural Workers’ Scheme (SAWS) migrants from Belarus, Latvia, Lithuania, Poland and the Ukraine are also well represented in the agricultural sector.

Gaps in data collection and other cross cutting issues including the under-utilisation of migrant workers’ skills, “gang masters” issues in both enforcement and advisory capacities, will be considered by an interdepartmental group and the Northern Ireland Statistics Agency which will report to the Racial Equality Forum established to monitor and review the implementation of the recently launched Northern Ireland Racial Equality Strategy.

Despite the efforts of a number of Government Departments, Agencies and NGOs, relocating in a new country can be difficult and intimidating. Lack of information on matters rights and services on arrival; poor treatment by employment agencies; poor working conditions and training; housing and accommodation problems, e.g. tied to employment and language skills for workers and their children at school, are significant problems. All of which can be compounded by continuing experiences of racism including discrimination and attacks.

DEL's Employment Service has two important responsibilities; (i) to help jobseekers to secure employment and; (ii) to help employers to meet their recruitment needs. Although the Department of Trade and Industry (UK) in conjunction with the Home Office, has issued guidance on employment of overseas construction workers, the DEL is considering the development of a code of practice for the employment of migrant workers in NI. The Department has also strengthened the regulations governing employment agencies and intends introducing stronger enforcement powers to enable entry and inspection of employment agency and business premises.

In partnership with the Social Security Agency there is a joint translation and interpretation service providing telephone interpreting for 150 languages, face-to-face interpreting for interviews and translated documentation in print formats and on the internet. This also includes an employment rights booklet on the minimum wage legislation and benefit rights for migrant workers.

The Government is clear that minimum health and safety standards should apply in all places of work for all workers, documented or not migrant workers have the same employment rights as all other workers, with certain exceptions in respect of welfare benefits. Undocumented workers do not have the same employment rights and may be subject to the policy of 'return to country of origin'.

The Department for Employment and Learning (DEL) (NI) acknowledges the need to work closely with the Department of Enterprise Trade and Employment (DETE) (ROI) to ensure that issues of mutual concern e.g. asylum seekers travel, visa control, tax, benefits issues, information provision, etc are dealt with effectively.

Patricia Curtin, Assistant Director General, FÁS, Training and Employment Authority

Ireland has moved from an unemployment level of 16% in 1983 to currently 4% with around 2 million people in employment, 8% of which are from other countries. Labour and skill shortages and a successful economy continue to attract many more migrant workers and their families and this has posed considerable challenges to FÁS. This is complicated further by migrants with poor or no English skills and without sufficient money to survive.

The '*Know Before You Go*' campaign is available in 12 languages (www.fas.ie) and promoted in cooperation with the Public Employment Services (EURES) in other countries, aims to get the 'be prepared' message to people before they depart for Ireland. This is complemented through the use of 'language line' at FÁS Employment Services offices throughout the country to provide interpreter facilities for a range of information needs. Multi lingual posters and leaflets are also available.

In addition, a comprehensive user friendly website is also available at FÁS offices and this contains a database of all member states' current vacancies and other relevant topics such as, permission and access to labour markets, criteria for work permits, procedures

for work permits, employers' recruitment procedures and information sources for employers.

English language, computer training and interpreter training supports are also provided. Plans are also underway to further disseminate the Occupational English Pack and provide technical language training as part of the One-Step Up Initiative with IBEC and Chambers of Commerce Ireland. Links with local community support groups and greater evening provision within the education structure is also being developed to facilitate access to employment.

In October, FÁS launched its Strategy 2006-2009 and this prioritises social inclusion, equality and diversity across all of its functions and aims to remove barriers and improve access to its programmes for those experiencing labour market exclusion and discrimination. Equality proofing and impact assessments will be the main mechanism to monitor the strategy's implementation.

FÁS is currently working in cooperation with the DETE to improve Travellers' access to training and employment and is planning to undertake a customer services survey with the Traveller community and interest groups in 2006.

There are some good examples of good recruitment and workplace practice by private sector employers for example the Kerry Group in Carrickmacross, Co Monaghan. The company took a direct 'in country' approach to recruiting Polish, Latvian and Lithuanian labour in their home countries before their departure to Ireland. Other employers in the region are also taking this approach and avoiding the use of recruitment agencies, some of which have used poor recruitment practices including paying wages below the National Minimum Wage. Many major recruitment agencies have also opened offices in Eastern European countries to facilitate the growing recruitment needs of their employer clients.

Tayra McKee, Organiser Transport and General Workers Union

In recent years the patterns of migration to Northern Ireland has changed considerably. Since 2001 a substantial number of Portuguese and Brazilian nationals have taken up employment, primarily in the agri-food and health sectors. There is not enough public information about the importance of migrant workers not only economically but socially and culturally too. There should be more public awareness campaigns to promote the positive aspects.

In the areas of recruitment and pay and conditions for migrant labour there remain policy and practice gaps and more work remains to be done in this regard.

There are tensions over, for example, job displacement and diminution of terms and conditions of employment where migrant labour is exploited by unscrupulous employers

and this becomes the focus of blame which escalates racism. More needs to be said publicly to expose some of the myths around ‘displacement’ and more about how migrant workers have saved services in rural communities. More needs to be done to expose employers who take advantage of unprotected workers who are vulnerable because of their status and lack of awareness of their rights.

There is an urgent need to challenge racist exploitation associated with the ‘gang master’ system, and in doing so, ensure that we all continue to build on positive work relations and prevent the ‘ripple’ effect of racism emanating from workplace disharmony and manifested through increased racist attacks in wider communities both north and south.

Employers need to work in partnership with trades unions to support anti racism policy and practices. Victims of racism need to be supported and perpetrators effectively dealt with. There is a need for ongoing workforce training not only in cultural awareness but also in tackling racist attitudes of the majority in the workplace. This needs to be through out the organisation, a ‘top- down’ approach. There are some good models currently operating such as the TGWU and South Tyrone Empowerment Programme which has been successful in supporting migrant workers and their families across a whole range of day to day rights and access to services issues.

In terms of racist attacks outside of work and in the community, there is a need for the police services to be properly trained to deal with and respond effectively to incidents. There is a need to develop confidence among migrant communities in reporting mechanisms and increased successful prosecutions of perpetrators would go along way in helping to achieve this.

There needs to be an interagency approach, supported by community based organisations to tackling racist incidents and this would include local and regional reporting and monitoring mechanisms. There is some good practice in other jurisdictions, such as Scotland which could be replicated on a north south basis.

Daniel Holder, Manager ANIMATE (Migrant worker support programme Dungannon)

There are major concerns around qualification recognition, language acquisition and provision of English supports for migrant job seekers and the inherent difficulties in overcoming language barriers. This is compounded by a major skills acquisition deficit in host communities in respect of migrants’ languages and that this was something that both Governments and their employment and training agencies should not ignore when highlighting English language barriers faced by minority ethnic communities.

As Ireland, north and south, increasingly becomes a multilingual society, there is a responsibility on service providers to employ bilingual staff to facilitate access to services. Bilingual staff can also help identify adverse policy impact on ethnic minority

groups and feed these directly to the organisation's policy and decision makers so that appropriate measures can be put in place to ensure effective service delivery to excluded and marginalized communities. Good practice involving this model is the South Tyrone Empowerment Programme (STEP) and ANIMATE migrant worker support programmes based in Dungannon, Co Tyrone.

However, the biggest obstacle facing migrant labour is racism. Recent research undertaken by ANIMATE on staff attitudes towards migrant workers¹ revealed evidence of exploitation and racist attitudes among a significant proportion of staff in some public bodies in the Armagh/Craigavon areas. Although it is recognised that the majority of staff displayed positive attitudes to migrant workers, the research also highlighted how the language barrier compounds the racism experienced and reaffirms previous attitudinal research undertaken by Connolly and Keenan on behalf of the Office of the First Minister and Deputy First Minister (NI) in 2002.

There are also clear North South challenges in the border region particularly with regard to the application of the Common Travel Area and its affect on the mobility of labour in north and south. With heightened focus on security and immigration controls there is divergence between immigration policy in Britain and Ireland which impacts on stricter border controls. There should be room for regional differences between Northern Ireland and Britain which might recognise and facilitate these and avoid racist profiling at checkpoints and unmonitored detentions in the border region.

3. Forum Proceedings and Summary of Key points

Key issues included in the discussion:

- The need for more pro-active migration management and employment policies to avoid the displacement of labour and the exploitation of migrant workers.
- The need for legislation against the emergence/proliferation of specific problems for example 'gang masters' legislation should be enacted in Ireland drawing on the experience in Britain
- The need to employ bilingual front line staff as well as providing interpreter/translation services was highlighted

¹ *Racial Attitudes and Prejudice towards migrant workers: A survey of staff in statutory agencies in the Cookstown, Dungannon and Craigavon Areas.* Holder, D & Khaoury, R. ANIMATE (2005) www.animate-ced.net

- The need to ensure that increased immigration security in the south does not militate against continued free movement of people across the border.
- Concerns about racist profiling involving the new immigration controls in the Southern side of border
- The need for enforcement of new regulations governing recruitment agencies.
- The importance of disseminating good practice. Examples included FAS 'Know Before You Go' information strategy focusing on migrant's country of origin could be replicated in Northern Ireland as well as model partnership approaches such as those adopted by TGWU/ANIMATE/STEP
- The need for greater linkages with local community groups and opening up of education facilities at evenings and weekends to facilitate greater access to education particularly language skills.
- Equally there is a need to recognise the minority languages skills deficit in service providers' staff and the need to provide resources and training to fill this gap.
- The recruitment of multi-lingual staff in key positions within service providers is fundamental to ensuring access to services for minority ethnic/migrant communities
- The need to recognize and value the contribution migrant workers and their families make not only to the economy but also to interculturalism and to ensure that services meet their needs and that residency and for spouses and dependents is facilitated in the longer term.
- The need for the development of clear guidance or a Code of Practice to ensure that rights of migrant workers, including health and safety, are protected and good practice is promoted.
- The need for effective strategies and interagency approaches involving public bodies, policing services and community organisations to challenge racism in the workplace and to deal with racist incidents in the community
- The importance of synergies between both the National Action Plan Against Racism and the Racial Equality Strategy for Northern Ireland.

Summary of Key Points

1. There are both similarities and differences between Ireland and Northern Ireland in respect of patterns of inward migration.

Both Ireland and Northern Ireland have witnessed significant increases in labour migration in recent years although the scale and demand for labour varies considerably.

Inward migration from the new EU States into Ireland since EU expansion in 2004 has been very dramatic. Since May 2004 approximately 150,000 Personal Public Service Numbers have been given to EU nationals, mostly Poland (54%); and the Baltic states (26%). Non-Irish nationals now account for 8% of the total Irish labour Force, one of the highest percentages in the European Union. Forecasts show that 30-40,000 jobs will be created in the Irish economy in 2006

Migration into Ireland and Northern Ireland appear to be driven by a number of factors, including, the need for skilled, semi skilled and low skilled labour in certain key areas of the public and private sectors. Companies in Northern North and South are increasingly active in seeking to source labour from outside Northern Ireland and the push factors from sending countries

The need to preserve the Common Travel Area between Ireland/NI and Britain in the context of the EU means there is already significant co-operation between the British and Irish Governments on immigration related issues including the option to opt out of EU policy related to immigration. In this context some concerns about racist profiling were expressed at new immigration controls in the ROI side of border.

2. The Challenge of Managing Migration Policy at a Macro Level

The need to develop macro inward migration policies was highlighted. These are policies that take into account all aspects of inward migration including the needs of the economy; the needs of the indigenous workforce; the needs of labour migrants and the implications/adjustments needed in planning and delivering public services, including those related to employment.

There are particular challenges in managing migration policy at a macro level both in NI/UK and in Ireland. In respect of Northern Ireland management of migration policy has not been a strong policy priority, partly because until recent inward migration was very low and partly because, immigration policy is a reserved function of the British Government. This means that there will be significant legislative/executive issues involved in developing a possible regional migration policy for Northern Ireland.

The problems of displacement of indigenous labour has been highlighted by the Irish Ferries dispute in Ireland. Macro immigration policies and labour protections need to take account such fears.

3. There are opportunities for North/South cooperation afforded by recent policy changes

A significant area for North/South cooperation relates to anti racism and ‘integration’ strategies. In this context the publication in 2005 of a Racial Equality Strategy for Northern Ireland (OFMDFM) and ‘Planning for Diversity’ The National Action Plan Against Racism in Ireland by the Irish Government provides opportunities for mutual cooperation.

4. Bodies involved in employment services need to ensure that their services are inclusive of recent migrants

Points highlighted in the discussion included:

The upskilling of staff in employment services to enable them to meet the needs of labour migrants; provision of accessible information on employment services and rights: need for a major public awareness programme.

There is a need for more cooperation between employment services North and South on the recognition of qualifications as this is a key issue. There have been recent institutional developments in Ireland with establishment of a body to assess and make recommendations on recognition of qualifications and this increases the potential for UK/Ireland cooperation. There is also a need to challenge the overly restrictive mindset of some professional bodies e.g. legal and pharmacy professions. Innovative approaches to language and translation services are needed and there are some good models in Northern Ireland.

Provision of information in sending countries e.g. FAS ‘Know before you go’ campaign is a good example for information provision to potential Irish migrant workers and this could be replicated for those planning to work in Northern Ireland.

Role of trade unions NGOs and employers and the relationship with employment services needs further development. There are good examples of this partnership approach in Northern Ireland.

Appendix 1

NCCRI North /South Intercultural Forum Terms of Reference

Arising from the NCCRI Synergy Initiative (see Annex 1), a North/South Intercultural Forum is being developed. The aim of the Forum to:

- Seek ways to ensure that service providers in the border area (Northern Ireland and the bordering counties of the Republic of Ireland) accept and positively respond to the needs of cultural and ethnic minorities in the development of key services.
- Promote partnership approaches between public authorities and government agencies, the voluntary/community sector, the trade union and the business/employer sectors in meeting the challenges and opportunities of greater ethnic and cultural diversity in Ireland, with a focus on cross border cooperation.
- Identify strategies for enhancing the participation of community organisations representing minority ethnic communities in decision-making at a local level

A primary focus of the roundtables is on the *implementation of policy* in particular through the approach identified in the National Action Plan Against Racism:

- Mainstreaming
- Targeting
- Benchmarking (use of data to track progress)
- Participation

Structure of the Forum

It is envisaged that a maximum of around 60 people will participate in each Intercultural Forum. They will be structured in the form of a large boardroom style meeting to facilitate as much discussion as possible. Each Forum will have a particular theme or themes for example: employment, health, accommodation and education. Papers will be prepared and presented at each Forum meeting, followed by a discussion involving all participants.

There will be a strong emphasis on ensuring good participation from those in key policy roles within the intercultural forum.

The Forum will seek to build on and complement existing initiatives in both Northern Ireland and the Republic of Ireland and the first Forum meeting will take place in October 2005 in Dundalk. Thereafter there will be three Forum meetings held each year, with the dates set in advance.

A report of each Forum will be placed on the www.nccri.ie/north-south and circulated to participants.

Synergy North South Intercultural Initiative

In 2004 the National Consultative Committee on Racism and Interculturalism (NCCRI) secured funding under INTERREG IIIA for a three year programme focusing on building an intercultural focus into service provision in the border region and Northern Ireland. The Synergy North South Initiative is based in Dundalk, Co. Louth.

Anticipated Impact

The anticipated impact of *Synergy* is to significantly enhance the socio-economic inclusion of Black and minority ethnic groups, including the Traveller community, in the border area, with a particular focus on their participation in the planning, implementation and delivery of culturally competent service provision.

Overall Approach

The overall approach is to seek to work in partnership with key statutory service providers and broader civil society, in particular non-government organizations (NGOs) working closely with Black and minority ethnic groups, including the Traveller community, with a strong focus on participation at all levels of the initiative. The initiative will provide a unique opportunity to facilitate the development of cross border structures of participation for Black and minority ethnic groups, including the Traveller community, through cross border networks and participation in a North South Intercultural Forum.

Participants		Appendix 2
Patricia	Curtin	FAS Employment Service and Social Inclusion
Sean	Murray	Department of Enterprise, Trade & Employment
Tim	Devin	Department of Employment and Learning
Lee	Barrett	UK Home Office
Tayra	McKee	ATGWU
Daniel	Holder	ANIMATE
Garett	Byrne	Department of Justice Equality & Law Reform
Sally	Daly	Ballyhoura Development Ltd
Siobhan	Cranin	Local Employment Service
Catherine	McGrade	Waterways Ireland
John	Mathews	Dundalk Resource Centre
Marie	Hayes	Citizens Information Centre
Clement	Esebamen	Tallaght Partnership
Tony	Steed	N I H E
Sharon	Hughes	Intertrade Ireland
Ann	McEvoy	Comhairle
Stanley	Millen	One World Spirit
Bernard	O.Maoldiun	Cavan Cabra View
Vincent	Jackson	Garda
Micheal	Keating	Access Ireland
Aisling	Rennick	Newry and Mourne District Council
Eamon	Oakes	City Bridges
Brian	Smeaton	Alliance to End Racism in Donegal
Mary	Capplis	Louth County Council
Rafael		Five Continents Club, Carrickmacross
Violeta		Five Continents Club, Carrickmacross
Conor	Gouldsbury	IBEC
Caroline	Keane	Pavee Point
Ion	Zatrean	Access Ireland
Jo	Hunt	Donegal Asylum Seekers Project
Alphonse	Dawo	One Race Foundation
John	McGuinness	Department for Employment and Learning
Titilola	Ossai	Louth African Woven Support Group
Eoin	Magennis	Centre for Cross Border Studies
Maurice	McConviel	Le Cheile
Toyin	Odidi	Le Cheile
Benadicta	Attoh	Louth African Women Support Group
Pat	McDaide	Drogheda Partnership
Margaret	Donaghy	MCRC
Jim	Holme	Ballymena Minority Ethnic Forum
Kevin	Oakes	Equality Commission NI
Jacinta	McAree	Monaghan General Hospital
Siobhan	McLoughlin	Donegal Travellers Project
Francine	Blanché-Breen	Donegal Community Workers Cooperative
Anastasia	Crickley	NCCRI
Philip	Watt	NCCRI
Fiona	McGaughey	NCCRI
Joe	Lenaghan	NCCRI
Tinu	Achioya	NCCRI

