# LEFT HIGH AND DRY

The Exploitation of Migrant Workers in the Irish Fishing Industry Migrant Rights Centre Ireland is a national organisation working to promote justice, empowerment and equality for migrants and their families. Since 2001 MRCI has been working with migrants in sectors of the economy where issues of low pay, discrimination and exploitation are rife. MRCI combines frontline services, policy, advocacy and campaigning with migrant workers to secure rights. Over the last 16 years we have developed expertise and analysis on issues where workers' rights meet immigration in Ireland. For the last two years we have increasingly worked with non-EEA migrant fishers who are struggling to assert their employment rights and maintain their immigration status in an unregulated and isolated sector.

## **LEFT HIGH AND DRY** THE EXPLOITATION OF MIGRANT WORKERS IN THE IRISH FISHING INDUSTRY



"Why am I different? Why does the employer treat me differently? I am a man, I am the same as you."

Egyptian fisher in Ireland

Fishing is a key industry in Ireland, sustaining towns and communities around our coasts and increasingly dependent on the work of skilled and experienced migrant workers from across the globe. Those workers have now begun to disclose the exploitation and abuse they endure on Irish boats.

This paper details research carried out by Migrant Rights Centre Ireland (MRCI) with thirty migrant fishers on their experiences working in the Irish fishing fleet since the introduction of the Atypical Working Scheme in 2016. Looking at the intersection between the immigration system, the labour market and workers' rights in Ireland, MRCI has produced a set of recommendations to dramatically improve the situation of non-EEA fishers in Ireland's fishing industry.

#### THE IRISH FISHING INDUSTRY



Ireland has a long history of fishing and of producing high-quality seafood. We are deservedly proud of this trade, with most recent data showing an estimated value of  $\in$ 891 million in 2015.<sup>1</sup>

The Irish fishing fleet consists of approximately 1,992 vessels.<sup>2</sup> The majority of these boats are small vessels less than 15 metres in length, with crews of up to six fishers. Fishers may be employed directly by a boat owner for a monthly salary or, more commonly, self-employed fishers are contracted by boat owners to work on board for periodic fishing trips. Self-employed fishers are paid on a shared catch basis. They are responsible for their own tax returns.

The Irish fishing industry significantly benefits from EU Funds through the European Maritime and Fisheries Fund (EMFF). €147.6 million has been allocated to Ireland for the period 2014 - 2020.<sup>3</sup> The EMFF focuses on maintaining sustainability while increasing the capacity and scale of the fishing industry, including job creation. The Irish Government has committed to investing €92 million in co-funding in the same period. This total pool of €239.6 million is administered through fifteen different schemes. There is a specific scheme for Fish Producer Organisations which represent the interests of boat owners. None of the funding has been allocated to monitoring or supporting the rights of workers within the industry.<sup>4</sup>

<sup>1</sup> Bord lascaigh Mhara (BIM) (2015), 'Irish Seafood Industry: Fish Facts 2015', <u>http://www.bim.ie/media/bim/content/downloads/2015/Seafood,Industry,Fact,Sheet,2015.pdf</u>

<sup>2</sup> DAFM (2017) Sea Fishing Fleet Register 23<sup>rd</sup> November 2017 https://www.agriculture.gov.ie/seafood/seafisheriesadministration/seafisheriesadministration/seafishingfleetregister/

<sup>3</sup> European Commission (2017) Key EU Policies for Ireland http://ec.europa.eu/ireland/news/key-eu-policy-areas/fisheries\_en

<sup>4</sup> DAFM (2017) EMFF Schemes https://www.agriculture.gov.ie/emff/emffschemes/

#### **EXPLOITATION OF MIGRANT WORKERS**

The issue of chronic exploitation of migrant fishers in the Irish fishing industry reached public prominence in November 2015, when the Guardian published the results of a year-long investigation.<sup>5</sup> The report detailed fishers (primarily from Ghana, the Philippines, Egypt and Indonesia) being forced to work long hours with little or no sleep, while being paid less than half the Irish minimum wage. In response to this report and the ensuing public outrage, the Government set up an interdepartmental taskforce chaired by then-Minister for Agriculture, Food and the Marine Simon Coveney TD. In December 2015, the taskforce produced a report recommending the introduction of a scheme that would *"allow for the structured and transparent employment of non-EEA workers within a defined framework in the Irish fishing fleet"*. <sup>6</sup>

During this consultation period MRCI warned against introducing excessive restrictions into any type of work permit scheme, including tying a worker to a single employer. MRCI also recommended a lead-in period to build confidence in the scheme for workers and employers and an open-ended application period in recognition of the complexities of the sector.

#### **ATYPICAL SCHEME**

The Atypical Working Scheme that resulted from the taskforce report was open from February 15th 2016 to May 15th 2016 with a cap of 500 work permits. This was then extended until June 30th 2016. From July 1st 2016, applications were only accepted from persons from outside the country. The scheme applied to Polyvalent, Beamer and Specific vessels over 15 metres which accounts for between 170 – 200 vessels operating in the Irish fishing fleet<sup>7</sup>. The Government has estimated that there are approximately 500 migrants currently working on these boats, <sup>8</sup> although the International Transport Federation believes the figure to be much higher.

The application process comprised a complex series of steps including the certification of an employment contract by a solicitor, the registration of the contract with the Central Depository (CDPA) for Sea-Fishing Boats within the Department of Agriculture, Food and the Marine (DAFM) and, once this was approved, a separate application to the Department of Justice for an immigration permission. Once a fisher's work permit was granted, they were eligible to work only for that one employer. This effectively tied a fisher, their livelihood and their immigration status to an employer, giving excessive power to employers over workers.

There were a number of significant barriers for workers attempting to access the scheme, including the short timeframe to make an application, a general lack of awareness of the scheme, the lack of information in relevant languages. Cost was a further barrier, as the contract of employment had to be certified by a practicing solicitor.

The DAFM's template employment contract for the permit applied a standard 39-hour work week with a minimum wage pay rate.<sup>9</sup> This became the standard used by employers in this segment of the industry. This was despite the fact that normal working hours in



<sup>5</sup> The Guardian, 'Revealed: trafficked migrant workers abused Irish fishing industry', 2 November 2015. <u>https://www.theguardian.com/global-development/2015/nov/02/</u> revealed-trafficked-migrant-workers-abused-in-irish-fishing-industry

<sup>6</sup> Simon Coveney, Report of the Government Taskforce on non-EEA Workers in the Irish Fishing Fleet. DAFM, December 2015.

<sup>7</sup> These figures are subject to change as the registration list is regularly updated by DAFM. <u>https://www.agriculture.gov.ie/seafood/seafisheriesadministration/sea</u>

<sup>8</sup> There is limited data on the number of non-EEA migrant fishers working in Ireland. In 2015 the Marine Survey Office analysed the records of 25 boats and found 42% of workers were from outside the EEA. The segment of fishing covered by the Atypical Scheme is that of boats over 15m. Boats of this size make up just 10% of the total Irish fishing fleet at 206 boats. There are approximately six crew members in boats of this size therefore the potential number of non-EEA crew in boats over 15m is estimated at 500.

<sup>9</sup> FishingNET (2017) http://www.fishingnet.ie/centraldepository/

the industry are well beyond 39 hours per week for many periods of the year. This model contract did not comply with existing Irish legislation (S.I. No. 709/2003 – *European Communities (Workers on Board Sea- Going Fishing Vessels) (Organisation of Working Time) Regulations)*, which establishes a maximum working day of 14 hours and a 72-hour week. In short, the Government's standard contract clashed with its own legislation and was completely inappropriate for the reality within the industry.

In 2016, 182 permits were issued for non-EEA fishers working on Irish boats. These permits were issued for 12 months with the option for renewal. In 2017 only 93 work permits were renewed - a 51% renewal rate. An additional 27 permits have been issued in 2017 to fishers recruited from outside the State.<sup>10</sup> Meanwhile, fish producer organisations continue to highlight labour shortages in the industry and fishers are still being recruited from outside of the country through the Atypical Scheme.<sup>11</sup>

There are significant questions as to why, in the midst of an identified labour shortage, only half of the permits granted through the Atypical Working Scheme were renewed.

#### **METHODOLOGY**

This research draws on structured in-depth interviews with thirty non-EEA migrant fishers working in Ireland. Participants were identified and recruited through MRCI's Drop-In Centre and outreach to fishers across Ireland. The research was conducted in two phases. The first round of interviews was conducted between September 2016 and February 2017, - after the Atypical Working Scheme application window had closed. The second interview phase took place in August and September 2017, following the first renewal period. This consisted of twenty-two interviews with the same participants to ascertain their immigration status and and employer compliance with the scheme <sup>12</sup>.

Case studies are included to highlight key issues to further illustrate the research findings.

#### **PARTICIPANT PROFILE**

All participants were fishers from the Philippines and Egypt, the majority (62%) were between 30 and 45 years of age. The participants are very skilled and experienced fishers: 85.7% have training or hold a relevant qualification, 50% have received BIM safety training, and together they have over 400 years' experience in fishing.

#### **IMMIGRATION STATUS**

In Phase 1 of the research:

- 23 workers had been granted a work permit through the Atypical Working Scheme
- 6 were undocumented
- 1 fisher had secured a work permit but their employer failed to hand it over; subsequently the worker could not obtain an immigration permission

In Phase 2:

- 10 had their work permits renewed successfully
- 8 were undocumented

<sup>10</sup> Figures as of 27<sup>th</sup> October 2017. Obtained in telephone conversation with staff in INIS, Department of Justice and Equality

<sup>11</sup> Representatives of employer bodies to Joint Oireachtas Committee highlighted the lack of skilled and experienced workers in the industry, 21 September 2017. 12 Due to extended periods at sea, isolation and fear, 22 Fishers were willing and in a positon to participate in phase two of research.

- 2 had left Ireland
- 1 fisher had his work permit renewed but was no longer working with that employer due to poor working conditions
- 1 worker had his immigration permission temporarily extended as he was recovering from serious illness

#### **WORKING HOURS**

In Phase One, participants outlined their long working hours and days.

- 80.7% of respondents worked more than 60 hours per week.
- 65.3% worked over 100 hours per week.

A minority of fishers got appropriate rest breaks and days off. For example, one fisher said he worked a 39-hour week and had every Sunday off.

The length of fishing trips varied from five to fourteen days, depending on the weather, boat size and type of fishing. Many report working on a roll over basis. This means that fishers work two to three trips back-to-back

"We work long days. We go out for twelve days fishing, return to change skipper and the same crew go out again. We fish, take in the haul, empty the nets, mend the nets; when in port we clean the boats, restock and mend the nets."

A fisher said on one trip he worked an average of 15 hours a day. Others reported working 18-hour days. A number of fishers spoke about the particular intensity of prawn fishing.

"When we arrive, we shoot the nets then we can rest and sleep for 6 hours until the haul comes aboard. Then we start sorting the prawns and we shoot the nets again. Sorting prawns is a big job, sometimes we don't get finished before the next lot come on board. Sometimes I will get to sleep an hour or maybe two hours...I have extra jobs to do though because I am also the cook, so I sleep less than the others because I have to cook dinner. I'm also an engineer so I repair the engine when there is a problem. We work around the clock. Trips are usually ten to fourteen days long."

Statutory Instrument No.709/2003 – European Communities (Workers on Board Sea- Going Fishing Vessels) (Organisation of Working Time) Regulations states that a worker on any sea-going vessel shall not work more than 14 hours in any 24-hour period or 72 hours in any seven-day period and that "hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length and the interval between consecutive such periods shall not exceed 14 hours".<sup>13</sup> It is clear from the research data that fishers routinely work more than 14 hours in a 24 hour period and far more than 72 hours in seven days. These are significant breaches of employment legislation and the regulation on working time.

#### UNDERPAYMENT

The survey also revealed that underpayment of wages is widespread.

Fishers who held an Atypical Work Permit reported being paid on average €330.40 per week. Yet the same work permit holders surveyed worked on average 116.9 hours per week. This works out at on average €2.82 per hour - far short of the legal minimum wage rate, which was then €9.15 per hour.

13 S.I. No. 709/2003 – European Communities (Workers on Board Sea- Going Fishing Vessels) (Organisation of Working Time) Regulations 2003 <a href="http://www.irishstatute-book.ie/eli/2003/si/709/made/en/print">http://www.irishstatute-book.ie/eli/2003/si/709/made/en/print</a>

### **SAFETY AND WORKING CONDITIONS**

The participants' experience of workplace safety and injury highlights the dangers of working in fishing, and the daily risk fishers face when working in Ireland.

**40%** do not feel safe at work. The fishers' safety concerns centre on the lack of rest breaks and rest days. Consequently, exhaustion makes them prone to work accidents. Another hazard is the lack of safety equipment on boats, particularly in times of bad weather conditions.



**36.6%** of those surveyed have either personally sustained injuries or witnessed others injured while at work; such injuries include crushed limbs and serious wounds.

- In one case a worker developed hypothermia but did not inform his employer as he was worried he would lose his job
- Another man sustained serious wounds but could not get medical attention until he got back on land which was four days later
- One of the workers witnessed his peer going overboard and drowning

Some employers were very supportive of fishers who had been injured, and had provided significant financial support to the families of those who had lost their lives at sea. Other employers did not pay fishers when they were injured, and in some instances even denied the fishers ever worked for them.

#### **ABUSE AND DISCRIMINATION**

One in four workers interviewed had experienced verbal and/or physical abuse<sup>14</sup>. One worker stated that his employer shouted and swore at the crew on a daily basis, and on one occasion the employer physically pushed him. This created a hostile working environment that made it impossible for workers to challenge poor wages and conditions or seek redress for breaches of their rights

"We get shouted at while we work. The skipper shouts insults at us we don't understand. He undermines us in front of the other crew. He shouts at us to work harder."

One fisher said that intimidation and harassment were commonplace. It was how the skippers<sup>15</sup> ran the boat. He said the skipper constantly shouted at and denigrated the workers to try to get them to work harder, not to take breaks, to increase productivity and in turn the catch.

One in five fishers interviewed have experienced discrimination.<sup>16</sup> For instance, workers reported not receiving the same pay or share of the catch as white Irish or European fishers, having to take on more difficult jobs than the others and having to stay back on the boat in port to clean up after all other crew members have left. Others reported racist insults.

The Atypical Scheme has reinforced pay discrimination between fishers of different nationalities. The template employment contract provided under the Atypical Scheme set out minimum

15 Some boats owners also skipper their boats, while others employ skippers to manage the boat.



<sup>14 26.6%</sup> of workers reported experiencing verbal or physical abuse.

<sup>16 23.3%</sup> of workers surveyed reported experience discrimination and racism.

standards that have become the norm in employment of fishers from outside the EU. For example, a 39hour working week at minimum wage rates is deemed appropriate pay for a non-EEA migrant fisher on a boat. Yet another fisher from the EU on the same boat is paid to work on a shared catch basis - the standard in the industry, and fairer remuneration for such tough and high-risk work.<sup>17</sup> Due to immigration conditions, non-EEA workers on a work permit cannot be paid by shared catch. The scheme essentially encourages pay discrimination.

#### **ENFORCEMENT**

Responsibility for monitoring fishers' working conditions is spread across several different agencies including the Marine Survey Office, the Workplace Relations Commission, the Sea Fisheries Protection Authority, the Naval Service and the Health and Safety Authority (HSA). This makes examining records and collecting comprehensive information on the situation of individual fishers on boats very challenging. For example, the Marine Survey Office is responsible for the Organisation of Working Time regulations for Workers on Board Sea-Going Fishing Vessels<sup>18</sup>, while the Workplace Relations Commission (WRC) is responsible for the Payment of Wages and Minimum Wage Acts.

When employers breach employment law in Ireland, workers have the right to take a case to the WRC. However, none of the workers interviewed for this research had taken a case to the WRC to enforce their rights. Many migrant fishers in this segment of the industry have poor information on their rights. Our research found that they do not understand their right to access their employment records, crew list and logbooks for the boats they work on. They do not have comprehensive ways of recording their days and hours of work. Most are not familiar with the wide range of agencies responsible for inspecting their workplaces. This means they cannot obtain the information to take a case individually or to support the WRC in taking a case against their employer following an inspection.

Language is a significant barrier for migrant workers in accessing information on their rights. Even when a worker has enough English to work and communicate with colleagues, they may not have the specific vocabulary regarding employment rights.

When fishers return to shore, most rest days are spent sleeping and recuperating after exhausting and gruelling work. Many are living in small coastal towns with limited access to major towns and cities. This makes it difficult for them to access support from organisations like MRCI.

The long hours and continuous work of fishing makes it difficult for fishers to accurately record and document their hours in order to take a case against an employer. Most fishers say that fishing trips consist of cycles of intense work and snatched hours of sleep making it hard to keep track of hours worked. One fisher said he was asked to sign a timesheet but was so exhausted he just signed it without reading it. Later he realised that he had been underpaid for the hours he worked, but as he had signed the timesheet he felt he could not take a case against his employer.

#### **CASE STUDY**

Fishers Michael and Joe<sup>19</sup> are originally from the Philippines and work in Ireland. In 2016 they successfully applied for the Atypical Scheme. Their employer gave them contracts based on the model provided by the Government: 39 hours a week at the national minimum wage of €9.15.<sup>20</sup> Their take-home pay is approximately €330 per week. Michael and Joe work on average 18 hours a day, six or sometimes seven days a week. A fishing trip of six days can produce 107 boxes of fish at 30 kilos each. At a low estimate of €3.00 per kilo, the

18 S.I. No. 709/2003 - European Communities (Workers on Board Sea-Going Fishing Vessels) (Organisation of Working Time) Regulations 2003

19 Names have been changed to protect identities.

<sup>17</sup> Fishers who have permission to work as self-employed in Ireland and working on a share catch basis are mostly Irish or EU nationals and include a small number of non-EEA workers who have a stamp 4 or residency status in Ireland.

<sup>20</sup> The national minimum wage was €9.15 in 2016. It rose to €9.25 in January 2017.

potential catch is worth approximately €9,630 per trip. Michael and Joe only receive €330 each of this. The template employment contract makes no provision for payment based on shared catch.

Michael and Joe live on the boat when it is at shore. They do not have other accommodation. At one point Michael and Joe's employers asked them to sign blank rosters. After a year of working under these conditions, Michael and Joe wanted to negotiate better conditions. They found it difficult to do this as they were worried they would lose their jobs and their immigration status. They decided to stay with their employer and renew their work permit to keep their immigration status. In the summer of 2017 their boat was inspected by the authorities. The inspector spoke to the Skipper and they were only called up to speak to the inspector to show him their GNIB cards. They had no opportunity to speak privately with the inspector about pay and conditions. Michael and Joe are now on their second Atypical Work Permit and working under the same poor conditions. They still want to change their employer, yet they are concerned that if they approach a potential new employer their current employer will find out and they will be effectively blacklisted among employers.

#### **UNDOCUMENTED WORKERS**

Fishers who are undocumented fear both losing their job - even if they are underpaid and exploited - and coming to the attention of the authorities and being at risk of deportation and unable to earn a living. This means they are highly unlikely to take a case against an employer for fear State agencies like the WRC may pass their information to the Gardaí. As a result they are more likely to endure high levels of exploitation in silence.



#### **CASE STUDY**

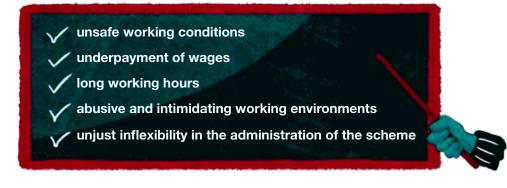
Sameer<sup>21</sup> is a fully-trained seaman, originally from West Africa. His family borrowed several thousand euro to pay a recruitment agent to arrange his travel and employment with an Irish employer. He flew to Belfast through the UK on a 48-hour transit visa. There was no one there to meet him. He was given instructions to go to the bus station and get the ticket master to call a number so he could arrange a bus ticket to Cork. From the bus stop in Cork he went straight to the boat. He was asked to stay on the boat even though the agent had told him he would have accommodation on shore. Engine problems started a few days after he arrived, and he rarely left the boat: he was on the boat working continuously for four months. After the first three weeks he got sick. When Sameer came to shore they told him they would deduct €50 from his salary for food on shore, but gave Sameer and another fisher just €20 worth of food between them for the month. Sameer recalls *"I didn't have a say for myself. If you are working all the time you don't have time to think. I wished I could be in a better place. I felt very tired."* 

The owner complained that he wasn't fast enough and threatened him. *"If you don't work faster I will throw you overboard"* the owner told him, *"you are illegal in this country and will be sent back home."* Money was paid into his bank account in his home country. He didn't receive payslips and didn't know how much he was receiving. He stated that *"The debt is a big problem for me. It keeps increasing."* He is very stressed about the debt. *"If I walk away from the boat, the little money I get, I won't have any more, to pay little amounts off this loan."* He describes how *"sometimes I can't take care of myself. I am so tired."* 

<sup>21</sup> Names have been changed to protect identities.

#### CONCLUSION

This research shows that there are still alarming levels of severe exploitation and non-compliance in this segment of the Irish fishing. Over the lifetime of the Atypical Working Scheme, fishers have endured:



Given the above, it is critical that unscrupulous employers are held to account through robust enforcement. It is important to acknowledge that this is an already complex and regulation-heavy industry. However, MRCI has consistently warned that the framework the government put in place did not account for this unique working environment. Elements of the scheme have reinforced exploitation instead of tackling it.

The scheme has forced some migrant fishers from non-EAA countries to work under substandard contracts in order to obtain permission to work. Others, who could not convince their employers to apply for the scheme, had no choice but to remain undocumented even though they were employed as full-time workers.

The fact that only half the permits were renewed despite identified labour shortages illustrates the inadequacy of the Atypical Scheme as a response to exploitation.

A deeply concerning finding of the research is that 40% of fishers interviewed do not feel safe at work. This fear is well founded as more than a third have either been injured personally or witnessed an injury on board a vessel. The workers who took part in the research are very skilled and experienced fishers who understand the risks of their industry, yet still feel unsafe working on Irish boats. The high-risk environment is linked to exploitation: long hours and exhaustion affect a worker's ability to react and respond to dangerous situations. The experience of verbal abuse and racism of fishers at the hands of some skippers is indicative of an unequal value for the safety and life of migrant fishers. MRCI is very concerned that without action, avoidable injuries and loss of life will continue to be a reality for fishers in Ireland.

This research shows that the Government has failed to achieve its stated objective of introducing a "robust and fair"<sup>22</sup> scheme. The Atypical Scheme has reinforced underpayment, pay discrimination, poor working conditions and chronic exploitation for many migrant workers in this segment of the industry. A framework was created which made it difficult for fishers to comply with immigration rules, and which has allowed unscrupulous employers to underpay, control and exploit workers while undercutting compliant employers.

Building trust and strong information networks in isolated sectors such as fishing is critical in tackling exploitation. To root out exploitative practice and unscrupulous employers, migrant workers and particularly undocumented migrant workers must be treated and protected like any other worker. This can only be done by building relationships of trust with workers, informing them of their rights and supporting them to organise.

As it stands, responsibility for administration, compliance and enforcement is split across a number of

22 Simon Coveney. Department of Agriculture, Food and the Marine. Press Release 'Minister Coveney Outlines Details of Planned New Scheme for Non EEA Workers in Irish Fishing Fleet'. 20 November 2015 <a href="https://www.agriculture.gov.ie/press/pressreleases/2015/november/title.87348.en.html">https://www.agriculture.gov.ie/press/pressreleases/2015/november/title.87348.en.html</a>

government departments and State agencies. No one body has overall responsibility for coordinating and oversight of this sector. This results in ongoing exploitation and non-compliance, leaving migrant fishers in a dangerous and untenable situation.

#### RECOMMENDATIONS

The Irish fishing industry is an integral part of Ireland's drive for sustainable food production. To achieve this it must be transparent and fair. It is vital that migrant workers are paid fairly for the work they do and are treated with respect.

#### **PAY AND CONDITIONS**

- The Minister for Business, Enterprise and Innovation should work with worker representatives and employer bodies to develop a new model contract that accurately reflects the nature of the sector.
- The Minister for Business, Enterprise and Innovation should promote specific regulation in the sector - with relevant parties - in the form of a sectoral employment order or Joint Labour Committee, which sets out terms and conditions, and pay to ensure a basic wage and commission based on shared catch.

All contracts and agreements must be compliant with S.I. No. 709/2003 – European Communities (Workers on Board Sea-Going Fishing Vessels) (Organisation of Working Time) Regulations 2003.

#### **PERMISSION TO WORK**

- MRCI recommends that the Government winds down the Atypical Scheme for non-EEA migrant fishers and put in its place a sector-based immigration permission that removes any barriers to changing employers. This should be open to fishers already in the state as well as those outside it.
- In transitioning to a sector-based immigration permission, the Government must take immediate action to ensure workers who have fallen out of the previous scheme or who have been exploited or injured do not become undocumented. Temporary immigration extensions should be given in this regard.

• Out-of-country applications should be suspended for a transitionary period to allow fishers in the country obtain permission to work.



• A cooling-off period for workers to regularise their immigration status should be provided both in the transitional phase of the current scheme and under the new sector-based immigration permission.

#### **ENFORCEMENT**

• The Government must ensure information on employment rights and immigration procedures is available and readily accessible in all relevant languages.

During inspections, the WRC must ensure that workers have an opportunity to disclose exploitation. Key measures include providing information in relevant languages discreetly to workers when inspecting vessels and using interpreters during inspections and in follow up contact afterwards.

• A firewall between immigration enforcement and employment inspections should be introduced to ensure workers feel safe to disclose mistreatment and exploitation. The WRC should therefore not conduct inspections jointly with the GNIB

#### COMPLIANCE

- One body the Marine Survey Office should have overall responsibility for compliance in this sector.
- The International Transport Federation (ITF) should be given a role in the inspection of all fishing boats.

#### **INTERNATIONAL OBLIGATIONS**

• The Government must ratify and enforce the International Labour Organisation's C188 Work in Fishing Convention, 2007 (No. 188).

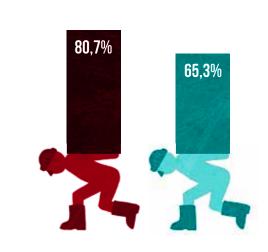


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#### EUROPEAN UNION

Asylum, Migration and Integration Fund



80.7% of respondents worked more than 60 hours per week.

65.3% worked over 100 hours per week.

RENEWE

The average pay for fishers on the Atypical Working Scheme is 330.40 per week for an average of 116.9 hours per week.

> This works out at €2.82 per hour.

40% of fishers do not feel safe at work with 36.6% having either personally sustained injuries or witnessed others being injured

Only **51%** of fishers on the Atypical Working Scheme had their work permit renewed after 12 months

> One in five fishers interviewed have experienced discrimination and racism

**One** in **four** workers interviewed had experienced verbal and/or physical abuse