

Social Security for International Labour Migrants: Issues and Policy Options

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Rakhee Timothy



V.V. Giri National Labour Institute

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Preface

Cross-border population movement, an indispensable feature of the current phase of globalisation, has led to significant changes in the migration landscape. Factors like temporisation of labour flows, increased mobility of low and semi-skilled migrants, and rise in irregular migration have widened the range of insecurities encountered by migrants. Extending social security to migrants and their families could significantly minimise, if not address, the entire gamut of insecurities during the migration cycle. While the argument seems to be most compelling for migrant workers from developing countries, often they have limited or no access to social security.

This paper aims to highlight the case for providing social security to transnational workers, considering the heterogeneity associated with labour migration flows and the corresponding increase in insecurities of migrants. It analyses international legal instruments and document good practices, at multilateral and bilateral levels, to argue for extending such initiatives particularly to workers from developing countries. Social security for migrants from India is explored to make a case.

I sincerely hope that scholars and practitioners engaged with the issue of social security for international migrant workers will find the research paper useful in their professional endeavors.



V.P. Yajurvedi
Director General

V.V. Giri National Labour Institute

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Social Security for International Labour Migrants: Issues and Policy Options

1. Introduction

The migration landscape has witnessed tremendous changes in the last decade, with migrant stock growing in magnitude and migration flows becoming diversified. From a policy perspective what requires immediate attention is the wide range of insecurities confronted by migrants (International Labour Organization [ILO], 2010a)—a phenomenon that has been difficult to reverse despite increasing population mobility. Factors operating at multiple levels are responsible for this situation. Firstly, due to economic transition and demographic changes witnessed in several countries, labour migration cannot be approached from a narrow perspective, as a flow directed solely from developing to developed countries. A significant share of migrants move between developing countries and also from developed to developing countries (International Organization for Migration [IOM], 2011). However, in most of these countries administrative and legal structures required to facilitate migration to new and emerging destinations, or to meet the requirements of different categories of migrants continue to be rudimentary. Secondly, both high and low skilled migrants are governed by stringent policies, restricting permanent migration, to reduce the burden on public services of the host countries (Ginneken, 2013; Organisation for Economic Co-operation and Development [OECD], 2008). In fact, ‘internal controls’, like detention, expulsion and exclusion from work and welfare, are increasingly resorted to, along with border controls, to restrict migration (Sabates-Wheeler and Feldman, 2011). Though a well-managed circular migration arrangement could be beneficial to origin and destination countries, this is seldom followed, resulting in irregular migration. Costly and cumbersome migration procedures

also push migrants to rely on irregular migration channels. This is particularly true of low skilled workers, with women accounting for an overwhelming majority. Thirdly, when host countries experience difficult economic situations, as in the case of the recent global economic slowdown, the right to migrate and rights of migrants are adversely affected. The State responds to such shocks by making cross-border movement restrictive—increasing living and working costs for migrants or making the hiring migrants stringent for employers (Koser, 2009). Often, it is conveniently ignored that such processes further marginalise migrant workers. All these factors highlight the need to evolve policies to address insecurities encountered by the migrants.

The complexity of the problem becomes clear when one considers that international migrants encounter varying degrees of difficulties in being part of the social security systems in both origin and host countries and also have limited access to informal social support networks. The State, positioned as intermediary in the global exchange of labour, cannot disassociate itself from its responsibility of extending social security to transnational workers. Given such complexities associated with the current migration phase, this paper analyses social security arrangements to address insecurities encountered by international labour migrants.

The rest of the paper is structured as follows: Section 2 draws on a conceptual framework to approach social security for international migrants and examines the international legal instruments that address the issue. Section 3 presents empirical evidence on social security regimes and highlights the good practices at the regional level. To situate the issue in a developing country perspective, initiatives to extend social security to migrants from India, a major labour sending country, is analysed. Section 4 concludes with policy suggestions to improve the provision of social security to international migrant workers.

2. Locating International Migrants within the Social Security Framework

Social security considered as a basic human right includes all measures through which society provides benefits to its members, in cash or kind, to protect them 'against the economic and social distress that would otherwise be caused by the stoppage or substantial reduction of earnings resulting from sickness, maternity, employment injury, unemployment, invalidity, old-age and death and the provision of medical care and subsidies to families with children' (ILO, 1984). The conventional notion of social security covers two dimensions of insecurity: income and availability of medical care. The *World Social Security Report 2010/2011* makes the scope of social security even broader by including disability protection, support for children, and protection against poverty and social exclusion under its purview (ILO, 2010a).

Provision of social security is considered a public responsibility, though delivery of social security is often mandated to private institutions. Individuals derive benefits from social security schemes as they have made a contribution (contributory scheme); they are residents (universal scheme); fulfil certain criteria (categorical scheme); or experience specific conditions (social assistance scheme) (ILO, 2010a). In a contributory scheme like social insurance, contributions made by beneficiaries primarily determine the entitlement of benefits. However, it could be also partly financed by the State, by means of taxes or subsidies, to achieve a more equitable distribution of resources. Universal schemes usually extend the benefits to all residents and are generally financed by tax. Access to health care could be an example, though it may require the beneficiary to make a nominal payment, with an exemption granted to the poorest. Categorical schemes target specific groups such as the elderly, or certain occupational groups such as informal workers. Social assistance schemes usually take the form of conditional cash transfer, if an individual or household fulfils specific conditions. This could be ensuring children attend school regularly or utilising basic health care services.

The effectiveness of social security can be analysed by looking at its *scope* (number or type of insurance), *extent* and *adequacy of coverage*. While addressing the effectiveness of social security schemes, it is also important to make a distinction between legal and effective coverage. It is quite possible that statutory social security provisions do not cover certain categories of workers or rigidities in the administrative structure lead to the exclusion of certain population groups due to inadequate implementation of legal stipulations or lack of adequate funds, for example.

The concept of social security¹ provides a useful framework to address the range of vulnerabilities encountered by migrants and their families at different stages of the migration cycle. Migrants are often excluded from the social security system of their home country, because of the principle of *territoriality*, which limits the scope of social security measures operating within the country to its territory. At the destination, migrant workers' right may be affected due to the principle of *nationality* that excludes foreigners from the coverage of social security. Migrant workers in the formal sector are usually provided social security coverage, though on certain criteria. There is also a high probability that migrant workers in formal employment are engaged in sectors where social security laws are poorly enforced. Further, a significant share of migrants is engaged in the informal sector, with poor working conditions, often in hazardous activities (ILO, 2010a). Apart

¹ It needs to be recognised that social security is a very reductionist concept, in comparison with the concept of social protection, which includes informal arrangements to cover vulnerabilities of individuals. Social protection for international migrants covers the following: (a) formal social security at home and destination countries; (b) portability of acquired rights and rights that are in the process of being acquired; (c) recruitment process and labour market conditions in the home and destination countries; and (d) informal support mechanisms. Of late, concepts like Social Floor or Social Protection Floor, which are much wider in its scope, have also emerged, finding place in academic and policy debates following the World Commission on the Social Dimension of Globalization. For details, see Avato, Koettl and Sabates-Wheeler (2010) and Sabates-Wheeler and Waite (2003).

from the sector of employment (formal/informal) it is not uncommon to find the legal entitlement of migrants to social security restricted by migrant status (regular/irregular), duration of stay, status of visa (primary/dependent), period of employment/residence, and extent of contribution (Tamagno, 2008). For instance, in all countries, payment of benefits, with the exception of employment injury, is conditional upon a qualifying period of contribution, employment or residence; the qualifying period can be longer (up to 15 years) for long-term benefits (Hirose, Nika and Tamagno, 2011). Additional factors like cultural/language barriers, labour market segmentation, and the indifference of destination countries make it easier for employers not to extend social security coverage to migrants.

While it is crucial to bring *all* migrant workers under social security coverage, what requires immediate attention is the matter of migrants who make significant contributions to social security but are nevertheless unable to avail any benefits due to the lack of *portability* (Kulke, 2006). This may lead to two scenarios. Limits to the portability of benefits may provide incentives for short-term migrants to engage in the informal sector, where they may be exempted from contributing to funds, benefits of which may be denied to them. Or it could be the case that migrants workers who are forced to make contributions are disincentivised to return as they cannot avail the benefits of their contribution from their home country. To achieve portability of benefits it is essential to have cooperation between countries of origin and destination, to arrive at *totalisation*² that takes into account the period of social security contribution in different countries. It

² Totalisation takes into account three types of losses: vesting loss, final wage loss, and back-loading loss. Vesting loss occurs when people migrate before completing the minimum years of contributions required for them to become eligible for benefits. Final wage loss occurs when pension benefits are based on the last salary. This leads to significant monetary loss to migrants, as many of them leave their country at a younger age during which their salary will be lower. Back-loading loss occurs when pensions are accrued at an increasing rate. Therefore, early leavers lose out since they would earn more benefits from a higher rate in later years. For details, see Luckanachai and Rieger (2010).

is also important to distinguish portability from *exportability* of benefits. Exportability does not require cooperation between countries of origin and destination, as benefits are determined by the social security systems of any one country. However, social security arrangements that are exportable but not portable will provide lower benefits to the beneficiary as social security contributions in different countries are not taken into account in this arrangement. Such scenarios highlight the need to have a comprehensive social security system to enhance the developmental potential of migration.

It emerges from the above discussion that extending social security to international migrants poses significant administrative challenges. Empirical evidence indicates that multilateral responses are required to arrive at a social security system that caters to the wide range of insecurities confronted by migrants at different stages of the migration cycle. International legal instruments provide a framework to arrive at appropriate policy responses to extend social security for migrants; the focus of our analysis in the next subsection is this aspect.

2.1 International Legal Instruments on Social Security

Several international instruments exist to promote migrant workers' rights, especially non-discriminatory access to social security benefits. The topic of social security was recognised for the first time in an international instrument when it was included in Article 3 of the Declaration of Philadelphia in 1944. The Universal Declaration of Human Rights (UDHR) in 1948 also outlined the universal right to social security for all human beings, as the right to a daily living wage to ensure the maintenance of a minimum standard of living. In fact, during the General Discussion on Social Security at the International Labour Conference in 2001 (ILO, 2001), social security was also confirmed as a basic human right.

The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102), was the first international legal instrument to comprehensively

address social security concerns.³ It is important to note that, generally, ILO Conventions do not discriminate between national and migrant workers. The Social Security Convention, 1952, identifies nine specific kinds of social security: medical care; sickness benefit; unemployment benefit; old-age benefit; employment injury benefit; family benefit; maternity benefit; invalidity benefit; and survivors' benefit. However, when benefits or part of the benefits are paid out of public funds the Convention allows for some flexibility in excluding non-nationals from its coverage. Later, ILO formulated the Equality of Treatment (Social Security) Convention, 1962 (No. 118), that establishes rules on the equality of treatment of nationals and non-nationals in social security and provides for the maintenance of acquired rights and the export of benefits.

Apart from the ILO Convention Nos. 102 and 118 on social security, there are several international instruments that have been formulated to address vulnerabilities of the migrants and their families. These include the UN Convention on the Protection of the Rights of All Migrant Workers and Their Families, 1990; ILO Convention Concerning Migration for Employment, 1949 (No. 97); Migrations in Abusive Working Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1978 (No. 143); and Right Against Exploitation by Private Employment Agencies, 1997 (No. 181). Apart from their emphasis on provisions of social security, these international conventions highlight freedom, dignity and the protection of migrants in a foreign country, by ensuring the right to migrate, right to information on safe migration, right to unionise and collective bargaining, and right against trafficking and smuggling, all important dimensions that address insecurities. Further, UN

³ Other ILO Conventions relevant to the issue include, Employment Injury Benefits Convention, 1964 (No. 121); Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128); Medical and Sickness Benefits Convention, 1969 (No. 130); Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168); and Maternity Protection Convention, 2000 (No. 183).

Convention 1990 and ILO Conventions Nos. 97 and 143 provide for equality of treatment between regular migrant workers and nationals in the area of social security, subject to certain conditions.⁴ Among the regular migrant workers, it is the temporary migrants who find more hurdles in accessing social security at the destination.

The issue of portability of social security, particularly portability of pensions, is addressed in the ILO Convention on Maintenance of Social Security Rights, 1982 (No. 157), and Recommendation on Maintenance of Social Security Rights, 1983 (No. 167). The Convention and Recommendation ensure the portability of acquired social security rights as well as rights that are in the process of being acquired when workers move from one country to another. It is worth noting that the export of benefits often varies depending on the country and branch of social security; for instance, the transfer of unemployment benefits is often restricted (ILO, 2010b). The ILO Resolution Concerning a Fair Deal for Migrant Workers in a Global Economy (ILO, 2004) and the ILO Multilateral Framework on Labour Migration, 2005, calls for interventions to improve the social security coverage of migrant workers. The Multilateral Framework on Labour Migration encourages countries to consult relevant ILO instruments while formulating national laws and policies, suggests model provisions to arrive at a system to make social security benefits portable, and recommends bilateral, multilateral and regional agreements as a starting point.

⁴ For instance, Article 27 of the UN Migrant Convention 1990 states: 'With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfill the requirements provided for by the applicable legislation of that State and the applicable bilateral and multilateral treaties...'; Similarly, Article 28 of the 1990 Convention states: 'Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned...' For details see the website <<http://www.un.org/documents/ga/res/45/a45r158.htm>> retrieved on 2-08-2013.

Among the various categories of migrants, irregular migrant workers probably face the most difficulty in gaining access to social security benefits. The ILO and UN Conventions relevant to the social security of migrant workers are generally silent on their applicability to irregular migrants. The only exception is the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), which states that regular and irregular migrant workers shall have the same social security rights arising out of past employment. However, as noted by Kulke (2006), it is largely applicable with respect to rights acquired from past employment. The social security concerns of irregular migrants need attention, given the increasing trend of this form of migration. While several countries like Belgium, Czech Republic, Finland, France, Mexico, Norway and Spain extend emergency medical care for irregular migrant workers, there are considerable differences in the manner in which such assistance is extended and in how 'medical emergency' is defined (Schoukens and Pieters, 2004). The ILO's Resolution Concerning a Fair Deal for Migrant Workers in a Global Economy clearly acknowledges the gap existing in ILO instruments in protecting migrant workers, particularly those in the irregular category.

While there exist a number of international instruments formulated to protect the right of migrant workers, the track record of ratification continues to be poor. For instance, the ILO Equality of Treatment (Social Security) Convention, 1962 (No. 118), and Convention on Maintenance of Social Security Rights, 1982 (No. 157), have been ratified by only 38 and 4 countries respectively till date. And in most cases the ratifying countries are not the major labour receiving countries, which affects the efficacy of these legal provisions. Promoting the benefits of signing international conventions, and providing technical assistance in ratification and application of their provisions in national law and policy emerge as possible alternatives (ILO, 2010b).

3. Institutional Structure for Delivering Social Security

This section deals with two critical dimensions of social security. First, it examines the coverage of international migrant workers under the framework of the existing social security systems. Second, an effort is made to detail the institutional mechanisms and the possible reforms that could be effected in these structures in order to expand their coverage. Holzman, Koettl and Chernetsky (2005) provide a helpful classification of migrants according to coverage and portability of social security. They arrive at four 'regimes': (a) Regime I, where access to social security benefits and advanced portability is regulated by bilateral agreements; (b) Regime II, where access to social security benefits in the absence of bilateral agreements is governed by the national laws of labour receiving countries; (c) Regime III, which does not provide for access to portable social security, particularly to long-term benefits (like old-age pensions), not even on a voluntary basis, but allows some access to non-portable short-term benefits (like health care); and (d) Regime IV, which covers documented and undocumented migrants who participate in the informal sector of the host country and who have very limited access to social protection. Table 1 presents access to social security in these four regimes. As the data indicates, only 21.2 per cent of the global migrants are in Regime I, with full access and portability of social security rights. The majority of the migrants fall in Regime II, where the national laws of the host countries determine the extent of social security payments to be made.

Table 1: Share of International Migrants in Different Social Security Regimes (in %)

Regime	International Migrants
Regime I	21.2
Regime II	52.0
Regime III	5.5
Regime IV	21.3

Source: Holzman, Koettl and Chernetsky, 2005.

Avato, Koettl and Sabates-Wheeler (2010) provide an interesting regional analysis of different regimes. While 80 per cent of migrants in the European Union (EU) and other European countries and 68 per cent of migrants in North America are covered under Regime I, hardly any migrants from South Asia and only 4 per cent of migrants from South Africa fall under this category. Interestingly, the majority of migrants in Regime I move between high income countries, while the reverse seems to be true for other regimes, where mobility is dominated by migrants moving between low and middle income economies.

Given the complexities associated with extending social security coverage, several mechanisms have been evolved to enhance the social security of international migrants. This is a particularly challenging task given that in most countries, national laws and practices are not in line with international Conventions and Recommendations on social security concerning migrant workers.

3.1 Bilateral and Multilateral Agreements

The way in which social security institutions regulate the transfer and payment of acquired social security entitlements of migrants could be determined by bilateral and multilateral or regional agreements.⁵ Bilateral Social Security Agreements (SSAs) protect the workers by exempting them from making double contributions to social security by providing for the portability of pensions to which they have contributed, i.e the transfer of the pension from the country of origin to the destination. While bilateral agreements are easier to negotiate and monitor, it could be possible that rights of migrants are restricted depending on the terms of agreement between the sending and receiving countries. Bilateral agreements could be diverse, depending on the national laws and regulations in

⁵ The history of bilateral and multilateral agreements on social security can be traced to the early years of the 20th century. The earliest bilateral agreement was signed between France and Italy in 1904 and the first multilateral agreement by the Scandinavian countries (Denmark, Norway and Sweden) in 1919— both concerned with the compensation of employment injury benefits (Kulke, 2006).

each country, leading to a complex system of portable social security system (Avato, Koettl and Sabates-Wheeler, 2009). On the other hand, multilateral and regional agreements set common rules and standards for the participating countries, aim at progressive harmonisation of labour polices, and eventually at equal treatment for nationals of all member states. The ILO Recommendation on Maintenance of Social Security Rights, 1983 (No. 167) provide Model Provisions for the conclusion of bilateral or multilateral social security instruments for migrants. These include: (a) *equality of treatment*, as far as possible, i.e. nationals and migrants should have the same rights and obligations; (b) *maintenance of acquired rights and provision of benefits abroad* which allows for totalisation of rights acquired in various countries and export of benefits to any country of choice; (c) *determination of applicable legislation*, to provide clarity on which country's legislation governs the social security provisions in a given time; and (d) *reciprocity*, i.e. equal treatment granted to citizens of countries that have ratified relevant instruments and extended non-discriminatory treatment to nationals from other countries.

Among the various multilateral agreements, the one prevailing in the EU countries deserves special mention. The EU provides full portability of social security to its nationals. Further, EU nationals can also export their pension benefits to any country in the world. A third country national residing in the EU is also extended full access to and portability of social security benefits to any of its member countries after five years of residence. Such arrangements bridge the gaps between national social security systems and ensure that workers are subject to the legislation of only one country and enjoy full portability of benefits (Mei, 2013). The EU has also entered into several multilateral agreements with neighbouring countries, following the Barcelona Declaration in 1995.⁶ The European-Mediterranean agreements of the 1990s, between the

⁶ The Declaration founded the European Mediterranean Partnership (EMP) making 10 Mediterranean countries (Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, Turkey and the Palestinian Authority) official partners of the EU. Cyprus and Malta which were part of the EMP joined the EU in 2004.

EU and the Maghreb countries (Algeria, Morocco and Tunisia), had provisions for the portability of social security benefits (Kulke, 2006). To arrive at better harmonisation between EU countries with regard to non-EU countries, the European Commission is now proposing an EU Social Security Agreement, which is likely to adopt a more flexible approach to social security coordination (European Commission, 2012).

EU countries have entered into several bilateral SSAs with non-EU countries. Spain, for example, is involved in many bilateral migration agreements with countries in Africa (such as Guinea-Bissau, Mali, Mauritania, Morocco and Senegal), Eastern Europe (such as Bulgaria, Poland and Romania) and Latin America (such as Argentina, Colombia, Dominican Republic, Ecuador and Mexico). In 2007, Spain and Portugal signed the Ibero-American Multilateral agreement with 20 Latin American countries, all of which are members of the Ibero-American Social Security Association (OISS). The EU has also signed several bilateral SSAs with Asian countries, a prominent signatory being India. The analysis of bilateral SSAs signed by member countries in the EU with non-EU countries indicates interesting results. Though the majority of these agreements follow the same principles, there also exist significant variations, say in posting durations (the period one is exempted from making social security contributions in the host country) (Spiegel, 2010). While countries in the EU prefer shorter posting periods (for example, 24 months), most of the non-EU countries prefer a relatively longer posting period of 60 months.

There are also several regional groupings that work towards improving the social security of migrant workers. Those meriting special mention include the Caribbean Community (CARICOM), Common Market Agreement on Social Security and the general Convention on Social Security adopted by the Economic Community of West African States (ECOWAS), MERCOSUR founded by Argentina, Brazil, Paraguay and Uruguay and Ibero-American Social Security Convention (Franssen, 2006; International Social Security Association [ISSA], 2011). Among

these, CARICOM and MERCOSUR follow model provisions on signing multilateral and bilateral social security instruments, as stated in the ILO Recommendation, 1983 (No. 167). In South Africa, the South African Development Community (SADC) has agreed on a Social Code, which encourages its members to protect migrants by providing them equal access to social security and portability of benefits. The Social Code is not legally binding and does not cover publically funded social security schemes; it only covers employer based occupational arrangements. For this reason its effectiveness is questionable (Olivier, 2009; Sabates-Wheeler and Koettl, 2010). However, such regional initiatives, in the long term, can introduce a uniform approach to reduce the administrative burden in managing social security. The East African countries – Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania – have embarked on a programme of regional integration and a Protocol for the Establishment of the East African Community (EAC) Common Market was signed in 2009. The integration also envisages free movement of both persons and labour between the EAC partner states. Efforts are currently underway to make portability of social security a part of the protocol. Other noteworthy examples include the Andean Social Security Instrument, signed in 2003 by the Plurinational Republic of Bolivia, Colombia, Ecuador, Peru and the Bolivarian Republic of Venezuela; and the social security agreements entered by Latin American countries – the 1986 *Convenio Iberoamericano de Seguridad Social*⁷ and the 2005 *Acuerdo Multilateral de Seguridad Social del Mercado Común del Sur*.⁸

While middle income countries in the Caribbean, Eastern Europe, Latin America and North America have relatively well-developed social security systems, it is the low income countries in Central Asia, South Asia, South East Asia and Sub Saharan Africa that have poor social security arrangements (Avato, Koettl and Sabates-Wheeler, 2010).

⁷ Signed by Argentina, the Plurinational Republic of Bolivia, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Spain, Uruguay and the Bolivarian Republic of Venezuela.

⁸ Signed by Argentina, Brazil, Paraguay and Uruguay.

However, efforts are certainly on to improve the situation. For example, in 2006 the Gulf Cooperation Council (GCC) adopted the Unified Law of Insurance Protection Extension for its citizens working in other GCC countries, which has resulted in better pension protection and greater labour mobility (ISSA, 2009). Given the composition of citizens and non-citizens in GCC countries, it would have been more relevant to address the social security concerns of the latter category. Negotiations are also underway in the Association of Southeast Asian Nations (ASEAN) member countries to arrive at a consensus to establish a multilateral system to manage the social security of migrants (Tamagno, 2008). The Cebu Declaration on the Protection and Promotion of the Rights of Migrant Workers committed all the ASEAN countries to strengthen the protection afforded to migrant workers, both to the migrants they receive and those they send.

3.2 Unilateral Measures by Country of Origin & Destination

In the absence of appropriate SSAs, innovative ways have been developed, mainly by labour sending countries, to enhance migrant workers' access to social security through unilateral measures. A good practice followed in the Philippines is a government operated insurance that functions through the Overseas Workers' Welfare Administration and is financed by migrants and their employers' contributions. Sri Lanka also has a similar system of insurance to provide social security for migrants and their family left behind, and covers death, disability and travel expenses (Rosario, 2008). However, as the experience of the Philippines indicates, it is also important to balance the cost towards core services and administrative costs in managing the fund to improve migrant workers' welfare (Agunias and Ruiz, 2007).

There are other methods of providing social security by countries of origin to the migrants. These include voluntary insurance for emigrants followed in several African countries and in Jordan (Hempel, 2010), group insurance for migrant workers followed in Pakistan (Kulke, 2006), or private recruiting agencies contributing to the social security system as

followed in the Philippines when seamen are recruited for the manning of foreign ships (OSCE, IOM and ILO, 2007). Countries also follow waiving of lengthy social security contribution periods for migrants; reimbursement of medical fees; use of new technologies in remittance of social security contributions; and medical and other benefits for families of migrant workers left behind, among others (Domingo, 2008; Kulke, 2006; Rosario, 2008).

In a number of labour sending countries, apart from insurance cover for migrants and their families, there also exist welfare funds to help migrants who get into difficult situations. The Philippines pioneered this strategy, and it is now widely followed in other parts of the world. Mostly financed through levies from migrants, these funds provide for assistance during forced repatriation in the event of illness, violence at work, contract violation or non-existent jobs. They are sometimes used for court litigation in countries of employment, medical care for injured workers abandoned by their employers, and for conciliating disputes. In addition, the funds can provide financial assistance to migrants' families at home for education and training, or for business or other activities.

Among the unilateral measures, there are also good examples of labour receiving countries providing social security benefits. Poland and France provide migrant workers the same access to social security as nationals and allow the export of such benefits to migrants' home country irrespective of bilateral or multilateral agreements (Kulke, 2006). Austria, which reimburses the health care cost of retired migrant workers incurred at their home country, also deserves mention (Holzman, Koettl and Chernetsky, 2005). Under this arrangement, 80 per cent of the medical cost that an Austrian hospital may charge is reimbursed to the retired migrant worker. Though this is a good initiative, because the Austrian health system is heavily subsidised the amounts reimbursed are only nominal, and hence not adequate to cover the health care costs incurred by the retired migrants in their home country (Kulke, 2006). In Jordan, the Ministry of Labour endorses a 'Special Working Contract for Non-Jordanian Domestic Workers', which guarantees life insurance, medical

care, rest days, a minimum wage, and return to home countries at the end of employment contracts.

3.3 Social Security for Indian Emigrants

It is a well-documented fact that social security for migrants from developing countries continues to be patchy. This subsection examines the existing provisions to extend social security coverage for migrant workers from India. As a major labour sending country, India is an appropriate case for the exploration of the challenges confronted by developing countries in enhancing social security coverage to its migrant population.

The international labour migration flows from India can be broadly categorised into three broad streams: (a) to the GCC countries, predominantly dominated by low skilled migrants; (b) to the USA and Canada, primarily consisting of high-end professionals like software engineers and health care workers; and (c) to the European countries, a migration stream that is currently witnessing a shift, high skilled workers beginning to give way to more low skilled workers. As per the four regimes discussed previously, a minuscule proportion of Indian migrants is covered under Regime I—around 0.1 per cent. The majority of Indian emigrants are in Regime II (51.8 per cent), followed by 31 per cent in Regime III, and the remaining in Regime IV. Apart from the low coverage of Indian migrants under different social security regimes, what is of critical importance is their poor coverage even in countries where a significant share of migrant workers from other nationalities are covered; this is particularly true in Regime I, which covers 21.2 per cent of total migrant workers globally. As indicated in Figures 1, 2 and 3, the situation is true in other regimes as well if countries are classified according to region and income. For instance, while 28.7 per cent of the migrants in EU and 41.7 per cent of those in high OECD countries are covered under Regime II, the proportion of Indian migrants covered is merely 6.4 per cent and 5.6 per cent respectively. The share of Indian migrants in high income non-OECD countries, falling in Regime III

and IV, that have limited social security provisions, seems to be higher than the global average.

Figure 1: Migrants in Regime II

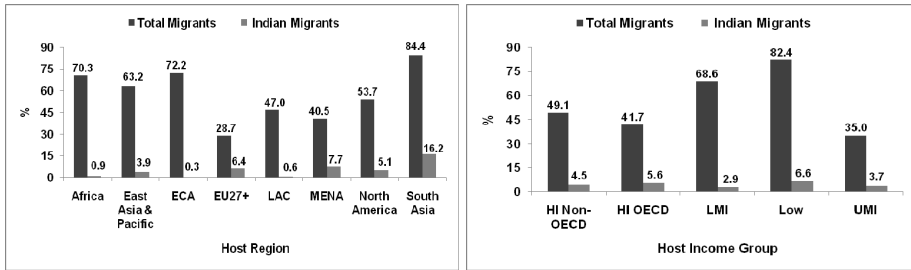


Figure 2: Migrants in Regime III

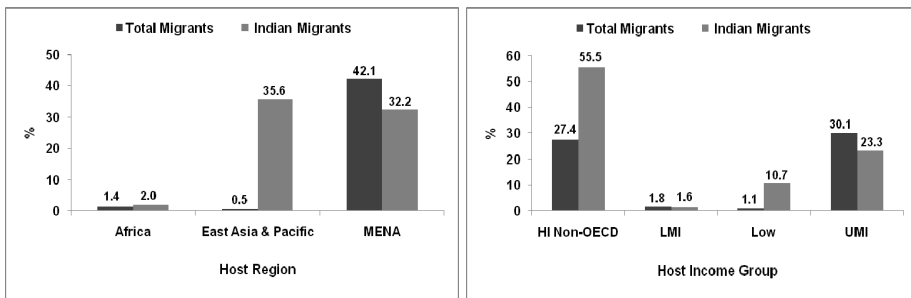
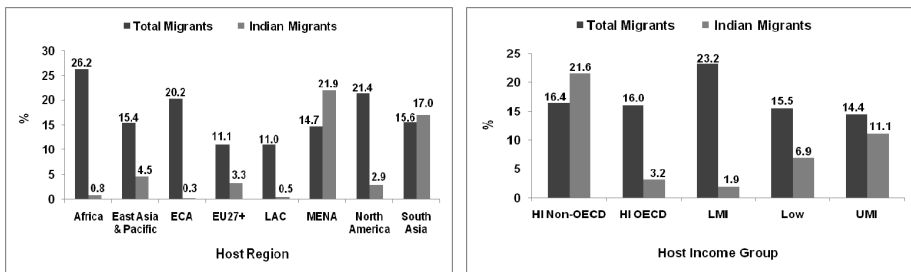


Figure 3: Migrants in Regime IV



Source: Estimated from the World Bank data on *Bilateral Migrants Stock Worldwide by Portability Regime*, retrieved from

[http://web.worldbank.org/WBSITE/EXTERNAL/ TOPICS/EXTSOCIALPROTECTION/EXTLM/0,,contentMDK:20338384~menuPK:642317~pagePK:148956~piPK:216618~theSitePK:390615,00.html](http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTSOCIALPROTECTION/EXTLM/0,,contentMDK:20338384~menuPK:642317~pagePK:148956~piPK:216618~theSitePK:390615,00.html) on 25.07.2013.

Note: ECA – Europe & Central Asia; LAC – Latin American & Caribbean; MENA – Middle East & North Africa; HI Non-OECD – High Income Non OECD; HI OECD – High Income OECD; LMI – Lower Middle Income; and UMI – Upper Middle Income.

The social security of migrant workers from India deserves paramount importance considering that low skilled workers dominate labour flows from India. While poor working conditions and lack of social security for migrant workers in the GCC is well documented, recent evidence indicates that the situation of Indian workers, particularly of low skilled workers, is not drastically different in other destinations like EU (Sasikumar and Timothy, 2012). Initiatives to extend social security to migrant workers from India can be broadly categorised into: (i) bilateral social security agreements, (ii) bilateral negotiations to improve working conditions of migrants at the destination, and (iii) unilateral initiatives by the Government of India.

Bilateral Social Security Agreements

As indicated in Table 2, the Ministry of Overseas Indian Affairs (MOIA) has several operative bilateral SSAs and is also in the process of ratifying such agreements with many countries. Common features of these agreements are as follows: (a) those migrants posted for up to sixty months will be exempted from social security contributions under the host country law provided they continue to make social security payments in the home country; (b) those who contribute under the host country law will be entitled to the export of social security benefits should they relocate to the home country or a third country on completion of their contract or on retirement; (c) these benefits will also be available to workers posted by an employer of the home country to the host country from a third country; (d) periods of employment in both the countries will be totalised in order to determine the eligibility for pension; and (e) corporates in both countries will become more competitive since avoidance of double payment of social security substantially reduces costs. The Ministry is also negotiating bilateral SSAs with other countries in Europe, North America and Asia Pacific for the benefit of Indian professionals.

Table 2: Status of Bilateral SSAs Signed by India

Signed & Operative	Signed but not Ratified	Draft Finalised
Belgium (2006), Denmark (2010), France (2008), Germany (Social Insurance) (2008), Germany (Comprehensive) (2011), Luxemburg (2009), Netherlands (2009), South Korea (2010), Switzerland (2009)	Austria (2013), Canada (2012), Czech Republic (2010), Finland (2012), Hungary (2010), Japan (2012), Norway (2010), Portugal (2013), Sweden (2012)	Quebec

Source: Compiled from MOIA website <<http://moia.gov.in>>, retrieved on 2-07-2013.

While bilateral SSAs have definitely addressed several concerns with respect to social security for migrant workers, particularly portability of benefits, there are several issues that require critical attention. Firstly, the majority of these bilateral agreements are signed with countries that are not major destinations for Indian workers. There is an urgent need to extend the scope of such arrangements with the GCC countries. Equally important is the case of the USA, where sustainable reductions are made from workers' salary as social security tax, the benefits of which are not received by migrants, particularly those with a temporary status. Secondly, the scope of bilateral SSAs may vary significantly, affecting their efficacy. As noted by Mei (2013), though India has signed bilateral SSAs with Belgium and the Netherlands, the portability of benefits to India is limited to old age, survivors and invalidity insurance/disablement benefits; other benefits under the Belgian social security for employed persons and in the Netherlands relating to sickness, maternity, unemployment and children's benefits are excluded. Thirdly, the case of social security provisions for low skilled workers in the informal sector needs further attention.

Labour Welfare and Protective Agreements

In addition to the bilateral SSAs, the MOIA enters into bilateral Memorandums of Understanding (MoUs) with the major destination

countries to improve their commitment to ensure the protection and welfare of Indian emigrants. For instance, MoUs were signed with the UAE in December 2006, with Kuwait and Qatar in 2007, with Oman in November 2008, and with Malaysia and Bahrain in January and June 2009. Efforts are underway to sign MoUs with Jordan, Yemen and Saudi Arabia. In September 2011 a revised MoU on labour was signed with the UAE. The main features of that MoU are: (a) expression of mutual intent to enhance employment opportunities and protection and welfare of workers; (b) outlining of a broad procedure that the foreign employer shall follow to recruit Indian workers; (c) agreement that the recruitment and terms of employment would be in conformity with the laws of both the countries; and (d) decision to constitute a Joint Working Group (JWG) to ensure implementation of the MoU and to meet regularly to find solutions to bilateral labour problems. Over the years the JWG has emerged as an important platform to resolve bilateral labour issues. It has successfully resolved the work contract format problem with Kuwait. Similarly, a model labour contract is being finalised by the Indo-Malaysia JWG. While MoUs between India and GCC countries indicate increasing cooperation, it is unclear as to what extent such arrangements will benefit migrant workers (Wickramasekara, 2012).

Other Initiatives by the Government of India

The Government of India provides two insurance schemes to extend social security to its migrants who are in the Emigration Clearance Required (ECR)⁹ category: Pravasi Bharatiya Bima Yojana (PBBY) and Mahatma Gandhi Pravasi Suraksha Yojana (MGPSY). Introduced in 2003, PBBY provides social security and health coverage to Indian migrant workers. This is a compulsory insurance scheme for all Indians in the age group of 18-60 years seeking emigration clearance for the purpose of overseas employment. The policy is valid for a period of two years or the actual period of contract, whichever is shorter. The scheme includes

⁹ Applicable to those whose educational attainment is below matriculation and migrating to certain countries, mainly the Persian Gulf.

these features: (a) an insurance cover of a minimum sum of ₹ 10 lakhs payable to the nominee/legal heir in the event of death or permanent disability. The insurance will also take care of the cost of transporting the dead body; (b) medical insurance cover of a minimum of ₹ 75,000 for hospitalisation of the insured worker for accidental injuries or sickness occurring during the period of insurance, whether in India or in the country of employment; (c) one-way airfare if the emigrant worker is not received by the employer or if there is any substantive change in the job offer or if the employment is prematurely terminated during the contract period for no fault of the emigrant; and (d) provision to extend maternity benefits for women migrants and health insurance cover for workers' spouses and two dependents staying in India.

MGPSY is a pension and life insurance fund scheme, with the objective of promoting savings among migrant workers for their return, resettlement and old age, and to obtain a life insurance cover against natural death during the period of coverage. In contrast to PBBY, MGPSY is a voluntary scheme and covers the age group of 18-50 years. The government contribution available under MGPSY is for a period of five years or till the return of the subscribed worker, whichever is earlier. The main features of the scheme are: (a) government contribution of ₹ 1,000 per annum for all MGPSY subscribers who save between ₹ 1,000 and ₹ 12,000 per year in the National Pension Scheme (NPS-Lite); (b) an additional government contribution of ₹ 1,000 per annum for the women workers who save between ₹ 1,000 to ₹ 12,000 per year in NPS-Lite; and (c) a contribution of ₹ 900 by the government for return and resettlement of migrant workers who save ₹ 4,000 or more per annum.

Both these schemes are excellent initiatives by the government, considering that the number of countries with which India has bilateral agreements continues to be low. However, it is important to extend the coverage of PBBY to workers not included in the ECR category and also increase awareness and accessibility of insurance cover to women workers who are mostly engaged in a domestic/personalised workspace.

4. Policy Options

From the examination of social security regimes for international migrants it clearly emerges that those from developing countries – moving either to developed countries or other developing countries – continue to be excluded from coverage. It is noteworthy that this holds true even for EU countries that tend to have better social security arrangements for migrant workers. Perhaps limited social security provisions to migrants are also used as a means to regulate migration flows. The majority of the social security schemes currently in operation between developed and developing countries are in the form of bilateral agreements and there is a strong need to embark on alternatives to improve the social security coverage of migrant workers. The importance of this is underlined when we consider the increase noted in the migration of low skilled workers with a temporary status. The problems are complicated by the fact that a significant share of them is engaged in the informal sector.

International experience suggests that rights of workers are well protected if countries arrive at SSAs to eliminate the barrier that disqualifies migrant workers from social security benefits. Excellent examples are provided by regional social security arrangements adopted in the EU. Even though there have been certain efforts to address the social security concerns of third world nationals moving between the EU countries, the existing provisions are restrictive and exclude a large segment of migrant workers. Perhaps one option for developing countries is to negotiate with such regional groupings to improve social security coverage of their emigrant workers, for example to factor in the case of short duration low skilled migrants within their provisions. No doubt, unilateral responses by countries of origin and destination to enhance social security concerns of international migrant workers are important, but such measures alone are likely to be insufficient to effectively address the multiple problems encountered by the migrants.

There is also a need to evolve a clear understanding that international migration and public policy issues related to it cannot be managed

unilaterally. Greater cooperation and dialogue between countries of origin and destination towards managing migration can contribute to protection of migrants' rights, including their social security rights. This may entail making national laws and policies as per the stipulations suggested in the international instruments, formulating multilateral and bilateral agreements considering the changing intricacies of the current population movements, giving wide publicity to available social security arrangements and their requirements, among others. It would be a challenging task for many a developing country, which lacks a robust social security system for citizens within its own territory and an appropriate administrative system to manage migration, to replicate good practices of regional cooperation in providing social security to its emigrant workers. Apart from improving the migration system in developing countries, efforts should be also made to arrive at other formal means of enhancing workers' welfare; signing Memorandums of Understanding with major destination countries, as followed by the Government of India, proves to be an alternative at least in the short term.

While there has been a clear articulation of the need to provide social security to international migrants, there are a number of issues to be resolved about how to best provide social security to this deserving category, which unquestionably calls for more detailed studies. From the perspective of developing countries like India, a few key research themes that call for detailed enquiry include: evaluation of the function of the bilateral SSAs from the beneficiaries' perspective, viability of formulating bilateral SSAs in response to demand driven temporary labour movements, assessment of bilateral agreements to cater to the needs of low and high skilled workers, and analysis of unilateral social security measures adopted by governments.

References

- Agunias, Dovelyn Rannveig and Ruiz, Neil G. (2007), *Protecting Overseas Workers: Lessons and Cautions from the Philippines*, Migration Policy Institute, Washington.
- Avato, J., Koettl, J. and Sabates-Wheeler, R. (2009), *Definitions, Good Practices, and Global Estimates on the Status of Social Protection for International Migrants*, World Bank Social Protection Discussion Paper No. 0909.
- Avato, J., Koettl, J. and Sabates-Wheeler, R. (2010), 'Social Security Regimes, Global Estimates and Good Practices: The Status of Social Protection for International Migrants', *World Development*, Vol. 38, No. 4, pp. 455-466.
- Domingo, B. (2008), *Feasibility Study of the Electronic Money Remittance to Extend Social Security Coverage for Migrant Workers: The Case of the Philippines*, International Labour Organization, Bangkok.
- European Commission (2012), *The External Dimension of EU Social Security Coordination*, Communication from the Commission to the European Parliament, The Council, the European Economic and Social Committee and the Committee of the Regions, Brussels, COM (2012) 0153 Final, retrieved from <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0153:FIN:EN:PDF>> on 19.07.2013.
- Franssen, W. (2006), *Role of Social Security in Protecting Migrant Workers*, Paper Presented at ISSA Regional Conference for Asia and the Pacific, New Delhi, 21-23 November 2006.
- Ginneken, Wouter van (2013), 'Social Protection for Migrant Workers: National and International Policy Challenges', *European Journal of Social Security*, Vol. 15, No. 2, pp. 209-221.
- Hempel, Frank (2010), *Voluntary Insurance Provisions in National Social Security Schemes Unilateral Actions of the Countries of Origin*, Extension of Social Security, ESS Paper No. 26, Social Security Department, International Labour Office, Geneva.
- Hirose, K; Nika, M. and Tamagno, E. (2011), *Social Security for Migrant Workers: A Rights-based Approach*, ILO Decent Work Technical Support

Team and Country Office for Central and Eastern Europe, International Labour Office, Budapest.

Holzman, R., Koettl, J., and Chernetsky, T. (2005), *Portability Regimes of Pension and Health Care Benefits for International Migrants: An Analysis of Issues and Good Practices*, Social Protection Discussion Paper No. 519, Global Commission on International Migration, Geneva.

International Labour Organization (ILO) (1984), *Introduction to Social Security*, International Labour Office, Geneva.

International Labour Organization (ILO) (2001), *Social Security – A New Consensus, Resolution and Conclusions concerning Social Security*, International Labour Conference, 89th Session, International Labour Office, Geneva.

International Labour Organization (ILO) (2004), *Towards a Fair Deal for Migrant Workers in the Global Economy*, Report VI, Sixth Item on the Agenda, International Labour Conference, 92nd Session, International Labour Office, Geneva.

International Labour Organization (ILO) (2010a), *World Social Security Report 2010/11: Providing Coverage in Times of Crisis and Beyond*, International Labour Office, Geneva.

International Labour Organization (ILO) (2010b), *International Labour Migration: A Rights-based Approach*, International Labour Office, Geneva.

International Organization for Migration (IOM) (2011), *World Migration Report*, IOM, Geneva.

International Social Security Association (ISSA) (2009), *The Unified Law of Insurance Protection Extension for the Gulf Cooperation: A Case of the General Organisation for Social Insurance*, Good Practices in Social Security, Geneva, retrieved from <<http://www.issa.int/aiss/Observatory/Good-Practices/The-Unified-Law-of-Insurance-Protection-Extension-for-the-Gulf-Cooperation>> on 15.07.2013.

International Social Security Association (ISSA) (2011), *Social Policy Highlight 17 – Social Security and Migrants: Policy Challenges and Responses*, ISSA, Geneva.

- Koser, Khalid (2009), *The Impact of Financial Crises on International Migration: Lessons Learned*, No. 37, IOM Migration Research Series, Geneva.
- Kulke, Ursula (2006), *The Role of Social Security in Protecting Migrant Workers: The ILO Approach*, Paper Presented at ISSA Regional Conference for Asia and the Pacific, New Delhi, 21-23 November 2006.
- Luckanachai, Narada and Rieger, Matthias (2010), *Research Project Making Migration a Development Factor: The Case of North and West Africa*, A Review of International Migration Policies, Working Paper, International Labour Organization (International Institute for Labour Studies), Geneva.
- Martin, Werding and McLennan, Stuart (2011), *International Portability of Health-Cost Coverage: Concepts and Experience*, World Bank Social Protection Discussion Paper No. 1115.
- Mei, A.P. van der (2013), *India-EU Migration: The Social Security Rights of Indian Nationals Moving to and within the European Union*, CARIM India – Developing a Knowledge base for Policymaking on India-EU Migration, CARIM-India Research Report 2013/24, European University Institute, Italy.
- Olivier, M. (2009), *Evaluation of the Prospects for the Conclusion of a Sub-Regional Multilateral Social Security Agreement: EAC and SADC*, Report Prepared for the ILO/MIGSEC Project, Geneva.
- Organisation for Economic Co-operation and Development (OECD) (2008), *International Migration Outlook*, SOPEMI 2008, OECD, Paris.
- Organization for Security and Co-operation in Europe (OSCE), International Organization for Migration (IOM) and International Labour Office (ILO) (2007), *Handbook on Establishing Effective Labour Migration Policies*, Mediterranean edition, OSCE, IOM and ILO, Geneva.
- Rosario, Teresita del (2008), *Best Practices in Social Insurance for Migrant Workers: The Case of Sri Lanka*, ILO Asian Regional Programming on Governance of Labour Migration, Working Paper 12, Regional Office for Asia and the Pacific, International Labour Organization, Bangkok.
- Sabates-Wheeler, R. and Feldman, Rayah (eds.) (2011), 'Introduction: Mapping Migrant Welfare onto Social Provisioning', in *Migration and*

Social Protection: Claiming Rights beyond Borders, Rethinking International Development, pp. 3-61, Palgrave Macmillan, UK.

Sabates-Wheeler, R. and Koettl, Johannes (2010), 'Social Protection for Migrants: The Challenges of Delivery in the Context of Changing Migration Flows', *International Social Security Review*, Vol. 63, Nos. 3-4, pp. 115-144.

Sabates-Wheeler, R. and Waite, M. (2003), *Migration and Social Protection: A Concept Paper*, Working Paper T2, Development Research Centre on Migration, Globalisation and Poverty, Brighton, UK.

Sasikumar, S.K. and Thimothy, Rakhee (2012), *Migration of Low Skilled Workers from India to the European Union*, CARIM India – Developing a Knowledge base for Policymaking on India-EU Migration, CARIM-India Research Report 2012/15, European University Institute, Italy.

Schoukens, Paul and Pieters, Danny (2004), 'Illegal Labour Migrants and Access to Social Protection', *European Journal of Social Security*, Vol. 6, No. 3, pp. 229-254.

Spiegel, Bernhard (2010), *Analysis of Member States' Bilateral Agreements on Social Security with Third Countries*, Employment, Social Affairs & Equal Opportunities, European Commission.

Tamagno, E. (2008) *Strengthening Social Protection for ASEAN Migrant Workers through Social Security Agreements*, ILO Asian Regional Programme on Governance of Labour Migration, Working Paper No. 10, International Labour Organization, Bangkok.

Wickramasekara, Piyasiri (2012), *Something is Better than Nothing: Enhancing the Protection of Indian Migrant Workers through Bilateral Agreements and Memoranda of Understanding*, Migrant Forum in Asia, Philippines.

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