

WHAT ETHICAL RECRUITMENT MEANS FOR THE HOTEL INDUSTRY



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INTRODUCTION

This guidance note outlines why ethical recruitment is relevant to the hotel industry, how it can be implemented by different stakeholders and what a commitment to ethical recruitment means in practice. It consists of four sections and is supported by a suite of resources that have been designed specifically for the hotel industry.

1. Human rights, forced labour and ethical recruitment
2. A shared responsibility
3. Committing to ethical recruitment
4. Time frames for implementation

This guidance note is designed for leaders and policymakers at both the hotel brand and individual hotel level.

1. HUMAN RIGHTS, FORCED LABOUR AND ETHICAL RECRUITMENT

In line with the [UN Guiding Principles on Business and Human Rights](#), the hotel industry has a responsibility to respect human rights and provide or cooperate in remediation when harm has occurred. In practical terms, this means complying with countries' laws and regulations and taking steps to prevent, mitigate and address any adverse human rights impacts that may be connected to the industry's activities or relationships.

One of the most pressing and high-profile human rights issues facing the hotel industry is forced labour. This can be attributed in part to the introduction of modern slavery and/or due diligence laws, that require hotel brands to report publicly on their efforts to address forced labour in their business operations and supply chains. In addition, the hotel industry is under increased pressure from consumers, civil society organizations, traditional and social media, investors and other business enterprises (clients) to demonstrate that the industry's practices are free from exploitation.

Within this context, unethical recruitment poses a significant risk to the hotel industry. Unethical recruitment is a widespread phenomenon that is commonly associated with the recruitment of migrant workers in lower skills categories, where prevailing practices are based on a "worker pays" business model. Under this arrangement, migrant workers pay the fees and costs related to their recruitment and migration, often leaving them heavily indebted and highly vulnerable to exploitation. When combined with other forms of abuse, such as false promises about the terms and conditions of employment, limitations on freedom of movement, coercion, or lack of access to remedy, this can lead to exploitation and conditions of forced labour.

While many hotels have moved towards direct recruitment models, the use of labour recruiters, especially during large recruitment drives, is still common. In addition, the outsourcing of services, such as cleaning, gardening and security, to employment agencies is widespread and represents another significant risk.

The hotel industry has already taken some steps to address unethical recruitment through the adoption of the [Sustainable Hospitality Alliance's Principles on Forced Labour](#):

Every worker should have **freedom of movement**



No worker should pay **for a job**



No worker should be **indebted** or **coerced** to work



While these principles are an excellent starting point, it is now time for the hotel industry to turn its attention to ethical recruitment in its entirety and prioritize its implementation throughout the industry.

2. A SHARED RESPONSIBILITY

The responsibility to implement ethical recruitment should be shared between all stakeholders in the hotel industry. This aligns with the United Nations (UN) [Guiding Principles on Business and Human Rights](#), while also reflecting the fact that long-lasting, positive, change can only occur when there is buy-in from all the stakeholders involved.

HOTEL BRANDS

Hotel brands have a leadership role to play and should set the standard for ethical recruitment within the hotel industry. This includes establishing overarching policy commitments on ethical recruitment, that apply to the hotel brand's corporate offices, reservation centres, hotel partners and other business partners (e.g. labour recruiters, employment agencies and

suppliers). This also includes franchise partners, wherein ethical recruitment expectations should be clearly communicated and included in the brand standard as a matter of good practice.

In addition, hotel brands should play an active role in supporting hotel partners and business partners' transition to ethical recruitment models. This includes investing in training for hotel partners and business partners (as appropriate), developing a variety of tools and resources to support implementation efforts and participating in remediation processes when required and appropriate.

Given their size and influence, hotel brands should establish and/or participate in industry-led initiatives that seek to address common challenges and increase the demand for ethical recruitment within the hotel industry. This may involve lobbying governments to improve the regulation and oversight of international recruitment and protection of migrant workers.

INDIVIDUAL HOTELS

Individual hotels should adhere to the hotel brand's policy commitment on ethical recruitment and/or develop their own policy commitments when the brand's commitment is absent or incomplete, or when the hotel operates independently.

Individual hotels have a leading role to play when it comes to implementing ethical recruitment. In particular, they are responsible for communicating the hotel and/or hotel brand's commitment to ethical recruitment to business partners and migrant workers, carrying out ongoing human rights due diligence on new and existing business partners and providing or cooperating in remediation when harm has occurred (when appropriate). This responsibility applies to all hotels, irrespective of their ownership model.

BUSINESS PARTNERS

Labour recruiters, employment agencies and suppliers, all have an important role to play in establishing ethical recruitment practices in the hospitality industry. Many, if not all, will need to adapt and strengthen their business practices and relationships to meet the hotel industry's expectations for ethical recruitment. For hotel brands and individual hotels, the focus should be on working with business partners to progressively improve their business practices. Terminating contracts should only be seen as a last resort.

3. COMMITTING TO ETHICAL RECRUITMENT

Both hotel brands and individual hotels are strongly encouraged to commit to implementing ethical recruitment within their business operations and supply chains. This commitment should include clear time frames for implementation and should be supported by robust management systems. It should be clearly displayed within corporate offices and hotel premises for the benefit of staff, customers and suppliers, as well as made visible on the hotel brand or hotel's website and referenced in reporting requirements.

FIVE ELEMENTS FOR BEGINNING IMPLEMENTATION OF ETHICAL RECRUITMENT

There are five key elements to ethical recruitment that hotel brands and/or hotels should commit to implementing within their business operations and supply chains. These five elements are based on international good practice and align with the requirements set out in the [IRIS Standard on Ethical Recruitment](#).¹



¹ The IRIS Standard provides a global, multi-stakeholder benchmark for ethical recruitment. It is based on key international human rights and labour laws, industry good practices and widespread consultation.

1. RESPECT THE RIGHTS OF MIGRANT WORKERS DURING THEIR RECRUITMENT, DEPLOYMENT (TRAVEL), EMPLOYMENT AND RETURN HOME OR ONWARD MIGRATION

- Comply with all applicable laws and regulations in countries of origin, transit and destination relating to recruitment, migration and employment.
- Comply with international human rights laws and labour standards. This includes prohibiting forced labour and child labour, respecting the right of freedom of association and collective bargaining and equality of treatment and non-discrimination, as recognized in the [ILO Declaration on Fundamental Principles and Rights at Work](#).
- Ensure all migrant workers are provided with clear and simple employment contracts, in a language they understand, in advance of their departure.
- Proactively engage migrant workers to understand their recruitment and employment experiences.
- Establish relationships with civil society organizations that have the trust of migrant workers.

2. ADOPT THE EMPLOYER PAYS PRINCIPLE OF RECRUITMENT²

- Prohibit the charging of recruitment fees and related costs to migrant workers that are employed within the hotel brand and/or hotel's business operations and supply chain.
- Ensure that the employer (e.g. corporate office, hotel, employment agency or supplier) covers the cost of recruiting migrant workers. This includes making every effort to pay recruitment fees and costs directly. When this is not possible, the employer should reimburse migrant workers promptly.
- Adhere to the [ILO definition of recruitment fees and costs](#).

3. CARRY OUT HUMAN RIGHTS DUE DILIGENCE ON NEW AND EXISTING BUSINESS PARTNERS

- Check for the presence of migrants working within corporate offices, hotels, employment agencies and suppliers.
- Carry out ongoing risk assessments on business partners to identify and prioritize risks to migrant workers during their recruitment, deployment (travel), employment and return home.
- This includes checking whether migrant workers are being charged recruitment fees and costs, having their passports withheld or freedom limited, being misled about the job on offer, as potential for working in conditions of forced labour.
- Implement action plans that are appropriate to prevent and mitigate identified risks to migrant workers.
- Track the implementation and results of established due diligence measures to ensure they are effective, and use lessons learned for further improvement of due diligence processes.
- Communicate relevant due-diligence information to internal and external stakeholders to create transparency on how the hotel brand and/or hotel addresses risks.

4. RESPECT MIGRANT WORKERS' RIGHT TO FREEDOM OF MOVEMENT

- Prohibit the withholding of migrant workers' identity documents (passports), bank books, bank cards and deeds to land, by any party involved in the recruitment and employment process.
- The only exception is when identity documents are legitimately needed to facilitate recruitment and employment, such as during the visa application process. In these circumstances, the migrant worker must provide informed written consent and their identity document must be returned as soon as possible.
- When the corporate office, hotel, or business partner provides accommodation to migrant workers:
 - Ensure migrant workers are provided with a safe place to store their personal documents, including their identity documents. This place must be accessible to migrant workers at all times.
 - Ensure migrant workers' freedom of movement is not restricted, including through the imposition of curfews or the locking of dormitory doors when workers do not have keys.
 - Ensure migrant workers' employment contracts include early termination clauses.¹

2 The Employer Pays Principle (EPP) is considered best practice and is endorsed by the [Leadership Group for Responsible Recruitment](#).

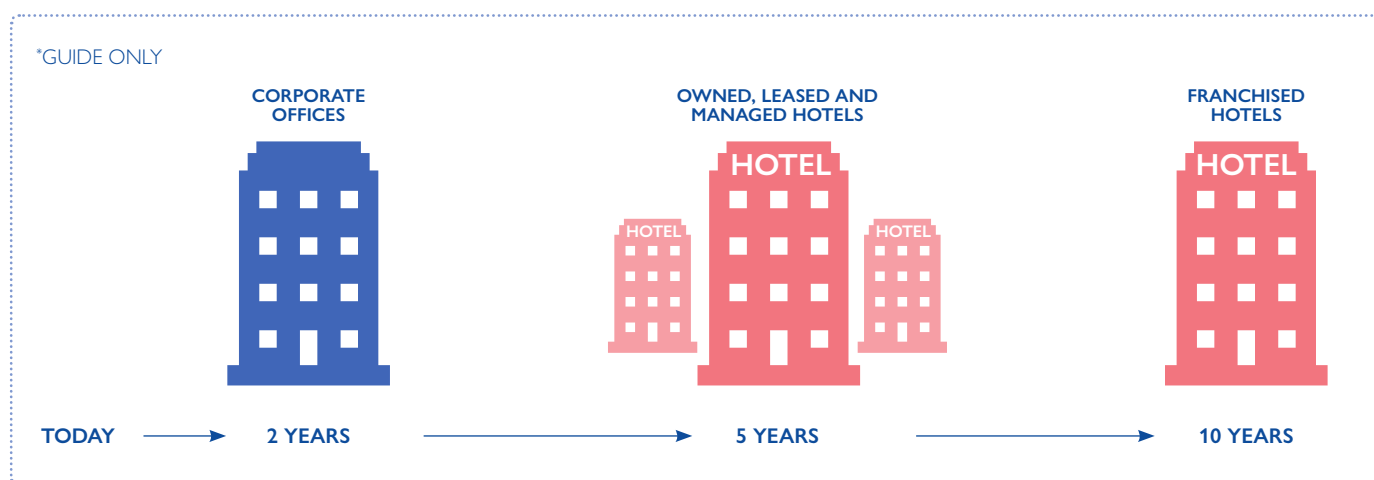
5. PROVIDE ACCESS TO REMEDY

- Provide or cooperate in prompt and effective remediation to migrant workers when harm has occurred.
- While remedies can take many forms, such as apologies, financial compensation, or punitive sanctions, they must be appropriate and proportional to the severity of the violation and adapted to the circumstances of each case.
- Establish business grievance mechanisms that are responsive to the needs of migrant workers and align with the [United Nations Guiding Principles on Business and Human Rights](#) effectiveness criteria.
- Operate business grievance mechanisms in partnership with civil society organizations, including trade unions (as a matter of good practice).
- Take steps to understand and connect migrant workers to other support services and grievance mechanisms, such as civil society organizations and State-led mechanisms.
- Do not prevent migrant workers from accessing alternative grievance mechanisms or options for remediation.

4. TIME FRAMES FOR IMPLEMENTATION

It is important to note that transitioning to an ethical recruitment model takes time. For example, members of the [Leadership Group for Responsible Recruitment](#) committed in 2016 to implementing the Employer Pays Principle within their business operations and supply chains within ten years. This time frame reflects the complexity surrounding recruitment practices and the time needed to work with, and support, business partners.

Within the context of the hotel industry, hotel brands may choose to adopt a similar approach. For example, the immediate focus may be on the practices and relationships of corporate offices and reservation centres. This can be followed by owned, leased and managed hotel partners and then finally, franchise partners. This is a guide only and should be adapted to the individual circumstances of each hotel brand.



ADDITIONAL RESOURCES

- **Guidance:** [Establishing Ethical Recruitment Practices in the Hospitality Industry](#)
- **Guidance Note B:** Building the knowledge and capacity of hotels to implement ethical recruitment
- **Guidance Note C:** Working with civil society and including migrant worker voice
- **Tool 1:** Working with labour recruiters and employment agencies
- **Tool 2:** Interviewing migrant workers about their recruitment and employment experiences
- **Tool 3:** Incorporating ethical recruitment into procurement practices
- **Tool 4:** Access to remedy and business grievance mechanisms
- **Tool 5:** Frequently asked questions about migrant workers and recruitment

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