Overview

This briefing highlights risks that are likely to be common across the Security, Cleaning & Catering sector.

It is designed to help Sedex members and other businesses to identify and act upon actual and potential human rights risks for workers in the services they use. It does not, however, imply that all issues will be found in all activities or countries, and a more targeted risk assessment will typically be necessary.

Sub-sectors covered:
Security, cleaning and catering includes a range of sub-sectors, the main relevant ones being workplace security guards, cleaning of buildings or industrial facilities, and operation of canteens in workplaces. The common factor is that they provide ‘ancillary services’, or activities undertaken to support the main productive activities of an entity.

Workforce structure:
Typically, the sector is labour-intensive and relies on low-skilled workers, often migrants, recruited by agencies or other third-party labour providers and/or employed by contractors. This creates complexity in the employment relationships and uncertainty about rights, as well as specific risks such as inadequate training.

Workers may be employed on part-time, temporary or variable hours contracts, contributing to increased job insecurity and vulnerability. Legal regulations and rights may be different for some groups of contracted workers compared to regular workers.

Vulnerable workers:
Migrant workers, low-skilled women and men contracted through outsourced third-party labour providers and contractors. Contracted workers and workers on worksites outside of normal working hours are less visible to regular monitoring programmes.
## Common risk issues

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<tr>
<th>Issue</th>
<th>Description of risks</th>
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<td>Forced labour</td>
<td>Payment of recruitment fees and deceptive recruitment of migrant workers is reported across sub-sectors and geographies. For example, South Asian and Southeast Asian workers in cleaning and security, particularly in the Gulf, reportedly pay high recruitment fees to agents in their countries of origin, incurring debts that leave them vulnerable to debt bondage and forced labour. Breach of contracts, forced overtime, and threats of deportation are reportedly common for migrant workers in the security guard sector in Malaysia.</td>
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<td>Wages</td>
<td>Low wages paid to low-skilled workers, including some wages below national minimums, is a general risk issue in these sub-sectors. Wage delays or non-payment of wages and illegal deductions are commonly reported for security guards and cleaners. Examples include Yemen, Malawi, UAE, Australia UK and New Zealand.</td>
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<td>Working hours</td>
<td>There are cases of excessive hours across all sub-sectors and geographies. Security guards often work especially long hours with no access to overtime. Lack of rest days can also be an issue for security guards. Cases of excessive hours or unremunerated overtime are common for office and hotel cleaners as well as catering workers. Exploitation of (EU and non-EU) migrant workers in the catering sector reported across several EU countries.</td>
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<td>Regular employment</td>
<td>Insecure sub-contracted employment relationships with part-time or highly irregular hours can be common in the service sector, especially in cleaning.</td>
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<td>Sub-contracting &amp; homeworking</td>
<td>There is widespread use of labour sub-contracting arrangements and third-party labour providers across all sectors and geographies. For example, there are multiple layers of sub-contracting through third-party labour providers of workers in cleaning and security in the hospitality sector in Qatar, and security guards and cleaners in UK have gone on strike due to alleged inadequate sub-contracting arrangements, low pay and poor working conditions.</td>
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<td>OSH</td>
<td>Inadequate training and provision of protective clothing can be a risk issue in the catering and cleaning sectors, exacerbated by lack of access to first aid. Long hours also create OSH risks.</td>
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Suggested due diligence actions

Due diligence and risk assessment methods will depend on position in the supply chain, existing management processes, and the specific operating context. However, a typical due diligence process should include the following steps.

These may be undertaken in conjunction with suppliers:

1. Mapping and scoping risks
   - Identify your own business activities and your suppliers using security, cleaning or catering services
   - Map and assess your level of knowledge about those service providers
   - Map these service providers against known risk issues and by country of operation
   - Check service providers for allegations related to labour issues

2. Engage with service providers
   - Review service provider’s recruitment, training and record keeping processes, and verify what safeguards are in place
   - Review your suppliers’ contracts with service providers to ensure coverage of labour standards in contracts
   - Include questions and conditions relating to known labour risks in tenders and contracts with your service providers.
   - Work with service providers to build their understanding of labour risks and what good practices are.

3. Monitor
   - Ensure service providers’ workers are included in site audits and have access to complaints mechanisms
   - Review service providers regularly in terms of their internal HR processes and capacity
   - Ensure that service providers regularly report including on workforce data, nationality and contract type, and systems in place to manage workforce
   - Continuously communicate to service providers your company’s commitment to addressing labour risks and allegations
### Relevant conventions and statutes

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<td><strong>Part-Time Work Convention (1994)</strong></td>
<td>Sets out provisions to ensure that part-time workers receive the same protection as comparable full-time worker with respect to freedom of association, occupational health and safety, and discrimination.</td>
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<td><strong>Private Employment Agencies Convention (1997)</strong></td>
<td>Sets out provisions for regulation of private employment agencies (e.g. third-party labour providers) regarding the charging of fees and costs to workers, stipulates that agency workers shall not be denied freedom of association, collective bargaining, minimum wages, etc.</td>
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List of sources


- Fox, J. (Open Democracy), 2017, “I'm really just a slave” – how hotel chains exploit agency loopholes and dehumanise workers. Available at: https://www.opendemocracy.net/en/opendemocracyuk/i-m-really-just-slave-how-hotel-chains-exploit-agency-loopholes-and-dehumanise-workers/


- Nadkarni, A. (Stuff.co.nz), 2018, Waikato cleaning company and owner to pay $37,500 for staff exploitation. Available at: https://www.stuff.co.nz/business/10841198/waikato-cleaning-company-and-owner-to-pay-37500-for-staff-exploitation


- Wright, R. & Hodgson, C. (Financial Times), 2019, Foreign cleaners expose lack of protection in UK labour market. Available at: https://www.ft.com/content/ffead234-497a-11e9-bbc9-6917dce3dc62


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