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# INTERVIEWING MIGRANT WORKERS ABOUT THEIR RECRUITMENT AND EMPLOYMENT EXPERIENCES

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## INTRODUCTION

The purpose of this tool is to provide practical guidance for the hotel industry on how to interview migrant workers about their recruitment and employment experiences.

Read alongside: Guidance Note C: Working with Civil Society and including Migrant Worker Voice.

It consists of three sections:

1. The risks to migrant workers
2. Interview guide
3. Sample interview questions

This tool has been designed for both:

- Migrant workers who are direct employees of hotels and corporate offices, who have been recruited through the services of labour recruiters in their country of origin and/or country of destination, and;
- Migrant workers who are employees of an employment agency and perform duties at hotels and corporate offices (referred to as agency staff).

In addition, this tool can serve as a resource for hotels and corporate offices that recruit migrant workers directly.

## THE RISKS TO MIGRANT WORKERS

While many migrant workers have positive migration and employment experiences, they can be vulnerable to abuse and exploitation. Some of the key risks to migrant workers include:

- Charging recruitment fees and costs
- Unclear recruitment practices and unclear employment conditions
- Employment contracts being substituted for contracts with worse terms and conditions
- Discrimination and harassment
- Poor/substandard accommodation
- Restrictions/limitations of movement, including withholding of identity documents or lack of ability to leave employment
- Poor working conditions, including in extreme cases, forced labour
- Lack of access to grievance and remedy

Despite these risks, migrant workers are often reluctant to speak up and even when they do, they may only disclose minor complaints. It can take some time for migrant workers to build trust and feel comfortable sharing what is really going on, even to third parties such as civil society organizations. This can be attributed to a fear and legitimate risk of retaliation, including the loss of employment and deportation. In some cases, migrant workers may be unaware of their legal rights and protections, and therefore the fact they have been exploited.

To reduce and mitigate these risks businesses should proactively engage migrant workers and be mindful when interviewing migrant workers. It is for this reason that businesses are encouraged to partner with trusted civil society organizations, when possible.

## WHY MIGRANT WORKER INTERVIEWS

Migrant worker interviews are strong tools to enhance due diligence processes and worker voice in the workplace. Interviews with migrant workers provide employers with information regarding recruitment and employment at key points during migrant workers' employment, allowing for risks and grievances to be identified proactively. Employers can use information from interviews to broaden due diligence on suppliers and business partners, considering the experiences of workers. Migrant workers' feedback may also inform policy and procedures, allowing employers to incorporate workers' voice into business operations.

Employers should note, when migrant worker interviews are carried out without the trust of workers, the data collected may misrepresent the true conditions and experiences of the workers. Discretion should be taken when undertaking migrant worker interviews to account for the viability of data collected and the experiences of migrant workers throughout the interview process.

## BUILDING TRUST WITH MIGRANT WORKERS

Employers should not assume trust has been built with migrant workers based solely on rapport or on the duration of employment of the migrant worker. Trust is a vital quality of strong workplace relations; therefore, it is essential that employers consider trust-building as a continual process, building on transparency, strong ethical conduct and effective communication. Trust-building is complex, taking time and effort. To build trust, employers should consider several actions including building personal relationships, strong communication and effective grievance mechanisms which respect confidentiality, non-retaliation policies, training on standards, referral system and providing remedy as appropriate, among others. Employers should consider adopting several strategies to comprehensively engage migrant workers in a consistent and clear manner to build trust over time.

## CONFIDENTIALITY

When engaging migrant workers, the principle of confidentiality plays an important role in strengthening trust with workers. Confidentiality is when identifying information is collected but is only identifiable by the interviewer or focal point engaging migrant workers. Identifying information should not be included in reports or raw data and should not be shared with leadership or other staff. Confidentiality is essential in mechanisms for grievance and remedy, allowing for migrant workers to pursue grievances and have them addressed. During worker interviews, migrant workers must be informed of the confidentiality and provide consent prior to answering any questions. Workers must also be allowed to modify their consent at any time during or after the interview.

## INTERVIEW GUIDE

### WHEN TO CONDUCT INTERVIEWS WITH MIGRANT WORKERS

1. Hotels and corporate offices are encouraged to engage with migrant workers on an ongoing basis regarding their recruitment and employment experiences. This includes conducting multiple interviews during their recruitment, deployment, during employment and after they return home or participate in onward migration.
2. At a minimum, interviews should take place within 30 days of migrant workers arriving at the hotel or corporate office. It is a strong practice to carry out interviews with migrant works as soon as possible after their arrival. It is recommended that follow-up interviews be conducted throughout employment, at minimum every six months, and at the completion of the migrant workers' contract.

## PARTNERSHIP WITH CIVIL SOCIETY

Creating partnerships with civil society organizations (CSOs) can strengthen ongoing engagement with migrant workers and interviews. Employers may benefit from the trust migrant workers have with CSOs, receiving clearer and trusted feedback. CSOs can assist employers in ensuring confidentiality (or anonymity, where requested or required) of workers, as well as leverage skillsets outside of those within your industry, such as social or psychological support. When seeking out support from CSOs, it is essential to set out clear terms of your arrangement and establish fit for purpose activities which align with employer and civil society aims. Employers are encouraged to compensate CSO's for their support.

### WHO SHOULD CARRY OUT THE INTERVIEWS?

1. Interviews with migrant workers should be conducted in partnership with a trusted civil society organization. Whenever possible, involving representatives from both the business and the civil society organization is best practice. Alternatively, the entire process can be managed by the civil society organization, in which case, the civil society organization may follow their own established processes and may use this tool as a supplementary resource.
2. When interviews are conducted by the business at the worksite, or other employer property, the interviewer should not be the direct line manager of the migrant worker. While important feedback may be gathered by line managers, it is recommended that interviews be as independent as possible, to encourage candor. The interviewer can be part of the

hotel or corporate offices' human resources team, compliance team, or the team tasked to oversee the implementation of the business' human rights and/or ethical recruitment policy. Interviewers may also be contracted through relevant civil society partners. It is critical that the interviewer is trained on how to engage with and interview workers, especially those in vulnerable situations. Training on victim-centric approaches is also highly recommended for interviewers.

3. Interviewing teams should be limited to 1–2 people, including interpreters. No observers should participate. If requested by the worker, the workers' representatives must be allowed to attend the interview.

## PREPARING FOR THE INTERVIEWS

1. Review the hotel or corporate offices' latest internal risk assessments, in order to identify areas of focus for the interview. For example, if the charging of recruitment fees and costs to migrant workers has been identified as a key risk for the hotel or corporate office, then the interviewer should focus more time on these questions, while also noting the likelihood of other unethical practices likely to occur in tandem.
2. Ensure that interview protocol and questions are available in languages that cover spoken/native languages of migrant workers and target groups.
3. Select a diverse and representative cross-section of migrant workers from your workforce to interview. This includes migrant workers who were recruited through different labour recruiters and/or employment agencies, work across different shifts and work areas and fill a variety of roles and positions. Further, the selected migrant workers should represent a mix of ages, genders and nationalities.
  - The hotel or corporate office can elect to interview both migrant worker employees and agency staff as part of one process, or to split the groups into two processes.
4. The number of migrant workers interviewed should be proportional to the total number of migrant workers (both employees and agency staff) working in the hotel or corporate office. However, it can be capped at a certain number. Interviewers should not be influenced by the selection of migrant workers for interviews by any actor.
5. Inform the selected migrant workers about the interview process and its purpose, noting that their participation is entirely voluntary, and that the information collected will be used confidentially and without the risk of retaliation from the hotel/corporate office and its business partners.
  - Referrals to law enforcement or other escalation should not occur without the consent of the migrant worker.
  - Interviews should be carried out during paid time, or during work hours, to ensure selected workers are not financially disadvantaged due to their selection. Employers should not utilize remunerated interview time of workers as a means of influencing the outcomes of interviews.
  - As a matter of good practice, migrant workers should be informed of the purpose and conditions of their participation in the interview process and be asked to sign consent forms should they agree to the terms. Migrant workers should be provided with a copy of the agreement.

### CREATING A SECURE SETTING

Secure settings for interviews are an essential part of building trust and creating an open space for communication. As interviews can bring up uncomfortable experiences, memories and emotions, it is important to create a space which is comfortable and welcoming. Simple actions such as providing comfortable furniture, water and snacks can contribute to more open atmosphere and make interviewees feel welcomed and safe. It may be beneficial to conduct interviews in a neutral location outside the workplace, with workers consent. All related commute/travel needs to be either arranged for workers or be paid for by the employer.

## DURING THE INTERVIEWS

1. Conduct interviews in a secure setting and without leadership, or the workers' supervisor, present. To protect the privacy of migrant workers and to avoid undue influence, avoid positioning migrant workers (interviewees) in front of, or facing, windows. The interviewer should once again assure migrant workers that anything they share during the interview will be kept confidential, and that the management is held to strict standards of non-retaliation.
2. Seek to establish rapport with migrant workers and encourage open and honest feedback. The Interviewer should explain the purpose, estimated time frame and scope of the interview, including the outcomes expected from the interview.
3. Conduct interviews in a language migrant workers can easily understand and are comfortable using. Further, be responsive to cultural, gender and other sensitivities, as well as varying literacy levels. Inform migrant workers that they can choose to not answer questions, or to end the interview, at any time without consequences.
4. Minimize note-taking. If necessary, the interviewer should explain why notetaking is required and provide reassurance that any notes will not be used against the migrant worker.
5. Conduct the interview in a relaxed and conversational manner to encourage open and honest feedback. The Interviewer should familiarize themselves with the questions in advance and then allow the conversation to flow as naturally as possible.

6. Provide realistic and relevant examples, or sample scenarios, as much as possible. Avoid using terms like coercion, deception, abuse, etc., in leading questions, to maintain neutrality in questioning. Instead, ask about situations/scenarios which will help the interviewer determine if coercion/ deception/ exploitation, etc., has occurred. Some migrant workers may be unaware that they have been threatened, harassed, or exploited.
7. Ask follow-up questions for any critical issues uncovered, to gain full understanding of the situation and to identify the root cause of the issue, as necessary. Avoid cutting off/interrupting workers when they speak.
8. For any serious issues that are uncovered during the interview, provide guidance to the migrant worker about the different grievance and remedy mechanisms. Migrant workers should be provided with referrals to support systems that are available to them. This includes the business' own grievance mechanism, but also State-based mechanisms and support from civil society organizations. This will enable concerns to be investigated properly and for appropriate actions to be taken.
9. Do not extend interviews unnecessarily and remain responsive to migrant workers preferences. While the lengths of interviews may vary, ensure that all areas have been covered before finishing the interview.

## AFTER THE INTERVIEWS

1. Prepare a short, written summary of each interview, noting any issues that were raised and/or require immediate action and follow up.
2. When all the migrant workers interviews are complete, prepare a short report summarizing the key themes and issues to emerge. This report should be presented to senior leadership, areas within the business that are responsible for implementing the business' human rights and/or ethical recruitment policy, as well as relevant human resources and staff welfare officers. The report should not identify any of the participating migrant workers.

## ADDITIONAL RESOURCES

- [IOM Human Resource Guidebook on Employer Obligations and Cultural Sensitivity](#)
- [Verité Fair Hiring Toolkit](#)
- [Tool 4 Conducting Interviews with Migrant Workers](#)
- [Migrant Workers Guidelines for Employers](#)



## SAMPLE INTERVIEW QUESTIONS

The following questions have been designed to support hotels and corporate offices in gathering information from migrant workers about their recruitment and employment experiences. The questions align with the various stages of recruitment and employment and focus on the following risk areas: (1) document retention and freedom of movement, (2) transparency of recruitment and terms and conditions of employment, (3) recruitment fees and costs and (4) access to remedy. Given the sensitive nature of some questions, migrant workers should be interviewed individually, rather than in groups. The questions below may be supplemented with other relevant questions or adjusted to suit an open conversation.

### MIGRANT WORKER PROFILE

1. Date of interview:
2. Migrant worker name / employment number (Only if written consent is provided by the migrant worker)
3. Employment status (Employee or Agency Worker)
  - a. For Employees
    - i. Hotel/Corporate office details:
  - b. For Agency Workers
    - i. Employment Agency details:
    - ii. End-user Employer (Hotel/corporate office where work is performed):
4. Details of any third-party labour recruiters involved in the recruitment process
  - a. Country of origin:
  - b. Country of destination:
  - c. Country of transit (in case of previous work abroad):
5. Migrant worker nationality:
6. Position (e.g. Housekeeping):
7. Contract type (e.g. full time):
8. Employment start date:
9. Accommodation being provided: YES OR NO

### INITIAL RECRUITMENT STAGE IN COUNTRY OF ORIGIN

10. How did you find out about this job? / Can you tell me how you heard about this job?
  11. Did the job advertisement specify requirements such as age, height, sex/gender, physical ability, etc.? / Were you asked about your age, height, sex/gender, physical ability, religion, etc., during your recruitment?
  12. Did the recruiter have you sign an agreement with them?
  13. Were you briefed about the working and living conditions in the country of destination before or during your interview? What were you told?
  14. Did you pay any money to anyone during your recruitment process? / Did you give anyone money to pay for your recruitment or to get your job?
- If the worker responds yes, follow up by asking:
- a. What costs did you pay for?
    - i. Here you should enquire about travel costs to interviews, pre-departure training, passports, visas, travel and accommodation, insurance, equipment, translation services and any fees to arrange these for migrant workers. Please see [ILO General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs](#) for more information on fees and costs.

- b. Were you made aware of these costs for the recruitment before the process started, or did they come as a surprise?
- c. How did you pay for these fees/costs?
- d. If you had to take out a loan to pay for costs related to recruitment, are you still repaying the debt?
- e. If fees are identified, the interviewer should dig deeper to establish exactly which fees or costs have been paid, who they were paid to and when, how much and whether they received a receipt?

## HIRING STAGE (CONTRACT SIGNING AND DOCUMENT PROCESSING STAGE)

15. How does your job compare to what you were told during the recruitment process? Is it what you expected?
16. Is the type of work you do now the same as you were offered during recruitment? If not, how does it differ or how has it changed? Were your terms and conditions of employment explained to you before you signed your employment contract?
17. How much time did you have to review your contract?
- a. Did you have enough time to consider the contract before you signed it?
  - b. Did you feel rushed to sign?
18. Do you know if your recruiter had your contract checked or stamped by government authorities? (It should be noted to the worker that this question is intended to examine a recruiter's process, not to examine a migrant workers legal status).
19. Were you provided with a copy of your contract? Do you still have a copy of your contract?
20. Was your contract easy to understand and written in a language you understand?
21. Did you sign blank sheets of paper along with your contract? Were there any empty spaces in your employment contract?
- a. If not, were you asked to sign any blank sheets of paper?
22. Did you pay any fees to place you in your position?
- a. If not, were you asked to pay any placement fees?
23. Were your passport and other identity documents collected by the labour recruiter or any third party for processing?
- a. If yes, who took it and how long was your passport in their possession?
24. Was it explained why your passport and other identity documents were taken from you?
25. Do you have your own personal documents and belongings, including your passport, in your possession? If not, ask the worker for details of each item held and by whom it is held (if known).
26. How were you and other applicants treated by the labour recruiter during recruitment? How would you describe your treatment? If negative experiences identified, you may ask the following:
- a. Who were the individuals involved?
  - b. Can you describe what happened?
  - c. When did it happen? At what point of the process?
  - d. Did you report it then or later? If so, with whom and when? What was the response?
27. Is there anything in your opinion that would have improved your experience of the recruitment process?

## PRE-DEPARTURE STAGE

28. Have you attended a pre-departure orientation (PDO) session?

29. Did the PDO cover the following topics?

- a. Basic information about the country of destination
- b. Workplace and living environment
- c. Basic human rights and labour protections
- d. Contract terms and conditions
- e. Workplace disputes and available grievance mechanisms
- f. Available support services, such as civil society organizations

You may also inquire about any specific requests you made for PDO or other employment knowledge that should have been shared prior to employment.

## EMPLOYMENT STAGE

30. Were you asked to sign another employment contract after arriving in the country of destination?

If changes were made, ask the following:

- a. Is your current contract the same, worse, or better, terms as the contract you first signed in your country of origin?
- b. What are the changes that have been made to your contract?
- c. Did you want to agree to these changes?

31. Have you attended a post-arrival orientation (PAO) session?

32. Did the PAO cover the follow topics?

- a. Basic information about the destination country
- b. Workplace and living environment
- c. Basic human rights and labour protection
- d. Contract terms and conditions
- e. Workplace disputes and available grievance mechanisms
- f. Available support services, such as civil society organizations

33. Are you living in accommodation provided by your employer? Or have you found accommodation on your own?

- a. If the migrant worker found their accommodation on their own: How did you find your accommodation?

34. How much do you pay for your accommodation?

Or if the employer is providing accommodation:

- a. Is there anything being deducted from your salary statement/ pay slip related to accommodation?
- b. If so, how much is being deducted?

35. Can you come and go from your accommodation as you wish (including at night time)? Is there anything you would need to do to leave (e.g. inform your supervisor or boss, sign a paper, leave and come back within certain hours)?

36. Are you satisfied with your accommodation? Do you feel safe there? Is there anything that you need that is not available?

37. Where is your passport now?

- a. Do you have somewhere safe and secure to store it (and your other personal belongings)?
- b. Can you access your passport at any time of the day or night?

38. Transportation to and from work

- a. Are you provided transportation to work? How is this organized?
- b. Do you feel safe on the transportation?
- c. Is it on time? / Is the schedule regular? / Does it get you to work on time?
- d. How much do you have to pay for transportation?

39. Do you know the terms for ending your contract?

- a. Can you describe the process for ending your contract?

40. How do you feel you are being treated in the workplace?

If negative experiences are shared, follow up with:

- a. Can you describe what happened?
- b. When did it happen? At what point of the process?
- c. Did you raise a formal complaint/grievance at the time? If so, with who and when? What was the response?
- d. If you have not filed a complaint, would you like assistance in doing so?

41. If you had an issue at work, what would you do to deal with it?

42. Do you know how to make a complaint? Can you describe the process?

43. Is there is anything in your opinion that would improve your employment experience?

#### ADDITIONAL QUESTIONS FOR MIGRANT WORKERS EMPLOYED BY EMPLOYMENT AGENCIES

44. How often are you paid?

45. Does the employment agency take anything out of your pay? If so, what is this for?

46. Do you work anywhere else (apart from the hotel/corporate office)? If so, where?

#### SATISFACTION WITH THE LABOUR RECRUITER AND/OR EMPLOYMENT AGENCY

47. What services did the labour recruiter and/or employment agency provide?

- a. Visa and legal processing
- b. Medical processing
- c. PDO and/or POA
- d. Transportation
- e. Accommodation
- f. Loans
- g. Please specify other services provided by the labour recruiter and/or employment agency



48. How often does the labour recruiter and/or employment agency check in with you?

49. Are you satisfied with the services and support provided by the labour recruiter and/employment agency?

50. Are you satisfied with how the recruitment process was handled?

### RECRUITMENT FEES AND EXPENSES (THROUGHOUT THE ENTIRE PROCESS)

51. Did you pay any of the following fees or costs?

- a. Passport processing fee
- b. Visa processing fee
- c. Work permit fee
- d. Medical exam/screening costs
- e. Background check costs
- f. Documentation fee (such as notarization fee, legal fee)
- g. Training and orientation costs (such as PDO, POA)
- h. Government levy
- i. Local transportation, lodging and subsistence, costs from the worker's home directly to the labour recruiter/employment agency for the initial briefing and interview
- j. Travel costs from the worker's home/labour recruiter/employment agency in the country of origin to the workplace and/or accommodation in country of destination
- k. Travel tax/border crossing fee
- l. Deposits
- m. Uniform, tools, safety gear or other costs related to employment
- n. Accommodation costs
- o. Worker insurance costs
- p. Other fees and costs

52. Were you advised to keep a copy of the receipts of the fees and costs that you paid for reimbursement? Do you have any documentation of any fees or costs paid? Noting that no fees and costs should be paid by workers.

53. Did you take out any loans prior to your departure?

54. Did you pay any deposits or bonds to a labour recruiter, employment agency or any other entity related to your recruitment and employment? Have you repaid this loan in full now, or are you still indebted to anyone?

### FINAL QUESTION

55. Is there anything you would like to tell us before we finish the interview? Can you think of anything that would improve your overall experience with this job or the recruitment?