



## **Employer's Recommendations for the 13th ASEAN Forum on Migrant Labour**

**06 November 2020**

*Supporting migrant workers during the pandemic for a Cohesive and Responsive ASEAN Community*

### **1. The need for predictable and transparent legal frameworks for the mobility of skills**

Businesses need to transfer and deploy people quickly, but tax, social security and immigration requirements often act as barriers to the movement of people cross-border for work. We encourage ASEAN member states to address these hindrances and make migration ecosystems more efficient and business friendly. Mobility strategies must be agile, and adaptable to meet the fast-changing requirements of the business and different groups of employees.

Further, migration systems should be predictable and transparent and be comprised by a variety of mechanisms to meet the need for human resources at all skill levels. Different instruments should be in place for different categories of migrants including high skilled workers who help organizations fill managerial, executive and top research jobs with the most qualified candidates; intra-corporate transferees; and those on short-term assignments.

Most immigration systems in Asia need to be revamped based on the current migration and employment patterns. Migration law, policy and administration have not kept pace with the workplace changes. This is particularly striking, as companies and the global economy struggle to survive as a consequence of the Covid-19 crisis; flexible pathways for employment support businesses in accessing the needed talent in sector which most need them.

To enhance availability and flexibility of pathways for regular migration, employer's group calls for more dialogue on skills mobility policies between policy-makers and employers' organisations to better understand the skills needs and requirements from the various industries.

### **2. Responsible recruitment practices**

Fair recruitment guarantees selection of meritorious candidates over those who merely have the ability to pay high recruitment costs. As this contributes to higher productivity, efficiency and competitiveness, we urge ASEAN member states to find solutions to reduce these costs to a minimum.



The Covid-19 crisis has shed light on a serious concern to businesses in Asia: informality. Most of the migrant workers who are now in difficult situations were working in the informal market or hired through informal channels. Appropriate and effective regulation at national level is required.

Partnerships between sending and receiving countries are required to enable and foster portability of social security. Bilateral agreements should be put in place to ensure proper calculation of social security contributions, its availability in times of public crisis, enhance security of workers, and to protect employers against retroactive impact. This is of particular relevance in times of crisis when employers struggle to keep their workforce in place. Bilateral social security agreements are portability instrument that should be further developed in our region.

To facilitate fair and effective recruitment and safeguard conditions that ensure decent work, employer's group calls for the government's efforts to reduce the recruitment costs and enhance the social security portability and greater dialogue between countries of origin and destination, as well as employers and recruitment agencies to collectively find solutions to mitigate risks and reduce the recruitment costs to a minimum.

### **3. Skills development programmes, skills recognition schemes and skills matching frameworks that respond to labour market realities**

To remain competitive in global markets, employers require a readily available pool of talented workers equipped with the right knowledge and skills to be employable and work in productive, secure jobs which grow enterprises and economies. Mutual Recognition Arrangements (MRAs) Framework has been formalized among ASEAN member states for enabling easy mobility of candidates in 7 professions and 1 sector<sup>1</sup>. While some challenges in implementation continue to prevail, and while skills categories could be reviewed, the model offers a good example of a region wide system of MRAs to ensure that the skills of a dynamic

---

<sup>1</sup> ASEAN MRAs

- [ASEAN Mutual Recognition Arrangements on Engineering Services \(2005\)](#)
- [ASEAN Mutual Recognition Arrangement on Nursing Services \(2006\)](#)
- [ASEAN Mutual Recognition Arrangement on Architectural Services \(2007\)](#)
- [ASEAN Framework Arrangement on Mutual Recognition of Surveying Qualifications \(2007\)](#)
- [ASEAN Mutual Recognition Arrangement on Dental Practitioners \(2009\)](#)
- [ASEAN Mutual Recognition Arrangement on Medical Practitioners \(2009\)](#)
- [ASEAN Mutual Recognition Arrangement on Tourism Professionals \(2012\)](#)
- [ASEAN Mutual Recognition Arrangement Framework on Accountancy Services \(2014\)](#)



regional labour force are recognized and utilized to the region's utmost advantage. The ASEAN member states should facilitate mobility of middle-skilled migrant workers in the region.

The recent pandemic has highlighted the challenges related to the repatriation of migrant workers to their home countries, and their reintegration into struggling economies. In view of the current Covid-19 crisis, we would encourage an arrangement between the sending and receiving countries to provide a basic travel insurance to repatriate workers left stranded with no income, provide access to low cost healthcare and ensure their safe return home. In addition, upskilling or reskilling programmes for this returning migrant workforce will be needed, to allow them to reintegrate into the local workforce and contribute to the local economy.

To invest in skills development and facilitate mutual recognition of skills, qualifications and competences", employer's group calls for G2G collaboration that reflects employers' views to improve skills development, recognition and matching.

To facilitate mobility of middle-skilled migrant workers in the region to ensure that the skills of a dynamic regional labour force are utilized to the region's utmost advantage for the future of work. IT/digital labour mobility needs to be enhanced.

To review MRAs reflecting the needs of changing labour market.

#### **4. Leverage the use of technology to improve migration management**

The Covid-19 crisis has shed light on our dependability on technology. We must collectively work toward smart uses of technology through the digital transformation of immigration processes.

Governments should have eco-systems that track the whole migration phases, including pre-departure, recruitment and return. The in-country embassies should have a system to register migrants with their contact details, especially on temporary visas. Such systems would help locate migrant workers, improve transparency in the process, and direct them to cross-sectoral deployment.

Furthermore, numerous studies indicate that migrants tend to be more entrepreneurial than the local population. Migrant entrepreneurship has started to receive unprecedented attention by policymakers as an entry point for positing human mobility as a constructive phenomenon with mutually beneficial outcomes for both sending and recipient countries, as well as the migrants themselves. In line with this idea, many countries have put in place incentives to try and attract entrepreneurial talent from abroad. Migrant entrepreneurship drives innovation, stimulates economic activity and injects energy into the economies of the countries wherein it takes place, which is good for business and the community.

Employer's group calls for a digital transformation of immigration processes to promote transparent and efficient migration systems.



## 5. Regular and organized dialogue between the private sector and government

In our globalized world and as all stakeholders will adapt to new realities, it is now highly time for stronger collaboration between employers and government on labour migration issues. The private sector relies extensively on mobile human resources and stands to gain from people being able to move for work. In this framework, Asian Employers call for regular and organised dialogue between the private sector and government through formal communications channels, as well as investment in data collection to make a stronger case for improved regulations.

The consultation mechanisms at national level should be put in place to ensure that this dialogue is ongoing to prevent and/or better manage upcoming crisis. While governments have the sovereign right to decide immigration and emigration policies, if these policies are to be effective and relevant, they must be based on an analysis of needs for certified skills in consultation with various stakeholders, including the private sector.

ASEAN should also engage ACE and EOs in the process of formulating and implementing its migration policies.

Employer's group calls for regular and organized dialogue between the private sector and government to ensure an effective and relevant migration policy at the national level as well as at the regional level.

The meeting was held online on 6 November 2020.