A proposed Framework for the recruitment of Temporary Foreign Labour (TFL) for the Clothing and Textile industry in Mauritius

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Abstract:
One of the biggest challenges in the recruitment of Temporary Foreign workers (TFW) in Mauritius relies in its efficient management. The study highlights the factors that are mandatory for a better and more efficient ways of managing TFW in the Clothing and Textile (C&T) industry in Mauritius employing 90% of the total expatriates working in the country. The increasing trends of TFW in Mauritius is considered to be a paradox being given that the country also have a rising unemployment rate among the local population as at December 2015. Based on the findings of the study, a proposed framework for the recruitment of TFW has been designed to demonstrate a thorough understanding of the theories and the concepts that are relevant to this topic relating it to a broader area of knowledge of the subject. The proposed framework shows the key variables that influence the recruitment of TFW in Mauritius and highlights the need to examine how those key variables might differ and under what circumstances. The fact that these variables are very dynamic in nature, the framework also offers the possibility of altering the variables as and when required to cope with the dynamic environment conditions.

Key words: Foreign labour, Temporary Foreign Workers, Framework, Clothing and Textile industry, Mauritius, EPZ, Apparel industry, Framework for recruitment of foreign labour.

1.0 INTRODUCTION

The study presents a comprehensive view of the situation regarding the employment of foreign labour and analyses critically the various aspects of employment in the C&T industry. The study reveals that one of the biggest issues is that there is no clear policy as regards the employment of TFW not only in the C&T industry but for the industry at large. There is today no human resource planning on a national level and no absolute indication on the requirements of industry with respect to the import of foreign labour. The current system is only catering for piece meal situations and decisions taken in an ad hoc manner as and when a problem arises with a complete lack of transparency throughout the whole application process. Although we have witnessed much progress and concrete actions from the Ministry of Labour and Industrial Relations (MILIRE), there is still much to be done to cater for the challenges of employment for the recruitment of foreign labour. The management of foreign workers remains a big challenge for the country and appropriate actions have to be taken if we are going to be dependent on them for at least the next 5 years. This study highlights the challenging factors that contribute to a better management for the recruitment of Temporary Foreign Workers (TFW). In light of the results, a proposed framework for the recruitment of TFW for the Clothing and Textile industry is presented in this article which takes into consideration the specificity of the Clothing & Textile Industry in Mauritius.

2.0 CHALLENGING CONDITIONS FACED BY TFW

Gopaul (2013) in her study conducted on “Daily poverty of migrant workers: the hidden side of the Mauritian coin” relates to the living conditions of migrant workers and explained that even if accommodation was provided free of cost migrant workers are living in conditions that are at times worse compared to what they were enjoying in their countries. In Mauritius, there are many cases of bad working conditions that have been reported mostly among migrant workers in the EPZ. These have caused many situations of unrest whereby causing deportation of workers mainly in the C&T industry. The C&T industry is governed by the Employment Rights Act 2008, the Employment Relations Act 2008 and the Occupational Safety and Health Act 2005. Additionally, (Employees’ Lodging Accommodation) Regulations 2011 have been passed with effect from 28 January 2011 to improve the standards of living conditions in lodging accommodation provided to any employee including migrant workers. Additionally, the Employment Relations Act 2008 revises the law relating to trade unions, fundamental rights of workers and employers,
collective bargaining, labour disputes and related matters so as to underpin collective bargaining and strengthen social dialogue. One prominent feature of the Employment Relations Act is the effective recognition of the right to collective bargaining, which is a voluntary mechanism for regulating terms and conditions of employment. The new legislation sets out in a structured manner the conditions for the harmonious development of collective bargaining (DWCP, 2012).

Islam & Ahmed (2010) explain how in Bangladesh labour unrest has become a common phenomenon in the ready-made garment industry causing serious negative impact on the export of Bangladesh in international markets. According to them, one of the reasons for this unrest in the garment industry is due to legal and institutional failures to enforce labor rights. They described how many garment factories in Bangladesh hardly follow the labor laws and ILO conventions. The ILO (2015) reported in its newsletter the incident of Rana Plaza, which collapsed in Bangladesh in 2013 and the factory fire in Pakistan in 2012 as a tipping point in the world of work. They explain how these tragic accidents called for world attention to the working conditions of garment workers in general and how since then this has required enhanced cooperation between tripartite constituents and other stakeholders has resulted in the negotiation of new initiatives at global and national levels. In view of the events, one of the major priorities was to promote decent work in the textiles, clothing, leather and footwear sector include, inter alia promoting social dialogue on main challenges and opportunities in the sector and building consensus among tripartite constituents on measures to tackle them, increasing and disseminating knowledge on labour issues in the sector and building capacity of sectoral constituents to address decent work deficits. These work deficits are mainly linked to improving workplace compliance with international labour standards and national legislation through the ILO-IFC Better Work programme, strengthening labour market governance and working conditions in the textile and clothing industries (Inclusive Labour Markets, Labour Relations and Working Conditions Branch (INWORK) and improving working and safety conditions in the Ready-Made Garment Sector in Bangladesh (ILO, 2015). Mauritius is one of the signatories of the Decent Work Country Programme 2012-2014 where the document was signed in November 2012 with main highlights as the need for the preparation of a National Employment Policy (NEP) as one of the objectives, to take cognisance of the present employment and labour market situation on the basis of statistics on the age, gender and educational level of unemployed persons to identify areas /sectors where there is a mismatch between demand and supply of labour (taking into consideration the increasing demand for foreign labour) and the reasons thereof, to anticipate the labour demand for the medium term in existing and emerging sectors and to propose appropriate measures in this connection, to make recommendations to address the complexity in the placement of job seekers, particularly in the redeployment of redundant workers, and to make recommendations for policies/strategies to address the requirements of the labour market (DWCP,2012).

In Mauritius, many cases have been reported in the newspapers reporting the trend of inhumane living conditions among foreign workers. L’express in its article of the 20th of July 2011 reported the inhumane living conditions of 29 Bangladesh workers after an inspection of dormitories was carried out by Amnesty International Mauritius Section, together with trade unionist Fayzal Ally Beegun for migrant workers in Coromandel, Chebel and Beau Bassin. They visited dormitories of the two large companies and found that it was over-crowded with migrant workers from India, China and Madagascar. In March 2011, a group of Nepalese and Bangladeshi workers went on strike and protested against another smaller textile factory in Goodlands where they worked, because of the poor living conditions they provided. On the 24th of September 2102, the press reported violent clashes between Bangladesh and inhabitants of Roche-Bois during the last weekend. In September 2013 Bangladesh workers were deported as they started a strike at a jean manufacturing company. Further articles in the Defi Media on the 24th of September 2012, also relates to the incidence of clashes between locals and Bangladesh workers which was mainly due to failure in the difference of culture and communication, as the foreign worker has difficulty in making himself understood on both sides, was also a source of misunderstanding and frustration among workers. Lincoln (2009) explained that there is a high degree of segmentation between the Mauritian labour force and foreign contract workers and explained how the locals would dissociate themselves with the foreign workers in cases of unrest and any other issues relating to working conditions.
Ackbarally (2008) furthermore highlights the incident which took place in 2007 at one of the biggest Clothing and Textile factory which employs many Chinese expatriates and caused 177 foreigners to be deported when the latter manifested illegally about the lack of running water, the insufficient number of toilets and poor accommodation were among other complaints. This has also reported in the international press and by the ILO in its edition of 2009 on Rights of Migrant workers whereby explaining that although the Mauritian authority, particularly inspectorates of the Migrants Units, is prompt to act whenever cases of poor living and working conditions are reported it is found that unfortunately, foreign workers rarely make official complaints. Suntoo and Chitoo (2011) further explained that the living conditions of Chinese migrants have been subject to many criticisms. They related the situation as being an eyesore to find out the degradable conditions of the dormitories in which they are accommodated. Chinese expatriates live in a rather very poor condition. Three to four people share a room which is very small. The sanitation system is in a deplorable situation. In the EPZ sector, no one is allowed to visit the dormitories of the expatriates. It is a known fact that foreign workers live in bad conditions there, and four to five people live packed in one small room. They rarely complain about their inhumane living conditions for fear of being deported. Lincoln (2009) provided a chronicle of collective protests occurred in Mauritius between 2002 and 2005 highlighting grievances that arise from the conditions they face as migrants. Lincoln pointed out that this is largely due to the failure of industrial relations institutions, and having stirred xenophobic sentiments, these protests represent a catalyst for reform. He added that while the numerical incidence and scale of labour migration to small islands may be small, their significance for GDL analysis and the politics of migration demands attention.

Gopaul, (2013) referred to a survey on the living conditions of migrant workers, discussed that the living arrangements differed from one accommodation to another depending on the size of the companies. It was found that some small-scale factory provided dormitories where about 18 persons were living together in rooms usually reserved for 4 persons with other amenities such as common bathroom and toilet in very poor conditions. Some of the workers did not even have a place to eat and in some places, cooking was done inside the dormitories. He further added that even if much emphasis is laid on sanitary facilities to be provided to workers in the Mauritian labour laws, the situation proved to be very different for migrant workers. According to him, Health and Safety exist only for Mauritian workers and not for migrant workers and also mentioned that they have raised the issue with the factory manager and owner but nothing had been done yet.

Suntoo and Chitoo (2011) in fact pointed out that migrants normally get difficulties to adapt in the host countries at the early stage of their migration due to mainly language problems between nationals and the Chinese workers. This is more among Chinese migrants as compared to Indians who are able to integrate the society easier. According to them, the communication problem is a main issue for many of the Chinese to express their views both at the workplace and in the society. This was also confirmed by the NESC (2008) which reported that the language barrier prevents them to socialize with others and therefore integrate the society. Gopaul (2013) also agrees that language proved to be the main barrier to the association of foreign workers with trade union and how the use of translators may lead to misreporting. Maher (2009) pointed out that language barriers remain an issue in education and awareness raising work, materials (especially written ones) need to be produced in a variety of languages to make them accessible to migrant workers in their destination country.

Lincoln (2009) explains the importance of integration of migrant workers in the society in Mauritius and how migrant space occupied by expatriate workers in Mauritius was tightly circumscribed, with little social interaction between them and Mauritian society. Gopaul (2013) also stressed on the fact that the relevant authorities in Mauritius should make it a must to regulate the export sector where migrant workers contributions were not only recognized as FDI, Balance of payment figures or Profit but were also accounted in term of more social and human values. The above is in fact in line with the Decent Work Country Programme 2012-2014 whereby the authorities engage themselves to focus on social dialogue, collective bargaining and employment creation as main objectives. Furthermore, it is also mentioned that
Mauritius endeavors to fully adhere to the principle of social justice which is in line with ILO Declaration on Social Justice for a Fair Globalization adopted in June 2008 (DWCP, 2012).

The Institute of Human Rights and Business (2011) highlighted that migrant workers represent a particularly vulnerable part of the workforce, and are subject to abuses occurring throughout the labour supply chain mainly due to unscrupulous labour agents. This includes deduction from wages of recruitment fees and pre-departure loans at extortionate rates of interest, leading to situations of debt bondage. In view of these, Suntoo and Chitoo (2011) explained that Mauritius has adopted the good practices in relation to labour migration and has spared no efforts to develop migration policies and programmes to maximize benefits of labour migration and minimize its negative consequences. They also explained in details the various processes required for the application of work permit. However, still, some further improvements need to be done regarding living and working conditions of migrants. Lincoln (2009) relate how in 2001, for instance, the Ministry of Labour, Industrial Relations and Employment announced the establishment of the Special Migrant Workers’ Unit to serve migrants by vetting their contracts and monitoring their work and living conditions in addition to the establishment of a code of conduct for employers of labour migrants.

In line with the DWCP 2012-2014, the MILRE has published a draft copy of the National Employment Policy (2014) making recommendations to review the policy of foreign labour by taking into considerations the types of occupations where there is a real shortage of local skilled and available, the recruitment of foreign workers only those occupations where employers would have submitted justifications/evidence that they have been unsuccessful in recruiting locally among others. So far as there is no comprehensive policy on the recruitment of foreign workers, the government is mainly addressing the issues with remuneration orders and ad-hoc amendments of various legislations and guidelines. One of the examples being the Occupational Safety and Health (Employees’ Lodging Accommodation) Regulations 2011 have been passed with effect from 28 January 2011 to improve the standards of living conditions in lodging accommodation provided to any employee including migrant workers and a guideline for work permit application in 2015.

3.0 METHODOLOGY

A combination of methodologies using a mixed method approach was used in the study to show how inferences from mixed methods may be greater than the single method components (Tashakkori & Teddlie, 2003). The research was conducted by adopting an exploratory approach among employers through a focus group discussion, workers and representative of Unions in the industry. Both quantitative and qualitative methods were adopted using primary and secondary data. All data relevant to the case have been gathered and organized to provide intensive analysis of many specific details often overlooked by other methods.

3.1 RESEARCH DESIGN

The study was conducted using a three-phase approach using a mixed method methodology. The first phase was conducted through a qualitative exploration in the form of interviews with foreign workers of various nationalities by collecting data from participants already working in the sector. The data collected provided allows us to have an in-depth understanding and assess their contributions in the context. This has largely contributed to the formulation of the questionnaire for carrying out the survey for the quantitative method and the open ended interviews for the qualitative method among employers employing Temporary Foreign Workers in the Clothing and Textile Industry in Mauritius. The questionnaire was tested with a sample from the Clothing and Textile industry where the relationship between the independent and dependent variables were measured. The purpose of this concurrent mixed method approach helped to better understand the research problem by converging both qualitative data in terms of detailed views from experts in the field and quantitative data in terms of broad numeric trends data. In the study, a questionnaire with open-ended questions was also used as main instrument for interviews and observations gathering the views of experts in the field. At the same time, quantitative instruments were used to measure the relationship between independent variables and dependent variables within the companies. The findings from the survey was cross analysed to the findings of the interview to validate the results.
3.2 QUESTIONNAIRE DESIGN

The questionnaire was designed to be as simple and comprehensive as possible, covering widely the different aspects related to the assessment of foreign labour as determining factor for the Clothing and Textile industry. The questionnaire was designed to reflect the various determining factors identified as covered both in the literature review and from the exploratory exercise. This was listed under a specific section which led for quality of information. A pilot test was run among 4 companies and feedback obtained allowed us to make constructive changes for the final questionnaire.

4.0 ANALYSIS OF RESULTS

The sample was drawn from a list comprising of 85 Export Oriented Companies (EOE) obtained from the Ministry of Industry working in the Clothing and Textile industry. During the survey, it was found that 5 of the companies closed down during the year 2014 and these companies have therefore been excluded from the list. Besides, 4 of the respondents have informed us that they will not participate in the study for confidentiality reasons. In order to have a representative sample, care has been taken to include among the respondents organizations from various sizes in the C&T industry. The sample included 39 organizations grouped under various sizes with respect to their turnover which is in accordance with the Ministry of Industry in Mauritius. As company size is defined by the Ministry of Industry by turnover, we have therefore taken care that in the sample respondents, all participants are from the three mentioned categories. These are classified as small, medium and large companies with turnover of less than Rs.10 million, Rs.10 - 50 million and over Rs.50 million respectively. The respondents were asked to what extent they agree that the Clothing and Textile industry will face continual dependence on foreign labour based on factors listed below as per Table 1.0 below:

<table>
<thead>
<tr>
<th>Table 1 - Challenges of continual dependence on foreign labour</th>
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<tbody>
<tr>
<td>I. Foreign labour is more difficult to manage.</td>
</tr>
<tr>
<td>Strongly Agree</td>
</tr>
<tr>
<td>7</td>
</tr>
<tr>
<td>II. Companies have to establish clear communication lines with foreign workers for better working relationship.</td>
</tr>
<tr>
<td>Strongly Agree</td>
</tr>
<tr>
<td>13</td>
</tr>
<tr>
<td>III. The recruitment of too many foreign workers in one factory may result in unrest situations.</td>
</tr>
<tr>
<td>Strongly Agree</td>
</tr>
<tr>
<td>9</td>
</tr>
<tr>
<td>IV. Too many foreign workers in the industry may cause social problems in the local community.</td>
</tr>
<tr>
<td>Strongly Agree</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>V. Alternative sources of labour have to be identified for future needs to decrease dependency on current labour providing countries.</td>
</tr>
<tr>
<td>Strongly Agree</td>
</tr>
<tr>
<td>8</td>
</tr>
<tr>
<td>VI. The application process (lead time) by the authorities should be improved to facilitate the employment of the foreign workers.</td>
</tr>
<tr>
<td>Strongly Agree</td>
</tr>
<tr>
<td>21</td>
</tr>
<tr>
<td>VII. Government should have a clear policy on the recruitment of foreign labour in the Clothing and Textile sector for the next 5 years.</td>
</tr>
<tr>
<td>Strongly Agree</td>
</tr>
<tr>
<td>20</td>
</tr>
</tbody>
</table>

50% of the respondents only agree that foreign workers are more difficult to manage whereas 32% did not express their opinion on the subject. However, 92% of the respondents agree that companies have to establish clear communication lines with foreign workers for better working relationship. 68% of the respondents also feel that too many foreign workers in one factory may result in unrest situations, but only 47% of the respondents agree that too many foreign workers in the industry may cause social problems in the local community.
74% of the respondents agree that there is the need to identify alternative sources of labour in order to decrease dependency on current labour providing countries and 92% of them also agree that the government has to improve the application process to facilitate the recruitment of foreign labour.

With respect to the policy of the government on foreign labour, 97% of the respondents agree that government should have a clear policy on the recruitment of foreign labour for the Clothing and Textile industry for the next 5 years.

4.1 INFERENTIAL ANALYSIS

Tests of ANOVA were conducted for Factors associated with Foreign Labour on challenges of continual dependence on foreign labour in the Clothing & Textile Industry by Size and Type of industry. Before proceeding with the ANOVA tests, the data was tested for normality and homogeneity. A normality test using Shapiro-Wilk (Sample < 50) was carried out test to verify whether the data follows a normal distribution for all sizes of companies. The results show that P-values for small, medium and large companies are 0.174, 0.148 and 0.363 respectively. As all P-values are greater than 0.05, we infer that the mean score for companies of various sizes and challenges of continual dependence on foreign labour follows a normal distribution.

The Levene's test was also conducted in order to check the assumption of homogeneity of the variances of the data. The results show an F value of 0.262 and P value of 0.0771. Since P-value > 0.05, we infer that there is no significant difference between the variances thus they are homogeneous. Since the conditions of normality are satisfied, an analysis of variance test was conducted among companies of various sizes in order to test whether the three groups have the same variance. The results show that F = 0.961 and P-value of 0.474 > 0.05. We conclude that there is no difference in the mean score among small, medium and large companies and challenges of continual dependence on foreign labour in the Clothing and Textile industry.

The same set of data was analysed to see whether it satisfies the conditions to run an analysis of variance test (ANOVA) among those companies involved in various sectors of the Clothing and Textile sector. However, as the data does not follow a normal distribution, a non-parametric Kruskal-Wallis test to evaluate difference in mean ranks as 20.33, 22.17 and 6.17. The Kruskal-Wallis Chi-Square test is not significant beyond the 0.01 level with $\chi^2(2) = 4.915; p = 0.086 > 0.01$, this infers that there is no difference in mean rank among companies operating in various sectors and the challenges of continual dependence on foreign labour in the Clothing and Textile industry.

4.2 FACTOR ANALYSIS

Before proceeding to Factor Analysis, the data was tested for normality using Shapiro-Wilk test as our sample is (< 50) small. As all p-values < 0.05, this implies that the data does not follow a normal distribution. Moreover, a reliability test using Cronbach's Alpha was also conducted where an alpha coefficient of relatively high internal consistency of 0.619 was obtained thus allowing us to proceed with factor analysis. Prior to the extraction of the factors both the Kaiser-Meyer-Olkin (KMO) for measuring sample adequacy and Bartlett's Test of Sphericity were conducted. The KMO test indicates a 0.5 index which is within the range of 0 to 1 considered to be suitable for factor analysis (Hair et al., 1995). The Bartlett's Test of Sphericity should be significant (p < 0.05) for factor analysis to be suitable (Barlett, 1954). If any pair of variables has a value less than 0.5 we will consider dropping one of them from the analysis. As our sample size is below 50, we will refer to Kaiser (1974) who recommends 0.5 as minimum (barely accepted), values between 0.7 - 0.8 as acceptable and values above 0.9 are superb. In our case, KMO measure is 0.593 with a p-value of 0.00 < 0.05 also indicating that the Bartlett's test of Sphericity is significant indicating that the correlation matrix is not an identity matrix.

4.2.1 Total Variance Explained

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The seven factors associated with foreign labour as challenges of continual dependence on foreign labour in the Clothing & Textile Industry were subjected to principal components analysis (PCA) using SPSS version 21. Principal components analysis revealed the presence of three components with Eigenvalues (≥1) of 2.386, 1.416 and 1.006 explaining 34%, 20.2% and 14.37% of the variance respectively. An inspection of the scree plot revealed a clear break after the third component. The three component solution explained a total of 68.7% of the variance.

4.2.2 Rotated Component (Factor) Matrix

Varimax rotation technique was performed, and the simpler orthogonal rotation yielded meaningful item groupings and strong, unambiguous loadings. By referring to the content of those items, one can discern the nature of the latent variable that each factor represents. The idea of rotation is to reduce the number factors on which the variables under investigation with high loadings. Rotation does not actually change anything but makes the interpretation of the analysis easier. Looking at the table below, three factors are loaded on factor 1 namely: The employment of too many foreign workers in the industry may cause social problems to the local community, too many foreign workers in one factory may cause unrest situation and foreign labour is more difficult to manage.

Table 2 - Rotated Component Matrix for challenges on continual dependence on foreign labour

<table>
<thead>
<tr>
<th></th>
<th>Component 1</th>
<th>Component 2</th>
<th>Component 3</th>
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<tbody>
<tr>
<td>The employment of too many foreign workers in the industry may cause social problems to the local community</td>
<td>.865</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Too many of them in one factory may cause unrest situation</td>
<td>.818</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foreign labour is more difficult to manage</td>
<td>.668</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clearer communication lines with FW for better work relationship</td>
<td></td>
<td>.842</td>
<td></td>
</tr>
<tr>
<td>Government should have a clear policy on the recruitment of foreign labour for the C&amp;T industry for the next 5 years</td>
<td></td>
<td></td>
<td>.710</td>
</tr>
<tr>
<td>Alternative sources of FW is essential to decrease dependency on current labour providing countries</td>
<td></td>
<td></td>
<td>.786</td>
</tr>
<tr>
<td>The government have to improve the application process to facilitate the recruitment of foreign workers</td>
<td></td>
<td></td>
<td>.701</td>
</tr>
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</table>

Extraction Method: Principal Component Analysis.
Rotation Method: Varimax with Kaiser Normalization.
a. Rotation converged in 4 iterations.

Two factors are loaded on factor 2 as follows: Clearer communication lines with foreign workers for better work relationship and Government should have a clear policy on the recruitment of foreign labour for the C&T industry for the next 5 years

Alternative sources of foreign workers are essential to decrease dependency on current labour providing countries, and the government have to improve the application process to facilitate the recruitment of foreign workers were loaded on factor 3.

4.2.3 The Three Topic Factor

A three component solution explained a total of 68.7% of the variance, with component 1 contributing to 28%, component 2 contributing to 21.9% and component 3 contributing to 18.8%. The three items loaded onto component are associated with factors leading to the management of foreign labour in the C&T industry. The factor loads on the employment of too many foreign workers that may lead to social problems in the local community, the recruitment of too many of them in one factory may cause unrest situations and foreign labour is more difficult to manage. This factor is labelled “The difficult management of foreign labour”.

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Component One – The difficult management of foreign labour

This component groups the factors related to the management of foreign labour working in the C&T sector. Three items were identified in the first component as too many foreign workers that may lead to social problems in the local community, the recruitment of too many of them in one factory may cause unrest situations and foreign labour is more difficult to manage. The three items loaded onto component one have high factor loading of 0.865, 0.818, and 0.668. Only 47.5% of the respondents agree that too foreign workers in the industry may cause social problems in the local community while 31.5% did not want to express their opinion on the subject. However, a higher percentage of 68.5% of the respondents agree that too many foreign workers in one factory may result in unrest situations whereas only 50% of the respondents agree that foreign workers are more difficult to manage and 31.5% who did not give their opinion on the subject.

An interview as per below was conducted and the respondent did not believe that foreign workers will cause social problems in the country as explained earlier. He explains the
<table>
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<th>Responses</th>
<th>Coding</th>
<th>Themes</th>
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<tbody>
<tr>
<td>There is also a fear that too many foreign workers that may lead to social problems in the local community or that the recruitment of too many of them in one factory may cause unrest situations and foreign labour is more difficult to manage. Do you agree or disagree with this?</td>
<td>I do not see that foreign workers will lead to social disruption in workplaces and in the country as this is just a question of proper management and a cultural factor. With proper HR management practices each company should be able to solve as many issues possible internally and avoid strikes and disputes.</td>
<td>No social issues</td>
<td>Proper management of foreign labour</td>
</tr>
<tr>
<td>There have been many issues regarding working conditions and accommodation facilities which had led to strikes and unrest situations in many factories. Why did this happen?</td>
<td>This is a question of sound management practices, more specifically, the HR department has to ensure that fair and sound management practices are carried out to ensure that this does not give rise to any issue.</td>
<td>Sound Management practices</td>
<td>Active role of HR department to prevent issues with foreign labour</td>
</tr>
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</table>

There have been many issues regarding working conditions and accommodation facilities which had led to strikes and unrest situations in many factories. Why did this happen?

I do not see that foreign workers will lead to social disruption in workplaces and in the country as this is just a question of proper management and a cultural factor. With proper HR management practices each company should be able to solve as many issues possible internally and avoid strikes and disputes.

This is a question of sound management practices, more specifically, the HR department has to ensure that fair and sound management practices are carried out to ensure that this does not give rise to any issue.

Sound Management practices
Active role of HR department to prevent issues with foreign labour

importance of having a proper HR department that is capable of managing the issues of the foreign workers so as to resolve their grievances internally within the organisation thus avoiding disputes and strikes. He believes that with fair management practices, the HR department should be able to overcome these difficulties.

Component Two – The Need for Improved Communication

This component has listed two items related to the ways of communication required for a better management of foreign workers. These items are companies have to establish clear communication lines with foreign workers for better working relationship and the government should have a clear policy on the recruitment of foreign labour in the Clothing and Textile sector for the next 5 years. 92% of the companies agree that it is important to establish clear communication lines with foreign workers for better working relationship whereas 97.5% of the respondents agree that government should have a clear policy on the recruitment of foreign labour for the Clothing and Textile industry for the next 5 years. These two items are very important for better work relationship as very often; language barriers may be a source of dispute among both employee and employers.

The interviewee explains that communication is the key element to a better management of foreign labour. According to him, clear communication is essential in order to clear all misunderstandings and ensure that all instructions are clearly understood. This will avoid confusion in the mind of the workers and establish a better relationship with them.
Employers face many challenges that companies and it has been identified that there should be clearer communication lines with foreign workers for better work relationship? How important is it to you in your company?

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<tr>
<td>Communication is the key element for a better management of foreign workers. Clear communication will help to sort out misunderstanding and to ensure that instructions are well understood, thus avoiding confusion and establish trust.</td>
<td>Clear communication for better management</td>
<td>Improved communication system</td>
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During the interview, it was clearly highlighted that there was a total absence of vision and policy with respect to the recruitment of the foreign labour in the C&T industry. In fact the

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<tr>
<td>The study also shows that many employers pointed out that the importance for Government to have a clear policy on the recruitment of foreign labour for the C&amp;T industry for the next 5 years?</td>
<td>There is no clear policy for the recruitment of foreign labour. The authorities are more reacting to tackle issues rather than being proactive. Policy is being taken on a piece meal basis and the application process is too long.</td>
<td>No clear and planned policy</td>
<td>Absence of clear vision &amp; Policy</td>
</tr>
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<td></td>
<td></td>
<td>Authorities not proactive</td>
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<tr>
<td></td>
<td></td>
<td>Application process too long</td>
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interviewee explained that the authorities are mainly reacting to manage issues that crop up instead of trying to be more proactive. It is also highlighted that decisions are taken on a piece meal basis and not in a comprehensive manner. It was also pointed out that application process takes too long. This is in line with the findings from the survey where 97.5% of the respondents agreed that there should be a clear policy on the recruitment of foreign labour.

**Component Three – Facilitation for recruitment of foreign labour**

This component has listed two items related to find alternative sources of labour have to be identified for future needs to decrease dependency on current labour providing countries and the application process (lead time) by the authorities should be improved to facilitate the employment of the foreign workers. 73.5% of the respondents agree that there is the need to identify alternative sources of labour in order to decrease dependency on current labour providing countries and 92% of them also agree that the government has to improve the application process to facilitate the recruitment of foreign labour.

The question of whether we require an alternative source of labour was asked to the interviewee and the response was that it is reasonable to do so as migration in general is an ongoing process worldwide.

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<th>Question</th>
<th>Responses</th>
<th>Coding</th>
<th>Themes</th>
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<tbody>
<tr>
<td>Do you think that we should also think of alternative sources of labour and not being too dependent on one source only? Why?</td>
<td>It is reasonable to think about alternative sources of labour as migration is an on-going development process worldwide. As in the case of Mauritius, we initially imported more Chinese workers and Indians and now it more from Bangladesh.</td>
<td>To consider for alternative sources of labour</td>
<td>Alternatives strategy</td>
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<td>Migration is an ongoing process</td>
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The historical background was elaborated to show that in Mauritius, the C&T sector has shifted from the recruitment of mainly Chinese workers to India, Nepal and today mostly Bangladesh over the years.

With respect to the improvement of the application process (lead time) by the authorities to facilitate the employment of the foreign workers, many companies have complained that the Ministry takes too long to process the applications for work permits for an employer to recruit a foreign worker. This subject was briefly explained in earlier sections, however during the interview, it was stressed that the actual processes for work permit application for a worker to come to work in Mauritius take too long and in many cases, when the application is completed, the applicants are no longer available to come to work in Mauritius. This is clearly seen by the interviewee as a waste of resources in terms of time and money incurred by the companies.

5.0 A PROPOSED FRAMEWORK FOR THE RECRUITMENT OF TEMPORARY FOREIGN LABOUR FOR THE CLOTHING AND TEXTILE INDUSTRY IN MAURITIUS

The proposed framework for the recruitment of Temporary Foreign Labour (TFL) is presented with a series of measures which calls for cooperation of all stakeholders mainly government bodies and employers for recruiting policies in achieving broadly stated goals. The main objective of this proposed framework serves to have a better management, monitoring and control on the recruitment of TFL while making use of existing and new proposed regulations to prevent unnecessary recruitment of foreign labour in the Clothing and Textile sector while at the same time protecting the local labour force and reduce unemployment in the country. The proposed framework will be applied at the national level and provides guidelines and clear recommendations in areas of utmost importance to the relevant authorities and employers with respect to the recruitment of foreign workers in the EPZ most specifically in the Clothing and Textile sector.

THREE-LEVEL AND FOUR-STEP FRAMEWORK

The framework is built on a three-level and four-step approach basis with the three levels. These three levels comprise of the following:

A- Input – all components such as existing legislations, policies, laws, conventions and any other actions that contribute to its respective building blocks with a three-color code system: Green for those inputs already implemented, Amber for those proposed inputs in abeyance and Red for those inputs that are newly proposed.

B- Process – this part consists of four building blocks consisting of defining and implementing the right strategy, implementing effective communication system, improving the employment services system and effective monitoring and control which process the inputs to yield the expected results. These building blocks consist of series of measures that need to be implemented in order to have the expected results. A three-color coding is also used to distinguish between implemented (green) and non-implemented actions (red).

C- Output – reflects the outcome from each building block which will lead to the overall objective of the framework.
1. LABOUR MARKET DYNAMICS

This building block of the four-step approach examines the dynamics of the labour market and the inputs that contribute to prepare a potential candidate to take employment in the EPZ sector. As a preliminary step to the building blocks, the framework shows the interaction between the Education system and the Labour Market in Mauritius. The educational system shows the pathways from Primary, secondary, vocational and tertiary education which prepares the local population for the labour market. Once the educational curriculum is completed, anyone can choose to enter the labour market and be directly employed in the Clothing & Textile sector in the EPZ or be unemployed due to a mismatch of skills and thus need to be retrained accordingly to become employable for the sector. It is also to be noted that a very slim percentage of the population may also be qualified under “Out of labour” which relates to someone’s incapacity to take any employment which is due to e.g. disability, health disorders or any other issues that prevent them from working. The inputs for the Education system consist of the following:

- **The Education system** - This include the proposed 9 Year schooling system that will allow all children to remain in the school system up to the legal working age (15 years old) where they can immediately be enrolled for a job.

- **Career Guidance and Counseling** - Through career guidance and counseling, proper guidance will be provided to match the required skills and jobs available in the C&T sector.

- **Job fairs** - By visiting job fairs, children will be exposed to the career prospects in the EPZ mainly in the Clothing and Textile industry (C&T).

Furthermore, the inputs for the Labour market recommends the necessary components that are required to address both the problem of mismatch of the labour market most specifically among the youth and the problem of women and ageing population while highlighting the various schemes that already exist or are in the pipeline for unemployed and those ready to take a job or those who have been made redundant and are willing to be recycled to the EPZ sector. This includes:
PROPOSED FRAMEWORK FOR THE RECRUITMENT OF TEMPORARY FOREIGN LABOUR FOR THE CLOTHING AND TEXTILE INDUSTRY IN MAURITIUS

INPUTS

1. Education system
   - Vocational
   - Secondary
2. Career guidance & counseling
3. Job Fairs
4. National Employment Policy
5. Employment generation & job creation for prospective temporary workers from foreign countries
6. Vocational training
7. Skills & Industry requirements
8. STRATEGIC APPROACHES TO RECRUITMENT

- Identification of key markets
- Identification of possible recruitment channels
- Identification of potential target groups
- Recruitment strategies

COMMUNICATION

1. DATA COLLECTION on EPZ/non-EPZ sectors
2. Recruitment guidelines
3. Clear communication guidelines with respect to recruitment of foreign labor
4. Effective communication tools such as websites, publications, brochures, newsletters, etc.
5. Sensitization on the need to have foreign labor working in Mauritius

EMPLOYMENT SERVICES

1. Work permit application system
2. Occupational permit
3. Approval of recruitment license
4. Inoculation of workers
5. Recruiters clearance
6. Workers induction program
7. Enforce compliance reviews and monitoring with respect to terms & conditions for recruitment of foreign labor
8. Provide advisory services for recruitment of foreign workers
9. Enhance LMS to provide online services including tracking system for services offered and monitoring of foreign labor workforce

MONITORING & CONTROL

- Enforce Social compliance to improve factory conditions
- Enforce existing regulations to ensure proper working conditions and rights of workers

LABOUR MARKET DYNAMICS

1. Education system
2. Career guidance & counseling
3. Job Fairs
4. National Employment Policy
5. Vocational training
6. Skills & Industry requirements
7. Strategic approaches to recruitment

LABOUR MARKET STRATEGY

1. Develop outreach strategies for a national human resource plan
2. Define policy on the recruitment of foreign labor for short and medium term
3. Identify GAPS for both local workers and foreign labor
4. Identify & evaluate sources of labor for actual and future needs

COMMUNICATION

1. Effective management of information through the labor market information system (LMS) from and for all stakeholders
2. Effective communication channel between Ministry and stakeholders
3. Dissemination of information using effective communication tools
4. Awareness campaigns to sensitize on the recruitment of foreign labor

COMMUNICATION

1. Will help define the need and match the requirements of the industry to achieve medium and long term goals for recruitment of foreign workers
2. Will ensure timely, accurate, consistent and necessary communication across all levels
3. To provide greater customer satisfaction and improve efficiency in the recruitment process
4. Will provide improved work environment to foreign workers

MACRO LEVEL OUTCOMES

Temporary migrant workers for the socio-economic benefit of the Mauritius

1. The 9 Year schooling educational system will allow all children to be in the system up to the legal working age (15 years old).
2. Through career guidance and counseling and job fairs children will be exposed to the career prospects in the EPZ mainly in the Clothing and Textile industry (C&T).
3. Once the new entrants go in the labour market, the authorities have to make them employable and match the manpower requirements in terms of quantity, skills and training needs for the C&T sector.
4. The above inputs 1-4 will help to address the mismatch between Youth unemployment as they will be more informed about opportunities in the C&T sector.
5. Inputs 1-3, 5-8 will equally address women unemployment and consequently the ageing population by default.
6. All of the above inputs has as main objective to reduce unemployment as per the Economic mission statement Mauritius Vision 2030.
- **Sector manpower requirement** - A study will have to be conducted to enable us to forecast and plan the manpower requirement in the C&T sector both in terms of local and foreign labour.

- **Skills requirement analysis** - A study will have to be conducted to find out the skills requirement in the C&T sector which will provide the information for proper career and guidance.

- **Training needs analysis** - To ensure that the proper training is being offered to match the requirement of the industry.

- **On the Job Training - Training Grant Scheme (HRDC)** - this scheme is important as it provides existing workers with continuous on the job training where they can update themselves with new technology.

- **DTP/YEP to address youth unemployment** – Both schemes address mainly youth unemployment where unemployed youth can obtain training/placement for an initial period of one year, with the possibility of permanent employment thereafter on condition of satisfactory performance. The Youth Employment Program (YEP) scheme is designed to help unemployed youth between the age of 16 and 30 to find a training and placement in an enterprise for a period of one year with the possibility of renewal for an extra year where the government participates to 50% of the stipend. The Dual Training Program provides to unemployed Mauritians to work and follow a Diploma or Degree course where skills are required by the labour market. The enrolled student will be paid a monthly stipend of Rs. 3,000 for a max period of 3 years and where the employer will be refunded 40% of the course fees.

- **Identify Competing sector** – A comparative study has to be carried out in order to find out the requirements of other sectors and its impact on the labour market including the C&T industry.

- **Reskilling of retrenched worker** - A scheme has to be worked out to retrain and redirect those workers who have lost their job due to closures to specific job areas on the labour market.

- **Back To Work Program (BTW)** – this scheme addresses women unemployment where those women above 30 years are able to take up or resume employment. The program provides placement for a job for a period of 6 months following which they may be employed. During the placement period, the trainee will be paid a stipend of Rs. 5,000 and offered training with a registered institution. The stipend will be fully refunded while training will be refunded up to a maximum of Rs. 7,500 per trainee.

- **To address ageing population** – This needs to be addressed urgently more specifically in the C&T industry where many workers reaching retirement age in the EPZ after 40 years of service. The above inputs will partly contribute to address the issue by encouraging new entrants in the C&T industry where jobs are available.

- **Vision 2030** – In line with the problem of unemployment, the government of Mauritius is providing for the creation of 100,000 jobs in the next 5 years in 10 sectors of the economy through major investment of Rs. 183 billion and targeting a growth rate of 5.5 per cent annually as from 2017 which will boost the labour market dynamics.

## 2. STRATEGY

A well-defined strategy is required to define the need and match the requirements of the industry to achieve medium and long-term goals for recruitment of foreign workers. As at date, there is no planning in term of requirement of manpower in the C&T industry as demonstrated by our study and the import of foreign labour is actually based on a one to one basis based on application of individual companies with respect of the fulfillment of the regulations set by the Ministry of Labour on application. Our strategy is based on four main components namely:

1. To define a policy for the recruitment of foreign labour on the short and medium term.

2. To develop outreach strategies for a national human resource plan.

3. To identify GAPS for both Local workers and foreign labour workers.
4. To identify & evaluate sources of labour for actual and future needs

The inputs to this building block are also listed where they will contribute to achieve the goals as set by the framework. These are as follows:

- **National Employment Policy** – It is a policy document that is still in a draft version that will serve as a coherent framework and will be an important tool to enable all Mauritian citizens, men and women alike, who are willing to work, to attain secured and sustainable livelihood, to enhance their standard of living through productive and freely chosen employment.

- **Partnership agreement with other countries for prospective temporary foreign workers** – this agreement is proposed as a way to open the doors to more efficient sourcing possibilities with other countries which have a large and cheap pool of workers but yet unknown to Mauritius. Here it is proposed that Mauritius have recourse to the diplomatic relations through bilateral agreements and its various Embassies located in many countries of the world to explore the possibility of developing a partnership agreement with prospective countries for supplying labour.

- **Strategic plan for Human Resources Planning for all sectors** - A requirement for the country to take stock and assess the availability and capability of manpower for all sectors of the economy for better and future planning in relation to the strategy of Mauritius as stipulated in section 1.0 above.

- **HR planning tools for the management of TFW** - The HR planning tools are important for strategic planning and employee development. This includes recruitment plans, employee training programs and organizational development. The planning tools will help companies to meet the challenges in managing employees both local and foreign in the C&T industry so that prompt actions can be taken accordingly.

3. **COMMUNICATION**

The communication system is important for effective communication between all stakeholders involved in the process of recruiting temporary foreign workers in Mauritius. These include recruiting companies, approved recruiting agents by the Ministry of Labour and the Ministry of Labour itself who processes and approves the application permits for the TFW. The main components for achieving effective communication are as follows:

1. Effective management of information through the labour market information system (LMIS) from and for all stakeholders.
2. Effective communication channel between Ministry and stakeholders.
3. Dissemination of information using effective communication tools.
4. Awareness campaigns to sensitize on the recruitment of foreign labour.

However, the building blocks will not function in the absence of primary data that is required for above components of the building block to function. These inputs are listed as follows:

- **Data collection on TFW from all stakeholders (factory, Agents and Ministry)** – it is very important for all stakeholders to be updated regularly and have accurate information in order to be able to take a prompt and accurate decision. There is today no sharing of information that is circulating between all stakeholders for mutual consent of decisions as regards the recruitment of TFW in Mauritius.

- **Clear communication guidelines with respect to recruitment of TW by using effective tools such as website, publications brochures, newsletter, etc.** – In the absence of effective communication tools there is a complete lack of visibility of the recruitment system for FTW although there is the Labour Market Information System (LMIS) which is a web-based information system used by the Employment
Service Division to register jobseekers, register vacancies and perform job matching which is mainly applicable for the recruitment of local workers. The LMIS should be redesigned to offer enhanced services to facilitate the recruitment of TFW including online application and tracking system for TFW. The system should also provide important information such as scarcity areas, rules and conditions, quotas, approved agents, alternative sources of labour and any other information pertaining to facilitate the process.

- **Sensitization on the need to have foreign labour working in Mauritius** – There is actually a strong perception that employers prefer to recruit local as compared to local workers. Our study demonstrates that local workers will choose jobs with higher status while leaving the manual jobs to the TFW. In this respect, the government must appraise the situation and fully sensitize on the actual situation to ensure that the appropriate decision is taken with respect to FTW with respect to the unemployment situation which is more among youth employment which is aspiring for better jobs.

3. **EMPLOYMENT SERVICES**

The Employment services division has a primary role in the framework for providing the appropriate services and facilitating the work application of TFW in Mauritius. The study highlights the serious need for improvement in this area as pointed out by the majority of the respondents. The components proposed in the building block will contribute to bring serious improvement to offer better services at all levels and to all stakeholders. These are as follows:

1. Improve services for work permit applications.
2. Define clear time frame for application & delivery of work permits.
3. Provide advisory services for recruitment of foreign workers
4. Enhance LMIS to provide online services including tracking system for services offered and monitoring of foreign labour workforce

The inputs that contribute to the functioning of the building blocks are listed as follows:

- **Work Permit (WP) application system** - Although this system is in place, the process is not transparent and very lengthy. The application for a work permit is made at the Employment Division, Ministry of labour (MOL) or online on a prescribed form available against a processing fee together with other relevant documents. This includes a provisional medical clearance, a copy of the vetted contract by authority and Lodging Accommodation Permit (LAP) as well as the National Pension Fund list of workers working at the company. Companies proposing to employ TFW in skilled positions have to apply for Permission in Principle (PIP)/Quota before the Ministry of Labour will consider to process WP applications based on a ratio of 3 locals to 1 foreign worker. WP will also be issued against LAP which is in compliance with the norms set out by the Occupational Safety and Health Act 2005 and also determines the number of TFW that can be accommodated in the dormitories. The Vetted Contract of Employment is a mandatory and comprehensive document which is provided by the MOL to ensure standardization of conditions of work as stipulated by the Law of Mauritius for TFW. The contract includes such conditions such as duration of work contract, place of work, hours of work, conditions of remuneration including extra work, piece work, attendance and end of year bonus, annual and sick leaves, transport facilities, payment of meal allowances, attendance bonus, the provision of protective equipment, trade union membership, permit and visa, insurance cover, living conditions, air ticket payment, repatriation in case of death and termination of employment.

- **Occupational permit** – Once the work permit is approved by the MOL, the second step is obtained the residence permit from the Passport and Immigration Office (PIO). After the submission of the required
documents, a temporary residence permit for a period of 6 months is granted to the applicant. Once the applicant arrives in Mauritius, a new residence permit for a period of 3 years is then delivered.

- **Approval of recruitment License** – Any recruitment agency dealing with the recruitment of workers requires a recruitment license which is governed by the recruitment of workers Act 1993. The license is delivered by the MOL to recruitment agents for a period of 2 years (renewable) and authorizes a company or individuals to recruit (i) Citizens of Mauritius for employment in Mauritius (ii) recruit Mauritian citizens for employment abroad and (iii) non-citizens for employment in Mauritius.

- **Migrant Monitoring Unit** - The unit was set up in 2001 to provide services to migrant workers. The unit has as main functions to vet contracts of employment in conformance with the template provided by the MOL for TFW, to inspect workplaces for issuing of Lodging Application Permit (LAP), investigating into companies regarding conditions of work for migrant workers and also responsible for ensuring that all TFW regardless of its origin be aware and understand the Mauritian Legislations and settlement of disputes between employers, and TFW. The unit also makes use of interpreters to facilitate communication (Translation services) between the Officers and the various nationalities of TFW workers.

- **Medical clearance** - The MOH through the Occupational Health Unit (OHU) requires the medical examination of the migrant workers prior to their arrival in Mauritius and each examination shall consist of a complete medical examination such as a full blood tests including Hemoglobin, Hepatitis B, HIV screening test VDRL, Urine test for albumin and sugar, Stool for parasites and Chest x-ray report. The above tests should be submitted to the Migrant Worker Unit of the Occupational Health Unit prior to the arrival of the TFW for a Provisional Health Clearance. The FTW within one week after arrival in Mauritius are to go through a Chest X-ray test at a private clinic and HIV test through the AIDS unit of the nearest hospital respectively where certified reports have to be sent to the Migrant Worker Unit/Occupational Health Unit along with a covering letter.

- **Workers Induction Program** – This is already in place in many countries such as Bangladesh where workers are recruited through approved agents. In order to ensure the quality of skilled TFW, aptitudes tests are conducted through training centres where the potential candidates are screened while others are trained for required skills. Any employer willing to recruit a TFW can have access to this facility for the selection of their workers as per the required skills.

### 4. MONITORING AND CONTROL

The monitoring and control mechanism is very important to ensure that once the workers have arrived in Mauritius, the conditions of works and quality of life is respected as per the agreed contracts of employment. Due to globalisation, all stakeholders including retailers, importers and brands source products from supplying companies around the world. Each one of them is located in different countries with their own national laws protecting workers which are often found to be inadequate or poorly enforced. Consequently, many companies and associations have created their own individual codes of conduct and implementation systems to address this issue which is considered to be a big challenge due to various legislations in force in each country and the various cultural values of each nation. The framework thus recommends the enforcement of any form of Business and Social Compliance Initiative to ensure that these challenges are tackled through one common Code of Conduct and one single Implementation System that enable all companies sourcing all types of products from all geographies to collectively address the complex labour issues of their supply chain.

Thus to ensure the standards are met, the components of this building block focus on the following:

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1. Enforce compliance reviews and monitoring with respect to terms & conditions for recruitment of foreign labour.

2. Enforce Social compliance to improve factory conditions.

3. Enforce existing regulations to ensure proper working conditions and rights of workers.

The inputs contributing to the e above building blocks are listed as follows:

- **Laws of Mauritius** – defines the constitution of the country including the protection of fundamental rights and freedoms of the individual which is also applicable to all citizens of Mauritius including TFW with respect to their conditions of living in Mauritius. These are fundamental rights attached to the freedom of the individual, protection of right to life, protection of right to personal liberty, protection from slavery and forced labour, protection from inhuman treatment, protection from deprivation of property, protection of freedom of assembly and association, Protection of freedom of movement, Protection from discrimination among others.

- **Employment Rights Act 2008** - The Employment Rights Act is the main law that governs employment in Mauritius. The Employment Rights Act is also used in complement with Remuneration Orders which is issued by the Ministry of Labour, Industrial Relations & Employment where additional rules of employment in industries operating with specific needs are set out. This covers the Employers-Employees relations with respect to various rights such as rights against discrimination, agreements between employers and employees, the minimum age for employment, hours of work, remuneration and other conditions of employment such as transport, various leaves (annual leave, sick leave, paternity leave) and various facilities to be afforded to the employee; entitlement of workers and termination of employment.

- **Employment Relations Act 2008** - The Employment Relations Act 2008 is another piece of legislation which protects the fundamental rights of the individuals where all employers and employees have a right to adhere and become a member of any registered trade unions. The Employment Relations Act 2008 provides for collective bargaining with a code of practice and labour disputes, dispute settlement procedures and various labour institutions. In case of dispute, matters will be sent to the Employment Relations Tribunal or to an arbitrator appointed by them.

- **Occupational Safety & Health Act 2005** - The Occupational Safety and Health Act (No.28) was enacted in 2005 and aims to consolidate and broaden the scope of legislation on safety, health and the welfare of employees at work. It is a modern piece of legislation which has been reinforced, consolidated and updated from the previous legislation on occupational safety and health. It takes cognizance of the changes brought about by introducing new technologies and equipment and new hazards at the place of work. Unlike the previous legislation, it is applicable to both the public and private sectors and addresses the issue of lodging accommodation of employees. The Act is applicable to all sectors of the economy and to all workers where the duties and responsibilities of employers and employees were clearly defined. The act makes provision for the setting up of a tripartite advisory council on OSH which serves as a forum for consultation, coordination and cooperation between employers and workers. The policy covers OSH issues in all sectors of economic activity and stipulates that all relevant legislations be complied, enforced and reviewed periodically. It stipulates that the employers shall be responsible for the safety and health at work of its employees through safe systems of work. The Lodging and Accommodation Permit (LAP) has been introduced under the OSH Act 2011 whereby any company providing accommodation to TFW should hold a valid LAP permit. An application is submitted to the OSH inspectorate under section 6.0 of the OSH regulations prior to the arrival of the TFW where the
application should be accompanied by other relevant documents such as health and fire services clearances.

- **Equal Opportunity Act 2008** - The government of Mauritius has enacted the 2008 Equal Opportunities Act, which prohibits any form of discrimination in areas such as employment, recruitment, distribution of services and access to education. All members of an organisation have a duty under the Act to have due regard to challenge and strive to eliminate disadvantages suffered by individuals due to their characteristics, that is their age, caste, colour creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation (hereinafter “Status”), and take all necessary steps and/or action to protect such individuals from unlawful discrimination in the workplace. Discrimination according to the Act can be direct, indirect and discrimination by victimization.

- **Decent Work Country Programme 2012 (ILO conventions)** - The Decent Work Country Programme (DWCP) 2012-2014 for Mauritius highlights policies for the labour market and reflects the needs and priorities to achieve greater economic development and social justice. The ILO’s strategic objectives, namely those relating to increased opportunities for decent employment, strengthening of tripartism and social dialogue and promotion of rights at work, are reflected in our main priorities identified in consultation with social partners. Thus, the focus of the programme for the next three years will be more specifically on ‘Creation of decent and productive employment with the provision of adequate social protection’, ‘Strengthening social dialogue’ and ‘Elimination of all forms of discrimination’. Furthermore, an array of social and economic schemes that have been set up by the Government with a view to further improving the quality of life of workers and their families, including the setting up of a National Empowerment Foundation (NEF) with the objective to unlock opportunities for the unemployed, for those recycled from their former jobs, for women, for our young people entering the labour force and for small and medium entrepreneurs, the DWCP is proposing further measures to help promote the creation of better paying jobs adapted to global economic imperatives whilst at the same time ensuring a higher standard of health and safety in workplaces. Also, much emphasis has been placed in the DWCP on the need for capacity building of tripartite constituents so as to empower them to face the new challenges resulting from the new legal setup and better equip them to engage in effective collective bargaining, as a powerful means for trade unions and employers to promote the Decent Work Agenda.

- **Social Compliance Standards** - Most companies today are global players and are outsourcing their production and manufacturing operations worldwide. Yet, a lot of emphasis is put on ethical production where it is the responsibility of both manufacturers and vendors to ensure that workplaces foster an environment of safety, health, respect, and integrity. Ignoring this responsibility can result in labor law violations, unethical practices, and other such incidents as labour unrest which may directly impact on the brand reputation and the suppliers’ operations as well as the society. To avoid such scenario, many companies are establishing "social compliance" policies, standards, and Codes of Conduct through international social compliance standards. Social compliance refers to how a business treats its employees, the environment and their perspective on social responsibility. It includes the establishment of a minimal code of conduct that set the direction for employees with respect to working wages, working hours and work conditions. The code of conduct is worked out with respect to the various national labour laws and legislations to meet the compliance standards including international charters such as signed ILO conventions and agreement through the DWCP 2012 mentioned above. A compliance exercise consists of various audits and assessments which provide vital management control for Process Safety Management, Process Security Management, and Risk Management Programs. Audits focus on the policies and procedures to verify compliance with regulatory requirements and industry standards. They help to ensure programs are properly designed and implemented. Further,
regular audits also help to identify program deficiencies and maintaining the standard with recommendations for corrective action. This is today a must for all manufacturers that work on the international market.

- **Site inspections** – despite the fact that most companies working with international vendors comply with social compliance standards, the inspectors of the Occupational Safety and Health Labour Inspectorate Unit carry out monthly inspection visits to ensure that the manufacturers are in conformity with the Occupational Safety and Health Act more specifically to ensure that living conditions of TFW are respected. This includes regular visits to dormitories, canteens and workplace to ensure that all standards are met.

**EXPECTED OUTCOME**

The Framework has been designed to be very dynamic in nature where there is no restriction to the number of inputs and as it evolves over time. As the inputs are meant to evolve any new modified inputs can be introduced to bring changes to the framework through its respective building block. Each building block provides outputs as follows:

1. **The Labour Market Dynamics** – This consists of two important components namely the education system and the labour market. The framework demonstrates how the education system works in Mauritius and the benefits that will be derived from the new proposed schooling system, career guidance and counselling to the labour market more specifically to the Clothing and Textile industry. Once the new entrants are ready to enter the labour market, the authorities have to make them employable and match the manpower requirements in terms of quantity, skills and training needs for the C&T sector. The inputs will address the mismatch between Youth unemployment as they will be more informed about opportunities in the C&T sector and equally address women unemployment and consequently the ageing population by default with the main outcome to reduce unemployment as per the Economic mission statement Mauritius Vision 2030.

2. **Strategy** - This building block has as main outcome to define the need and to match the requirements of the industry to achieve medium and long-term goals for recruitment of foreign workers.

3. **Communication** – The Communication building block will ensure that information is accessible in a timely, accurate, and consistent manner and across all levels.

4. **Employment services** – This building block will provide greater customer satisfaction and improve efficiency in the recruitment process

5. **Monitoring and Control** – is necessary to provide improved work environment to foreign workers.

**NOTE:** All of the above outputs will provide a macro-level outcome which will ensure that TFW are recruited in the C&T industry for the socio-economic benefit of the national economy.

**6.0 CONCLUSION AND RECOMMENDATION**

The study demonstrates that there is no difference in views with respect to companies operating in the C&T industry in term of sizes and activity type and the challenges of continual dependence on foreign labour in the Clothing and Textile industry. Essential components have emerged from this study highlighting the importance of having a proper system for the recruitment of TFW. The results from both factor analysis and interviews demonstrate the importance of efficiently managing, providing clear communication systems and facilitating the recruitment process to fulfil the successful conditions for the recruitment of TFW in the C&T industry in Mauritius. The proposed framework complements the study as it combines the various theories and concepts to
provide not only a visual representation but also a mechanism for of the recruitment process for TFW. This is a very important aspect where all stakeholders would like to see substantial improvement.

As the industry will still be dependent on foreign labour for the next 5 years as demonstrated in a previous study on FTW as a critical success factor for the C&T in Mauritius (Chan Sun, Chittoo and Sukon, 2016), these findings are of paramount importance to all stakeholders in the C&T industry for them to take corrective actions to improve the system. Since there is no framework on the recruitment of TFW, this new proposed framework, needs to be implemented and monitored for its effectiveness. As the framework has been designed to be dynamic to cope with eventual changes, it will be interesting to see how each component reacts to the various inputs which are subject to changes with time. A continual assessment will be required to monitor and to ensure the sustainability of the framework.

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