GFEMS Research and Programming on Migrant Workers in India’s Construction Sector

This briefing note highlights learnings from a series of GFEMS-funded activities targeted towards migrant workers in the construction sector in India between 2019 and 2021. These efforts largely focused on the migration corridor between the Bundelkhand region and the Delhi National Capital Region (NCR). Key components included: a large-scale migrant worker study, led by TwoSix Technologies, to understand the recruitment, migration, and employment experiences of domestic migrants in the construction industry; and interventions to increase access to social welfare entitlements and training opportunities to build worker resilience against forced labor, led by implementation partners Jan Sahas, Sambhav Foundation, Pratham, Haqdarshak, Rural Shores, and Sattva Consulting. Findings from this research and programming inform recommendations to prevent and remediate cases of forced labor to reduce worker vulnerability and ultimately ensure a safe migration and employment experience.

Context

Construction is the second largest industry in India, responsible for an estimated 60 million jobs. Prior to the onset of the COVID-19 pandemic, it was also one of its fastest growing sectors. In response to the significant demand for construction labor in major cities, millions of rural workers migrate seasonally to India’s urban centers to help address the shortfall of jobs. As a key growth engine and employment provider for the Indian economy, efforts to enhance labor practices in the construction sector have the potential to improve productivity and generate benefits for large populations of workers. Currently, migrant construction workers face several risks. They often lack networks of support at destination sites and are preyed upon by intermediary agents who routinely charge workers recruitment fees or a percentage of wages in recurring commission. Those workers who are able to bypass this broker system often still need to take advances or loans from either employers or private money lenders to cover their migration costs, generating debt burdens that leave them vulnerable to a range of labor abuses.

These risks are exacerbated by the nature of the construction industry itself – a sector that is characterized by a high degree of informality and multi-layered supply chains that readily obscure exploitation.

Coupled with this, workers in this labor market are typically members of already vulnerable populations, deepening forced labor risks in the construction industry. The majority belong to disadvantaged communities, have low levels of educational attainment, and lack the technical skills necessary for high-wage construction work. Recognizing the importance of establishing protections for this vulnerable group, the Indian government has put in place a number of welfare schemes targeted at these workers. However, there remain opportunities for improvement. There is a general lack of awareness among migrant workers of existing benefit and entitlement programs, and further, as informal workers, the majority lack the necessary documentation required to access them. Most are also unaware of remediation options should they need to file a grievance or report workplace exploitation.
Research and Intervention Models

Against this background, GFEMS funded the following research and programming efforts to understand and address key vulnerability drivers for domestic migrant workers in India’s construction industry, and contribute to ethical labor practices in the sector:

Implementation of a large-scale worker voice study in India’s Bundelkhand/Delhi NCR migration corridor, led by TwoSix Technologies in partnership with Jan Sahas, Rural Shores, and Sattva Consulting.

This study registered prospective migrants at various points of departure (their home villages, transit hubs etc.), and tracked them through their seasonal journey to work in the construction industry via follow-up mobile surveys to collect information on their migration experiences and labor conditions. The study also enrolled migrant workers at destination at points of arrival and labor markets in Delhi NCR, employing a large-scale convenience sampling approach. Through the project, the study enrolled 92,846 workers and successfully followed up with over 17,000 of them to gather data on their migration and employment experiences. The objectives of the study were threefold: to understand the risks for forced labor and exploitation in this migration corridor; to identify key characteristics associated with vulnerability to forced labor among migrant construction workers; and to assess whether implemented interventions had an effect on improving protections for these workers.

During the first wave of the COVID-19 crisis in India, GFEMS partners were able to leverage this study’s existing framework to conduct a vulnerability survey to assess the effects of the pandemic and related lockdown measures on over 10,000 migrant construction workers between June and August 2020. In particular, this rapid assessment survey paid attention to the role of the pandemic in increasing susceptibility to forced labor.

Establishment of grievance reporting and remediation mechanisms for workers through real-time victim identification and referral, led by Jan Sahas.

Deploying worker voice study follow-up surveys, and a worker helpline established and operated by Jan Sahas, GFEMS partners identified over 730 workers at-risk of forced labor. An additional 2,200 migrant workers voluntarily called the project helpline to lodge complaints and refer other workers in distress. Jan Sahas subsequently followed up to investigate these cases and liaise with government authorities to help migrant workers escape exploitative conditions and effectively access legal redress, compensation, and rehabilitation services as needed. Over the course of the project, Jan Sahas facilitated the release of 342 migrant workers from situations of bonded labor, provided legal assistance to migrant workers to file 186 criminal cases and 605 civil cases, and supported over 3,400 exploited workers with wage recovery through arbitration.

Facilitation of social protection for workers through access to targeted social welfare entitlement, led by Jan Sahas and its partner organization Haqdarshak.

Together, Jan Sahas and Haqdarshak registered over 52,000 migrants for government entitlement schemes specifically targeted at providing financial benefits to workers in the construction industry. Within the project period, 18,500 vulnerable workers and their family members received direct cash or cash-equivalent benefits through these programs. This program aimed to provide a safety net for migrant workers by covering basic financial costs, diminishing the need to take on debt, and increasing the migrant worker’s agency to make safer decisions regarding migration and employment. Jan Sahas further conducted a series of community outreach events at the village and district level in the Bundelkhand region to provide migrant workers with information and awareness on safe migration practices, worker rights, and available social benefit programs.

Creation of training opportunities for micro-contractors on ethical labor practices, trade skills, and general capacity building support, led by Pratham and Sambhav Foundation.

Micro-contractors are intermediaries who are the primary employers of unskilled and semi-skilled workers on construction sites, typically engaging between 5 and 20 workers each. They often belong to similar communities as workers themselves, and represent the node of the construction supply chain that is most directly connected to migrant workers in this sector. Through the project, GFEMS partners Pratham and Sambhav Foundation provided over 570 micro-contractors with training on ethical treatment of workers (including workplace safety, anti-trafficking training, on-time wage payment, non-discriminatory employment practices etc.) and on technical skills for business development (such as digitizing their payment transactions, developing accurate quotes for work, formalizing business contracts etc.), with the aim of developing employment conditions that are both non-exploitative for workers and beneficial for contractors. During the project period, over 3,000 workers were employed with these trained micro-contractors.

Certification of worker skills via Recognition of Prior Learning (RPL), led by Sambhav Foundation.

The RPL approach focuses on accrediting skills and learning acquired outside of formal contexts, and is aligned with the broader vocational training strategy of the Skill India Initiative, a flagship scheme of the Ministry of Skill Development and Entrepreneurship (MSDE). Through RPL assessments, Sambhav Foundation validated existing technical skills for 2,016 migrant construction workers, providing certification to enable migrant workers to negotiate higher wages and potentially empowering them to leave exploitative employment situations.
Evaluation

GFEMS deployed the following evaluative efforts to understand the extent to which these implemented interventions proved effective at protecting worker rights and safeguarding against forced labor and exploitation risks:

• The worker voice study was employed to assess the effectiveness of project interventions (in particular, entitlements, skills certification, and employment under ethical micro-contractors) at reducing risk of forced labor exposure. Labor outcomes for migrant workers whom these interventions engaged were analyzed against the broader participant pool in order to understand the extent to which the interventions had a protective effect.

• A qualitative study, including 20 in-depth interviews and 12 focus group discussions was conducted to measure effectiveness of project interventions. Focus groups were structured based on the type of project intervention received by respondents, and to reflect key demographic groups from the larger population of migrant construction workers. Seventy two migrant workers and their family members, 15 micro-contractors, and 15 staff members from partner organizations who were involved with project implementation participated.

It is important to note that the COVID-19 pandemic spread across India during the implementation period for the research and program efforts detailed above, generating massive and widespread disruptions to lives and livelihoods, and significantly affecting migrant workers in particular. GFEMS partners made adaptations where feasible in response to the evolving situation, including but not limited to providing emergency relief and assistance to distressed migrant workers, transitioning to remote and virtual trainings where appropriate, and rapidly developing a COVID-19 vulnerability survey to understand emerging vulnerabilities and threats resulting from the pandemic. However, the findings in the brief should be interpreted while keeping in mind that the implementation of project activities was considerably impeded by the pandemic, and that the effects of the pandemic were particularly severe for the vulnerable populations targeted by these activities.
Key Learnings

Indications of unethical labor practices and exploitation experienced by migrant workers in the construction industry

The migrant worker voice study quantified the exposure to forced labor among the sample of migrant construction workers who did not receive any project interventions by examining the extent to which follow-up responses contained indications of forced labor risk—specifically, the threat or use of force and/or other forms of coercion associated with their employment experiences. These indicators range in severity from violence and restricted freedoms of movement (high severity) to delayed wage payments and lack of overtime (low severity). It is important to note that the determination of forced labor risk was not made based on any one single indicator. Instead, the analysis filtered respondents into groups depending on if they met established thresholds for low, medium, or high severity forced labor conditions, or if they exhibited no indications of exploitation at all. For example, a worker who reported a combination of medium and low severity indicators (such as working on rest days, not being paid on time, and not being paid overtime) would meet a lower threshold for forced labor risk, while a worker who reported any two high severity indicators (such as threats or enactment of violence to themselves or their families and inability to move off the site after work) would meet the threshold for critical forced labor conditions and would be immediately flagged for further investigation and assistance.

The study findings indicate that approximately 30% of respondents in the study follow-up sample reported some form of forced labor risks, with nearly 5% of study participants experiencing critically severe forced labor conditions. The most commonly reported forced labor risk in this cohort was the low severity indicator of working more hours than agreed upon (experienced by over 40% of respondents), followed by working on rest days for fear of losing their jobs (reported by 30% of participants). Eighteen percent of workers surveyed were not paid the agreed upon wages, and nearly 13% were in debt to their employers.

Of concern, more than 20% of respondents reported restrictions on their movement after work shifts and over 10% experienced threats to themselves and their families at their workplaces. Overall, these findings reveal that migrant workers in the Indian construction industry face risks to their freedom, and economic and personal safety. In particular, the prevalence of debt among study participants—in combination with high incidence of working more hours than agreed, receiving lower wages than agreed, and lack of overtime pay—suggests a high risk of bonded labor among this vulnerable population.

Figure: Percentage of respondents that reported experiencing medium or high severity risks, by indicator type

Note: The risk indicators employed by the study derive from ILO Indicators of Forced Labor and the UN Palermo Protocol. The determination of whether a study respondent was at risk of forced labor was not made based on any one indicator, but rather, respondents were grouped into risk thresholds depending on their responses to combinations of low, medium, and high severity indicators.

7. This includes respondents who reported experiencing a combination of indicators across the severity tiers (high, medium, or low) of forced labor and exploitation indicators that was developed in concert with the U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons (TIP), local NGOs, the International Labour Organization (ILO), University of California-Los Angeles (UCLA), and other stakeholders.
8. As noted earlier, participants flagged as facing severe forced labor conditions were automatically referred to project partners for legal assistance and support.
9. Bonded labor is the enacting of service based on a debt due to an employer. It may be a generational debt passed down through families or a debt incurred at the outset of employment.
Debt, age, gender, community of origin, and economic characteristics are key drivers of vulnerability to forced labor among migrant workers

Analysis from the worker voice study revealed worker debt as one of the strongest predictors of forced labor among migrant construction workers. Within the study sample, debt owed to an employer was significantly correlated with all forced labor indicators – indebted workers face considerably heightened risks of exploitation. The rates of debt among the overall pool of workers in the study are relatively high – 12% of respondents indicated that they owed a debt to their employer and nearly 15% reported they had taken out loans or advances from other sources in order to obtain or seek employment in the construction industry. However, the situation has likely worsened considerably owing to the detrimental effects of the COVID-19 pandemic on the financial stability of migrant workers. Findings from the vulnerability survey conducted with over 10,000 workers between June and August 2020 showed that 40% of surveyed workers – assumed debt during the COVID-19 lockdown, and nearly 60% of participants reported that they planned to either assume debt or take on additional debt in the future to meet their financial needs. Insights from qualitative interviews with workers underscore this concern – nearly all respondents indicated that they were compelled to borrow from private money lenders to cover immediate needs for themselves and their families during periods of lockdown, often at high rates of monthly interest and shortened repayment periods. These findings emphasize the importance of well-functioning and easily accessible welfare schemes that provide workers with cash and cash-equivalent benefits to support their needs and reduce the necessity to take on debt.

The worker voice study further analyzed respondents’ demographic profiles, recruitment processes, wage levels, and skill categories to identify risk factors associated with a higher likelihood of exploitation. Age, gender, and socio-economic group emerged as key factors driving vulnerability to forced labor. Workers over 30 years of age face significantly greater forced labor risks than younger workers. Gendered differences exist among migrant worker vulnerability to forced labor in the construction industry. Study findings indicate that female workers are more likely to face moderate to severe forced labor risks compared to their male counterparts. Specifically, women were more likely to report threats to themselves and their family, not being paid on time, a lack of freedom of movement after work shifts, and an inability to leave their job or employer. Workers with no formal education, those working in lower-skilled work categories or at lower wage levels, and workers belonging to disadvantaged communities, in particular members of Scheduled Castes, are significantly more likely to experience exploitative working conditions compared with other groups. Analysis also revealed statistically significant correlations between the use of labor brokers and indicators of forced labor.

The analysis further yielded interesting insights related to the correlations between poverty and district of origin and susceptibility to forced labor. Workers from the districts of Lalitpur, Chhatarpur, Jhansi, and Tikamgarh are more likely to face a range of forced labor risks, while those from the districts of Banda, Chitrakoot, Damoh, Mahoba, and Panna are less likely to fall into forced labor situations. Interestingly, these area-wise findings do not necessarily correspond with poverty or development levels of the districts, as may otherwise have been expected. For instance, Panna, a district with the lowest per capita income level and the lowest Human Development Index (HDI) score, is associated with the lowest risk of forced labor for its migrant workers. Meanwhile, Jhansi, an area that is highest-ranked on these economic indicators among the districts studied, is associated with significant forced labor risks, in particular, for working more days than agreed upon, and being indebted to employers. Additional research is necessary to fully explore the nuances underlying these findings.

Entitlement benefits reduce worker vulnerability to forced labor, however, there remain issues with awareness and delivery of these social protection schemes

Through the worker voice study, the research team was able to follow-up with a sample of 2,103 workers who had been registered for social welfare schemes by the Jan Sahas worker voice study, 1,159 of whom confirmed actual receipt of benefits during the study period. Quantitative analysis of responses in comparison with a similar sample from the larger study cohort confirmed that receipt of social welfare benefits has a protective effect for migrant construction workers, reducing their vulnerability to forced labor. Results showed that workers who received entitlements were between 10% and 25% less likely to experience forced labor risks than those who had been registered for, but had not yet received any benefits.

Findings from the qualitative study highlight the critical utility of these benefits for migrant workers and their families. In the context of the heightened insecurity and distress caused by the COVID-19 pandemic in particular, respondents reported relying on the financial benefits and subsidies accessed through welfare schemes to meet their basic food and shelter needs. Focus group participants identified schemes that provided either direct cash benefits (including pension schemes for elderly family members, and the Building and Other Construction Workers (BOCW) card) or cash equivalent benefits (such as subsidized food and essential products through ration cards) as being particularly valuable.

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10. “Scheduled Castes” refers to a historically marginalized population, which, along with other groups, are included in a constitutionally scheduled classification system of castes used by the Government of India to provide certain benefits and support to these historically disenfranchised and excluded communities.

11. The worker voice study was not able to follow up with all individuals who were registered for entitlement benefits through the project.
Qualitative interviews with workers further revealed that the receipt of support for basic needs provided them with a greater degree of agency over their migration and employment decisions. Respondents shared a reluctance to migrate for construction work, stemming from health concerns due to the pandemic as well as fears of being stranded in the event of a lockdown. The majority of workers interviewed at source locations reported that access to employment opportunities in their home districts through the MNREGA card meant that they were no longer compelled to immediately journey to cities for work, allowing them to remain close to their families and avoid risky, and potentially unsafe, migration journeys in the short term.

These learnings provide positive indications of the potential for social protection schemes to shield vulnerable workers against exploitation risks. However, in reality, these schemes remain inaccessible to the majority of construction workers.

**Skills certification programs can effectively validate existing work experience for migrant workers in highly informal sectors like construction**

The migrant worker study conducted follow-up surveys with a sample of 269 workers who received skills certification via Recognition of Prior Learning through Sambhav Foundation. Comparative analysis revealed that the risks for forced labor in this group was lower than in the non-intervention cohort, indicating that the validation of worker skill sets can help reduce their vulnerability to forced labor situations.

**Providing micro-contractors with training and incentives to establish ethical labor practices can effectively improve working conditions for workers**

The migrant worker study collected follow-up data for a sample of 525 workers employed with the micro-contractors trained by Pratham and Sambhav Foundation through the project. The analysis found that migrant workers who were employed under trained micro-contractors faced lower forced labor risks than workers in non-intervention groups. These findings indicate that providing micro-contractors with capacity building support and training on fair labor practices can potentially generate non-exploitative employment environments for migrant workers.

Worker responses to qualitative interviews highlighted that trained micro-contractors ensured safe working conditions, provided regular and timely wage payments, and supported workers and their dependents with food and accommodation needs on site. Respondents emphasized these environments in contrast to their previous employment experiences that were characterized by irregular or withheld wage payments, coercive and violent attitudes, and a lack of leave days or advances even in case of emergencies.

Analysis from the worker voice study revealed that workers with formal education were more likely to receive entitlement benefits, indicating the existence of barriers for workers without formal education in accessing entitlements and subsequently benefiting from any reduced forced labor risks. Findings from the COVID-19 vulnerability survey revealed that 60% of respondents were unable to access any financial or in-kind assistance from government programs. Of this group, 58% were unaware of the welfare schemes and benefits they were entitled to receive, pointing to a lack of accessible information available to workers on the support available to them. A further 27% reported being unable to receive benefits despite having the necessary documents, indicating significant bottlenecks in the processing and delivery of entitlements to workers.

Qualitative interviews with Jan Sahas staff members corroborate the existence of these implementation issues, outlining (i) regional disparities in the policies and administrative processes for different schemes across different states, and (ii) the challenges associated with navigating the application requirements for entitlement schemes, most of which necessitate documents that are often not available to migrant construction workers as a highly mobile group engaged predominantly in informal work.

Qualitative research findings demonstrate that migrant workers perceive value in the skills certification — respondents shared that the RPL certification helped establish their credibility with prospective employers as an endorsement of their existing skills and previous experience. Workers also reported that the certification enabled them to access higher-paying work that had not previously been available to them.

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In particular, female interviewees called attention to non-discriminatory payment and employment practices exhibited by project-trained micro-contractors — specifically, that they were paid independently of their spouses and at an equal rate, provided salary advances when needed for household costs, and granted leave days without dispute.

Further, worker feedback from over 400 regular field assessments conducted independently by project partners at construction sites revealed no reported instances of forced labor or exploitation.
Trained micro-contractors perceive mutually beneficial value in ethical engagement and treatment of workers

Interviews with micro-contractors trained through the project indicate that they appear to have internalized the concept of fostering ethical relationships with workers to contribute greater value on both sides. Micro-contractors reported observing improved worker productivity aligned with ethical treatment on job sites. Respondents further highlighted that providing workers with on-time wage payment and access to entitlement schemes has yielded positive outcomes for worker retention.

“Until a worker is satisfied with his payment and working conditions, a contractor cannot perform well in the business.” – FGD participant, male micro-contractor working in Ghaziabad and Delhi

Micro-contractor interviewees also confirmed that they derived significant utility from the knowledge and skills gained through the technical and business practice training components of the project – specifically highlighting the formalization of work agreements with their clients, development of accurate pricing quotations for projects, maintenance of formal business records, and transition to digital payment platforms for business transactions as leading to more secure contracts with clients to avoid payment defaults, and enabling them to grow their customer networks.

“Maintaining an account diary has helped me manage my expenses and incomes. We never used this practice before.” – FGD participant, male micro-contractor from Bundelkhand

“Business has grown by nearly 20% because I now use a business card with Sambhav’s support. The card – which has all the key contact details - can be shared with prospective clients and they use it later to call us for work when new projects start.” – FGD participant, male micro-contractor from Gwalior

Accessible third party-run grievance mechanisms are an effective channel for migrant construction workers to report complaints without fear of penalty

Qualitative interviews with migrant workers revealed that they derived considerable value from the independent helpline service established through the project – respondents reported that the reporting mechanism provided a sense of safety, and enabled them to register complaints against labor abuses and request assistance with recovery of unpaid wages or to leave coercive employers without fear of retribution.

“I lost between INR 10,000-15,000 of wage payments before a helpline was operational” – FGD participant, male migrant worker from Jhansi

As a result of legal support from the Jan Sahas helpline and remediation teams, some respondents reported being able to recover up to 2-3 months of withheld wages from employers. In some cases, interviewees also leveraged the grievance mechanism to acquire assistance for family members or acquaintances facing exploitative situations. Findings from the project demonstrate both the viability and critical need for such mechanisms to be made widely available in the construction industry, particularly for seasonal migrants who often lack personal networks or formal support structures at destination locations.

“With the help of Jan Sahas’ support, I recovered INR 40,000 of wages from a contractor.” – FGD participant, male migrant worker from Jhansi

Conclusions and Recommendations

The findings in this brief represent evidence and inputs gathered directly from migrant construction workers, their family members, micro-contractors, and other construction industry stakeholders. These consolidated insights shed light on vulnerabilities specific to migrant workers in India’s construction sector, existing gaps in current worker-focused policies and service delivery, and the viability of selected intervention models aimed at improving labor practices and outcomes for workers. Drawing on these learnings, the recommendations in this section aim to inform action at various levels to ensure the safety and protection of migrant construction workers.
Industry stakeholders as well as national and state policies should continue to proactively provide migrant construction workers with social welfare and protection schemes

The findings in this brief highlight that entitlement benefits can provide an effective safety net for workers in the informal sector, giving them greater control over their choices and enabling them to avoid or leave potentially exploitative situations. Social protection programs that support basic needs for workers can also help alleviate indebtedness, reducing risks of modern slavery. In the context of the COVID-19 pandemic, migrant workers are experiencing rising levels of debt, widespread job loss, and heightened levels of financial insecurity. In this difficult period in particular, it is of critical importance that government and industry actors make social welfare schemes (in particular, ration cards, BOCW cards, pensions, and direct benefit transfers) widely accessible to migrant workers.

Developers can consider establishing partnerships with civil society organizations to facilitate delivery of welfare schemes to workers directly at construction sites. Further, as noted earlier, ease of access to social protection programs varies significantly from state to state. Local governments should enact standardizing measures to enable more efficient processing of benefit applications and lower documentation requirements for seasonal migrant workers to access support through these schemes (in particular, subsidized rations and BOCW benefits).

Industry stakeholders should provide incentives and support at the micro-contractor level to generate positive effects for both migrant workers and the construction sector as a whole

Private sector stakeholders should support the provision of ethical and entrepreneurship training programs for micro-contractors employed on their construction sites. Increased awareness among micro-contractors of ethical recruitment and employment practices helps change norms around their interactions with workers, improving working conditions and serving to reduce forced labor risks for the construction industry as a whole. Further, the provision of technical and business development support can lead to improved delivery of work and contribute to the formalization of processes and relationships at lower tiers of the construction supply chain.

Industry and social welfare stakeholders should fund the scaling of “light-touch” accreditation programs such as RPL to support the professionalization of skill sets for migrant construction workers

Skills certification programs have demonstrated their potential to improve wage prospects for low-skilled workers in the informal sector, by establishing their credibility with employers and providing them with a greater degree of agency in their work relationships. Government and industry stakeholders should support the establishment of additional programs aimed at up-skilling or skills validation for vulnerable workers in informal sectors to eventually enable their transition into more formal employment structures. As there is significant employer demand for skilled workers within the construction sector, skills programs would serve the dual purpose of meeting industry needs and building worker welfare.

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Worker helpline services established through the project proved effective at allowing migrants to report issues, receive support to settle disputes with employers, and escape forced labor traps. Investors and developers in the construction sector should consider developing and implementing an industry-wide structure for grievance reporting, redressal and remediation that is either industry-owned or operated by worker-oriented CSOs with strong local and regional networks in source and destination states. Stakeholders should ensure that the grievance protocols are widely accessible to workers at construction sites so that they are able to safely and anonymously voice their concerns, and that remediation guidelines include mechanisms to hold employers that commit violations of worker rights to account.