

Government initiatives to combat labour exploitation

Regulations, inspections, information and support to victims

Summary and recommendations

The Swedish National Audit Office has audited government initiatives to combat labour exploitation, which is a serious and increasing problem in Sweden. The audit shows that there are major shortcomings, mainly because the Government has not given the government agencies mandate and responsibilities to counteract the problem.

The shortcomings exist in all parts of the system: in regulations, inspections, information and support for victims. It is mainly foreign labour that is affected and involves, for example, working for unreasonably low wages, having very long working days, being in a dangerous work environment or having poor accommodation. Exploitation of labour also entails a consequential risk of eliminating companies that provide good working conditions in sectors where labour exploitation is prevalent.

The government agencies lack knowledge of who is affected

No government agency has an overview of who is affected by labour exploitation or the number of victims. Without knowledge, it is difficult for the Government and government agencies to design initiatives that can counteract the problem. The government agencies do not identify many victims. Also, the statistics on how many victims that receive support by the government agencies are uncertain.

The regulations do not protect against exploitation and few employers are convicted

There are no laws that protect employees from, for example, being accommodated in substandard housing or being indebted to the employer. Furthermore, the government agencies' joint inspections to detect fraud and criminality among employers do not detect whether employees are exposed to exploitation. This is because the agencies do not have the mandate to check working conditions. But it is also because it is unclear which government agency is responsible for acting if they detect potential victims.

When checking work permits, the police meet potential victims of labour exploitation. But they rarely open cases of suspected exploitation during inspections. In addition, few employers are convicted for human trafficking for forced labour when they have exploited labour. There have been only three convictions in the last fifteen years.

It is difficult for foreign workers to obtain information about their rights and help if they are affected

There is no easily accessible information to foreign workers about workers' rights in Sweden. The information available assumes that it is the employee who is seeking information. There is also a lack of information on where to turn for support if you are the victim of labour exploitation.

A temporary residence permit that can be granted to potential victims for them to consider whether they want to participate in a legal process. But in today's system, a preliminary investigation must be initiated for a potential victim to be given a temporary residence permit. When the victims are not allowed to stay in the country without a preliminary investigation having been started, there is a risk that the victim will leave the country. This may be one of the reasons why so few employers are convicted for these crimes.

Recommendations to the Government

- Adopt a comprehensive approach to combat labour exploitation by:
 - giving relevant government agencies a clear remit and mandate to enable them to implement measures against the problem
 - preparing an action plan to concentrate measures and enable follow-up
 - instructing the Swedish Work Environment Authority to coordinate the work.

- Ensure that appropriate agencies prepare:
 - information accessible to all risk groups on workers' rights and obligations. Information is also needed about where and how victims of labour exploitation can get help and support.
 - a support and protection process adapted to victims of labour exploitation.

- Investigate the following areas:
 - how groups at risk of labour exploitation can obtain better opportunities to claim payment of agreed or outstanding wages

- how requirements concerning standards and costs of accommodation can be imposed on employers when accommodation is offered to an employee as part of the employment contract
- whether government agencies should supervise working conditions for foreign labour in sectors with an increased risk of labour exploitation.

Recommendation to the Swedish Police Authority

- Ensure that everyone involved in workplace inspections receives training on labour exploitation and that there are procedures for how potential victims should be supported.