



Migrant Workers in the Construction Industry in United Arab Emirates (UAE): The role of the Ministries of Labour and Foreign Affairs in enforcing fair payments and minimum wages

A Research Paper presented by:

Reema Almannae

(United Arab Emirates)

In Partial fulfillment of the requirements for obtaining the degree of
MASTER OF ARTS IN DEVELOPMENT STUDIES
MAJOR-SOCIAL JUSTICE PERSPECTIVE

Members of the Examining Committee:

Dr. Jeff Handmaker (Supervisor)

Dr. Freek Schiphorst (Reader)

The Hague, The Netherlands

December 2014

Disclaimer:

This document represents part of the author's study programme while at the Institute of Social Studies. The views stated therein are those of the author and not necessarily those of the Institute.

Inquiries:

Postal address:

Institute of Social Studies
P.O. Box 29776
2502 LT The Hague
The Netherlands

Location:

Kortenaerkade 12
2518 AX The Hague
The Netherlands

Telephone: +31 70 426 0460

Fax: +31 70 426 0799

DEDICATIONS

I wish to dedicate this scholarly effort to my family and my husband who encouraged me to the continuance of my higher studies through this Master program. He remained, and still, a superior support during my academic journey life.

I also wish to extend my thanks to H.E. Abdulla Hamdan Alnaqbi, UAE Ambassador to The Netherlands, who was the boss responsible for my success, he opened the doors for my first step toward my ambitious. Many thanks as well goes to my leaders H.H Shk. Khalifa bin Zayed AlNahyan UAE president and H.H Shk. Abdulla Bin Zayed AlNahyan, UAE Minister of Foreign Affairs, for the trust and the unstinting support they gave me and all the Emirati female students, who are posted all over the world and providing them with all kind of support to continue their higher studies in different specializations.

In this study, I challenged myself as working in the government to criticize the government. When the issue is bind to Human Rights and human dignity, a humanitarian supportive government like the UAE one, is an open and encouraging environment to these kinds of academic horizons that could make a significant influence over such criticized topic.

Finally, I believe that this research and any similar academic interaction will always aim to a contribution of development to our homeland, to achieve the strategic objectives set by our leadership. And fulfill the brightness picture of our beloved country through spreading the decent life conditions to every human being step his foot on the land of United Arab Emirates.

ACKNOWLEDGEMENTS

My sincere heartfelt gratitude goes to my supervisor Jeff Handmaker, thank you for the faith, Support and guidance.

To my reader, Freek Schiphorst, my heartfelt gratitude goes to you for your critical and invaluable observation on my work. My appreciation also goes to the respondents who spared their time and contributed to this paper. Your valuable contribution has made this work possible.

My gratitude to those who helped me completes this research paper.

Special thanks to my convener for your support throughout the course and to all the faculty members.

To my friends and classmates I owe you special thanks for the time we spent together, for the debate and discussion in and out of class and for making ISS a home for me.

Key words:

Social exclusion, human rights, Kafala system

Contents

DISCLAMER.....	2
DIDICATION.....	3
ACKNOWLEDGEMENT.....	4
LISTS OF TABLES.....	7
LISTS OF TABLES.....	7
TABLE OF CONTENT.....	7
LIST OF ACRONYMS.....	8
ABSTRACT.....	9
CHAPTER 1: INTRODUCTION.....	11
Background of the study.....	11
Problem statement of the study.....	12
Purpose of the study.....	13
Objectives of the study.....	14
Research questions.....	15
Scope of the study.....	15
Significance of the study.....	16
Justification of the study.....	16
Theoretical framework.....	17
Organization of the study.....	23
CHAPTER 2: LITERATURE REVIEW.....	24
INTRODUCTION.....	24
CHAPTER 3: METHODOLOGY.....	31
Introduction.....	31
Research design.....	31
Research site.....	31
Research techniques.....	32
Sample size.....	34
Date collection instrument.....	35
Validity and reliability	35
Data collection procedure.....	36

Ethical consideration.....	37
Data processing.....	37
Data analysis.....	37
Challenges.....	38
CHAPTER 4: DATA PRESENTATION, ANALYSIS AND INTERPRETION.....	40
Introduction.....	40
CHAPTER 5: DISCUSSION OF THE RESULTS.....	48
Introduction.....	48
CHAPTER 6: REFLECTION AND CONCLUSIONS.....	61
RECOMMENDATION.....	64
REFERENCES	
APPENDIX: QUESTIONNAIRES/INTERVIEW GUIDE.....	70

LIST OF TABLES

Table 1 Respondents views on how the ministries of labour and foreign affairs implement and enforce labour laws-----	41
Table 2 what the government needs to do more on-----	42
Table 3 How employer regard wage for labour migrants-----	43
Table 4 Why Human Rights reports accuse UAE of violating Human Rights-----	44
Table 5 Major challenges facing migrant workers-----	45
Table 6 Why government has not stipulated minimum wage for labourers at UAE-----	46
Table 7 Government reaction to complaints-----	47
Figure: 1 Occupation vs wage estimates for US and the Gulf states	22
Figure 2 Citizen and Expatriate Statistics Based on Census or mean estimated data.....	27
Figure 3 Percentage Distributions of Respondents.....	49

LISTS OF ACRONYMS

GCC	Gulf Cooperation Council
ILO	International Labour Organisation
IOM	International Organisation of Migration
PRA	Private Recruiting Agencies
UAE	United Arab Emirates
UN	United Nations
UNDP	United Nations Development Programme
US	United States
MOL	Ministry of labour
WPS	Wage Protection System

ABSTRACT

The UAE is one of the Gulf States ranked as one of the richest economies in the world. This success can be attributed to a vast supply of cheap migrant labours making up a staggering 90 percent of the labour force. The UAE is strongly dependant on foreign labour to sustain economic growth and maintain the high standard of living in the country. This migrant population comprises of skilled professionals who are hired because of their expertise and enjoy generous employment conditions, while others are causal semi-skilled and unskilled labourers from construction workers, many of whom are experiencing a considerable amount of exploitation. The labour policy was designed to work under the kafala system where the recruiting agency has full rights of the laborers but most of them have used this opportunity to exploit these migrants. However these foreign laborers also face other challenges like poor living accommodation (labour camps), restriction on freedom to organize or bargain collectively, no payment of salaries, wage discrimination, salary delay, sexual abuse and reported cases of violence all of which affects the working and living conditions of migrant workers in UAE.

The government through the Ministries of Labour and Foreign Affairs has come into action to address challenges posed by the Kafala system such as outlawing employers from confiscating workers passports and allowing for transfer of employer sponsorship but its effectiveness in implementing these laws still falls short. Some of these efforts have been made in response to international outcry about human rights violations within the UAE.

In an effort to manage and control abuse of human rights, the UAE through the Ministry of Labour created "*The Higher Committee for Labour Crisis Management*" whose mandate included dealing with labour related conflicts, disagreements and violations. The committee also carries out labour inspections to most of the construction companies, and other companies which recruiting un-skilled workers, to ascertain the level of compliance with respect to the set regulations and rules.

In its effort to address some of these human rights violations, the Ministry of Labour set up the department of labour relations whose task is to receive complains, study and make investigations before issuing out any punishments appropriate or any resolutions pertaining to the issues at hand. This has tended to create a sense of fear to the construction companies intending to participate in some of the human rights violations of the migrant workers.

To avert wage related issues, the Ministry of Labour introduced the Wage Protection System (WPS). The WPS is an electronic salary transfer system that allows institutions to pay workers via approved banks, exchange bureaus, and other financial institutions. The WPS has helped in timely payment of salaries and also assisted the Ministry of Labour in verifying if companies make undue deductions from the salaries of workers. Many firms, including quite large and small ones, use a payroll processing firm in order to adhere to the wage protection system, which was implemented by the government.

Relevance to Development Studies

In order to progress along the social and economic hierarchy, there is need to have full access to a decent standard of living. This can only be achieved once there is entitlement to a fair and just wage which in essence ensures the basics of ones living can be adhered to. Having a just wages

enable full access to decent housing, food and social welfare which in essence plays a key role in moving along the social and economic hierarchy as sustainability is always achieved.

CHAPTER ONE

1.0 Introduction

This chapter presents the background of the study, the problem statement, purpose of the study, objectives of the study, the research questions, significance of the study and the justification and the conceptual framework of the study

1.1 Background of the Study

The Gulf Cooperation Council (GCC) region—Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates (UAE)—is the most popular destination for temporary labor migrants of any world region, and flows have continued to increase over the past three decades (Froilan T. Malit Jr., Ali Al Youha, 2013). Researchers Nasra Shah and Philippe Fargues acknowledged that the migrant workers contributed to over 43 percentage of the region's total population in 2010, and estimated that these migrant population was expected to continue to grow over the next decade ((Shah, Nasra and Philippe Fargues, 2012)

The United Nation's estimates are that UAE had the fifth biggest international migrant population in the world in 2013 with 7.8 million migrants out of UAE total population of 9.2 million (Froilian and Youha, 2013). The migrant population comprises of knowledge workers enjoying generous employment conditions, while others are casual labourers from construction work many of whom are experiencing a considerable amount of exploitation (Froilian and Youha, 2013). Labour policies are designed for short-term migration under the Kafala Sponsorship system which was introduced in 1971; this Kafala system is identified as the main requirement for the foreigners to enter the country for work purposes. It allows a local nationals to sponsor the worker and be a guarantor for him during his working period and also give him

permission to change his work or leave the country. In some situation, sponsors confiscate worker's passports to ensure that they are not going to run away or go back home without their permission, within Kafala then UAE citizens and foreign companies are legally allowed to hire migrant workers(Lalani, 2008). However, the system brought a number of problems such as confiscating of workers' passport, employer's ability to hire and fire employee at any time, working under hoarse conditions, (Lalani, 2008). This research focused on causal laborers from construction work,

We live in a world that is becoming increasingly global village, and it is a well-known fact that much migration today is driven by the search for employment. Indeed, most migration is linked to the world of work, in some way or other: families accompany workers to foreign countries, training and educational opportunities abroad lead into greater opportunities for the educated, and change the patterns of labour force participation and social reproduction in one place set off migration flows from another, etcetera (Baum , 2012). However, the important links between migration and labour markets – including the quantity and quality of jobs in both origin and destination

countries, and the contribution of labour market policies to growth and development – are often ignored or not well understood (Baum 2012), and let alone the fact that the role of the Ministries of labour and foreign affairs in enforcing fair payment for the migrant workers leaves a lot desired and hence urgent attention required. This research focused on causal laborers from construction field so that their plight is addressed.

1.2 Problem Statement for the Study

Although the UAE is ranked as one of the richest economies in the world, much of this success can be credited to a vast supply of cheap migrant labours. Scholarly evidence has

it that the UAE, migrant workers make up a staggering 90 percent of the labour force, (ECHR, 2012)

The existing studies indicate that the migrant population comprises of knowledge workers who enjoy generous employment conditions, while their counterparts the casual labourers from construction works, and many of whom are experiencing a considerable amount of exploitation are not paid commensurate fair wages. Admittedly, Labour Policies are designed but these are for short-term migration under the Kafala System (Human Rights Watch, 2006), for instance sponsorship system which was introduced in 1971, was a policy that allowed nationals, expatriates and companies to hire migrant workers. However, the system brought a number of problems which included: restriction on labour mobility, short contracts for example three months (Human Rights Watch, 2006), unfavorable working conditions, deprived of pay, forced to work for long hours, live in congested rooms with about 10 sharing one room , deprived of the liberty to transfer or change jobs, and in some cases physically and socially abused (Mohammada, A. Auwal, 2010).

Despite the several reforms embarked by the government to address challenges posed by the Kafala system such as outlawing employers from confiscating workers passports and allowing for transfer of employer sponsorship (Human Rights Watch, 2009), there is still a big gap through accusing UAE to violate Human and labour's Rights. Inspire of the fact that the Human Rights watch, Emirates Centre for Human Rights and Migrant organizations have voiced concerns over the increased levels of abuse on migrant workers reflected by exploitative working conditions, not much has been done to address this issue. Poor working-conditions, poor living accommodation-(labour camps),

restriction on freedom to organize or bargain collectively, long working hours without days off, no or delaying payment of salaries, wage discrimination, physical and sexual abuse and reported cases of violence all of which affects the working and living conditions of migrant workers in UAE. An empirical study was thus carried out so as to find out steps the government has in place for ensuring and implementing of fair payment and salaries for these vulnerable migrants, minimum wage and the observation of worker's rights.

1.3 Purpose for the Study

For me personally this issue is very important and related to my profession. Working in the diplomatic field exposes me to vast kind of people and situations, where I have to talk and represent the government of my country. In that situation, when UAE is accused to violate labour's rights, I have to have awareness about this issue, at the same time, I have to find out what is the government reactions and amendments to reform the situation through the Labour's National Law, and how do they confront these Human Right organization's accuses. Hence, the purpose of the study was to find out the role of government through the ministries of labour and foreign affairs in enforcing labour laws in order to ensure justice and fair living wages and conditions for migrant construction workers.

1.4 Objectives for the Study

The objective of the study was:

- To analyze the role of the ministries of labour and foreign affairs in enforcing labour laws in order to ensure justice and fair living wages for migrant workers.

1.4.1 Research questions

How do the government of UAE through ministries of labour and foreign affairs implement and enforced labour laws for migrant construction workers?

What more needs to be done by the government to ensure justice and fair living wages for workers?

Sub questions

Why has the government not stipulated a minimum wage for labors in UAE?

How do employers regard fair wages for labour migrants?

What more should they be doing to ensure there is fair pay?

1.5 Scope of the Study

This study was carried out on migrant workers in the construction industry in The United Arab Emirates.

The aim of the study was to find out why are Human Rights reports and organizations are still accusing UAE in violating labour's and Human Rights, and what is the role of government through the ministries of labour and foreign affairs in reforming labour laws in order to ensure justice and fair living wages for migrant workers and to establish the steps the government has in place for ensuring and implementing fair payments, minimum wages law and the implementing of worker's rights and justice life.

1.6 Significance of the study

This report addresses complex themes relating to migrant laws and migrant workers in the construction industry in the United Arab Emirates. As Tom Baum in (International Labour Organization 2012), observed, recognizing that the experience of migrant workers (international and internal), their employers and the wider community varies greatly in different countries and cultures.

This topic is of significance to all stakeholders involved with the industry (customers, businesses, employees, trade unions, governments and industry associations among others).

Migrant workers are to be found in the construction industries of countries throughout the world, both within developed and less developed economies and the industry, to a greater or lesser extent is dependent upon this source of skills and labour.

There is little doubt therefore that the construction industry provides important opportunities for migrant workers seeking short-term or permanent employment away from their home communities. At the same time, the employment and status conditions of migrant workers in the construction industry are a matter of concern to stakeholders and this report assesses the evidence from studies across the development spectrum (Tom Baum, International Labour Organization 2012 International Migration Paper No. 112)

1.6 1.7 Justification and Relevance of the study

Construction is a particularly compelling sector to examine, as its rapid expansion represents an important counter trend to the decline of domestic manufacturing (Torres et al 2012). The experiences of migrant workers in the construction industry with regards to measures taken by the government in enforcing labour laws are under researched in the migration studies, though increasingly they are an important component of transnational labour market. In the context of the UAE, there is also a gap in knowledge about why

construction workers are still exploited despite the fact that relevant laws exist. Though they form a big part of the wage based labour market, little efforts have been made by governments to set fair pay and minimum wage laws for these workers.

1.8 Theories and conceptual framework

The study analytically borrows perspectives from human rights theories, and social exclusion theories of migrant workers.

In the UAE, Immigration is governed by the kafala or sponsorship based system of entry similar to other sponsorship based regimes governing foreign labour and sometimes foreign firms. This is intended to enable migrants to work in the country. The Kafala or sponsor is a UAE citizen who assumes legal and economic responsibility for the worker during the contract period. It determines the terms of residence and the condition for contractual and temporary employment irrespective of the skills (Willoughby, 2006).

Since its emergence in the 1950s, and its further institution in the 1960s and 70s as a temporary measure to cope immense influx of Arab and south and East Asian worker during a period of rapid economic growth (Lalani, 2008), the Kafala System was to regulate the relationship between employers and migrant workers in many countries in West Asia such as UAE. Its provision included temporary and rotating labour during economic prosperity and expulsion of these foreign migrant labourers during economically hard times. The migrants' legal immigration status and rights were bound

to the kafeel (sponsor) for their contract period. This is evidenced in the Migrant forum Asia.

“In the UAE (and other Gulf states), the labour market and foreign businesses are regulated through the kafeel (guarantor) system which maintains a tightly restricted labour market in which employees are in the highly vulnerable position of being tied to their employer, who frequently retains their passports”. (Robina & James 2012: 613)

According to the *policy brief no.2, Migrant forum Asia*, Under the Kafala system the migrant worker may be identified as a ‘guest worker’ and often treated as a disposable economic commodity. Essential to the Kafala system is the imbalance in power relations between the kafeel and the migrant worker. There are instances of alteration of employment contracts by the kafeel and the migrant worker is forced to submit to unfair working conditions thereby compelling them to accept low wages and poor living conditions.

The kafala sponsorship system can be described as a modern day slavery leaving migrant labourers vulnerable to human trafficking, forced labour and most times leading to gross human rights violations. It can further be described as “structural violence” where the employers confiscate passports and report “absconding” to the authorities to avoid punishments themselves.

Although the recently reform has been made by the Ministry of Labour on the UAE Labour’s law, that prevent sponsors from taking away worker’s passports, several construction companies in essence are unwilling to hire foreign migrants who refuse to remit their passports (Sonmez et al 2011: 19).

Keeping of the passports and workers accumulated pay is one of the ways the construction companies use to control their workers. Some of these challenges begin from the migrants' country of origin where the person who would like to get a job opportunity in UAE, borrow huge sums of money to facilitate their movement to UAE through a recruitment agency or a relative or friend who's already working there. This leaves them so indebted in case they had the job opportunity, which is once they reach UAE, they have no choice to refuse any situation they have been put through, and willing to work for much less amount than what they have been told earlier, under any conditions and usually sign contracts in English without understanding the terms and conditions.

“Recently, thousands of migrant construction workers were left stranded without passports and without money in Dubai and Sharjah when their employers fled as Dubai’s economy experienced a sudden decline. Having received no pay for months of work, laborers were left stranded in crowded camps without basic necessities and utilities and unable to buy food”. (Sonmez et al 2011: 19-20)

The kafala sponsorship system has a lot of detrimental effects in terms of exploitation of the migrant workers especially those in the construction industry. With construction projects worth about \$418 billion in development, there is need for migrant workers and low labour cost. These workers are subjected to 12 hour work shift irrespective of the season. Consequently they suffer from heat related illnesses, severe exhaustion and inadequate safety requirements. In addition to the harsh working conditions the migrant workers are housed in state sanctioned labour camps with very poor sewage and sanitation facilities (Sonmez et al 2011: 20 – 21).

The migrant workers often end up losing the investments they made in securing the jobs, dignity, health and sometimes tragic instances of death. The exploitation of these migrants violates both internationally established norms and principles of Islamic faith which are the bases of these states (Mohammad 2010: 87 – 88).

The decision to become a migrant worker is often a tremendously difficult choice that requires significant financial input, staying away from families for long periods of time and the opportunity to send some earnings back home.

However, hope is at sometimes lost once the migrant workers reach the Gulf States and the originally agreed contract terms are violated and altered leaving many at the mercy of the employers (Mohammad 2010: 92).

1.9 Position of UAE migrant workers in the social hierarchy – Social Exclusion

The term social exclusion originated in Europe in response to the crises of the welfare state and the fear of social disintegration caused by social and economic crises (Pradhan 2006: 1). Social exclusion has various attributes attached to it. However it can be defined specifically to either those people who are not attached to the paid labour market or to those people in low-wage work (Robin 2001: 26).

In a broader context it refers to much more than poverty, income inequality, deprivation or lack of employment (Robin 2001: 26). In respect to these definitions, poverty is a key issue and this takes two forms. It can either be absolute or relative. Absolute poverty refers to inability to access basic needs, whereas relative poverty is inability to access the same resources as one's peers. Poverty can also be transient or entrenched. Short periods of poverty can be withstood by many people whereas long periods come with likely adverse effects that are unsustainable by many. The concept of

social exclusion is considered to facilitate a broader understanding of the multiple dimensions of poverty. Social exclusion and poverty are closely related (Janet), however social exclusion is described as the existence of barriers which make it difficult or impossible for people to participate fully in society or obtain a descent standard of living (Social Exclusion unit 2003).

Pradhan (2006) discusses the three social exclusion paradigms solidarity, specialisation and monopoly. In the solidarity paradigm, “*exclusion was defined as the rupture of social bond between the individual (or group) and society that is cultural and moral, rather than economically interested*”, Specialisation paradigm reflecting on exclusion as discrimination and monopoly paradigm focusing on powerful groups denying “outsiders” access to valued resources through social closure.

Gulf cities have honed their role as spaces of accumulation, consumption and display, attracting workers from across the globe all fuelled by petrodollars (Robina & James 2012). The influx of petrodollars and migrant workers since 1970s to the gulf cities led to a marked demographic profile development with a few indigenous citizens at the top of the social hierarchy and below them majority low wage migrant labourers sometimes referred to as “outcasts”. Unlike the ‘outsiders’ in the West, foreign labour in the Gulf forms a numerical majority with salaries that are too low to sustain the requirements for their families to join them (Robina & James 2012: 607 – 608).

The disparity in the social lives of migrant roots down to the inadequate payments given to them. Blue collar jobs suffer from low pay throughout the world but in the Gulf States, it is at an extreme compared to other parts of the world. Gulf nationals are usually not seen doing any service sector and manual jobs as these are seen as jobs for migrant

workers (Mohammad 2010: 93). Table 1 shows a comparison between the United States and the Gulf States in terms of wages paid to the various workers.

Figure1: Occupation Vs Wage Estimates for US and the Gulf States

	US Wage Estimates	Gulf states Wage Estimates
<i>Occupation title</i>	<i>Annual mean</i>	<i>Annual mean</i>
Maids and housekeeping cleaners	\$ 20,290	\$ 2,184
Building cleaning workers	\$ 28,660	\$ 2,184
Grounds maintenance workers	\$ 27,180	\$ 2,184
Financial managers	\$ 110,640	Same or higher
Human resource managers	\$ 103,920	Same or higher
Engineers	\$ 80,820	Same or higher
College social sciences teachers	\$ 74,720	Same or higher

Source: (Mohammad 2010: 93)

The labour market of UAE is mainly based on ethnicity, nationality, skills and region.

The nationals mostly take up the affluent and lucrative white collared jobs with the migrants left to fight for the least and low paying blue collared jobs (Shipra 2012: 11)

1.10 Organization of the paper

This research paper is divided into four chapters.

i. Chapter 1

Included here are; introduction, background to the study, research problem, purpose of the study, objectives & questions significance of the study, justification of the study and theoretical framework

ii Chapter 2

Looks at the review of related literatures

iii Chapter 3

Methodology, research design, area of study, research technique, sampling size, data collection instruments, validity/reliability, research procedure, ethical considerations, data processing, data analysis, data collection challenges.

iv Chapter 4

This mainly deals with the presentation of the data, analysis and interpretation.

v Chapter 5

The research findings are discussed and argued out in relation to the set objectives.

Vi Chapter 6

The research reflections and conclusions are drawn and summarized in this chapter in relation to the set specific objectives.

CHAPTER TWO

1.0 Review of Related Literatures

1.1 Introduction

This chapter presents the review of related literature on the role of Ministries of Labour and Foreign Affairs in enforcing fair payment and minimum wage in relation to the objective of the study which was to analysis the role of UAE government through the Ministries of Labour and Foreign Affairs in enforcing better labour laws in order to ensure justice and living wages for migrant construction workers.

It is of paramount importance that other scholars views on labour rights in respect to whats wages is define;

“Entitlements that relate specifically to the role of being a worker. They can include a right to work in a job freely chosen, a right to fair working conditions, which may encompass issues as diverse as a just wage or protection of privacy; a right to be protected from arbitrary and unjustified dismissal; a right to belong to and be represented by a trade union; a right to strike. These rights may be based on different foundations, such as freedom, dignity or capability. This article will not discuss the justification of labour rights, but it has to be noted that the foundation of rights is crucial when considering their interpretation” (Virginia 2012: 1).

LABOUR RIGHTS IN THE United Arab Emirates

The United Arab Emirates comprising of seven, semi – autonomous emirates, has seen tremendous and phenomenal economic growth since oil was first extracted in 1962 with an organisation of the petroleum exporting countries (OPEC) quota of 2.53 million

barrels per day in May 2007. Contributing to these vast developments are mainly migrant workers most of whom originate from South Asia continent and making up close to 95 percent of the work force. These “Expatriate workers”, particularly low skilled employees, have few rights if any and most times are subjected to exploitation and human rights violations, which ranges from non or very low payments of wages, to physical and social abuse.(David & Nicholas, 2008: 82).

The kafaala sponsorship system

The UAE labour market strongly depends on foreign labour governed by a sponsorship system known as the “kafala system” (Shipra 2012: 13).

The kafaala system can be described as modern day slavery; this entitles the employer to Keep the passports and workers accumulated pay so as to have total control over these workers. Some of these challenges begin from the migrants’ country of origin where they borrow huge sums of money to facilitate their movement to UAE. This leaves them so indebted that once they reach UAE, they have no choice and willing to work for much less under any conditions and usually sign contracts in English without understanding the terms and conditions. (Sonmez et al 2011: 19 – 20)

The kafala sponsorship system has a lot of detrimental effects in terms of exploitation of the migrant workers especially those in the construction industry. With construction projects worth about \$418 billion in development, there is an extreme need for migrant workers with the lowest labour costs. These workers are subjected to 12 hour work shift irrespective of the season. Consequently they suffer from heat related illnesses, severe exhaustion and inadequate safety requirements. In addition to the harsh working

conditions the migrant workers are housed in state sanctioned labour camps with very poor sewage and sanitation facilities (Sonmez et al 2011: 20 – 21).

According to Human Rights Watch 2006, the Kafala system exposes migrant construction workers to several forms abuse , ranging from manipulative working conditions, poor living accommodations, prohibition on freedom to organize or bargain collectively and participate in strikes, including delayed or nonpayment of salaries (despite a mandatory electronic payment system in place since 2009). Sexual abuse and violence are also reported regularly, so accordingly, the Philippine government has, on occasion, enforced temporary bans to prevent female workers from being deployed in certain countries, including the UAE, Jordan, and Iraq (Human Rights watch, 2006).

The migrant workers often end up losing the investments they made in securing the jobs, dignity, health and sometimes tragic instances of death. The exploitation of these migrants violates both internationally established norms and principles of Islamic faith which are the bases of these states (Mohammad 2010: 87 – 88).

Over reliance on migrant workers by UAE

The vast and widespread oil discovery in the 1940s and the spread of abundant wealth across Arabian Peninsula societies culminated into jobs requiring high level expatriate skills and were taken up by foreign migrant workers. In order to support and sustain this growth in the wake of a shortage of supply of native labor, foreign workers – primarily from the Indian subcontinent – were invited to fulfill these roles. The urge to diversify led to further out sourcing of expatriate workers in the service and construction industries in particular. This consequently led to over dependency on cheap migrant labour as well as on more qualified western expatriate labour (kassim 2012: 2 – 3).

The table below shows the extent of the demographic imbalance.

Citizen and Expatriate Statistics Based on Census or Mean Estimated Data

Cou	Total	Citizen	Citizen as percentage	Expat	Expat as percentage
Bahr	791,0	522,049	66	268,951	34
Kuw	3,566	1,859,437	52	1,707,00	48
Oma	2,845	2,267,707	80	577,293	20
Qatar	1,696	425,563	25	1,271,00	75
Saud	27,13	20,992,74	77	6,144,23	23
UAE	4,106	828,427	20	3,278,00	80
Total	40,14	27,646,10	69	12,496,3	31

(Source: kassim 2012: 3)

According to UAE ministry of labor (2007), the current construction boom taking place surpasses that of any other country in the Arabian Gulf region. The UAE has about 1,300 construction projects worth over \$418 billion in development, mostly in Dubai and Abu Dhabi (Sonmez et al, 2011). Several major construction firms are known to have an unwritten policy of not hiring workers who refuse to give up their passports, and in some documented cases even make money by charging fees to return passports. (Sonmez et al, 2011). Taking of passports and keeping workers' pay in arrears are two widespread methods employers use to control workers.

In 2007, the UAE Ministry of Labor released its first annual report, "*The Protection of the Rights of Workers in the UAE*". The Ministry of Labor report acknowledged the need to train its personnel to enforce labor laws and fully protect the rights of workers in the country. The report further asserted that workers in the UAE experience wage exploitation and work excessively long hours between 16-21 hours a day without rest breaks or days off and often exceeding 100 hours per week without rest (MoL, 2007). The average monthly salary ranges between \$150 and \$200 and typical work hours range

between 16 and 21 hours per day bringing hourly wages to between 15 and 30 cents (MoL, 2007). The standard employment contract does not provide for rest days, nor does it establish right to overtime pay or limit work hours. There is also discrimination in attending to cases of workers injuries where only serious injuries are attended to. The employer meets the costs for transport of the injured to the hospital and the medical expenses. However, on recovery, the workers repay for the medical cost spent on them thereby increasing their debt burden (Sönmez.S et al, 2011). This is contrary to the ILO Convention No. 95 on the Protection of Wages that outlaws salary deductions (ILO, n.d). In setting the bench mark for the global standards for wages at low levels, the construction companies in the UAE violates some of the human rights issues prescribed in *The Universal Declaration of Human Rights* of 1948. Article 23, Section 3 states that, “Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity and if necessary supplemented by other means of social protection” (Milton Fisk, 2007). To ensure that people do not have to take on several jobs and work for long hours in order to earn a living, the *Universal Declaration* further goes on to state that, “Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay” the *International Covenant on Economic, Social, and Cultural Rights*” (Part III, Articles 7 and 11) of 1974, which was signed by President Carter in 1978 that has unfortunately not been ratified by the US Congress equally point out to the view expressed in the Universal Declaration. (Milton Fisk, 2007). This is however centrally to the situation experienced by migrant construction workers in the United Arab Emirate

due the challenges faced by the government in implementing human rights laws and the unclarity of the human rights law as expressed by the respondent.

According to Froilan T. Malit Jr., Ali Al Youha, 2013, to respond to these challenges, the government of United Arab Emirate embarked on several developments in terms of federal and Emirate-level laws and regulations to address labor issues in the UAE, including a “mid-day break” law passed in 2005 to protect construction and other outdoor workers from the effect of the heat during the three month of the summer. In addition, the Ministry of Labor established offices in the Dubai and Abu Dhabi courts to facilitate the handling of labor dispute cases.

One major achievement by the government to address labour abuse has been the introduction of the Wage Protection System (WPS), introduced in 2009, which aims to crack down on nonpayment of salaries in the private sector for migrant workers especially those working in the construction, retail, and small businesses. From the time when it was introduced, roughly 2.9 million workers and 205,000 of the UAE's 250,000 registered businesses have enrolled in the WPS, and more than 600 employers have been penalized. In 2007, businesses paid 52 million diham (\$14.2 million) in unpaid wages after legal action (Froilan T. Malit Jr., Ali Al Youha, 2013). This statement is in agreement with the finding from the respondent who confirms the use of the Wage Protection System has reduced incidence of late wage payment of workers by the sponsors since money is paid in the bank.

The UAE interact n.d , further states that the UAE has liaised with the United Nations Office of the High Commissioner of Human Rights to start a comprehensive national training and capacity building programme for national officials and raise awareness of

human rights issues throughout the country in order to promote a human rights culture. This initiative aims at tackling the challenge of language barrier that came out during the interview as one of the main challenges faced by the migrant construction workers that leads to their exploitation by the sponsor. However, Regular workshops and training courses have been held to enhance the skills of government and law enforcement officials tasked with implementing the legislation related to such crimes. Mechanism have been put in place to combat all forms of forced labour through the imposition of heavy fines and there has been an expansion in the number of shelters for the protection, counseling and rehabilitation of women and children who are victims of human trafficking and sexual exploitation issues cited as the main challenges faced by the migrant construction workers in UAE.

Conclusively, UAE has made momentous progress in tackling human rights abuses, but there is still a lot to be done for it to have a clean human rights record comparable to international standards. In doing this, it should still embrace itself in meeting several obstacles in its efforts to attain human rights for all in light of the changing world .

Observing from the literature from several scholars above, it is evident that much study has not been conducted in this area justifying the need for this study.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

The study focused on the methodology used for collecting data for the study. It included: the Study design, area of study, sampling techniques/description, research instruments, its validity and reliability, procedure of data collection, data analysis and limitations of the study.

3.1 Research Design

The study was done using a cross-section survey design where by a cross sections of officials were given questionnaires to fill in their responses. Qualitative study was adopted for the study and used to analyze in depth information collected from respondents about the sensitive issue on the topic, ‘migration workers in the construction industry in UAE: the role of the ministries of labor and foreign affairs in enforcing fair payments and minimum wages.’ Questionnaires were categorized and statistically presented in a tabula form.

3.2 Research Site/ Area of the Study

This study was conducted in two big emirates of the seven United Arab Emirates, which are Dubai and Abu Dhabi.

The UAE was selected as the country for research due to a large influx of migrant populations from mainly India, Bangladesh, and Pakistan, comprising over 90 percent of the country's private workforce (Froilian T.M., Ali Al Youha, 2013, United Nations).

The research was conducted and restricted to Dubai and Abu Dhabi out of the seven Emirates that constitute the United Arab Emirates due to mainly limitations in terms of time scope and easier resource accessibility (for me) to the government officers in these cities. The interviews were conducted mainly at the Governmental offices and in some cases through e - mail correspondences in cases where there was doubt over my motive of carrying out the interview or when people were not around at the period of field work.

3.3 Research Techniques

Purposive sampling was used for the study. The researcher purposely targeted a group of respondents believed to be reliable for the study and therefore information rich cases were likely to be sampled to participate in the study. Purposive sampling is the one where the researcher takes the decisions to include the individuals in the samples based on the criteria such as knowledge of the individual on the issue, capacity and acceptance to participate in the process to be able to contribute appropriately (Oliver 2006).

The research began with review of literature available pertaining to the migrant labour force in UAE and the Gulf States at large. The literature on migration in the GCC countries helped in getting a perspective on the Kafala system and regulation policies of both the sending and receiving countries. Review of literature helped me identify the gaps in knowledge about migration and helped in setting up my research problem. The literature included theoretical work by scholars; advocacy materials on migrant's rights and labour policies related to labour and migration regulations. However, reviewing the literature brought out that data pertaining to migrants in the gulf is not easily accessible

(Timothy and Sasikumar 2012: 3). Therefore, effort has been made to provide data as per availability and approvals.

In depth interviews are people oriented and sensitive, whereby respondents share their experiences and accounts of their lives in their own words (Valentine, 1997).

This research includes both primary and secondary methods. I used works of literature, policy analysis, in depth interviews, surveys and questionnaires, case studies, Journal articles and books, commentary and evaluation in reports research methods to collect, interpret and analyzed the findings from the field. This methodological framework was chosen based on the context of the research project whereby combination of these methods provided detailed information and responses that supported the purpose of the research.

In depth interviews are people oriented and sensitive, whereby respondents share their experiences and accounts of their lives in their own words (Valentine 1997, as cited in Ayala 2012). In depth interviews are essentially exploratory conversations between subject and researcher, and they have pluses and minuses associated with them. On the plus side, they can give a rich store of descriptive and anecdotal data, which suggest patterns, variables and hypotheses for further study. The in depth interviews with the government officials and employees looked at migration trajectories, working conditions, human rights, government efforts to help the migrants, and labour laws. A semi structured interview schedule was prepared to direct the conversations with all the respondents, but the focus was more on their narratives. The questions were left open ended after the initial beginning for them to share their own views. The interviews were conducted with purposive and snowball sampling as both these sampling techniques were

relevant for the research. I first selected the respondents based on access, availability and appropriateness and then identified the other respondents through their departmental networks.

Thus, purposive sampling was used to find different entry points into the concerned authorities. Thereafter, snowball method was used with the help of the initial respondents. In the snowball sampling method, the researcher finds the respondents based on identification by the existing respondents (*ibid.*). Snowball sampling may result in bias towards respondents sharing certain characteristics and/or are more visible, thereby affecting representivity (Robson 1993; Bernard 1995; Jacobsen and Landau 2003, as cited in Clark-Kazak 2009). Therefore, special attention was paid to connect with diverse entry points and their connections. I reached out to various networks simultaneously and did not follow a chain initiated by one respondent and only relevant people were finalized for interviews.

While in-depth interviews being the primary source of information, I also reflected through my observations during surveys to ascertain the extent to which the information being gathered was accurate in relation to the situation at hand.

3.4 Sample size

The sample that participated in the study was in all 30 from government employees/officials of both genders, and these were from ministry of labour, ministry of foreign Affairs, legal researchers, officials from recruiting agency and some human rights activists. The responses and samples taken were from government employees/officials in the different and relevant departments that are dealing directly with migrant workers, their complains, and their rights.

The decision for this sample was based on the assumption that while drawing 10% of a known population was appropriate, but a larger sample enables a researcher to draw a more representative and more accurate conclusion (Bless & Higson-Smith, 2000, Mitchell & Jolley, 2001).

3.5 Data Collection Instruments

The instrument collected data in relationship to the objectives of the study

The data for the study was collected using an interview guide to collect in-depth information and a questionnaire. The questionnaire for this study designed both in Arabic and English and consisted both open and closed ended questions that were self administered by respondents who could read and write, but those who couldn't read any of these languages were assisted to fill in their responses.

Questionnaires were designed containing items that measured the information required in relation to the objectives of the study. (Appendix A). This was later used to discuss the findings of the study in chapter five.

It was designed with the aim of making it suitable for the use of the subjects and at the same time made it possible to obtain relevant information. Overall, the interviews also catered for and allowed consistent information to be collected from the sample and it saved time.

3.6 Validity and Reliability

Reliability means dependability or trustworthiness. It refers to the degree an instrument consistently measures what it is intended to measure (Annemie de Vos, 2005, Kombo 2009). To ensure this the researcher: designed the instrument with

clear, simple wording and avoided ambiguity for easy understanding and similar interpretation of the questions by all the respondents. Used standardized data collection instrument. And adhered to the identified sampling techniques so as to give respondents (both gender) equal chance. This eliminated any form of biasness.

The interview guide and the questionnaire were appraised by the researcher's supervisor. To check whether the questions provoked a response or omissions were made during the designing of the questionnaire (question screening). This was also meant to check for bias that would arise on the part of both the researcher and the respondent. Two pilot studies were carried out.

This helped to verify whether the designed questions measured what they were supposed to measure, each answer was analyzed to see whether it supplied appropriate information, and to check if the wording was clear, and with no confusion in the way questions were interpreted. This was to ensure similar interpretation by all the respondents. There were instances of misconceived texts. This was thereafter corrected through reframing. A similar pilot study was run to check on the new adjustments that had been made on the instrument.

3.7 Research Procedure

The researcher obtained an introductory letter from the office of the convener that in charge of the course program at ISS University in the Netherlands which the researcher presented to relevant authorities for permission to collect data. Another letter also was obtained from my employer, which is the Ministry of Foreign Affairs, help accessibility to other government officers and ministries to collect information. (To read; at Institute of Social Studies of Erasmus University, The Hague, the Netherlands).

3.8 Ethical considerations

To ensure that the data was ethically collected, the researcher observed the principle of informed consent and voluntary participation from all the participants, assured them of anonymity and confidentiality and that no name would be written anywhere unless they approved to.

The aim of the research was explained, and the time it would take for the interview to be done. The benefits of participating and how the results of the study would be used were highlighted however, the respondents who wished to stop from participation were allowed. A form containing the above information, the researcher's name, University of affiliation and the date was drawn with the provision for the participant's signature.

3.9 Data Processing

The strategy for data processing was as follows: Editing was done. Interview guides and questionnaires used to collect data from the respondents were checked to find out whether all questions in the pages had respondent's responses filled and blank ones were removed. Coding categorization of themes was done. Interview guides were arranged and categorized according to respondents' emerging theme

3.10 Data Analysis

The data analysis was of a descriptive nature. The summaries of the findings were made in relation to the objectives and research questions for the study. Responses were categorized according to emerging theme for the objectives. The respondents'

frequencies were calculated converted into percentages and presented in tabular form as shown in chapter 4.

3.10.1 Data collection and ethical Challenges

This research deals with sensitive issues of migration in a country like the UAE where labour laws are not very labour supportive (Shipra 2012: 6). It was very difficult for me to reach out to the concerned authorities as many of them were away on summer holidays.

One of the greatest challenges faced was creating time and appointments with some of the concerned authorities. This played a significant role in my data collection as some officials were either too busy or skeptical about the interview and therefore kept buying time. This was mainly due to the nature of the UAE labour laws and unwillingness from the ministerial officials to enter into a conflict of interest with the high authorities.

Some of the respondents were not willing to make appointments for face to face interviews for fear of victimization and rather preferred to have responses through email. It is such fear that restricted me from getting detailed information from some of these respondents.

The ministry of labour also restricted my interview to a few departments. This was mainly due to the sensitivity of this research and fear of being open minded. This therefore restricted the response which could have been received from some of these departments. Interviews were mainly limited to the human resource department, public relations, and department of Labour's Inspection.

A delay in receiving feedback was also another challenge. Some of the respondents delayed in giving feedback with claims of being too busy. This also played an important role in terms of time frame of the data collection period.

Rejection of voice recording. In order to analyze and access the information being given during the interviews later on, there was need to record voices of the personnel being interviewed. However, some of them preferred that their voices not be recorded for fear of conflict with their superiors in case of any arising issues from the interview.

UAE has very unsupportive labour laws even though the government insists that it is supportive. Some of the respondents are of this view but because of the fear of victimization, most of them withheld their personal views on these issues and preferred to keep it a secret. This tended to limit the actual situation on ground and the government influence in tackling these issues.

The research focused mainly on roles being played by the ministries of labour and foreign affairs in the labour market within the construction industry and highlighted some of their contributions.

Studies based on small samples as exemplified in this research and in-depth interviews often have problems that limit their ability to satisfy the demands of academic credibility and responsible advocacy. Unless very carefully selected, non-representative studies, especially those with small samples, seldom yield enough cases or the right kind of cases to allow the testing of competing hypotheses and causal relationships (Ragin, 1992; Savolainen, 1994). Nor do they allow us to conduct comparative studies across different groups in a single location, or across time and space (that is, longitudinal and geographic comparison)

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND INTERPRETATION

Introduction

This chapter shows respondents' views about migration workers in the construction industry in UAE: the role of the UAE government through ministries of labor and foreign affairs in enforcing fair payments and minimum wages in relation to the research questions which were:

How do the ministries of labour and foreign affairs implement and enforced labour laws for migrant construction workers?

What more needs to be done by these ministries to ensure justice and fair living wages for workers?

Sub questions

Why has the government not stipulated a minimum wage for labors in UAE?

How do employers regard fair wages for labour migrants?

What more should they be doing to ensure there is fair pay?

How do the ministries of labour and foreign affairs implement and enforced labour laws for migrant construction workers?

What more needs to be done by these ministries to ensure justice and fair living wages for workers?

Demographic Characteristics of the Respondents

The participants for the study were respondents of both gender and from different Ministries and other authorities: Ministry of labour, Ministry of Foreign Affairs, Ministry

of Interior, UAE association of Human Rights, and recruiting agencies. These particular respondents were preferred because these are departments that were directly involved in my topic and will provide me reliable information, and they would have no difficulty during interviews in providing the information required for the study. The responses were analyzed and presented in simple tables as shown below.

Research Question 1 How do the ministries of Labour and Foreign Affairs implement and enforce labour laws for migrant construction workers?

Table 1

Respondents' views on how the ministries of Labour and Foreign Affairs implement and enforce labour laws for migrant construction workers.

Respondents	Responses on how the Labour laws are implemented and enforced for migrant construction workers										Total	%
	Labour law production/	HR observation	Building of inspection offices	Provision of complaint desks	Hiring researchers	Working language barriers	Provision of hotline	Protection of workers/ improving working conditions	Cultural/social awareness	Controlling recruiting companies		
Frequency	6	6	3	3	2	2	2	3	2	1	30	-
Percentage	20	20	10	10	6.6	6.6	6.6	10	6.6	3.3		100%

(Source: Primary Data, 2014)

According to the findings on table 1 above, the study showed that a majority of the respondents stated that ministries of Labour and Foreign Affairs implement and enforce labour laws for migrant construction workers by producing labour laws and observing human rights which equaled at 20%. Next was building of inspection offices this also equaled with the provision of complaint desks and protection of workers and improving on the working conditions, by 10%. Hiring researchers, working on language barriers, provision of hot lines, and creating social and cultural awareness ranked next by 6.6% and controlling the recruiting companies was 3.3%

Table 2

Research Question 2: What more needs to be done by the ministries of labour and foreign affairs to ensure justice and fair living wage for workers?

Respondents	Responses on What needs to be done by the ministries of labour and foreign affairs to ensure justice and fair living wage for workers								Total	Percentage
	Educate recruitment agencies	Promote security & social culture	Improve working condition	Protection of HR	Raise workers salaries	End deception/trafficking	Allow partners to operate	Need for new law		
Frequency	9	3	3	7	4	2	1	1	30	-
Percentage	30	10	10	23.3	13.3	6.6	3.3	3.3		100%

(Source Primary Data, 2014)

The findings on the table above shows what needs to be done by the ministries of labour and foreign affairs to ensure justice and fair living wage for workers: Educating recruitment agencies

ranked highest by 30% next was Protection of Human Rights which was at 23.3%, followed by raising workers salaries which was at 13.3%. Next in the ranking was the need to promote security and social culture which equaled with improving working conditions at 10%. This was followed with the urge to end deception and trafficking by 6.6%. This was followed by allowing partners to operate in the country which equaled with the need for new law by 3.3%

Table 3

Research Question 4: How do the employers regard fair wage for labour migrants

Respondents	Responses on how employers regard fair wage for labour migrants			Total	Percentage
	Increase salaries and wages	Wage protection systems	No need for minimum wage law		
Frequency	15	10	5	30	-
Percentage	50	33.3	16.6		100%

(Source Primary Data, 2014)

The findings on table above show responses on how employers regard fair wage for labour migrants. Increase in salaries and wages ranked highest by 50%, followed by no need for minimum wage by 16.6% and next was wage protection systems which was at 16.6%

Table 4

Research Question 4: in your opinion, why do Human Rights reports accuse UAE of violating migrant workers rights?

Respondents	Responses on why Human Rights reports accuse UAE of violating migrant workers rights								Total	Percentage
	Low wages	Long work hrs	Poor work conditions	Prevention of bargaining & strikes	Inaccurate information	Poor living condition	Gaps in law	Exploitation of workers		
Frequency	7	4	4	5	1	4	1	4	30	-
Percentage	23.3	13.3	13.3	16.6	3.3	13.3	3.3	13.3		100

(Source Primary Data, 2014)

The findings on table 4 above show responses on why Human Rights reports accuse UAE of violating migrant workers rights. Law wages ranked highest with 23.3%. Prevention of bargaining and strikes ranked next with 16.6%, long working hours, poor work conditions, poor living conditions, and exploitation of workers followed and equaled at 13.3%. Inaccurate information and gaps in law followed and equaled by 3.3%.

Table 5

Research Question 5: As a government official, what do you consider as the major challenges facing the migrant workers in relations to the environment and condition in this country?

Respondents	Responses on what is considered as the major challenges facing the migrant workers in relations to the environment and condition in the UAE country								Total	Percentage
	Poor accommodation	Fake contracts	Inability to Access information	Unaware of their rights	Low salaries	Lack of motivation by worker	Exploitation by sponsor	Language barriers		
Frequency	4	3	5	1	6	5	5	1	30	-
Percentage	13.3	10	16.6	3.3	20	16.6	16.6	3.3		100

(Source: Primary Data, 2014)

Table 5 above show the findings on what is considered as the major challenges facing the migrant workers in relations to the environment and condition in the UAE country. Low salaries ranked highest by 20%, followed by inability to access information, lack of motivation by workers and exploitation by sponsor which all equaled at 16.6%, followed by poor accommodation by 13.3%, then by fake contracts by 10% and finally by unawareness of their rights which was the same as language barrier with 3.3%

Table 6**Why has the government not stipulated a minimum wage for laborers in the UAE?**

Respondents	Responses on why the government has not stipulated a minimum wage for laborers in the UAE				Total	Percentage
	Considers salaries adequate	Large number of workers	Inapplicable laws	Uncertainty about human rights		
Frequency	10	8	7	5	30	-
Percentage	33.3	26.6	23.3	16.6	-	100%

(Source Primary Data, 2014)

The table above shows responses on why government has not stipulated a minimum wage for laborers in the UAE. Considers salaries adequate ranked highest with 33.3%, large number of workers ranked next with 26.6%, followed by inapplicable laws by 23.3%. This was followed by unclarity about human rights.

Table 7

Research Question 6: Has your department/office registered work related issues/complaints from Migrant workers? If yes, what has been the government's reaction to such complains.

Resp onde nts	Responses on whether government has registered work related issues/complaints from migrants workers (the steps government has taken)					Tot al	%
	Mediate d cases	Establis hed labour offices and workers pocket book given	Investigat ed cases/poli ce involveme nts	Referr ed cases	Don't receive cases		
Freq uenc y	9	7	6	5	3	30	-
Perc enta ge	30	23.3	20	16.6	10		1 0 0 %

(Source Primary Data, 2014)

According to the findings on table 7, the responses showed the steps government has taken towards migrant issues/complaints. Mediating cases ranked highest by 30%, next was establishing labour offices and giving workers pocket books by 23.3%, followed by investigating cases and cooperation with the police 20%, next was referring cases to the court prosecutors 16.6%. This was followed by responses by the recruitment agencies and the hired researchers who stated that they don't receive any cases, and it was at 10%

CHAPTER FIVE

DISCUSSION OF THE RESULTS

5.1 Introduction

This chapter presents discussion of the results.

It was revealed that majority of the respondents who participated in the study were from ministry of labour. Others were from Ministry of foreign affairs, Human Rights activists, Legal researchers and recruiting agencies.

The findings showed that there was little variation in the number of respondents used in the study from the different departments and ministries. This variation was brought about because of the need to choose more or less equal proportion of the respondents depending on the overall population of the department.

The sample structure was carefully chosen based on the relevance and significance of the government departments within a given ministry, legal framework and legality of the recruiting agencies. Samples of 30 respondents participated in this research. Figure 1 below shows the percentage distribution of the respondents in respect to the different authorities and the departments that were essential in carrying out the interviews under the two key government ministries.

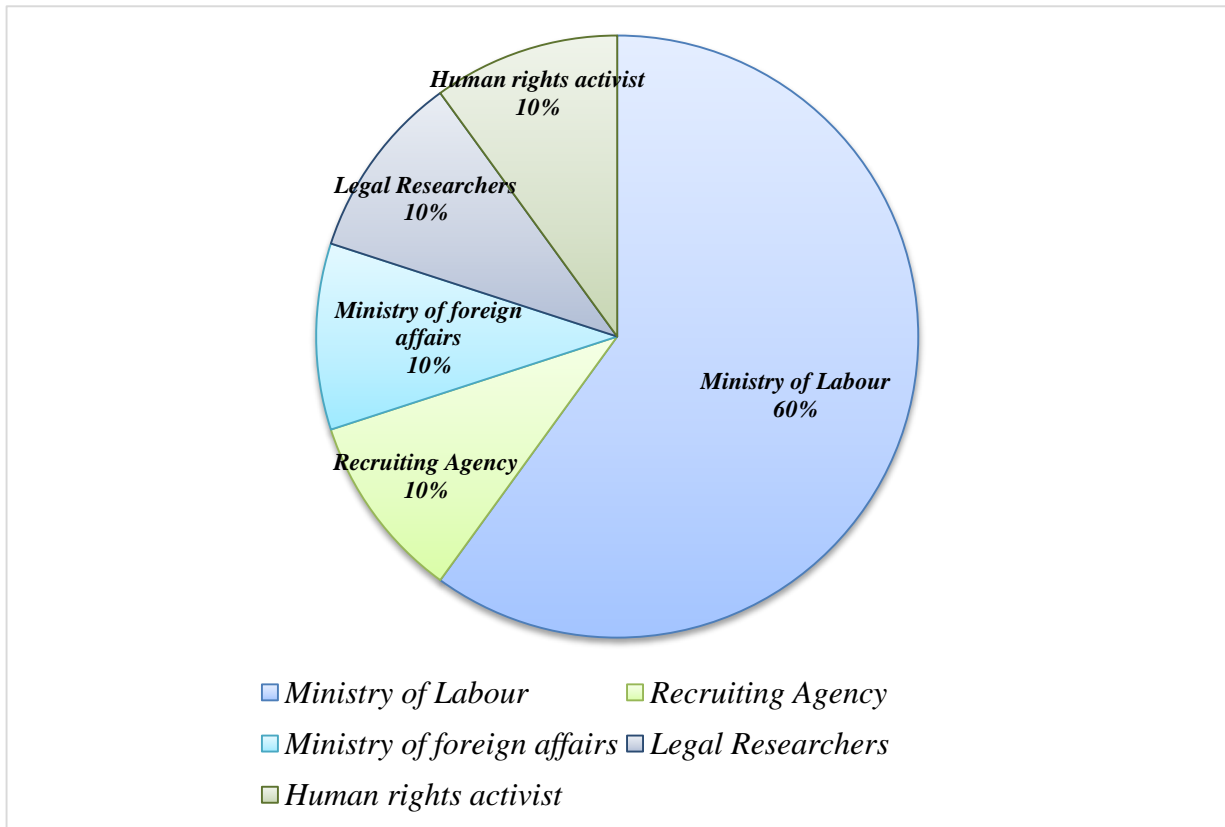


Figure 1: Percentage distribution of respondents

From the study about Migrant Workers in the Construction Industry in United Arab Emirates (UAE): The role of the Ministries of Labour and Foreign Affairs in enforcing fair payments and minimum wages; the following discussion of the results was derived.

Research Question 1 How does UAE government through the ministries of Labour and Foreign Affairs implement and enforce labour laws for migrant construction workers?

Under question one, the study findings revealed that a majority of the respondents stated that ministries of Labour and Foreign Affairs implement and enforce labour laws for migrant

construction workers by producing labour laws and observing human rights, building of inspection offices, provision of complain desks in work locations for the protection of workers and improving the working conditions, hiring researchers, working on language barriers, provision of hot lines, and creating social and cultural awareness and controlling the recruiting companies. These findings are in line with other scholars findings. Froilan, T. Malit Jr., and Ali AL Youha (2013) observed that there have been several developments in terms of federal and Emirates level laws and regulations to address labour issues ... mid-day break law passed in 2005 to protect construction and other outdoor workers. And that the ministry of labour has established offices in Dubai and Abu Dhabi and acting offices all over the other emirates, to facilitate the handling of labour dispute cases.

However, behind the glitz and success of Dubai's rapid economic development there is another story of labour exploitation (Julia and John 2011: 26). The issue of human rights encompasses almost everything pertaining to the freedom of the individual. This can be in terms of freedom to speak, involving in trade unions and bargain for rights, access to health facilities to mention but a few. In the cycle of migration, the migrants interact with different institutions both in the sending and receiving countries, as well as the private players such as PRAs that affect their migration cycles (Shipra 2012: 26). Hardly a day passes when a tale of abuse and exploitation of migrant workers in general and construction workers in particular does not surface in the UAE (Human rights watch 2006: 24). One of the key components contributing to human rights abuse of migrant workers within the UAE construction industry is ignorance.

“May be the biggest challenge is for them is to know their rights, and the right channels to reach the complains offices in case of any violation from

their employers, if they get the wrong information upon their arrival and due to their language restrictions that prevent them from reading the law in Arabic or English, it is a big challenge for them to understand their rights and reclaim for them” (Major General. Obaid AlKitbi, Head of National Emergency, Crisis, and Management Authority Team in Abu Dhabi, Head of Higher Committee of labour Crisis Management).

According to the study findings, on what needs to be done by the ministries of labour and foreign affairs to ensure justice and fair living wage for workers; educating recruitment agencies ranked highest, next was Protection of Human Rights which was followed by raising workers salaries. Next in the ranking was the need to promote security and social culture which equaled with the need to improve working conditions. This was followed by the urge to end deception and human trafficking, allowing partners to operate in the country and the need for new laws that allow these workers to bring over their families to accompany them during their short term migration to the UAE, which is prevented by law due to their low income. These finding are in agreement with the initiative taken by the UAE government in cooperation with the United Nations office of the High Commissioner for Human Rights who have developed a comprehensive national training and capacity building programs for national officials and raise awareness of human rights issues throughout the country in order to promote human rights culture (UAE interact, n.d), and the action taken by ministry of labour which collaborated with Construction Company to provide a 20% pay raise for workers to accommodate increasing costs (UAE Embassy/US, n.d)

The findings of the study showed responses on how employers regard fair wage for labour migrants. Advocating for increase in salaries and wages ranked highest. However those who said there is no need for minimum wage were second in the ranking and finally were those who said there was need for wage protection systems. All in all, these findings confirm the fact that low wages are the main grievances of the construction workers (Human rights watch 2006: 37).

Key to their movement to the UAE, the migrants are in search of better paying jobs, however this comes with some cost implications. Withholding of wages by employers is the most common complaint from construction workers in UAE and this forms the majority of labour disputes reviewed by the labour ministry and Dubai labour agencies (Human rights watch 2006: 29). Foreign construction workers frequently did not receive their wages from employers on time, and sometimes for extended periods (Country Reports on Human Rights Practices in UAE for 2013: 34).

Low wages are the main grievances of the construction workers (Human rights watch 2006: 37). In some cases, the amounts signed while in the home country are different from what they receive when they come. However, the fear of losing the job and also inability to change the job while in contract makes them succumb to this situation (Shipra 2012: 27). UAE authorities estimate an average salary of 600 dirhams (\$164) per month for construction workers though there is little information on public sector salaries (Country Reports on Human Rights Practices in UAE for 2013: 32).

Even in the events of such, the UAE labour law does not protect the right to organize, strike, and bargain collectively (Country Reports on Human Rights Practices in UAE for 2013: 28).

They mostly criticize the country law which prevents the labours collective protestation and strikes in the workplaces or in the street to object to laws or regulation. And even against the law that prevents labour's unions. (Major General. Obaid AlKitbi, Head of National Emergency, Crisis, and Management Authority Team in Abu Dhabi, Head of Higher Committee of labours Crisis Management)

Protests and strikes took place even though most of them were illegal and were related to unpaid wages and hazardous or abusive working conditions (Country Reports on Human Rights Practices in UAE for 2013: 30).

It is therefore not surprising that study showed there is need for wage protection systems.

“As I mentioned the most productive change and big revision was the enforcement of Wage Protection System (WPS), because this enforces the companies to pay salaries through the payroll system in banks, and when they don’t pay or postpone payment, the ministry of labour receives alerts and directly interfere” (Mubarak, owner recruiting agency).

To avert wage related issues, the ministry of labour introduced the wage protection system (WPS). The WPS is an electronic salary transfer system that allows institutions to pay workers via approved banks, exchange bureaus, and other financial institutions (Country Reports on Human Rights Practices in UAE for 2013: 33). By implication government has put in place avenues to protect the workers from exploitation.

Even the study findings revealed that, there are steps government has taken towards migrant issues/complaints. Mediating on migrant cases, establishing labour offices and giving workers pocket books written by their mother languages, investigating cases and referring them to the court prosecutors, and cooperating with the police in an effort to manage and control abuse of human rights, the UAE through the ministry of labour created *“The Higher Committee for Labour Crisis Management”* under the management of Dubai police whose mandate was to protect workers who are working in all kind of companies and industries and even domestic workers, who’s salaries are not involved in the Payroll System through banks.

However there are still major challenges facing the migrant workers in relations to the environment and living condition in the UAE country. Low salaries internationally comparing, as mentioned above, inability to access information, language barrier, poor accommodation, unawareness of their rights, trafficking, lack of motivation by workers and exploitation by sponsor and fake contracts.

Immigration sponsorship laws grant employers enormous power over the lives of their workers; abuses against migrant workers are therefore widespread (Jean 2007: 1). Employers routinely retain the passports for the duration of their workers employment to ensure that the employees do not abscond even though this is against UAE law (Human rights watch 2006: 38). It is such practices that do encourage abuse of migrant workers' rights. There is still much that the ministry of labour and foreign affairs has to do in enforcing fair payments and minimum wages, educating recruitment agencies, protecting Human Rights, raising workers salaries, promote security and social culture, improving working conditions, end deception and trafficking, allow partners to operate in the country and to come up with new comprehensive domestic law that protects the short-term migrant workers.

According to the 2009 – 2010 annual report “*Combating human trafficking in the UAE*” by the national committee to combat human trafficking, the labour ministry outlined specific action plans to raise awareness of human rights related labour issues. Key to this there was collaboration with ILO regional office for Arab states and some of the events included;

- i. Training course on inspection and human rights.
- ii. Train the trainer workshop.

Labour Inspections: in 2013, the higher committee for labour crisis management carried out 1609 labour inspections on labour accommodations (Country Reports on Human Rights Practices in UAE for 2013: 32). Labour inspections if carried out effectively should be able to reduce cases of human rights violations. Companies that are

found not to comply are usually fined and punished depending on the level of non-compliance.

“Yes we receive complains daily, our reaction is that we conduct inspection campaigns regularly to investigate the situation, we furthermore, force fines, punish violators, also we send inspections around all the 7 emirates and regularly get reports about the situation and the standards of accommodation”(Major General. Obaid AlKitbi, Head of National Emergency, Crisis, and Management Authority Team in Abu Dhabi, Head of Higher Committee of labours Crisis Management) .

Once such culprits and violators are punished, this will serve as a warning usually to companies intending to engage in such practices to desist since there will always be consequences associated with it. Government routinely fined employers for violating the midday break rule and published compliance statistics (Country Reports on Human Rights Practices in UAE for 2013: 33). And such companies experience low rating from the MOL, freezing their trade license in some cases, or stop giving them further permissions.

According to the 2009 – 2010 annual report *“Combating human trafficking in the UAE”* by the national committee to combat human trafficking, the labour ministry in coordination with the ILO was in the process of establishing the *“Decent Work Country Programme”*. The key strategies which were being outlined included;

- a. Creating an environment where the fundamental principles and rights at work were to be observed, particularly combating all forms of discrimination at work.

- b. Endeavour to create more employment opportunities for women and men to enhance their access to decent jobs and income through adoption of suitable education and training policies that were responsive to labour market needs.
- c. Strengthening national capabilities to enhance and expand the umbrella of social protection and support the role of social security networks in protecting the less-privileged.
- d. Consolidation of social dialogue and ensuring proactive contribution from social stakeholders in formulating UAE socio-economic policies.

In its effort to address some of these human rights violations, the ministry of labour set up the department of labour relations whose task is to receive complains, study and make investigations before issuing out any punishments appropriate or any resolutions pertaining to the issues at hand.

“Ministry of labour is the official entity that takes the responsibility of protecting the right of workers thus it created since its establishment in 1970s, a department of labour relations and complains which receive any worker and his complains and studies it, investigates and calls the employer to attend along with workers to discuss the worker’s complains seeking the solution and if not reached the case is transferred to the labour court” (Hasan Alsharif, Director of labour studies and information department, Ministry of labour).

With such remedies and action plans, the government through the labour ministry is coming up with appropriate mechanisms that will be beneficial to the migrant labour market and encourage integration and improved international image for the country as a whole.

Also, one of the major steps that has been taken by the MOL to insure educating workers who does not understand both Arabic and English a significant initiative has been made as per Mahir Al Obad- Assistant Undersecretary for Inspection Affairs at the Ministry of Labor

“Beside all what I have mentioned above, I have worked on initiative and completed and signed a cooperation agreement with a Mlibari newspaper “Madhyamam” aiming to strengthen cooperation between the government and the worker’s mother language newspapers published in the gulf and UAE to educate the temporary migrant workers, guide them to the right process and channels through a guidelines campaign in their own language to spread the legal enlightenment of the country. Also including their rights, ministerial decisions, and different MOL services. Though these channels the MOL is targeting to organize the labour market and enforcing rights protections for all workers”(Mahir Al Obad).

According to the 2009 – 2010 annual report *“Combating human trafficking in the UAE”* by the national committee to combat human trafficking, it became mandatory for all companies and organizations to channel their workers’ salaries through banks. The WPS helps in timely payment of salaries and also assists the ministry of labour in verifying if companies make undue deductions from the salaries of workers. Many firms, including quite large and small ones, use a payroll processing firm in order to adhere to the wage protection system, which was implemented by the government in 2009 and 2010 (Suresh et al 2014: 8).

“The government continued to enforce fines for employers who entered incorrect information into the WPS, did not pay workers for over 60 days,

made workers sign documents falsely attesting to benefits, and made workers' pay recruitment fees issued by the Ministry of Labor or recruitment agencies. The ministry referred 377 companies to the courts due to nonpayment of wages for over two months. Workers who were not paid for over 60 days were eligible to find work with another company without the consent of their current employer. The Ministry of Labor made 200 inspection and follow-up visits to recruitment agencies. The Ministry's Combatting Human Trafficking department conducted 474 inspection visits". (Country Reports on Human Rights Practices in UAE for 2013: 30).

Although there are efforts made by government, however there are still major challenges facing the migrant workers in relations to the environment and condition in the UAE country. Low salaries as mentioned above, inability to access information, language barrier, poor accommodation, unawareness of their rights trafficking, lack of motivation by workers and exploitation by sponsor and fake contracts.

Immigration sponsorship laws grant employers enormous powers over the lives of their workers; abuses against migrant workers are therefore widespread (Jean 2007: 1). Employers routinely retain the passports for the duration of their workers employment to ensure that the employees don not abscond even though this is against UAE law (Human rights watch 2006: 38). It is such practices that do encourage abuse of migrant workers' rights. There is still much that the ministry of labour and foreign affairs has to do in enforcing fair payments of minimum wages: educating recruitment agencies, Protection of Human Rights, raising workers salaries, promoting security and social culture, improving working conditions ending deception to migrant workers when signing contract by sponsors and ending trafficking, allowing partners to operate in the country and to come up with new domestic law that protects the workers.

Conclusion

Migrant workers move from time to time to the United Arab Emirates (UAE) in search of better paying and juicy jobs than the available one in their countries of origin. Some of these migrations are as a result perceptions, hearsay and also convinced by the recruiting agencies of what to expect once they reach UAE. Many of them are forced to abandon their countries of origin and trek relying on these renewed promise of a better life. The booming and rapid growing economy of UAE calls for such and consequently expatriate foreign labour is required mainly at the unskilled or low skilled level. These migrant workers are therefore recruited to work within the construction industries. Most of these workers are brought under the Kafala system of sponsorship where they are answerable to their employers and all their rights belong to them (employers). Because of the greater authority the employers have, they confiscate the workers passports and at times withhold their pay to ensure the workers are kept under a situation of desperation and make it hard to search for better opportunities. The Kafala system in itself has been very harsh on the migrant workers and has led to vast amounts of human and labour rights abuses.

Based on the findings and analysis of the fieldwork given above and the literature reviewed, I analysed the efforts the ministries of labour and foreign affairs were putting in place to ensure that the migrant workers' rights were being protected in ensuring justice and pay. Through the in depth interviews and questionnaires with the various personnel within these two ministries, I analyzed that though there is an effort by government to ensure a fair regulatory policy to protect workers' rights, the Kafala system makes it difficult to implement some of these due to the issue of contracts. These migrant construction workers make choices that hurt them once they reach UAE since most of them sign contracts written in English and yet they barely understand what is contained within these documents. I analysed the effect of introducing the wage protection system (WPS) by the ministry of labour. This system has been effective in that it cuts down on the issue of delayed or withholding of workers' wages and salaries in that once an employer violates this, they are penalized with a fine and most of them are complying to standards. However, there was the complexity of low wages which the

ministries of labour and foreign affairs had little say about as most of these migrant workers signed contracts with the employers and agreed to the terms and conditions.

This analysis helps in understanding the complexities of labour rights and wage situation of migrant workers within the construction industry in the UAE in relation to the role being played by the ministries of labour and foreign affairs.

CHAPTER 6: REFLECTIONS AND CONCLUSIONS

The objective of this research is to analyze government's role in enforcing labour laws in order to ensure justice and fair living wages for migrant workers, fundamental rights from abuse and exploitation and unfair labour migration policies and practices in UAE.

However, this is not an easy task. As discussed earlier, migrant workers in this region often confront several unfair labour migration policies and practices such as denial of freedom of association, sponsor system, limited legal rights, poor supervision and limited access to community help system that force them to the greater vulnerability. Moreover, those people are often unaware of their fundamental rights are infringed and not able to access effective remedies because domestic remedies are more complex, difficult, cost expense and unknown to migrant workers. In such legal actions, defendants are mostly states, corporations or employers and plaintiffs are individual migrant workers who are always in weaker position. In addition, access to court is limited and complicated and to succeed in court proceedings is particularly difficult because legal system in this region normally take very long process and costs a lot of money, and nationals always have it. There are a number of international legal instruments to ensure fundamental rights and dignity of migrant workers. However, the protection issue of migrant workers is more complicated in general because destination states are unwilling to be responsible for consequences of non-nationals. Consequently, it is difficult to rely on public authorities to take adequate action to provide protection and remedies for migrant workers. Thus, the protection issue of migrant workers is more relied on international organizations such as the ILO and ITUC. Recently, the ITUC of Asian Pacific regional office adopted the action plan on Policy and Action on Migrant Labour.

In the UAE, there is also a timid progress from a raising public awareness. Under pressure from the international community, stressed at the regular reports published by various human rights organizations, the government of UAE slowly started to react. A standard employment contract for construction workers in 2008, along with regulations aimed at doing away with the commission fees imposed on these workers by recruitment agencies, and affording them decent living and working conditions.

At this point, we could see that a wide range of actors should be consulted and vigorously involved in the design, monitoring and evaluation of labor migration policies. Certainly, the government of UAE has the primary duty for creating the adequate policies of labour migration through the enactment and enforcement of effective laws, policies and programmes, however, the formulation and implementation of migration policies should be more effective when it is found upon extensive collaboration with a wide range of actors, particularly the social partners. In order to enhance such collaboration, the ILO's unique tripartite machinery will facilitate a distinct and effective international collaboration and consultation on labour migration and promotion of social dialogue will improve cooperation between all the stakeholders to be effectively involved in the implementation.

Overall, the government has tried all efforts within its means to help migrants within the construction industry and there will be considerable reduction in the exploitation of workers if these policies and reforms are managed effectively.

According to findings which were discussed in relation to the objectives and the research questions it can be concluded that ministries of Labour and Foreign Affairs implement and enforce labour laws for migrant construction workers by producing labour laws and observing

Human Rights, building of inspection offices which constantly monitor the plight of workers from being exploited by the sponsors. There is provision of complaint desks for channeling grievances of the migrant workers against the sponsors and protection of workers and improving on the working-conditions for improvement of salary, provision of accommodation, provision of mid-day breaks, hiring researchers to investigate on cases, working on language barriers and provision of hot lines which allows workers to file complaints, check status of application and ask questions. There are also investigations carried out on migrants' complaints, mediations by ministry of labour officials. They have produced worker pocket book which gives information to rules and regulations of working in the UAE. The ministry cooperates with the police to address immediate cases of abuse and make referral where need be to the court prosecutor, creating social and cultural awareness, and controlling the recruiting companies.

Although there are efforts made by government, however there are still major challenges facing the migrant workers in relations to the environment and condition in the UAE country. Low salaries still exist still rise in pay does not affect all companies, inability to access information due to language barrier since migrant workers can't speak English and Arabic, inadequate accommodation, unawareness of their rights, prevention of collective bargaining and strikes, trafficking, lack of motivation by workers, exploitation by sponsor and fake contracts. There are also gaps in the National Labours Law which are still old and don't adhere to human rights and most of the workers still work for long hours.

Recommendations for further study

Having found out that there are challenges faced by the ministries of labour and foreign affairs the following suggestions were made for the government

- ◆ Implement the labour law article 91 which states that the importing company should provide insurance for their workers
- ◆ Laws should be enforced and Human Right Activists to monitor the implementation of these laws.
- ◆ There should be the same official working contract for recruiting companies with the same conditions and measurements.
- ◆ More education for people on human rights and promote Human Rights standards to all (residents, business owners, recruiting agencies)
- ◆ Increase the unskilled workers' salaries
- ◆ Regular dialogue between importing countries representatives, recruiting agencies, policy makers, and representatives from ministry of labour for regular negotiations, for the improvement of laborers' workers status quo.

Therefore in view of the findings above, the researcher suggested that further research be conducted on migrant workers salaries and minimum wage to enable broad based intervention for a better quality of life migrant worker.

References

- Ayala, L.S. (2012) 'Interviewing techniques for migrant minority groups', in C.V. Silva(ed.) *Handbook of Research Methods in Migration*, pp.117-136. Cheltenham, UK: Edward Elzar.
- Baum, T.(2012) *Migrant workers in the international hotel industry*; International Labour Office, International Migration Branch, Sectoral Activities Department. – Geneva: ILO, 2012. 1 v. International migration paper; ISSN 1020-2668; 1564-4839 (.pdf); No. 112.
- Clark-Kazak, C.R. (2009) 'Towards a working definition and application Social age in International development Studies', *Journal of Development Studies* 45(8): 1307-1324.
- Courtney Trenwith (2014). Over 1000 cases of labour abuses referred to prosecutors in UAE. Accessed September 2014 <<http://www.arabianbusiness.com/over-1000-cases-of-labour-abuses-referred-prosecutors-in-uae-552086.html>>
- David, K & Nicholas, M. (2008) "Enforcing Migrant Workers' Rights in the United Arab Emirates", *International Journal on Minority and Group Rights*, Vol. 15, pp. 81 – 115.
- Embassy of the United Arab Emirates in Washington, DC. Labor Rights in the UAE. Accessed November 2,2014 < <http://www.uae-embassy.org/uae/human-rights/labor-rights>>
- Emirates Center for Human Rights .(n.d) 'Migrant Workers in the United Arab Emirates. Accessed on 11 April 2014< <http://www.echr.org.uk/wp-content/uploads/2012/07/ECHR-Report-on-Migrant-Workers-in-the-UAE.pdf>>
- Froilian T.Malit.,Ali Al Youha .(2013) Labor Migration in the United Arab Emirates: Challenges and Responses. Accessed May 16, 2014<<http://www.migrationpolicy.org/article/labor-migration-united-arab-emirates-challenges-and-responses>>.

Human Rights Watch. (2006). *Building Towers, Cheating Workers: Exploitation of Migrant Construction Workers in the United Arab Emirates*. Human Rights Watch, Special Report, Middle East and North Africa Section, New York. Vol. 18, no. 8(E), pp. 21 – 56.

Human Rights Watch. (2009b). *‘The Island of Happiness’*: Exploitation of Migrant Workers on Saadiyat Island, Abu Dhabi. Human Rights Watch, New York.

Hobbs, D. and R. Wright (eds) (2006) *The Sage handbook of fieldwork*. London: Sage .

International Labour Organization .(n.d) ‘Co95-Protection of Wages Convention, 1949 (No 95).Accessed 11 April 2014<

http://www.ilo.org/dyn/normlex/es/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:CON,en,C095,%2FDocument>

Jean, S. (2007), *The plight of the UAE’s migrant workers: the flipside of a booming economy*, working paper, 2007.

Julia, C & John, B. (2011) “The labour market, Immigration and the building of Dubai”, *international employment relations review*, Vol. 17, no. 2, pp. 21 – 34.

Kassim, R. (2012) *Workforce Nationalization in the Gulf Cooperation Council States*, occasional paper no.9 to the Center for International and Regional Studies Georgetown University School of Foreign Service in Qatar.

Lalani, M. (2008). *An Analysis of the Kafala (Sponsorship) System in the Kingdom of Bahrain*. Masters of Philosophy Dissertation in Modern Middle Eastern Studies.

Faculty of Oriental Studies, University of Oxford, UK.

- Migrant Forum in Asia. (n.d) Reforms of the Kafala (Sponsorship) system. Policy Brief No.2.
- Milton Fisk. (2007) *Guantanamo Bay and the Judicial-Moral Treatment of the Other*, edited by C. Butler (W. Lafayette, IN: Purdue University Press, 2007), 146-160.
- Mohammad, A, A. (2010) “Ending the Exploitation of Migrant Workers in the Gulf”, *The fletcher forum of world affairs*, Vol. 34, no. 2, pp. 87 – 107.
- Oliver, P. (2006) ‘Purposive Sampling’, in V. Jupp (ed.) *The SAGE Dictionary of Social Science Research Methods*, pp.245-246. SAGE Publications.
- Pradhan, R. (2006) Understanding Social Exclusion and Social Inclusion in the Nepalese Context: Some Preliminary Remarks, working paper, 2006.
- Robin, P. (2001) “Social Exclusion: A Concept in need of definition?” *Social Policy Journal of New Zealand*, no. 16, pp. 17 – 36.
- Robina, M & James, D, S .(2012) ‘Spectacular Urbanization amidst Variegated Geographies of Globalization: Learning from Abu Dhabi’s Trajectory through the Lives of South Asian Men’, *International journal of urban and regional research*, Vol. 36, no. 3, pp. 606 – 627.
- Shah, Nasra and Philippe Fargues. (2012) *The Socioeconomic Impacts of GCC Migration*. Cambridge: Gulf Research Centre .Accessed August 2014<<http://www.migrationpolicy.org/article/labor-migration-united-arab-emirates-challenges-and-responses>>
- Shipra, S. (2012) Young Migrant Women from South Asia in the UAE: Negotiating Identities under the Kafala System, working paper, 2012.
- Social Exclusion Unit (2003) *Making the Connections: Final Report on Transport and Social Exclusion*, viewed 6th October 2014, <<http://www.socialexclusionunit.gov.uk/publications/reports/html/transportfinal/summary>>.

Sonmez, S., Y. Apostolopoulos, D. Tran, and S. Rentropé .(2011) .Human Rights and Health Disparities for Migrant Workers in the UAE. Journal of Health and Human Rights: An International Journal, 13(2): 1-19.

Suresh, N, Yaw, N & Shing, Y, W. (2014) Worker Mobility in a Global Labor Market: Evidence from the United Arab Emirates, working paper, 2014.

Timothy, R & Sasikumar, S, K. (2012) ‘Migration of Women Workers from South Ashia to the Gulf’. India: V.V Giri national Labour Institute and UN Women.

Tong Q. (2010). Wage structures in the United Arabs Emirates. Working paper no.2. institute for social and economic research, Zayed university.

Torres R et al. (2012). Building Austin,building justice; migrant construction workers, precarious labor regimes and social citizenship. Geoforum 45

U A E interact .(n.d) Human Rights. Accessed on September 12, 2014
http://www.uaeinteract.com/government/human_rights.asp

UAE Ministry of Labour (2007).The Protection of the Rights of Workers in the United Arab Emirates. Annual Report.

UAE National committee to combat human trafficking, combating human trafficking in the UAE annual report 2009 – 2010.

United Nations (2013). International migration report. United Nations, department of economic and social affairs, population division.

United States Department of State Bureau of Democracy, Human Rights and Labor, Country Reports on Human Rights Practices for 2013, United Arab Emirates 2013 human rights report.

Virginia, M 2012, Are Labour Rights Human Rights? An Institute for Human Rights Working Paper, 2012.

Willoughby, J. (2006) Ambivalent anxieties of the South Asian–Gulf Arab labor exchange. In: Fox, J.W., Mourtada-Sabbah, N., al-Mutawa, M. (Eds.), *Globalization and the Gulf*. Routledge, London, pp. 223–243.

SECTION 1: BACKGROUND CHARACTERISTICS

- 1) Name (optional)
.....
- 2) Gender.
 - a) Male.
 - b) Female.
- 3) Job Title.
 - a) Engineer.
 - b) Engineering Assistant.
 - c) Supervisor.
 - d) Foreman.
 - e) Mason/Labourers.
 - f) Others (specify).....
- 4) Experience.
 - a) below 5 years
 - b) 6 – 10 years
 - c) 10 – 15 years
 - d) Above 15 years
- 5) How many years/months have you spent with the current company you are working for?
.....
- 6) Please select your age group.
 - a) 15 – 20 years.
 - b) 20 – 30 years.
 - c) 30 – 40 years.
 - d) 40 – 50 years.
 - e) Above 50 years.
- 7) How long have you been in UAE.
 - a) 0 – 5 years.
 - b) 6 – 10 years.
 - c) 11 – 15 years.

- d) 16 – 20 years.
- e) Above 20 years.

8) What is your nationality

.....

9) Please select your continent.

- a) Asia
- b) Africa
- c) Europe
- d) North America
- e) South America

SECTION 2:

10) What conditions forced you to migrate to UAE

- a) In search of better paying jobs.
- b) Peer influence.
- c) Family influence.
- d) Promise of better life.
- e) Others, please specify.

11) Which agency was responsible for your migration to UAE

- a) A local legal recruitment firm.
- b) Help from friends already working in UAE.
- c) Own initiative.
- d) Others, please specify.....

12) If option (a) in question (11) was your response, then please specify the terms and conditions you were promised. Otherwise proceed to question (13)

.....
.....
.....
.....
.....
.....

13) In relation to your employment in the construction industry, please rate your experience in order of satisfaction since you migrated.

- a) (0 – 2) ~ Very poor.
- b) (3 – 4) ~ Fair.
- c) (5 – 6) ~ Good.
- d) (7 – 8) ~ Very good.
- e) (9 – 10) ~ Exceptional.

14) How many hours do you spend in a day working at the various sites you are attached to?

- a) 4 – 6 hours.
- b) 8 – 12 hours.
- c) 12 – 16 hours.
- d) 16 – 20 hours.

15) In relation to the time spent working, please specify the salary/wage you are entitled to.

- a) Below \$ 100 per month.
- b) \$ 100 - \$ 300 per month.
- c) \$ 300 - \$ 500 per month.
- d) Above \$ 500 per month.

16) Are you working under a contract for the company employing you.

- a) No.
- b) Yes.
- c) Not sure.

17) If yes, what type of contract have you been working under. Otherwise proceed to question (18).

- a) Full type.
- b) Part time.
- c) Labourer.

18) In your opinion, why do human rights reports accuse UAE of violating migrant workers' rights?

.....
.....
.....
.....

.....
.....
.....
.....

19) As a foreign migrate working for some of the companies in this country, what are some of the challenges you are facing in relation to the working environment and conditions.

.....
.....
.....
.....
.....
.....

20) In relation to question (18), have you reported some of these challenges to the concerned local authorities?

- a) Yes.
- b) No.

If yes please answer question (20), otherwise answer question (21) for option b.

21) What has been their reaction to your complains

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

22) What factors have prevented you from reporting these challenges being faced working for these companies.

.....
.....
.....
.....

23) Has the government been making an effort to protect the foreign labourers in this country?

- a) Yes.
- b) No.
- c) Not sure.

24) If yes, please highlight some of the key efforts that have been made by the government to protect you as a foreign labourer.

.....
.....
.....
.....
.....

25) What more should the government be doing?

.....
...
.....
.
.....
.....
.....
.....
.....
.....

25) Please rate the government's efforts in protecting your rights.

- a) (0 – 2) ~ Very poor
- b) (3 – 4) ~ Fair
- c) (5 – 6) ~ Good
- d) (7 – 8) ~ Very good
- e) (9 – 10) ~ Exceptional

27) For the time you have been working in this country, has the government made an effort to revise its labour laws?

- f) Yes.
- g) No.
- h) Not sure.

If yes, please answer question (26) otherwise proceed to question (27)

28) What are some of the revisions that have been made to these laws?

Please give only two options.

- a) Improved minimum wage/salary.
- b) Better insurance of the workers' rights.
- c)
- d) Others, please specify.

29) In your opinion, what are the priorities that the government should put in place to better your working conditions.

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Thanks for your time