

## **Trade Union Centre for Undocumented Migrant Workers**

### **Undocumented migrant workers also have rights at work!**

Are you being discriminated against or harassed at work?

Do you work for 20 kronor per hour?

Do you work without breaks?

Do you get your pay in time?

## **All workers have rights – also undocumented migrant workers**

Labour law and regulations apply for all, also for those who do not have a residence permit or a work permit.

In Sweden it is illegal for employers to hire persons who do not have a work permit. And it is illegal for those without a work permit to work. There are some asylum seekers who are entitled to work without a work permit.

The fact that it is unlawful to employ persons who do not have a work permit and unlawful for them to work, does not however imply that a person working without a work permit does not have any rights. Labour law and collective agreements must always be respected, even by those who employ undocumented workers.

### **Working hours**

The provisions of the Working Hours Act regarding maximum working hours as well as the right to have a break and a rest apply for all workers, including those without documents.

### **Work environment**

The employer is obliged to make sure that all workers have a decent work environment.

## **Legislation and collective agreements – your rights**

**Discrimination and harassment** – undocumented workers also have a legal right to be protected against discrimination and harassment. Sexual harassment is never accepted.

### **Pay**

In Sweden there is no minimum pay stipulated by law. Instead, pay is defined in collective agreements between employers and trade unions. Everyone has the right to get the agreed pay in time.

### **Collective agreements**

An employer who has signed a collective agreement, is obliged to offer all the employees - even those undocumented - the pay and the rights guaranteed in the agreement. You may get better pay and conditions than those in the collective agreement, but never worse.

### **Trade unions' role**

In Sweden it is first of all trade unions, not the authorities, that ensure that labour law and collective agreements are respected. Therefore we advise you to contact trade unions, not the authorities, if problems occur at work.

### **The task of the Trade Union Centre for Undocumented Migrant Workers**

The Trade Union Centre for Undocumented Migrant Workers assists undocumented migrant workers and those seeking asylum to safeguard their rights in the Swedish labour market.

Through the Centre, undocumented migrant workers and those seeking asylum can get information about their rights in the labour market and advice on wages, working conditions and work environment.

The Centre can provide help to those undocumented migrant workers whose rights have been violated in the labour market. The aid is provided by the trade union with the best knowledge of the sector concerned.

Undocumented migrant workers who contact the Centre may remain anonymous.

In addition, the Trade Union Centre for Undocumented Migrant Workers can provide information on how undocumented migrant workers can get medical treatment and help with asylum issues, but the Centre itself cannot provide this sort of assistance. The Centre has no possibility of providing financial aid to undocumented migrant workers.

## **The Swedish Trade Union Centre for Undocumented Migrant Workers**

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The Trade Union Centre for Undocumented Migrant workers is a joint initiative of the trade union organisations Akademikerförbundet SSR (a union of university graduates), The Building Workers' Union, ST (The Union of Civil Servants), The Building Maintenance Workers' union, The Commercial Employees' Union, LO (The Swedish Trade Union Confederation), SEKO (The Union for Service and Communications Employees), GS (the union of workers in the forestry, woodworking and graphic industries), Vårdförbundet (The Swedish Association of Health Professionals), SKTF (a union for publicly and privately employed salaried employees), TCO (The Swedish Confederation for Professional Employees), Unionen (a union for professionals in the private sector), The Transport Workers' Union, The Painters' Union, The Electricians' Union, The Food Workers' Union and The Hotel and Restaurant Workers' Union.

The aim is to prevent undocumented migrant workers and asylum seekers from being exploited in the labour market and to provide assistance for those having been treated badly.