

‘The Biggest Problem We Are Facing Is the Running Away Problem’: Recruitment and the Paradox of Facilitating the Mobility of Immobile Workers

Work, Employment and Society

1–17

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DOI: 10.1177/09500170221094764

journals.sagepub.com/home/wes**Katharine Jones**

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Abstract

Fee-charging recruitment industries in Asia have become gatekeepers to temporary employment in low-wage occupations for millions of migrant workers. One of these jobs is live-in domestic work in private households. Increasingly, workers' recruiters are depicted as contributing to their precarious, sometimes exploitative, working conditions. However, these narratives misunderstand the systemic and regulatory functions of agencies as transnational labour market actors. This article analyses the relationship between domestic work placement agencies in Jordan and Lebanon and their clients (the employers) as they negotiate the recruitment of women from Bangladesh. Drawing on data from 146 qualitative interviews, it addresses the mechanisms of how exploitative, controlling practices are constructed and normalised by agencies in their everyday interactions with their clients as well as with workers. The article argues that placement agencies play a paradoxical role; whilst facilitating global mobility they also broker worker immobility.

Keywords

Bangladesh, domestic workers, Jordan, Lebanon, migrants, placement agencies, recruitment, trafficking

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Introduction

Over the last three decades, fee-charging recruitment industries in Asia have transformed entry to low-wage employment for millions of migrant workers (Xiang and Lindquist, 2018). One of these sectors is domestic work, a form of paid reproductive labour performed in private households, involving cleaning, shopping and caring activities. It is a very intimate form of labour (Lan, 2018). Globally, at least 11.5 million migrant women are employed as live-in domestic workers, with many recruited by agencies (ILO, 2015b). Their precarious, sometimes exploitative, working conditions are frequently the subject of human rights campaigns (Amnesty, 2012, 2019; Human Rights Watch (HRW), 2012). Recruiters, especially in women's home countries, are increasingly depicted as 'unscrupulous' contributors to their situation (ILO, 2015a; UNODC, 2015), or even traffickers (Jureidini, 2010). Recruitment is therefore increasingly significant in global migration governance debates and instruments (Jones, 2021). First and foremost, the Domestic Workers Convention (ILO C189), adopted in 2011, requires states to protect domestic workers from abusive recruitment (Rosewarne, 2013). Adopted six years later, the Global Compact on Safe, Orderly and Regular Migration (GCM) Objective 6 aims to 'facilitate fair and ethical recruitment' in the context of 'safeguarding the conditions that ensure decent work' (GCM, 2018: 12–13). Yet, ten years after C189, the lack of substantive progress on domestic workers' rights is evident (ILO, 2021). In part, this article argues, this is because current policy approaches misunderstand the systemic and regulatory functions of agencies as labour market actors (Shire, 2020). To address this knowledge gap, this article analyses the relationship between domestic work placement agencies¹ based in Amman (Jordan) and Beirut (Lebanon) and their clients (the employers) as they negotiate the recruitment of women from Bangladesh. It addresses the mechanisms of how exploitative and controlling practices are constructed, maintained, and normalised by agencies in their interactions with their clients as well as with workers.

Domestic work placement agencies are a form of labour market intermediary, brokering employment for a fee (Coe et al., 2010). In recruiting temporary workers from one country for placement in employment in another, they are also intermediaries of migration (Jones, 2014). In Asia, agencies are the 'front office' of a global network of actors enabling employers to access workers, often thousands of miles away, with whom they lack a shared language and culture (Jones, 2021). Conversely, for workers, agencies are a (mostly hidden) 'back office' of extended local and transnational informal, community or family-based networks (Deshingkar, 2019). Since the 1990s, their role as well as their numbers have increased, driven in part by the privatisation of governmental migration management processes (Gammeltoft-Hansen and Sorensen, 2013; Xiang and Lindquist, 2018). Consequently, the supply of low-wage migrant workers has become increasingly profitable for agencies (Harvey et al., 2018). However, to date, agencies' roles as transnational labour market actors in the care sector have been under-theorised (Goh et al., 2017; Shire, 2020). In response, this article draws on data from a multi-country qualitative research study conducted with domestic work agencies in Jordan, Lebanon, and Bangladesh between 2013 and 2015. At the time of the research, Bangladeshi women, hired on two-year temporary contracts, were the dominant nationality in this occupation in Jordan and Lebanon.

The article is structured in five main sections. The first theorises placement agencies as transnational labour market actors, followed by an overview of the research context, methodology and three empirical sections. The article concludes that placement agencies play a paradoxical role in transnational care markets. Whilst facilitating global mobility they also broker worker immobility through coaching clients how to discipline and control their employees. The findings contribute to the sociological and geographical literatures on the role of agencies in regulating flexible labour in multi-scalar labour markets (Gottfried, 1992; Lan, 2018; McCollum and Findlay, 2018; Pun et al., 2018; Shire, 2020).

Placement agencies as transnational labour market actors

In Asia, agencies engage in various logistical and bureaucratic activities to facilitate mobility through formal channels. These include brokering visas, arranging birth certificates and passports, booking transportation, guiding, finding jobs and/or accommodation, connecting migrants to healthcare and medical tests and providing training and remittance services (Agunias, 2009). These are more than simple practical tasks; what agencies do has an impact on the workers they place as well as the wider labour markets in which they operate (Peck and Theodore, 2001; Shire, 2020). Agencies facilitate the transnational mobility of workers that would otherwise be challenging due to complex and restrictive immigration controls, distance, cultural and language differences and workers' lack of knowledge of how and where to find overseas jobs (Deshingkar, 2019). Their actions assist people living in poorer nations to overcome the inequalities inherent in a world in which mobility is reserved for the rich (Alpes, 2017). In influencing individual migrants' decisions about where to migrate (Harvey et al., 2018), agencies also indirectly impact on the geographies and size of migration flows (Guevarra, 2010). At the same time, through collectively expanding opportunities for migrants who then remit monies home, they contribute to the economic development of migrants' home communities (Kern and Müller-Böcker, 2015).

On the other hand, agencies also contribute to global labour market inequalities as they influence who is being recruited for what jobs, what they are paid and on what terms and conditions (Jones, 2014; McCollum and Findlay, 2018). Through targeting specific groups of marginalised workers, channelling them into low-wage precarious jobs, agencies contribute to the production of highly gendered and racialised labour markets nationally (Peck and Theodore, 2001; Vosko, 2000) and transnationally (Jones, 2021). In effect, they are regulatory gatekeepers to labour markets (Goh et al., 2017). They are however not free to act solely on their own accord as agencies operate within complex, multi-institutional and multi-scalar, labour markets (Coe et al., 2010; Peck and Theodore, 2001). Government regulation of the industry, the wider labour market, social welfare and industrial relations, as well as agencies' own business strategies constrain and enable their actions and growth (Jones, 2021). In this context, transnational labour markets are not geographically bounded 'travel to work' areas; they are politically (and geographically) constructed segments of national labour markets existing simultaneously in both origin and destination states (Shire, 2020: 435, see also Jones, 2014). In recruiting migrant workers from one country and placing them in employment in another, agencies mediate the transnational labour exchanges between origin and destination labour markets (Shire, 2020).

Agencies do not only transport workers and find jobs for them; they also regulate labour in different ways on behalf of the state and of employers. Increasingly, destination states outsource recruitment to agencies in organised guestworker programmes, which, in effect, require recruiters to police migrants' mobility (Guevarra, 2010; Hennebry, 2008). This is because states reliant on migrant labour face additional uncertainties and risks inherent in regulating mobile workers from another legal jurisdiction (Shire, 2020). Agencies are deployed to ensure that workers from poorer countries recruited into low-wage precarious jobs are subjected to intensive controls, lower labour protections and fewer rights by virtue of their immigration status (Hennebry, 2008). In workplaces, employers, often with the assistance of agencies, manage migrants' compliance through use of biometrics, surveillance and labour practices such as the confiscation of migrant worker passports, housing workers in dormitories or employers' homes and the denial of access to trade unions (Pun et al., 2018). Consequently, the distinction between agencies and the state is sometimes ambiguous (Xiang and Lindquist, 2018).

Agencies also engage in regulating migrant mobility in additional and specific ways. Through training and coaching, often before they leave their home countries, they instil requirements for docility and compliance in their recruits (Guevarra, 2010; Liang, 2011; Wee et al., 2019). This may be framed as a mediation of cultural practices (Lan, 2018). Moreover, the common recruitment practice of charging fees to migrants generates debt, in effect acting as a disciplinary mechanism to ensure workers remain in their employment placement for the full length of their contract without complaining (O'Connell Davison, 2013). At the same time, workers recruited by agencies have little power to influence the terms and conditions of their employment contracts since these are negotiated without their input (Gottfried, 1992; Peck and Theodore, 2001). Together with state and employer controls, these practices 'transform the experience of mobility into a situation of immobility and isolation, designed to coerce work effort in which the act of running away is an act of resistance to restrictions on labour mobility' (Shire, 2020: 446). The following section turns next to set out the context of this research.

Domestic work labour markets between Bangladesh, Jordan and Lebanon

At the time the research was conducted, between 2013 and 2015, over 41,000 migrant domestic workers were legally registered in Jordan and over 200,000 in Lebanon, although these official figures were almost certainly a substantial undercount.² Women from Bangladesh had recently become the majority nationality in this workforce in both countries. Household domestic workers commonly did more than clean and shop, they also took care of children, the sick and the elderly. They enabled their, largely female, employers to offset the high costs of marketised welfare systems (Raghuram, 2012), participate in paid employment and increase their leisure time and social status (Frantz, 2013). In Asia, while care services are predominantly financed, organised and provided on a national basis, the internationalisation strategies of households, corporations and states have created a buoyant transnational care service economy, governed by the interaction between national level processes (Truong, 1996; Yeates, 2009). This has generated transnational labour markets in the supply and placement of (migrant domestic)

workers (Jones, 2014; Shire, 2020: 435). In both Jordan and Lebanon, domestic work placement agencies were ubiquitous by 2013. In Jordan, this was in part because employers were required by the state to use placement agency services to recruit domestic workers. In Lebanon, employers were not legally required to use an agency, but almost all did so as to avoid having to navigate the complicated immigration bureaucracy as well as the necessity of lodging a US\$1,000 bond with the authorities, required for all those engaging in overseas recruitment (ILO, 2016). Unlike in Europe and North America (McCollum and Findlay, 2018; Peck and Theodore, 2001), these agencies' sole business was the placement of migrant domestic workers, as neither the Jordanian nor the Lebanese government allowed them to operate freely in other sectors.

Employers – agencies the clients – paid agency fees of up to US\$6,000 for organising the end-to-end recruitment process (Jones, 2021). This included selecting a candidate in Bangladesh, organising her journey, and processing all the required immigration and emigration paperwork in both origin and destination countries. Typically, agencies in Jordan and Lebanon subcontracted recruitment to associated agencies in Dhaka, paying them a commission of between US\$300 and US\$500.³ These agencies relied on extended networks of brokers (known as *dalals*) to find potential candidates, usually in the rural villages of Bangladesh (Jones, 2021).

In Bangladesh, the proportion of female migrants relative to male was small (approximately five percent) but significant for the Bangladesh government.⁴ To migrate for domestic work legally, women were required to use – and pay for – the services of one of 29 agencies which had received special permission from the government to recruit women. Unlike in Jordan and Lebanon, this was not their sole business. The recruitment of women for overseas domestic work was a small, but nevertheless highly profitable, part of their businesses supplying men to overseas work, often in the Middle East or Malaysia (Deshingkar, 2019). Until 2003, Bangladesh prohibited the migration of women for overseas domestic work; female migration was commonly regarded as 'shameful' (Afsar, 2009). Restrictions were removed, in part due to intense lobbying by the recruitment industry which sought a share in the profits which they saw their counterparts in other South and Southeast Asian countries generate from the supply of migrant domestic workers.⁵

In addition to recruitment, agencies were responsible for arranging the emigration process, which for women, was additionally complex. Only women aged between 25 and 45 could legally migrate contingent on submission of a 'permission letter' from their male guardian (this could be a husband, father or brother). Moreover, women were required to attend a 12-week domestic work residential training course, which, like those studied in other countries, aimed at inculcating docility and compliance (Guevarra, 2010), educating women in 'cultural' practices (Lan, 2018) and teaching them how to use modern kitchen appliances. In addition, women were required to provide evidence that they were not pregnant to receive official permission to migrate. For arranging all of this, in 2013, agencies were legally allowed to charge their female recruits fees up to US\$260. However, women were commonly charged substantially more than this by agencies – between US\$700 and US\$1,000 for jobs in Jordan and Lebanon.⁶

Jordan and Lebanon, Bangladeshi women, like all migrant women, were subject to Kafala regulation, a form of 'tied' domestic worker visa (Frantz, 2013; Pande, 2013). This precluded women from changing employer or leaving the country without the

employer's written permission, at best a highly unequal employment relationship and at worst, an example of unfree labour. In effect, this also enshrined in law that domestic work was a private household responsibility rather than a matter for government employment regulation.

In theory, migrant women were 'employees', signatories to standardised employment contracts which were legally required as a condition of entry into Jordan and Lebanon, and as a condition of emigration from Bangladesh. In 2003, with the support of the ILO, Jordan became the first Arab country to adopt a 'standard unified contract' for domestic workers. In this new contract, employers were required to cover the cost of all permits, a return flight, and to provide the worker with food, lodging, clothing and medical care. The contract also specified that workers should retain their own passports and provided a right for workers to have one day of rest per week and the ability to communicate with people outside the household. A similar standardised contract was introduced in Lebanon in 2009, additionally providing for the right to a maximum ten-hour working day, phone calls and annual holidays. Critically, it established the right for migrant women to leave their employers' household if they were abused or had not received their salary for three months.

Furthermore, in response to the Domestic Worker Convention (ILO C189), all three countries had recently introduced enhanced regulation of their recruitment industries, including a requirement for them to be licensed to legally operate. In 2012, the governments of Bangladesh and Jordan, again with the support of the ILO, adopted a Memorandum of Understanding on recruitment of Bangladeshi women. The agreement specified that recruitment could only be conducted by licensed agencies, had to be consistent with national laws in both countries and that employers should bear the full cost of recruitment. In addition, the ILO worked with industry associations to draft codes of conduct aimed at improving recruitment standards.

However, in practice, these rules were rarely enforced and few migrant domestic workers in Jordan and Lebanon risked complaining as this would mean contract termination and potential deportation (Pande, 2013). At the time of the research, psychological and physical abuse was well-documented among migrant domestic workforces in Lebanon and Jordan (Amnesty, 2012; HRW, 2012). Women's passports were commonly confiscated by their employers (Frantz, 2013; Pande, 2013), and less extreme forms of exploitation – such as long working hours, unsuitable sleeping accommodation and no rest days – were the norm. Despite this, many women did leave their employers, working irregularly, known as 'freelancing', despite the risks of detention and deportation.⁷ The following section turns to outline the methodology utilised in this research.

Research methodology

This article⁸ draws on data from 146 qualitative in-depth semi-structured interviews undertaken by an Arabic and Bangla-speaking research team based in Lebanon, Bangladesh and the UK. The research was conducted in the context of two 'transnational corridors': Bangladesh ⇒ Lebanon and Bangladesh ⇒ Jordan. As the focus was to explore the recruitment and placement of Bangladeshi women through *formal* immigration channels (rather than irregular migration), the team sampled agencies from government lists of licensees. Fifty-nine interviews lasting between 40 minutes and three hours

were conducted with owners or senior managers of licensed recruitment agencies in Dhaka, Bangladesh (20), Amman, Jordan (18), Beirut, Lebanon (21). Each agency constituted a mini-case study, enabling the team to compile a thick description of everyday business practices.

As is globally common with recruitment agencies specialising in migration for low-wage jobs (Jones, 2014), the sampled agencies were all small businesses, employing between two and ten members of staff. In Jordan, agencies in the sample annually recruited 200 to 600 women from Bangladesh, Sri Lanka and the Philippines.⁹ In Lebanon, agencies in the sample annually recruited between 80 and 200 women from a far wider range of countries: Cameroon, Kenya, Ghana, Madagascar, Togo, Burkina Faso, Ethiopia and Sri Lanka. According to key informants interviewed for this study, this reflected the greater flexibility of the Ministry of Labour in Lebanon in processing work permits.

At the start of the project interviewers approached the leaders of the national industry associations in all three countries (BAIRA in Bangladesh, SORAL in Lebanon and the Syndicate in Jordan) to explain the purpose of the project and seek their approval. Associations facilitated the initial contacts with interviewees which were then 'snow-balled'. The team also utilised their own networks to make additional contacts. Sampled agencies in Lebanon and Jordan were screened for having recruited women from Bangladesh in the previous 12 months. In Dhaka, the team screened agencies according to whether they had recruited women for placements in Jordan and Lebanon in the previous 12 months.

A semi-structured interview guide facilitated data-collection about agency histories, recruitment processes, business partnerships, finances, relationships with clients and with government departments. As the industry had a poor reputation for exploitation in all three countries the team expected interviewees to be cautious in what they shared. The interviewers therefore introduced the aim of the project as an attempt to gain insight into industry perspectives. Furthermore, the team agreed to encourage interviewees to freely discuss their business practices without judgement. In most cases, interviewees were very happy to spend time doing this; some reflected that they regarded the interview as an important opportunity to influence international debates on recruitment.

The Bangla-speaking team conducted an additional 30 interviews with informal brokers (*dalals*) from Noakhali, Narail, Bagura, Pabna, Brahmanbaria, Faridpur, Barisal, and Tangail districts, recruited through pre-existing networks. These were the main areas in Bangladesh from which agencies recruited at that time. Interviews with brokers were used to explore the broader context to recruitment beyond the activities of the licensed agencies. An additional 37 interviews were conducted with government officials, UN and NGO representatives to elaborate the institutional and regulatory context to recruitment and employment of migrant domestic workers in the three countries. Finally, the team in Bangladesh conducted interviews with 30 women who had returned from working overseas as domestics to validate findings from the agencies. The article turns now to analyse the data generated by the research.

'They run away a lot'

As clients entered placement agency offices in Amman and Beirut, agents invited them to browse a catalogue to select their preferred domestic worker candidate. Catalogues

comprised ‘bio-data forms’; single pages of women’s biographical data with a head-shot photograph attached to the top-right hand corner. While clients – usually the ‘Madam’ of the household – flicked through the pages, agents pitched various candidates, invoking the universal essentialised characteristics of docility, submissiveness, cleanliness (Constable, 1997). Details about women’s age, nationality, education, rural origins, marital status, and attractiveness, rather than skills, experience, and prior references were used to assess women’s suitability for these roles (Jones, 2021). Clients also, according to interviewees, wanted to recruit a candidate who would not ‘run away’.

Interviews with agents were dominated by narratives of women who *had* run away, with such actions presented as an inherent characteristic of migrant women, according to interviewees:

We are dealing with people that are not very educated, so whatever comes to their minds, they will want to do. If she wants to run away, she won’t even have a plan, she will just leave. (JP3, Amman)

However, this perspective was coupled with a realisation that women were generally not returning to Bangladesh, but leaving their two-year contracts brokered by the agencies to find better jobs. In other words, ‘running away’ was a calculated exit strategy on the part of migrant women. Interviewees estimated that between 10 and 25 percent of their recruits left their contracts to work irregularly, known locally as ‘freelancing’ or working ‘part-time’. Some even migrated, according to interviewees, with a deliberate intent to obtain a domestic worker visa provided by the agency as a means of legally entering the country and then seeking alternative employment. When this happened, interviewees felt ‘cheated’ – both by the women and the Dhaka-based agencies they subcontracted recruitment to:

What often happens is that when the domestic worker is in her origin country, she may go to an agency and pay them money to send her to work in Lebanon. In fact, they know that she just wants to work as a freelancer in Lebanon because she used to live here previously. The agency will pretend that she has never been in Lebanon and will fail to mention this point when filing out the application. Once she arrives, she runs away. Happens the most with Bangladeshis because their agencies often fall to corruption. (LP4, Beirut)

In Jordan, interviewees relayed their experience that women from Bangladesh ‘used’ them to obtain a visa, then would leave their employment placement to work irregularly in the apparel factories. Interviewees acknowledged that these jobs, despite being irregular, not only offered better pay, but enabled women to live independently: ‘Bangladeshi domestic workers mainly run away to find jobs at the garment industry. Their husbands work here. . . so the wives come to Jordan as domestic workers, and then run away’ (JP14, Amman). Interviewees also held their competitors in Jordan and Lebanon responsible, especially the unlicensed agencies, which they referred to as ‘mafia’:

There are about ten offices that are illegal; they have shadow offices under fake names. They don’t recruit. They just capitalise on the runaways. They work them. They can be Jordanian and they can be nationals of origin countries. (JP13, Amman)

Some even know that they will run away upon arriving to Lebanon, even when they are back home. Some run away from the airport. There are mafias that come on a moto that help them to run away. . . Go to Bosta, Sabra, Dowra and see how many freelancers there are in those areas. (LP15, Beirut)

The theme of women ‘running away’ permeated agency narratives as they pitched candidates to their clients (Kern and Müller-Böker, 2015). Interviewees relayed how they could tell from just looking at a woman’s photograph if she were likely to run away. However, as agents in Amman and Beirut had never actually met or even spoken to the candidates in their portfolio, they relied on well-known proxies for assumed compliance, such as coming from a rural background, a lack of formal education and never having worked abroad before (Liang, 2011). Agents told the interviewer, and their clients, that some nationalities were more likely to run away than others, including Bangladeshi women, due to their ‘mindset’. However, on deeper probing, interviewees were aware that some nationalities were paid less than others (Jones, 2021) or paid higher migration fees than others, which meant there was a need to earn better wages. Some women simply could not afford to stay in their current contracts:

There are mafias from over there that take a lot of money from the women, so when they come here, it is not financially feasible to work for US\$150 to US\$175, maximum US\$200,¹⁰ which just incentivises them to run away. (LP6, Beirut)

What agents depicted as ‘running away’ was women leaving their two-year contracts early without the employers’ permission; in other words, breaking the Kafala rules, which did not allow them to change job when the salary was lower than expected or an employer did not pay them properly. This is both evidence of women’s agency (Deshingkar, 2019) as well as how critical women remaining in their two-year contracts was to agencies (Lindquist, 2012). The following section analyses how agencies engaged in coaching clients to discipline their workers.

Teaching clients to prevent ‘running away’

At their initial meeting, agencies advised clients how to best manage their new employee in a way which minimised the risks of her running away whilst maximising her productivity. They advised on wide-ranging personal topics, such as the clothes domestic workers should wear and health and hygiene matters (Constable, 1997). They also advised on the importance of food: agents emphasised that their clients should buy rice, for ‘if she is eating. . . she will be productive’ (JP8, Amman). Rather than coaching workers (Gottfried, 1992; Lan, 2018; Wee et al., 2019), in this case, they taught the employers. However, this was not for the benefit of greater sensitivity to the cultural practices of incoming workers; rather it was for the purpose of labour discipline and control.

More directly, agents recommended that clients should confiscate their new employees’ phone if she had one, at times confiscating it themselves from new arrivals: ‘I take the phone from the domestic worker and give it to the employer. We do this to prevent running away’ (JP11, Amman). This, interviewees explained, prevented employees from making friends who were likely to encourage them to leave or indeed the ‘mafia’.

Interviewees stated they recommend clients watch over their new employee to look for signs that she might be trying to leave:

[They should] monitor them a lot in the beginning and to lock the doors. You can tell if a domestic worker's eye is always wandering always on the balcony. Then that means she wants to run away. (LP15, Beirut)

Agents also cautioned their clients about the 'day off' required by the standard employment contracts as this could present opportunities for running away. To mitigate this, agents counselled their clients to not let their employees leave the house by themselves on those days: 'I advise employers that they should give her a day off but not outside the house' (JP17, Amman). Women should be accompanied on their 'day off':

If it is a designated day off, they [the employer] should not let her [the employee] work all the time. They should just get her to do the beds and dishes after breakfast and then take her out with them. (JP8, Amman)

Interviewees conceded they also advised, in time, that clients could allow their domestic employee outside the home *if* she were accompanied by the neighbour's employee. This way they could monitor each other and report back on the other's behaviour if needed: 'During the second year, when they start meeting the neighbour's girl, if they allow them to go out, then they can go out together' (LP14, Beirut). In other words, agents subverted the intentions of standard employment contracts. While agents organised clients' signatures on the contracts, they did not explain employers' legal responsibilities:

40 percent [of clients] read it. Those that don't read it don't ask me questions about it. I don't stress they have to read it. Sometimes I make a copy for them to take home. But not every employer takes a copy. (JP6 Amman)

On the other hand, agents admitted sometimes amending the standard contract to *add* clauses restricting, for example, women's Skype or telephone access.

Placement agencies in Amman and Beirut continued to play a significant role in women's working lives long after their arrival from Bangladesh. They emphasised to their clients that they would continue to be available. This was all part of the service they sold to their clients. As clients came to pay the balance of their recruitment fee, they often brought their new employee with them. Agents took this opportunity to warn their recruits to be compliant, often framing behaviour such as locking doors as a 'cultural norm' in both Lebanon and Jordan:

I make it clear to her that she shouldn't leave the house, that if anyone wants to talk to her from the street when she is on the balcony she should not talk to them. . . that she should learn the house rules and comply with what the employer wants. (LP2, Beirut)

They viewed this as an important part of their 'educator' role:

As a teacher for example, if I enter the classroom, and I am too lenient, then they will do as they please. [It is] the same thing for domestic workers. We need to teach them not to run away. (LP15, Beirut)

Subsequent to this meeting, interviewees narrated tales of when clients had sought their assistance when they felt employees were not working as much as they wanted or had expressed a desire to leave. In these cases, agencies asked partners in Bangladesh to threaten women:

If there is a problem, I have the agency in the origin country speak to her to scare her, tell her she has to pay US\$2,000 if she wants to go home. To date, I have had no cases of refused to work or running away . . . Because I have control here, and over there they have good control over convincing the girl. They will tell her if you want to come back home, pay up. It is true it is harsh, but it works. (JP3, Amman)

Moreover, a Dhaka-based agent acknowledged that it was common practice to threaten new recruits, even before they departed for Lebanon or Jordan. In one case, an interviewee shared a copy of the additional ‘contract’ (written in Bangla) he required his female recruits to sign before departing. This required women to acknowledge that: ‘If I desire to return to my own country voluntarily then I shall be bound to pay US\$2,000 for air-fare and miscellaneous cost to [name of the agency] and my guardian or heirs shall not object to this’ (BP13, Dhaka).

Interviewees in Jordan and Lebanon also admitted to directly threatening women themselves and taking women to their own homes or to dormitories retained for the purpose of intimidating and scaring them:

The woman stays in the dormitory and there are two people who look after them. If [it is] a serious problem, I let her stay in the dormitory for a while, either to get trained or disciplined, eventually she gets sick of staying there and yearns for a home and then is willing to work. (JP11, Amman)

[I] kept them in the office for about a week so that they can readjust their attitude so they can go back to work. I try to understand from them what the problem is. . . Eventually they will get bored and want to work again. (LP15, Beirut)

Observed by a researcher during this project, several placement agency offices contained side-rooms which had bars on the windows. Others freely admitted that they rented or owned such dormitories. The use of employer dormitory spaces to isolate and discipline workers has been observed in factory regimes (Pun et al., 2018). However, unlike in Pun’s examples, here women were completely isolated; the spaces offered no opportunities to network or to organise. Overall, preventing recruits from leaving their contracts early was an important part of the service agencies offered clients. Interviewees regarded disciplining tactics as central to their business model (Gottfried, 1992; Peck and Theodore, 2001). However, in Jordan and Lebanon, there was an additional regulatory factor that incentivised them to play this role.

‘I had to reimburse the employer’

Agencies feared their recruits running away for two main reasons: firstly, it could lead to a poor business reputation for recruiting ill-disciplined migrant women and, secondly, it

could cost them a lot of ‘guarantee’ money. In Lebanon, for example, if women left their job up to three months after arrival, the recruiting agency was required by law to refund the recruitment fee to the client or to replace the worker at no cost to the client. In Jordan, the government had extended a similar regulatory requirement to 12 months after women’s arrival. The ‘guarantee’ served as a form of consumer protection for the clients’ investment in recruitment and also as a way for governments in Lebanon and Jordan to, in effect, outsource the policing of migrant mobility in these countries (Xiang and Lindquist, 2018). Agencies had to guarantee that women would not run away, would not ‘refuse to work’ and that they would not be pregnant or sick.

Interviewees in both countries described this as a significant financial risk to their businesses where up to 25 percent of their recruits, they estimated, left contracts early. This interviewee illustrated what this meant in financial terms:

We sometimes lose the full amount . . . Because the Bangladeshi domestic worker that comes knows someone in the factories, so she applies as a domestic worker even though her profession is a factory worker, and so she runs away. And sometimes we lose partially; it depends at what time she runs away, during the beginning of the contract or after a while. (JP9, Beirut)

In Lebanon, interviewees explained they had to offer this ‘guarantee’ service to their clients for several months more than the legally required three, as clients had come to expect an extended ‘returns and refund service’ and those that did not offer it risked losing business to competitors. Similarly, in Jordan, interviewees felt unable to challenge what they felt was a fundamental unfairness. The agency association had vocally protested the new law but to no avail:

Whatever the Ministry of Labour wants to do, they do. In November 2013, we protested (we were about 500 agents with friends and families) and closed all of our offices and went to the Ministry. The Minister, after the third day of the protest, came out and said that we won’t be responsible after a year. And after just a week from his promise, the agency became responsible for a year. It was just for show. (JP3, Amman)

It was clear that interviewees felt pressured to comply with these laws even if women left their employment in cases where they had been abused by the employer and, in theory, were legally allowed to change employer: ‘If she runs away within a short time, like from the first week to one month, the Ministry of Labour makes us pay up like rabbits, regardless of what the issue is’ (LP15, Beirut). Interviewees recounted several tales to illustrate this point, this one was typical:

The girl ended up running away after three and a half months as the employer had hit her with a bucket of water. Nonetheless, the employer went and complained at the Ministry. To avoid dealing with the issue [the employer’s abuse of the worker], the Ministry just stopped my visas, thus suspended my work and told me that I had to reimburse the employer. (JP15, Amman)

In response, agencies in Amman and Beirut did what they could to transfer financial risks to their partners in migrants’ origin countries:

The law stipulates a one-year responsibility for the Jordan agency, but we have a verbal deal/agreement with our Bangladesh agency which is not legally binding. They give me a three-month guarantee. (JP14, Amman)

This served to outsource some of the responsibility for retaining control to the agencies who recruited women from their home country. Bangladesh recruiters interviewed for this study confirmed that such methods were common practice, with agreements about client refunds for women who ‘run away’ negotiated contractually at the start of business relationships. This, in part, explained the eagerness of agencies in Bangladesh, as well as Jordan and Lebanon, to prevent women from leaving their contracts early.

Furthermore, in both Jordan and Lebanon, agencies lobbied their governments to do more to ‘disincentivise’ domestic workers from running away, including advocating for greater police activity to ‘catch runaways’ and to penalise employers who hired irregular workers, albeit without much success according to interviewees. In response, in 2014, after the unsuccessful protest, the association in Jordan developed an insurance scheme to cover both parties (employer and agency) against the financial risks of the recruit leaving her contract early:

The new insurance policy is good. They will cover cases regarding runaways, illness, pregnant, refused to work or homesick, for a cost of (US\$177) paid by employers. And customers will be willing to pay this price. This will replace the old insurance that only covered illness, death, injuries; that insurance is around US\$35. (JP4, Amman)

If this did happen – instances of ‘running away’ or illness – the insurance firm paid compensation to the employer. In this way, agencies offset their increased financial risk although added another actor, insurance firms, which also had vested interests in ensuring women did not leave their contracts early. Together they sought to guarantee women’s immobility, hence resolving one of the key risks and uncertainties of transnational labour markets (Shire, 2020).

Conclusion – Guaranteeing immobility

For many Bangladeshi women, overseas domestic work is a financial lifeline (Afsar, 2009). Their working lives are however precarious; they are often exploited (Amnesty, 2012; HRW, 2012). In response, a decade ago, ILO C189 established a normative agenda for decent working conditions for migrant domestic workers, including the right to protection from abusive recruitment, later reinforced and enhanced in the Global Compact on Migration (GCM, 2018). However, to date, global conditions for migrant domestic workers have not substantially improved (Amnesty, 2019; ILO, 2021). In both Jordan and Lebanon, the placement agency industry remains a powerful political actor easily able to rebut attempts at regulation.¹¹

These unique empirical findings challenge simplistic policy narratives that depict agencies as ‘unscrupulous’ and ‘traffickers’ (ILO, 2015a; UNODC, 2015). Domestic work placement agencies may – and often are – exploitative, but this is far from the whole point. State regulations in origin and destination states governing migration,

employment and welfare underpin agencies' competitive strategies (Jones, 2014). Agencies facilitate access to 'cheap' labour to resolve the lack of public sector welfare systems in Jordan and Lebanon (Raghuram, 2012). Kafala immigration regulation ensures that Bangladeshi women have few labour protections, no access to trade unions and little recourse when things go wrong (Frantz, 2013; Pande, 2013). Financial penalties imposed on agencies for 'runaways' means that agencies do everything they can to 'retain' their recruits in their place of employment, no matter the cost to women's safety and wellbeing. Consequently, agencies teach their clients how to discipline their recruits to prevent running away, directly intervening when they are asked to do so. Rather than coaching workers in docility (Guevarra, 2010), to be accepting of precarity (Wee et al., 2019) or in cultural 'bridgework' (Lan, 2018), this study shows how agencies taught employers a critical way through which mechanisms of exploitative, controlling practices are constructed, maintained, and normalised. Their discursive practices legitimise exploitation and subvert the intent of the standardised domestic worker employment contracts implemented in both Jordan and Lebanon. These activities are however embedded in the institutional and regulatory frameworks governing the transnational domestic work market between Bangladesh and Jordan and Bangladesh and Lebanon.

Furthermore, agencies in Jordan and Lebanon are significant regulatory actors that contribute to producing a distinctive transnational labour market which is highly gendered, racialised and disciplined (Goh et al., 2017; Jones, 2021; Shire, 2020). In mediating labour exchanges between Bangladesh, Jordan and Lebanon, agencies, together with their subcontracted partners, play a paradoxical function; they facilitate women's *mobility* while ensuring (as best they can) workers' *immobility* in the place of employment. They derive profits from the sale of flexible, disciplined, labour (Jones, 2014; Peck and Theodore, 2001), and doubtless contribute to an increasing cycle of demand, over time normalising these labour practices not only for employers, but also for workers, labour unions, and governments (Peck and Theodore, 2001).

Critically, these findings demonstrate that the exploitative behaviours of agencies cannot be addressed with further intensive regulation of the industry and training in 'ethical recruitment'. A major rethink of how to maximise workers' mobility and dismantle the structural role of placement agencies in these labour markets is required. Regulations which prevent workers from leaving their jobs, including Kafala sponsorship and the agency financial guarantee, should be removed. All migrant workers, including domestic workers, should be allowed to join a trade union of their choice. Ultimately, tinkering at the edges of recruitment regulation fails to address the underlying issue of the violence of borders and immigration controls. To address exploitation perpetrated by agencies requires a fundamental grappling with a rights-based approach to labour migration in its entirety (Likic-Brboric, 2018).

Acknowledgements

We thank all our interviewees who gave up their time to participate in this research. We gratefully acknowledge the assistance of Sk. Ali Ahmed, Ms Alix Nasri and Professor Abul Barkat who participated in the fieldwork and the International Labour Organisation staff who supported the project. Our sincere thanks to John Vail, Gordon Crawford, Heaven Crawley and Esra Kaytaz who all commented on earlier drafts of this article. The comments of two anonymous reviewers and the editor were gratefully received.

Funding

The authors disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: International Labour Organisation.

Notes

1. The term ‘placement agency’ or simply ‘agency’ is used in this article to refer specifically to the recruitment firms based in Amman and Beirut to distinguish them from recruitment firms and brokers in Bangladesh, which have different roles in the process.
2. Figures provided by government officials during the fieldwork period of the research.
3. Figures collated from interviews with agencies.
4. Interview with key informant from Bangladesh government.
5. Interview with key informants in the Bangladesh government and recruitment association.
6. Figures collated from interviews with key informants and agencies.
7. Interview with civil society activists.
8. The team in Bangladesh also conducted focus groups with women who had returned from working as domestic workers overseas. This data was used to triangulate the findings from placement agencies. As this was not used as a core part of the analysis for this article, the data is not included here.
9. All data in this section is collated from interviews with agencies.
10. In fact, this research found that Bangladeshi women were commonly paid between US\$100 and US\$150 per month.
11. In September 2020, an attempt by the Ministry of Labour to implement new contractual safeguards which would have provided the first steps towards abolishing the Kafala (sponsorship) system, was firmly rejected by the Lebanese Shura Council following a complaint from the Syndicate (Agency Association). The Shura ruled in favour of the Syndicate, accepting their argument that new safeguards would comprise severe ‘reputational damage’ to the agencies’ interests.

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Date submitted August 2020

Date accepted September 2021