



Temporary Labour migrants vulnerability and social work-responses

the case berry-pickers in Scandinavia

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Temporary migrant labour, vulnerability and responses – case of the berry pickers



170 pickers left the company in protest and refused to go back.



160 pickers gathered outside town hall in protest. They were left without payment



The accommodation for 100 pickers was shut down out of sanitary reasons.

- Unfair conditions, vulnerable, stranded in three local settings
- ‘A ‘new’ global issue showed up at humans services, for which the local authorities neither was prepared for, nor knew how to respond to
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Social work responses to global vulnerability?

‘A general perception of social work is that the practice is inherently local, led by nation-state ideals and goals without clearly identified or legitimate claim in relation to globalized issues (Dominelli; Lorenz & Soydan, 2001). (although international standards IASSW and IFSW)

‘the presence of migrant workers and the issue’s international character may challenge the very notion of the domestic social work practice (Lorenz 1997).

- Do social worker need to/can they shift from national to international perspectives in fighting and supporting suffering migrants (without residency)?



The Social Services Act (SFS 2001:453) – ‘social rights law’

Social Services act (SFS 2001:453)

- A ‘civil rights law’
- The last mesh in welfare-state safety-net
- Needs-testing
- Regulates Municipal responsibilities
- *Ultimate* responsibility for everyone *staying* within the local boundaries

- The law stipulates: municipal responsibility to provide social/financial support to anyone(no matter their social position) “staying within the municipal border who cannot provide for him/her self”
- A legal framework which leaves space for interpretation
- The de-centralized governance: The municipalities right to make their own prioritizations within obligations of welfare-state provisions (care, services, support)

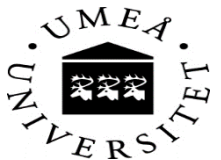
Social worker – a ‘street level bureaucrat – the welfare-state’s gatekeeper’



Social workers as street level bureaucrats

- Social workers professional 'discretion' (Lipsky)?
- Legitimacy for social workers' action (Johansson, 2001) (Tax-money issue)
- In this negotiating the officials' try to balance what is the most legitimate action publicly (among clients, politicians, other authorities and citizens) (Johansson 2001).

In the assessment of support there is often a balancing of local resources and client's need in which the possibilities to make wide interpretation of law-text serves an instrument to negotiate the municipal obligations (Wikström 2015; cf. Lister et al. 2007).



Sweden opens up for labour migration

A business-friendly 'guest worker system' (Ålund & Schierup, 2011, p. 60)

- Law on labour migration, passed Sw. parliament 2008 (gov. bill 2007/08:147)
- Liberal regulations in the hands of the employers who *import* the workers according to the employers' needs
- Duration of residency depend on the duration of the employment contract
- The contracted migrant worker is bound to a single employer
- In line with EU practices in 'circular migration' (Ålund & Schierup)

'The law in effect shifts access to rights and entitlements from the realm of social policy and integration policy to the realm of immigration control (Ålund & Schierup, 2011, p. 60)'

'the magic and valuable blue-berry'



The 'right of the public access'
(sw. allemansrätt)



Wild blue-berries, increase of
market-value



Extracts out of harvest in Sweden (15 000-
24 000 tons berries/year (2-4% are picked)

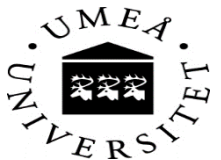
Temporary labour migrants vulnerability

- Asian berry pickers – represents a labour supply to 3D jobs (dirty, dangerous and difficult) ILO: <http://www.ilo.org/safework/areasofwork/hazardous-work/lang--en/index.htm>
- Push and pull factors in the migratory movement:
 - Poverty, unemployment. (push)
 - Improvement of conditions, recruitment of workers (pull)
 - Repeatedly subjects to violation of working conditions (Wolfsson 2011, NAT 2010)



Similar vulnerability for temporary migrants in low-skilled jobs worldwide

- Gov. seldom make sure that seasonal migrants' are properly informed about their rights while working in the host country (Basok 2003; Mysyk et al. 2009).
- Employers benefit from the outsider position of the migrant worker, because they are inclined to work hard without complaint, unaware of their rights (Waldinger & Lichter 2003; Maldonado 2009).
- The financial investments, and risk of 'deportability' makes workers inclined to accept conditions
- The 'normality' of bad conditions is often racialized (ch Miles 1993)



Temporary labour migrants vulnerability – trafficking, exploitation?

Labour ‘trafficking’: (UN Palermoprotocol):

- The vulnerable position
- Misleading information
- False premises

- Swedish law on forced labour (Brb ch.1 § 4)

ILO indicators for labour ‘exploitation’ (ILO 2009):

- Deceptive recruitment or transportation;
- Coercive recruitment or transportation;
- Recruitment by abuse of vulnerability;
- Exploitative conditions at work;
- Coercion at destination;
- Abuse of vulnerability at destination.

- Recruitment on false premises

Before leaving China they were informed that they were going to pick cultivated berries in fields and were presented multiple choices on how to live. Brochures which showed pictures on spacious cottages and plants of blueberries growing in something looking like strawberry beds, proved to be false and not resembling reality (Wikström 2015, p 404)

- Bogus contracts

A second contract appeared locally, stipulated that salary was based on performances

- Abuse of vulnerability/forced labour

The pickers was tied to the employer and recruitment-agency in order to pay costs for accommodation and recruitment-fees

Limited possibilities for *exit* and *voice*

- The tendency to ‘swallow’ unfair treatment
- The *non-voice* because of risk of deportation,
- The wish to fulfil a ‘life project’
- The non-exit because of: threat of financial sanctions, the debts to middlemen and private loaners, the risk of ‘social shame’

‘They expressed resentment to go back to China because of the anxiety of coercive measures from employer situated in China and of the financial stress and shame to go back empty-handed (Wikström 2015, p 402)’



Consequences for migrant pickers 2010?

- ‘in just over two months 5,911 Thai berry-pickers acquired a debt over 600 million bath – pickers and families faced serious social and psychological problems, including loss of trust in their communities, loss of means of production on their small farms, divorce, violence etc (NAT, 2009, p 13)
- For many of the Thai pickers the trip meant increased poverty
- They were confronted with moneylenders back in Thailand
- Some had to leave their houses, rice fields
- some also stayed in Europe as undocumented worker
- <http://sverigesradio.se/sida/avsnitt/197967?programid=1300> (in Swedish)

Improved rules - (maybe) the end of exploitation of Asian pickers...

- Sw. government introduced stricter rules on proof of employers financial viability
- National tripartite committee fight against 'forced labour'
- Accessible information of labour-rights and trade-unions
- EU directive on seeking address economic and social exploitation of third-national workers (Directive 2014/36/EU)
- NGO, 'Swedwatch' work to certification of berries 'full traceability'

The import of Romanian and Bulgarian pickers 2012-2013

- Roma pickers from Bulgaria, and Romania was coming as 'free EU-movers'
- Tax-free labour
- Even worse economic situation than the Asian pickers
- Informally organized - middlemen
- Also bad-berry season

(Mesic & Woolfson, 2015)



Roma pickers' vulnerability

- 'in Bulgaria there is no work. We heard there is work so we came. Many Roma people have been fooled, they have bought mini-vans, hired people, they came here and ended up in huge debts.(Mesic & Woolfson, 2015, p 41)
- They were indebted to the 'informal recruiter'
- Some were ordered to steal diesel, copper and collect empty bottles
- 12 hours shift, poorly fed, without water
- Isolated if complaining
- Approx 650 pickers had to be repatriated home in buses



The attention to ‘berry scandal’ of 2010 – Thai pickers

- The public attention on the predicaments of the Asian berry pickers were enormous
- In several local setting local inhabitants took action for the berry-pickers sake
- Humanitarian responses as well as political mobilization
- Fundraising to compensate for Thai pickers loss of payment



The berry-scandal 2012-2103 Roma-pickers

NIMBY (not in my backyard) -reactions

The presence of the Roma-pickers was perceived as a violation of the 'public right to access



'No water to the pickers this season!'

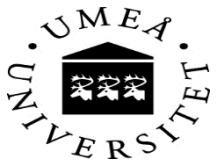
Ambivalent reactions of municipal action

- ▶ Local authorities evasive approach using defensive strategies (Harris 1987)
- ▶ Local authorities *informal* humanitarian support
- ▶ Duty to act – local reputation and not accepting poverty
- ▶ An interpretation of duty in terms of emergency-support
- ▶ Social workers non-respond to globalised suffering

Informal humanitarian support

“they were sitting and laying at the road – we could not have that situation in our municipality – so we responded out of ‘humanitarian reasons’”

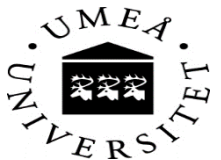
“we did not think of referring to any particular law or paragraph, we just went ahead and trying handle the emergency /../then the ‘emergency’ lasted for almost three weeks..



Comments on the responses

the social workers' expectation of berry pickers' to apply for support, presumes a lot of resources and agency's out of reach for the berry pickers (Wikström 2015, cf. Basok 2003; Mysyk et al. 2009).

It presumes berry pickers knowledge about their social rights, language skills and familiarity with local authorities' routines, but most of all a position of agency not curtailed by the dependency to employer or the fear of disciplinary action from moneylenders or recruitment agencies back in China or Thailand (cf. Mysyk et al. 2009).

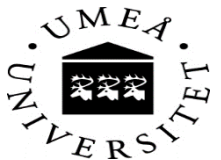


Comments on the responses

'socialworkers' didn't seem to apply a international perspective or embracing a more global professional agenda in negotiating pickers' needs and deciding on local support

“At first we tried to convince them to go back to the lodging, there they had food supply and roof over their heads /../

The context of support in the minds of the officials, seem to be framed by nation-state ideals on for what purposes, and to whom, local social support is intended (Wikström, 2015, p 409).

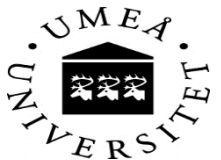


Duty to act – in an emergent situation

- An interpretation of emergency:
 - *It is our duty according to law to support with emergent action (food, roof over their heads and to pay transport to Arlanda airport)*

- Act in compliance with public opinion/legitimacy:

‘We [the municipality] are responsible, I mean we cannot have that people are starving and freezing in the municipality. We have a moral and legal duty ...It would have been an impossible task to try to force them back to the accommodation of the berry organiser without the assistance from the Police authorities, such a scenario would have led to a massive bad publicity in media.
(Head of Secretariat 012)



The local social work responses attention to global social issues

- Emergency support
- Deportation of the issues



- In effect; social work also part of the paradigm and political strategy of 'circular migration'

The municipal's unequal treatment of Roma and Thai berry-pickers

- EU-citizens' versus third nationals' – what distinctions do social worker do in terms of for whom it is legitimate to support? (what is more legitimate 'global suffering' than others)?
- Was the municipality's social work sensitive to public opinion – the positive response for the Thai pickers, versus the negative response to Roma?
- In that case – is the municipality reproducing racialized practices? (social workers can also use racialize practices)

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