



Transnational issues and regulations of labour relations: European and national contributions

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Program

17 December 2021 (all hours are Eastern European Time – Bucharest)

Each presentation has about 20 minutes and is followed by discussions.

10:50 – 11:00

Welcoming of participants.

11:00 - 11:30

Transnational Corporations and the Making of "Just-in-time" Labour Markets in CEE.

Author: Rutvica Andrijasevic – University of Bristol

Abstract: Scholars have identified borders and obstacles to the freedom of workers to move as central characteristics of capitalism. They have shown how national governments' immigration policies are guaranteeing the controllability of migrant workforces and how restrictive labour laws create the conditions for the proliferation of illegality and labour exploitation by the employers. In this presentation I will discuss the need to examine in more detail the role of private commercial actors, especially transnational corporations (TNCs), in shaping labour markets, migration flows and labour regimes. I will suggest that, while examining *localized* employment relations is important in order to illustrate processes that produce vulnerability of

migrant workers, what remains insufficiently explored is the link between "local" labour regimes and transnationalization of production. My presentation will draw on the primary data in migrant workers in electronics supply chains collected in Czechia, Slovakia, Hungary, Turkey and Serbia between 2012-2019.

11:30 – 12:00

The impact of care migration on Romanian migrants' family structure: Insights from a qualitative study. *Authors:* Luisa Salaris, Nicola Tedesco, Andrei Iacob – SPOL - Department of Political and Social Sciences, University of Cagliari (Italy)

Abstract: In developed countries, the need of care partially found a response in important migration flows of international care workers whose presence has remodeled care regimes in many European countries which shift from a 'local' to a transnational care system, from a 'woman-in-the-family' to a 'migrant-in-the-family' model, where the migrant is often (and again) a woman. In Europe, a marked feminization of care migration is in fact observed, due to the large participation of Central-East European countries' female workers. The aim of this work is to explore and describe the social impact that migration has on family of origin of women that work in the care sector. The focus of the investigation is on the impact of care migration on family structure and stability, in the redefinition of roles within family members, on family arrangement, on management and care of children. Romanian community was taken into consideration, as it is among largest group of care workers in Europe, with special attention to female home-based caregivers, and selecting Italy as destination country as the latter represents the top destination for Romanian migrants in EU. The study is based on the analysis of 20 biographical interviews conducted by means of semi-structured interviews between November 2018 and December 2019 among Romanian women that worked as care-givers in the city of Cagliari and its hinterland (Italy). The thematic analysis of the transcripts of interviews' contents was carried out to gain insights and better understanding about familial context and the possible changes occurred during the migratory experience within the households of Romanian female care workers.

Preliminary results and conclusions - Unstructured migratory projects have characterized the regime's first post-fall migration flows. Despite the consolidation of the support networks and the improvement of means of communication, among the interviewed women the transition from a traditional family model to a transnational one appears chaotic and little aware. Family stability is undermined by migration, but much more often it emerges that family relationships between spouses were already compromised before departure.

Closer family members encourage the decision to migrate, and social networks provide logistical support and the first employment contract that often is a living-in solution one, which ensures the essential needs (eating and lodging). The existence of a support network and the (initial) non-definitive nature of emigration makes the decision to leave easier to accept for left-behind family members. However, the absence of the migrant implies a reorganization of care arrangements and of family, roles are unbalanced. Women become the main breadwinner

and their responsibility of care are redistributed among others family members. Family enlarges: both on the physical side, as it becomes transnational, and on its virtual space as it also expands its social networks (to grandparents, aunts, neighbors, or other trusted family members).

The care of children is managed according to two possible options: the reunification with the mother in Italy, or a remote management that - as already mentioned - requires the involvement of other family members, primarily the father and grandparents. From the analysis it emerges that reunification, in spite of the will of the mothers, has not always been easy and in many cases has not had positive outcome. Firstly, because being a living-in worker can be an obstacle or in alternative an independent accommodation has higher costs, and secondly - and more frequently - because of the refusal of children to live permanently in Italy. This last aspect certainly represents one of the factors with the highest emotional and psychological impact for the interviewees. To compensate for the physical absence, the role of remittances is amplified and if it represented the initial motivation to migrate, later it becomes a tool of compensation and it helps to justifies the adaptations and the not optimal family situation. Daily routine, working duties are oriented to the satisfaction of children needs, their education, paying for marriage, buying a house, supporting them in working projects.

The analysis of the contents of the interviews allowed us to explore more deeply the social consequences, especially with regard to the family dimension, of the migratory experiences of Romanian car-givers living in Italy. These findings suggest that care migration, despite being framed as a classic migratory experience with an economic motivation, instead brings with it important consequences that involve not only individual migrants, but that extend to their families. The absence of women - who represent the main care providers in their families of origin - implies significant changes on family structure and stability, in the redefinition of roles within family members, on family arrangement, on management and care of children. The analysis of the biographies point out that such consequences do not always prove to be the result of rational choices and that the implications of care migration are not limited to the economic dimension, but such processes have often unpredictable and emotionally relevant effects that encompass the family and social context to a very large extent, confirming what has been observed in other studies and reiterating the importance of considering these aspects for a more realistic and conscious analysis about the impact of care migration.

12:00 – 12:30

Platform-based food-delivery between voluntary choice and a coping strategy in time of crisis. *Authors:* Ana Maria Preoteasa and Delia Badoi – Research Institute for Quality of Life, Romanian Academy

Abstract: Our presentation introduces the results of a qualitative study, conducted in autumn 2020-spring 2020 and which aimed to explore how people narrate about their work in the field of food delivery. We were interested in the way workers signify their work, the choice of this profession but also in the way the COVID-19 pandemic influenced working conditions and

added new risks to specific ones. The data was gathered by conducting in-depth interviews with food-delivery platform distributors from Romania.

The COVID pandemic has polarized the labor market to a very large extent, in terms of working conditions. While some professions have been able to be protected from health risks through telework, other professions have become highly exposed. The delivery of food products has seen a great increase as a result of the emergence of a new home lifestyle (work from home, ordering food, ordering grocery shopping and not only on the internet). People who lost their jobs due to the pandemic found a solution to work as distributors (Badoi, 2020). The closure or significant decrease in activity in the hospitality industry, the decrease in transportation demand or unemployment in certain industries has produced a large number of unemployed people who have seen a chance of temporary employment in the delivery industry.

Evidence-based studies on food-delivery platform workers (Pesole et al., 2018; Brancati et al., 2020) indicate that they are economically in a precarious situation, usually working in self-employment arrangements or 'mini-jobs' with insecure and temporary working contracts (Goods et al., 2019). The COVID-19 crisis period emerged the increase of hourly-paid and precarious mini-jobs within the delivery industry. In some cases, working on delivery platforms means registration on a digital application for additional earnings (Veen et al, 2019). In many European countries, including Germany and the United Kingdom, the delivery platform workers are mostly immigrants, with social situations that prevent them from giving up delivery work during the COVID-19 pandemic (Morbiato, 2020; Altenried et al., 2020). But in Romania their profile is different, there are mainly people native who have lost their jobs.

12:30 – 13:00

Enforcing international law: Explaining the provisions of ILO conventions in fighting forced labour. *Author:* Rares Gherghiceanu – National University of Political Studies and Public Administration

Abstract: Modern slavery (forced labour implicitly) is still a widespread phenomenon even though the number of states that ratify the International Labour Organization forced labour and modern slavery conventions are slightly increasing. Among these states, there are still some that do not respect the conventions' terms, but at the same time, there are states that prohibit forced labour without ratifying the international agreement. From this point, we can argue that the International Labour Organizations' efforts are either not efficient or the terms agreed upon can be interpreted in the country's favour to surpass them which leads to the importance of adopting firm national policies that also tackle this phenomenon. This paper will analyse the gaps in the ILO conventions and also how different national governments policies and economic characteristics tackle forced labour or on the contrary, makes use of it.

13:00 – 13:30

Forced labour, exploitation and precariousness: European law contributions to transnational labour relations. *Authors:* Mariuca Constantin and Aurelian Muntean – National University of Political Studies and Public Administration

Abstract: Transnational labour relations have been the subject of a large number of studies in recent years. This abundant literature has focused on how the latest economic changes have influenced the regulation of transnational employment relations and social dialogue. However, these analyses have primarily focused either on the legal dimension or on socio-economic and political factors such as: labour migration, foreign investment and capital migration, as well as supranational institutions like the EWCs or the International Framework Agreements. This paper aims to bridge the gap by further examining the legal framework on the reduction of forced labour from a comprehensive perspective. The purpose of this approach is twofold. First, it clarifies the overlap and the differences between three interconnected dimensions: forced labour, exploitation and precarious work. Second, it identifies relevant patterns of forced labor and ‘protective gaps’ that are found at different levels of regulation, leading to a risk of precariousness, especially in the case of more vulnerable workers. Most importantly, the study can contribute to explaining why forced labour, exploitation and precarious work continue to be problematic issues for the workforce in regions like Europe, in spite of benefiting from higher legal standards and economic conditions. Thus, the paper aims to provide answers to these dilemmas by analyzing the recent advancement of European legislation and ILO standards on these issues, as well as ECHR relevant jurisprudence, and also by using case studies that highlight the shortcomings of the legal framework.

13:30 – 14:00

Transnational Labour Relations and the European Works Councils deficit in the EU peripheries: Evidences from Romania, Poland and Spain. *Authors:* George Matu and Aurelian Muntean – National University of Political Studies and Public Administration

Abstract: The European Works Councils (EWCs) represent one of the most developed institutional frameworks in the field of transnational employment relations in the European Union. Despite its potential to become a central body for social dialogue in the European Union, the institutional development of the EWCs has been less promising in practice. Over the last three decades, the number of active EWCs has constantly grown, yet the increase is happening at a much slower pace than expected (Jagodziński 2011). Previous results (De Spiegelaere 2016) have shown that the compliance rate with the EWC Directive is approximately 40% (calculated as the share of MNCs that have established an EWC out of the total number of MNCs that fall under the scope of the Directive, i.e. companies with more than 1000 workers and with at least 150 employees in each of at least two Member State). The relatively low EWC compliance rate has been extensively documented in the literature (Costa and Araújo 2008; Jagodziński 2011; Köhler, Begega, and Aranea 2015; Whittall et al. 2015; De Spiegelaere 2016; Olijslagers, and De Spiegelaere 2019) allowing for more critical analysis of the EWC outcomes, and an evaluation of the directive as rather a sign of the European Union’s EWC deficit (Whittall, Lücking, and Trinczek 2008). In our paper, we analyze the EWC deficit in

Romania, Poland and Spain. Romania and Poland are clear examples of periphery states in the EU economy, especially in terms of the low number EWCs headquartered in these countries. Spain represents an example of quasi-peripheral state, since both the number of large companies covered by the Directive and the number of already established EWCs is higher compared to Central and Eastern Europe, but significantly lower when compared to other EU countries such as Germany or France. The paper fills the theoretical gaps in the literature by using previous paths of analysis (the knowledge hypothesis, the added value hypothesis, corporate and government strategy hypotheses) and provides evidences for the existence of multiple peripheries in the EU system of transnational representation of labour force.

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