

## Romania's societal transformation and labour struggles abroad – how missing income opportunities and the fear of dismissal inform practices of labour resistance

### Abstract

Romania's transformation from a socialist to a capitalist market society resulted in massive negative social and economic consequences which, ultimately, have become push factors for labour migration. However, little research has been done on the consequences of Romania's transformation for the work and labour struggles of migrant workers abroad. Empirically, the article shows how the intersection of the 'making money' motive, which is anchored in rural Romania, and the fear of job loss, which characterises the construction industry in Echsberg, shapes labour struggles. Fearing job loss, many do not engage in open labour disputes, but have developed a variety of strategies of covert resistance with which to counter exploitation. Accordingly, the article shows how the transformation in Romania shapes labour struggles at German construction sites. The findings not only highlight the need to include migrants and their work abroad in order to reach a comprehensive understanding of the effects of transformation but also provide starting points for combating labour exploitation.

**Keywords:** construction, hidden resistance, labour resistance, migrant labour, post-socialist transformation

### Romanian migrant workers and their work abroad in the shadow of attention

With the fall of socialism in Romania in 1989, a transformation process began, turning a socialist society into a capitalist market society. Among the social and economic consequences of the sudden transition were mass layoffs, high rates of unemployment, strong inflation and deindustrialisation, resulting in a significant decline of industrial employment (Roper 2000; Chivu et al. 2017; Popescu 2014). This change created push factors for the internal and external labour migration of Romanian workers, many of whom turned westwards in different stages and flows to earn the money they so urgently needed (Ciobanu 2013, 2015; Dospinescu and Russo 2018; Kideckel 2000; Sandu 2000, 2005; Sandu et al. 2004). Studies have investigated the profound effects of the transformation on Romanian workers and their identities (Kideckel 2004), on labour (Crowley and Ost 2001) and on migration. For instance, much is known regarding the effects of worker migration on Romanian society (Petroff 2016; Horváth and Anghel 2009; Sandu 2010), the embedding of migration at the local level in Romania (Ciobanu 2013; Horvath 2008) and the experiences of Romanian workers abroad, who often find themselves in precarious

conditions (Anghel 2008; Hartman 2008; Şerban and Gigoraş 2000; Şerban and Voicu 2010; Țoc and Guțu 2021; Voivozeanu 2019).

In contrast there is little discussion of the transformational effects of these developments on the work of Romanian labour migrants in western EU countries. With the exception of those who are pushed to other countries where they toil in often poor conditions, it often seems as though the forces of transformation end at the borders.

A useful approach to tracing the effects of the Romanian transformation on workplaces abroad is to investigate labour resistance. This is because work can be considered a contested terrain, according to labour process theory (Edwards 1979), in which workers and management try to shape the conditions of the labour process. Workers have a large repertoire of means to resist management ideas and to make their demands, including open and hidden forms of resistance (Silver 2003: 184; Scott 1985, 1990).

Within this conceptual framework, this article demonstrates how the Romanian transformation is shaping the labour struggles of Romanian workers in the German city of 'Echsberg', where work is so hard that workers call it 'slave labour'.<sup>1</sup> Drawing on eighteen months of fieldwork amongst Romanian construction workers in Germany and in their home contexts in Romania, the article argues that, while the transformation limits open labour resistance, it simultaneously leads to forms of hidden labour resistance. This result can be traced back to the intertwining of a work motive on the part of workers with local work characteristics.

One of the main motivations among Echsberg workers is 'making money'. This motive is deeply rooted within a transformation in Romania that left workers, particularly in rural areas, without sufficient income opportunities. One of the characteristics of working in Echsberg is that workers are constantly afraid of being fired by their employers if they express grievances or demand their legal rights. Thus, any act of open labour resistance comes with the risk of losing the source of income. This local intertwining of motivation and fear that occurs in the Echsberg context shapes the practices of labour struggle. This view on migrant labour also expands our knowledge of conflict dynamics, demonstrates the far-reaching effects of social transformation, and suggests further measures for combating labour exploitation.

This argument draws on qualitative research conducted through interviews and participant observation among Romanian construction workers in Germany and their families and friends in their home villages. This methodology, transnational and contextual in its approach, casts light on the understudied consequences that the Romanian transformation has had for migration, work and labour conflicts abroad. A focus on Romanian construction workers in the city of Echsberg enables a close examination of work motivations and their role in local labour conflicts.

The article thus proceeds as follows. Following a brief review of the transformational events and their consequences, the qualitative methods used for data collection are presented. Subsequently, the empirical section reconstructs the work motive

1 To protect the participants in this study, the name of the city and any information which might be used to identify workers or places have been altered or anonymised.

amongst Romanian workers in Echsberg and describes the work context in this German town. It then shows how local entanglement on the one hand makes workers reluctant to engage in open labour resistance for fear of immediate retaliation while, on the other, informing their practices of hidden resistance. The article concludes with a discussion of the findings that suggest expanding the scope of the investigation as well as actions to take against labour exploitation.

## Romania's transformation and labour migration

In the 1990-2017 period, Romania saw the highest increase in emigration among EU countries (Dospinescu and Russo 2018: 4), with three to five million Romanians living abroad (Dospinescu and Russo 2018) and a high number working temporarily in other countries (Ciobanu 2015: 472; Sandu 2005). The numbers are significant in the European as well as in the international context. To explain migration dynamics, scholars point to the harsh effects of transformation (Chivu et al. 2017: 111) that shook and changed Romania after the fall of communism.

Shortly before the end of socialism, Romania was ranked 20th in the UNIDO Industrial Development Report and, hence, was comparatively highly industrialised (Popescu 2014: 185). Industrial centres were spread all over the country, notably the mines in the Jiu Valley, the ironworks in Hunedoara and the machine building plant in Reșița (Popescu 2014: 186). Large-scale industrialisation under socialism was in line with efforts towards economic autarky and, at the same time, the idea of an industrial society (e.g. Popescu 2014: 185). Although industry was mostly urban, it also affected the surrounding villages, with workers commuting by bus or train (Horváth 2008: 775). In some regions, such as the Jiu Valley, corresponding vocational schools and universities were established.

After the revolution of 1989, a series of events shook the largely state-owned industrial sector and the centralised economy, including the collapse of the internal market and the loss of export markets in the former eastern bloc (Chivu et al. 2017: 27). In 1991, inflation was at a monthly rate of 20%, income from exports fell sharply and industrial production stagnated: factors that led to an agreement with the IMF including a devaluation of the currency and the privatisation of industry (Roper 2000: 90). Like privatisation, modernisation also led to layoffs, as many plants were obsolete and no longer profitable in the new capitalist economic environment. Waves of layoffs from 1997 to 1999 hit the mining sector, concentrated as it was in the Jiu Valley. The overall number of industrial workers decreased from 3.86 million in 1990 to 1.87 million in 2000 (Chivu et al. 2017: 102). Many went abroad.

Simultaneously, through the economisation and financialisation of the economy, money quickly gained importance as a medium of exchange on a local level, thus replacing the socialist economic order in the villages, where barter was a common practice (Chelcea 2002a, 2002b). While money became increasingly important, the sources of income in the country were significantly reduced.

The social and economic consequences of the transition were harsh, including high unemployment, persistent inflation and high poverty rates (Chivu et al. 2017: 28; Sandu 2005: 38). Although some industrial workers found temporary low-income work in agriculture (Popescu 2014: 189), and highly skilled workers found

other employment, many lost a once reliable income source. Moreover, wages in 1997 were 56.2% lower than in 1990 (Chivu et al. 2017: 112-113). This resulted in the impoverishment of large groups and in strong internal migration from the cities to the countryside, where living costs were lower and small areas of land allowed small-scale agriculture (Sandu 2005: 38; 2004: 2). Severance pay and savings were quickly used up and, given the lack of income opportunities at home, many workers responded to the crisis by seeking work abroad (Chivu 2017: 109; Horvath 2008: 772; Kideckel 2000; Sandu 2000, 2004).

In the process, the burden of change was – and still is – unevenly distributed, in part because of the spatial logic of the socialist industry. Pre-1989, according to Claudia Popescu, industrial plants were concentrated in highly urbanised and industrialised regions like Braşov, Hunedoara and Cluj (Popescu 2014: 188) or in enclaves of industrial production located in rural regions in the north-east of Romania, in industrial cities like Baia Mare, Suceava or Botoşani (Popescu 2014: 189). During the transition, large cities in industrialised urban regions were able to absorb some of the consequences of deindustrialisation through the creation of new jobs in other sectors. In rural areas, this was not the case.

Urban regions like Cluj, Timişoara and Braşov were also affected much more positively by the upswing starting in the 2000s, which had a far lesser impact on rural regions. While in 2022 the medium net salary was 4338 lei in the county of Timiş, 4770 in Cluj and 5218 in Bucharest, it was much lower in the more rural counties: 3130 in the county of Maramureş, 3035 lei in Suceava and 3172 lei in Botoşani (INSSE 2023). Not only are these incomes comparably low, they barely exceeded the minimum wage of 2550 lei in 2022 (around 1524 lei net), before this was raised to 3000 lei in 2023 (around 1900 lei net). In some newly established industrial positions, in cities like Baia Mare in the county of Maramureş, some workers can expect to be paid the minimum wage or only slightly above (Pernes 2023). Such a low level of income and the high cost of living forced even employed workers to look for subsidiary income opportunities locally or abroad. Many reacted through permanent migration, others through temporary migration. Especially in the north and north-eastern regions, temporary labour migration is particularly high with more than 30 per cent of the population working abroad on a temporary basis in 2002 (Sandu et al. 2004: 3; Sandu 2005).

Some of the many workers who left the county of Suceava today work in the German construction industry, including in Echsberg, where their working days easily exceed 10 hours. Most of them have worked there for years and it is only in August, at Easter and at Christmas that they make the long journey home – sometimes more than 24 hours on the road, often in crowded minibuses.

The next section presents the methodology and the methods used to collect data concerning workers in Echsberg.

## A qualitative transnational research design to trace the effects of the transformation

Data was gathered through a qualitative approach combining a multi-sited ethnography (Marcus 1995; Faist 2012) with semi-structured interviews with Roma-

nian construction workers in both countries over the course of a couple of years.<sup>2</sup> This methodological design gives access to the experience and motives of Romanian workers in Germany while simultaneously including the Romanian context regarding employment opportunities and the local financial situation.

Large dormitory complexes in Germany with hundreds of Romanian inhabitants were one of the main sites for participant observation of workers' everyday life. Dormitories can be considered as the 'backstage' (Scott 1990: 120) of work. Those locations are especially promising since, unlike on construction sites, workers in such dormitories are not under the supervision of their employers and thus can talk about their experiences and motives more openly. At the beginning, a researcher shadowed a union organiser; however, trust was quickly established. Romanian-speaking researchers also accompanied workers as translators to unemployment offices or clinics in Germany and assisted with paperwork.

Fieldwork started in June 2021 and is still ongoing. After a period of ten months of fieldwork in Germany, participant observation was carried out over the course of four months in the workers' places of origin, including a six-week stay in one Bucovina village. However, workers were also visited in five other villages. Participant observation focused on village life as well as on workers' families and what happened at family dinner tables and barbecues, in the churches and the bars.

Additional data was collected during twelve more months of participant observation in Germany and in Romania during summer 2023.

Observations were fixed in field notes which were later developed into field protocols (Emerson et al. 1995). 26 recorded semi-structured interviews (Corbin and Strauss 2015) were conducted with workers in Germany and 12 with friends and families in the home villages. Analysis was conducted according to Grounded Theory (Corbin and Strauss 2015) until saturation was reached.

To protect workers, all information, including names and places that might be used for identification, are anonymised.

The following section presents the findings, starting with the motive of 'making money' that is inherently connected to and embedded in the workers' Romanian context.

## Romanian transformation and labour struggles in the German construction sector

### *Working abroad as an opportunity to earn income for the family*

'To make money' is one of the most common answers given by Romanian construction workers to the question why they work in Germany. Many workers are regularly supplementing their family income with their earnings: like Ioan Popescu, who paid for necessary renovations; or Mihai Stoica, who is paying for his daugh-

2 The data comes from the research project 'Romanian Migrant Workers in the German Construction Industry: A Study Based on Social Classifications Theory', located at the Institute for Social Research, Frankfurt, and is funded by the German Research Foundation (DFG). The project team consists of Ferdinand Sutterlüty, Andrei Botorog and the author. I thank my colleagues for our work and for the many fruitful discussions.

ter's education. Although he wanted to return, Adrian Stan said he needed to stay a few more years because his daughter needed a new car to commute to her workplace.

This motive is heard not only as a response to researchers; it is also present in everyday interaction between workers. In one of the dormitories, shortly before Christmas, when most of the workers had already returned home, one worker asked another at the bar when he was off, to which the other replied:

I can't leave, I need to make some more money. We just had another baby and I barely have enough money for the trip back.

'Making money' is a prominent motivation,<sup>3</sup> one often linked to the phenomenon of labour migration (e.g. Sandu 2005: 46). For workers in Echsberg, making money means earning a sufficient and continuous income to enable their families in Romania to lead an adequate life in the village. Accordingly, the income is often spent on building or renovating houses, on medical costs or children's education. The motive and its connectedness to the transformation is demonstrated by the following story of Ioan Popescu and Mihai Stoica, who are related to one another. Their story is reconstructed from several conversations with them, their wives and their fellow villagers in the county of Suceava. Let us call this village 'Setul-Mic'.

Both workers lost their industrial jobs in 1993 when the largest of two industrial plants, which had provided employment for a large part of the local population, closed down. Times were desperate, as Andreea Popescu, Ioan's wife, recounts. Severance pay was quickly used up and they were reduced to cutting wood illegally in the forests at night for fuel and for sale. Their garden and their few animals provided food. But, as the children grew older, the need for money grew: to buy clothes or school supplies, to pay doctors, to renovate their by now dilapidated house. But in 1994 and 1995, there was not enough work to be had. Public transportation was also reduced and, even today, only three buses per day connect the village with the city. In 1995, news of construction work opportunities reached the family and, as Andreea remembers, her husband left to go abroad to earn some of the urgently needed money, even if it meant sad months away from family.

During the following years, as other villagers recount, many people left to earn money abroad: in Israel or Spain, in Portugal or Italy. Looking back, Ioan remembers that, although the work (in Israel) was hard and the distance from his family painful, it was acceptable to him because it was the only income opportunity for the family. The money he earned during his first six months was a relief but, without local income opportunities, it was used up quickly. In 1997, he left for the Italian construction industry, this time with his brother-in-law, Mihai. When the 2008 financial crisis hit the construction industry hard in Italy, both found employment on German construction sites. Since 2011 they have been sharing a room in a large dormitory complex in Echsberg.

- 3 Other classifications of work can also be found amongst Romanian construction workers in Echsberg including fulfilling obligations, work as a source of identity or work as part of a normality (see Sperneac-Wolfer et al. 2023).

Both are working, as they say in interviews, for their families. Depending on their gains, they each send monthly sums of between 600 and 750 euros, approximately 2950-3690 lei, to their families, i.e. sums in the region of the local monthly average earnings and above the Romanian minimum wage. Ioan's family conducts urgent renovations at the old family house and the money pays for their children's education. Mihai's income pays for his daughter's education at a nearby university, which includes the cost of a rented apartment.

Over time, the importance of their income has changed from being the only income to being a supplementary one – albeit large and necessary. During the 90s, both families depended on the men's earnings since their wives had worked at the same plant and also lost their positions when it was closed. Since 2015, Ramona Stoica has been earning the minimum wage in a small shop. She does not take days off and has a second job working during weekends and at weddings. Andreea works in childcare, also earning the minimum wage. Both say their income is barely enough for food, gas and essentials. Thus, the only chance to meet the families' other needs – renovations, medical care and education – is to work abroad. Mihai's statement underlines this:

There is work, but in Romania you get 30 to 50 euros for a day on the construction site; here it's 100 euros. How could I pay for my daughters' education with 30 euros a day?

Many older Romanian workers in Echsberg tell similar stories, from sudden unemployment in the early 1990s to the present, with local income opportunities still insufficient for the financial needs of their families.

This illustrates that workers do not just 'make money', but that many do so for the sake of their families who rely upon it. Conversely, if workers lose their income, the loss of a sum in excess of the Romanian minimum wage has serious consequences both for the workers and for their families. In this way, the meaning of 'making money' has become deeply rooted in the local context and within the transformation.<sup>4</sup> Other interviewees also explain their current situation with reference to the transformation which they perceived as a 'sell out' of Romania. This meaning travels with the workers to Echsberg where they work in an environment characterised by fear of dismissal.

### *The German construction industry: income opportunity with a constant fear of dismissal*

One income opportunity is the German construction sector which relies on migrant labour and employs many Romanians in Echsberg and elsewhere. By law, the minimum wage in this sector is the general minimum wage of 12 euros per hour but qualified construction workers, if employed according to a collective agreement, are entitled to over 20 euros per hour and more. The average working week is 40

4 It is also deeply intertwined with this context in terms of cultural expectations about life. Both workers own homes and see it as the norm, and normality, to have a well-kept house, a set table and a good family. This expectation is shared by many villagers I have spoken with.



hours, overtime must be compensated with extra pay, workers are entitled to 30 days of paid leave per year and receive wage replacement benefits in case of illness or accidents (BRTV 2018). Few of these rights are realised for migrant workers who often experience labour exploitation, unpaid work, extensive overtime, informal work or cases of the theft of leave entitlements, and a lack of occupational safety in the German construction industry (Bosch and Hüttenhoff 2022; Birner and Dietl 2021: 51-58; Lackus and Schell 2020; Lübbe 2022; Sperneac-Wolfer et al. 2023; Voivozeanu 2019).

In Echsberg, a normal working day can easily run to 10 to 12 hours of physically demanding work in a harsh and dangerous environment, with frequent accidents and under permanent observation from their employer or supervisor. Employment contracts cover no more than 20 hours per week while workers may work up to 60 hours. Payment is often little more than the minimum wage of 12 euros per hour, though some employers only pay 10 or even nine euros and there are cases of wages as low seven or eight euros. Many employers steal the leave bonus, as happened on multiple occasions to Ioan. When workers fall ill, employers refuse to continue paying them during sick leave, an experience that Mihai had with several companies. Dismissals happen at short notice and sometimes even informally, without any documents involved and disregarding the legal notice period of six working days in the construction industry (BRTV 2018: 28). Layoffs are also used as retaliation in labour conflicts, which happens often.

The need ‘to make money’ provides a strong motive, one that drives many despite the negative evaluation of their work as ‘slave labour’, as the following explanation demonstrates:

I have a daughter, she's 17. She wants to study. I don't want her to end up like me in Germany as a slave. I was a former industry worker. My daughter should not become a slave and have to work without money. That is why I have been in Germany for four years. I send her money for school. If she studies in Bucharest or Iasi, she needs an apartment there and at least 500 euros a month for rent and food.

His statement reveals how Romania's transformation, deindustrialisation and the contemporary economic landscape are intertwined, resulting in a strong motivation towards work. However, observers would be misinterpreting the situation if they failed to account for the omnipresent fear of job loss.

According to Radu Pop, who has worked in Echsberg for more than 10 years, the fear of dismissal and the attendant loss of income is omnipresent and even shapes the work itself:

People put their soul, their ambition into their work, making an extra effort so they don't lose their jobs. They simply have fear; half fear, half will. They work harder just to keep their jobs.

Radu points towards fear as a relevant factor within the construction sector and, for him, this is why workers agree to work more and put in more effort.



Dismissal can also result in homelessness, especially in cases where employers also provide housing. The large dormitory complexes provide a constant threat. In one such complex, two men share a 9m<sup>2</sup> room including a pantry-kitchen and, in Ioan and Mihai's building, three to four men sleep in a room and share a kitchen with 60 others – at a rate of 340 euros per month. The rent is paid monthly and workers are evicted if they cannot pay. Thus, for workers without savings, dismissal comes with many risks and usually results in the search for another job opportunity to avoid homelessness.<sup>5</sup>

This fear is not a general feature of migrant construction labour. Neither Ioan nor Mihai experienced such fear in Israel and Italy, where their employers were friendlier, bought them beer after work and acknowledged their performance. In Echsberg, on the other hand, fear runs so deep that Mihai abbreviated his employer's name during recorded interviews. Asked why he still comes to Germany rather than going back to Italy, he pointed to Echsberg's comparatively high wages.<sup>6</sup>

The combination of fear as a local characteristic of the partly informal work in Echsberg, in combination with the motive of 'making money', shapes local labour struggles – as the following section demonstrates.

### *Open labour resistance<sup>7</sup>*

Work is a contested terrain, with workers and employers trying to shape the labour process according to their needs and visions (Edwards 1979). This perspective is particularly promising in a field like the construction industry, where state regulations are often flouted and interactions and negotiations accordingly are of great importance.

The workers' repertoire of actions includes open forms of labour struggle, like strikes and demonstrations, but also hidden ones such as sabotage or absenteeism (Silver 2003: 184). While actors and their demands are identifiable in cases of open resistance, hidden resistance is characterised either through concealment of the actor's identity, as in cases of sabotage, or the meaning remaining hidden, for instance in absenteeism. According to James C. Scott, the fear of retaliation for open resistance is one of the main factors driving actors to hide themselves or their demands (Scott 1985, 1990). With this approach, multiple forms of labour resistance are in the focus (Bouquin 2014; e.g. Cohen 1980), even in constellations where a significant power imbalance turns some acts into too risky a business.

There are few cases of open labour resistance by Romanian construction workers in Germany (Kirsche 2022; Lackus 2020; Sommer 2018) although, from an observer point of view, the terrain would seem quite promising for such struggles. The high

5 Theoretically, unemployment benefits ought to help workers in such cases. However, such payments are often too small because the contract and the payslip often list only a part of the hours worked (see Sperneac-Wolfer 2023).

6 Workers in Echsberg report that, in other German cities, migrant construction workers sometimes receive only seven to nine euros per hour.

7 This section and the next develop positions previously discussed by the author (Sperneac-Wolfer 2022).

deadline pressure in the construction industry, the demand for migrant workers and their sometimes-unlawful exploitation certainly do not put workers at a disadvantage. In Echsberg, the lack of open labour resistance can be explained by the local intertwining of the ‘making money’ motive and the fear of job loss, as the following scene shows.

During a journalist’s visit, a worker who was part of a larger group explained that he continued to work although he knew his employer was not paying his healthcare provider, thus leaving him extremely vulnerable in the case of an accident. Asked by the journalist why he does not take legal steps against his employer – certainly an act of resistance – he answered:

They’ll kick me out and I won’t find another job here. Because they’re all a mafia. When I leave, he’ll call the other companies and tell them not to take me. They all know each other. And if someone does take me, then he’ll call immigration and they’ll find that something is wrong with my health card or with my contract and they’ll get me. I’ve been in Germany for eight years, working for the same company, and they all know each other.

In his perception, any attempt to establish legal working conditions would provoke his dismissal from his current employment as an act of retaliation. It would also mean the loss of any income opportunity in the local construction sector.

In Echsberg, many workers are afraid of retaliation for demanding their legal rights, for instance when it comes to accidents. Mihai asked a translator to write on his behalf to the health insurance provider to tell them that an accident had happened in his spare time even though it happened at work; he feared dismissal for causing his employer ‘problems’. Ionel, who barely survived a concrete block falling on his head, was threatened with dismissal by his employer, along with his colleagues, if he did not testify that he fell off a chair instead. Only after his employer, who was also his landlord, fired him anyway and terminated his lease did Ionel correct his testimony.

The same worry about retaliation prevents workers from demanding their legal right to paid leave. In the German system, employers pay a monthly percentage of the gross wage to SOKA-BAU (the social fund of the construction industry), which reimburses the employer when a worker takes leave or pays out the sum to the worker if he or she does not (SOKA-BAU 2023). In Echsberg, employers often falsely claim that workers had left on leave, thus paying them with their own vacation money. When a union activist approached a group of workers, some of whom had been cheated out of two or three thousand euros a year by their employers in this way, many refused to take action because this would mean losing their current employment. Accordingly, only those who were with a new employer demanded their money back.

In all these constellations, workers have not demanded the enforcement of the existing legal regulations for fear of retaliation by employers in the form of dismissal. A loss of income would at least interrupt the flow of funds to the family or even reduce it permanently if workers could only thereafter find a lower-paid position. Either way, the consequences for the family can be serious since the money is used

to pay mortgages, tuition fees or children's rent in Romania and is a necessary supplement to meagre family income.

Employers seem aware of this and in Echsberg, as in other German cities, some of their policies aim to make the cost of open resistance as high as possible. For instance, some hold back wages; others also act as landlords; and, in a few cases, employers are known to have confiscated passports and ID cards. In renouncing open labour resistance, workers give up considerable leverage. However, this does not mean that there are no struggles at all. On the contrary, they are hidden from employers and often revolve around 'making money'.

### *Hidden labour resistance*<sup>8</sup>

Due to the constant pressure of employers who will fire workers for being too slow or calling in sick, many forms of hidden resistance discussed among scholars – e.g. go-slow tactics, absenteeism or bungling – are out of the question in Echsberg. Instead, Romanian workers have developed different strategies for opposing their work regime and avoiding retaliation at the same time, namely through giving advice, sharing information and collecting evidence.

Many Romanian workers in Echsberg live at close quarters with one another and experience their work collectively. The crowded living conditions, with three or more to a room, shared travel to the construction site in minibuses and leisure time spent in the same places result in many contacts and conversations. On such occasions, workers share advice on how to counter in secret some forms of wage theft, for instance when employers take workers' debit cards and PINs for the account into which their wages are paid (Birner and Dietl 2021: 53).

In one dormitory, a worker tells the four others that this happened to him while he was receiving seven euros per hour instead of the then obligatory 12.85 euros. He was too afraid to go up against his employer for fear that the latter would empty the account and fire him. Another worker, Radu, reacted promptly:

That also happened to me. You have to go to the bank with your ID and say that you lost your bank card; then you can get your money directly. I've done this myself with my account, for 2000 and 3000 euros.

With this advice, the worker would not only get direct access to some of his funds but, at the same time, receive a new bankcard while blocking that held by the employer. Since there are multiple reasons why a card would stop working, the employer need not know the cause.

Another recurring problem is that some employers keep workers in the dark regarding their health insurance status and do not hand them their pay slips. In one case, these legally required documents mysteriously vanished from the worker's post-box. To ask the employer directly might arouse suspicions, making a particular

8 For ethical reasons, this section only presents a few forms of hidden resistance. Others must remain hidden since their public discussion might provoke employers to take countermeasures.

worker appear critical of the work regime and thus risking dismissal. Consequently, a whole class of information concerns how such information can be obtained covertly.

Regarding health insurance status, a direct call to the healthcare provider is useful, as this can also help workers retrieve lost tax ID numbers. To get access to old pay slips, workers advise each other to make up excuses and say they need the pay slips to obtain a loan or for their tax returns. This way, workers may find out what their employer declared as their income and if any of their leave money has been stolen.

Other advice concerns job vacancies because, even though work in Echsberg is hard and often takes place under unlawful conditions, some employers are worse than others. Some do not steal leave money and stick to the agreed wage; others also offer work on Sundays and extensive overtime. Workers share such positions among themselves, thus offering a way out of the worst jobs. If a new, better and more secure position comes up, workers may take advantage of their mobility (Morrison et al. 2014, 2020: 2) to take it. Furthermore, workers warn each other against certain employers. One evening, an employer suddenly entered a dormitory room asking for capable workers. Asked by the workers how much he was willing to pay, he answered 10 euros. The workers said they all had enough work, but he should try another room. When he had left, the men in the room called their work-mates upstairs, advising them not to open the door because the pay was too small. Such warnings can also be found online. One local online group with thousands of members shares employment opportunities, while workers also comment on their experience of particular employers and which ones to avoid.

In Echsberg, workers also share information regarding the German employment system, regulations in the construction sector (e.g. regarding leave) and their welfare and labour rights. Employers do not usually pass that information on and, to this day, there is no translation of the general collective agreement for the German construction industry into Romanian (or into English).<sup>9</sup> Experienced and knowledgeable Romanian workers like Radu play a crucial role: Radu informs his colleagues about their unemployment benefit rights, the taxation system, the minimum wage, their entitlement to child benefit and the rules on leave.

Only on the basis of the sharing of such information can leave theft be recognised in the first place. The system of leave theft was long uncontested until Radu and a union activist informed colleagues and workers about their rights to leave money. This quickly made the rounds in the dormitory and employers are now evaluated according to how they deal with leave money. More importantly, other workers followed Ioan in starting to develop strategies: As soon as possible, in January each year, Ioan demands his leave money from SOKA-BAU for the year before last, with the assistance of someone who speaks German and Romanian. He makes the request especially early in the year to pre-empt his employer. On one occasion, when he was unable to make his request before February, Ioan commented: 'Let's see if he's taken the money yet.' Although this strategy has its limits – it is unable to stop leave

9 Other information is available online but this cannot be relied upon to reach the dormitories.

theft in the current year – Ioan uses all means at his disposal to obtain access to his money.

A third type of hidden actions prepares the ground for upcoming conflicts. Mainly, this consists of the covert collection of evidence in anticipation either of a dismissal, depriving employers of the instrument of retaliation, or of conflicts that are on the way.

Evidence is crucial if a conflict goes to court and the higher the chances of successful legal action, the greater the chance that employers will seek an agreement in advance. In cases of leave theft, workers have to document when they worked and on which construction site. Since oral testimony comes with a high risk of dismissal for testifying colleagues, other forms of evidence are used here like videos, geolocated pictures or selfies, made in the morning, at noon and in the evening, thus documenting presence at work. The preparation of such evidence often happens far from the view of employers. But even if employers or their supervisors see workers taking pictures or videos, it is often impossible to tell whether they are being taken as evidence or are of a private character, for families and friends.

The stronger the representation of working life in the digital sphere, with photos on construction sites being posted on social networks, the harder it becomes to recognise what is resistance and what is everyday life. Here, the strategy is to hide in plain sight, for what could arouse less suspicion than construction workers photographing themselves doing hard and physically demanding work? The collection of such evidence also secretly changes the balance of power in the workplace without employers knowing about it until they are confronted with evidence.

Thus, although there is little open resistance, there are multiple variations of hidden resistance going on beneath the surface, invisible to employers. Here, too, the motive of ‘making money’ is central and all workers’ actions are aimed at finding out what they are entitled to and whether their employer is cheating them, and to keeping as much as possible of what is rightfully theirs out of the employer’s grasp.

## Conclusion

The long transformation of Romania from a socialist to a capitalist market society created the conditions in which many workers have found it necessary to earn money abroad. Although there has since been an economic upswing, this wind has only barely touched the north-eastern area of the country, where local incomes are insufficient to ensure a decent livelihood. To earn enough money to renovate their houses, give their children a good education and generally make ends meet, workers are thus continuing to seek opportunities abroad.

This motive arising from the Romanian socioeconomic context unfolds its effects in the German employment context, which is characterised by the permanent fear of losing one’s job and source of income. Here both motives become intertwined. As a result, there are few cases of open resistance for fear of retaliation. At the same time, these motives together underpin a level of hidden resistance in Echsberg which consists of tip-offs, information and evidence-gathering. Romania’s long transformation and its spatially unequally distributed effects thus continue to shape labour resistance abroad and, hence also, the working conditions formed in ongoing struggles. This

has implications for a perspective on eastern European transformations, migrant labour and strategies to counter labour exploitation.

The fall of socialism in eastern Europe set off a transformation in the course of which hundreds of thousands, if not millions, of people went in search of work in western Europe. As this article has demonstrated, the effects of the transformation continue to play out when workers cross national borders, influencing their employment situation and the wider course of labour struggles. Thus, to reach a comprehensive understanding of the transformational effects, it is necessary to widen the focus of the discussion to include migrants and their work abroad. Such a perspective would also add to our knowledge about precarious migrant work, in which social changes in workers' home contexts play an important part.

In western Europe, workers from eastern Europe take up poorly paid and precarious jobs, a fact that is often ignored and comes to public awareness only amid rare eruptions of labour unrest. Discussions often point to the wage differential as the decisive factor in making workers agree to such poor conditions. However, such an abstract perspective can neither grasp the local significance attached to 'making money', nor can it account for factors such as the fear of dismissal. Ignoring such local factors as persistent fear comes not only with the risk of a methodological whitewashing of precarious migrant work but, more importantly, it does not adequately explain why open labour conflict is such a rarity.

By contrast, to consider workers' motivations, local factors and transformation in their home context as relevant factors in their labour struggles, and therefore for the labour process, provides valuable insights regarding the persistence of such working conditions even in the face of legislation designed to ameliorate them. Considering the role of hidden resistance also offers new strategies to counter labour exploitation.

Once the factors which prevent open labour resistance have been identified, measures against them can be developed. In Echsberg, for instance, it is conceivable that a combination of state-assisted funds to compensate victims of labour exploitation and the provision of non-bureaucratic assistance during job search may reduce the fear of dismissal. In the US, the National Employment Law Project has advocated for such funds to counter the fear of retaliation (Huizar 2021). However, strategies can also be designed to dovetail with ongoing hidden resistance. This could mean producing a booklet with relevant advice or assisting workers in their hidden actions, for instance by helping them in their dealings with SOKA-BAU. Given the intense discussion of such matters among Romanian workers themselves, outreach work in their dormitories and in other hidden spheres such as online groups may also prove useful. Available information and communications technology should be used to better effect: everyday pocket companions like smartphones can be used to collect evidence and hiking apps, for instance, may be repurposed for documenting working hours and locations.

Whatever measures are taken, however, it is necessary to rein in a labour regime that, to a considerable extent, is built on exploiting societal transformations abroad.

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