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Union Low-pay-worker Representation and the *sans-papiers* Strikes in France

Ingrid Artus

The article deals with the problem of union representation in the low-pay-sector. Regarding especially (but not only) the situation in Germany, it claims a cultural gap between traditional unions and employees in the expanding precarious job sector. This is due to the difficult circumstances for worker interest representation in these sectors, but also to problems of the unions to deal with 'crazy' struggles typically erupting in this employment area. In the following the French case of the sans-papiers strike between October 2009 and summer 2010 is empirically examined as an example of relatively successful 'bridge-building' between established unions and precarious wage-earners. Although this case is also committed to specific French conditions, some things can be learned from it for a more general assessment of the topic of union politics in the low-pay area.

Key words: low pay work, precarious work, interest representation, sans papiers-strike

The structures and policies of (not only) the German union movement have been historically strongly characterised by the conditions enjoyed by male, domestic skilled workers. This is what up to today still makes up the bastion of union organising. In the large production operations of the (west-)German metal, electrical, chemical and mining industries, but also in banking and insurance, the unions are still strong, wages comparatively high, job conditions and employer-employee relations well regulated, and there are considerable opportunities for participation in workplace decision-making. But, in the wake of service-sector expansion, the feminisation of the labour-market, the growth of ethnic minorities in Germany as well as the 'precaritisation-

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offensive', undertaken by entrepreneurs and supported by the government, employment areas beyond the traditional union domains have developed dynamically. This is not only a special development in Gemany, but can be observed in very similar ways in most Western industrialised countries. The growing sector of precarious service work is the result of tertiarisation as well as of the destructuring of wagework (cf. Beaud/Pialoux 2004) in the context of massive unemployment and thus declining power resources of the employees, in the context of new economic strategies like outsourcing of services, commodification of reproduction work and privatisation of public services and in the context of wide-spread neo-liberal government strategies of deregulation and 'workfare'. Thus traditional features of capitalist work, like precariousness and insecurity, are recurring into the industrialised urban centres and the number of people is growing, living there between precariousness and exclusion (cf. Castel 2000).

In the face of increasingly de-standardised and 'de-socialised' (cf. Wacquant 2009: 29) forms of waged employment, the unions' well-regulated cores seem more and more like tiny, ever-dwindling islands of stability in an ocean of unregulated jobs. The following essay will report on the hard conditions of survival on this rough sea, and try to help the 'island' inhabitants and those adrift on the sea to communicate with each other. Its theme, and central thesis, is the problem of the *cultural gap between traditional orientations of the (not only) German unions, and those employed in the expanding low-wage job sector.* In other words: A union landscape in which functionaries, centralist and bureaucratic organisation forms, collective norms, professional identities and political strategies were formed in times when continual growth in prosperity, a relatively strong union movement, all-inclusive collective institutions (e.g. collective wage-bargaining, works-councils) could be taken for granted, were dominated by male, qualified skilled workers, and a fundamental political compromise existed with the entrepreneurial camp, must now make an effort to connect with segments of the economy in which all these conditions do not exist. This adaptation probably is essential for the unions, not only because of the 'swelling flood' of precarious service work, but also since the 'rough survival conditions on the sea' may indicate (at least a part of) the future of industrial relations in a globalised capitalist world.

In the following, first the general circumstances for worker interest representation in the low-pay sector are sketched (Ch. 1). Then it will be a question of the points around which conflicts typically erupt in this employment area which can be addressed by initiatives of the German unions (Ch. 2). In the third chapter a concrete case is empirically examined that can be considered an example of relatively successful 'bridge-building' between established union organisations and precarious wage-earners. This case comes (not accidentally) not from Germany, but from our western neighbour France. There, between October 2009 and summer 2010 around 6000 *travailleurs sans papiers* ('workers without papers', i.e. 'undocumented'), with the support of the French union CGT, went on strike for a 'regularisation' (legalisation) of their (illegal) immigrant status (Ch. 3). The situation of 'irregular' migrants is admittedly an extreme case of precarious waged work, and conditions in France are in several ways not directly applicable to Germany or other countries. Nevertheless, from this case study some things can be learned that are important for a more general assessment of the topic of union politics of interest in the low-pay area (Ch. 4).

Most of the empirical knowledge sketched below stems from empirical studies of interest representation in Germany and France carried out in 2003-06 by the author, comprising in total 76 interviews in 18 German and 11 French enterprises (cf. Artus 2008a). In Germany the research has been done in close collaboration with Sabine Böhm, Stefan Lücking and Rainer Trinczek (cf. Lücking 2009). The French part has been made possible by a research grant from the Maison des Sciences de l'Homme in Paris (10/2005-8/2006). While all cases of these research projects have been anonymised, information about 'real' firms and enterprises cited below have mostly been found in the daily press or during expert conferences and discussions with union activists. All research interviews have been done in a decisively qualitative research tradition, focusing on the interpretation of the interviewed actors themselves and trying to give space to their own thematisations, perspectives and personal language. Theoretical background is a concept based on interaction theory, regarding especially processes of interest bargaining and representation (cf. Artus 2010). The French cases could not have been understood without intensive discussions with French colleagues and friends

(particularly Adelheid Hege and Christian Dufour from the Institut de Recherches Economiques et Sociales). The social movement of the *travailleurs sans papiers* has been studied later on, during a one-week-research residence in France in February 2010. The description is based on two interviews (with a union responsible of the CGT and a strike activist), on the attendance of a strike delegates meeting, as well as on documents and several discussions with political activists in France.

1. Interest representation in the low-pay sector: structural aspects

The threshold of the low-pay sector is defined by the OECD standard as two-thirds of the median wage. This was the amount of 9.06 Euro per hour in Germany in 2008.[1] Over 6.5 million people there were then working for an hourly wage under this level. That was circa 21% of all employed (cf. Bispinck 2010). The percentage of low-wage employed in Germany has grown greatly in the recent past, in contrast to most other EU countries. It lies now markedly higher than that of other corporatist welfare states (e.g. France or the Netherlands) and instead varies around the level of the Anglo-Saxon liberal capitalist states (e.g. the UK and US) (cf. Bosch et al. 2008: 423). Low-wage work no longer is performed (if ever has been) only by part-timers needing to make ends meet with an extra job. It also involves a great number of full-time employed (cf. ibid.). German low-pay workers are also far from being primarily unqualified persons, in contrast to those in the US or UK. In 2006 came 'only about one-quarter of all low-pay employees from the group of the formally low-qualified (…). The share of employees with a completed occupational training or an academic degree from the total number of the low-pay employed has greatly increased (…) from 66.5% (1995) to 73.6% (2006) (…) – also in international comparison an extremely high number' (Bosch et al. 2008: 427; cf. also Schäfer 2006).

Low wages are not only being paid in areas without collective bargaining wage scales, or where these are not respected. In the past collective bargain-

[1] This amount is for all of Germany. The separate low-pay thresholds West and East Germany are at 9.50 Euros (West) and 6.87 Euros (!) in the East (Bispinck 2010).

ing parties have even quite officially agreed to wages under the low-wage threshold, e.g. in the florist branch, hairdressing, in the hotel and restaurant sector, agriculture and horticulture, but too in parts of the auto branch, meat-cutting, retail and wholesale sales, as well as in transport and infrastructure (cf. Bispinck 2010). Also the new sectoral minimum wages (conforming to the *Arbeitnehmerentsendegesetz*) are partly below the low-pay threshold, as in the refuse industry, electrical trades (east Germ.), building-cleaner trade, money and valuables transport services, care work (east Germ.), surveillance and security provision, as well as laundry services (ibid.) and the temporary work sector. The list of the branches concerned shows that work on low-wage terms is particularly in service areas where typically not only the wage level qualifies as precarious, but also job security, social security, working conditions as well as the opportunities for worker participation often deviate negatively from usual societal standards (cf. for this Brehmer/Seifert 2008). Low paid work is (largely) precarious service work, disproportionately often carried out by women, migrants, East Germans as well as younger people (cf. ibid.). They have in common that their precarious working conditions scarcely permit any longer-term future planning, their efforts are undervalued by society and are often associated with personal experiences of disrespect.

To summarise, two structural causes can be named for why a collective organisation of these employees in the areas mentioned along traditional union strategy lines is exceptionally difficult (cf. Artus 2008a, 2010a). *First,* in the precarious service sector there is typically a marked *social fragmentation among the employed*. This is true in three respects: in space and time, and culturally. Different from the case of big industrial workplaces where workers are spatially concentrated, work together simultaneously for long shifts and in the long term, precarious service work is carried out typically in arrangements that are spatially fragmented, discontinuous, short-term, with frequent personnel turnover or even by a lone worker. Part-time work, minimal employment conditions and highly flexible working-time models are all obstacles to personal relations between workers. The level of personnel turnover in the workforce is high. This is partly due to rigid job conditions, partly also to the disproportionate number of younger employees who see their employment relationship instrumentally, as only a job for a limited time.

The cultural composition of the greatly fluctuating teams of workers strewn over many building-sites, branch locations, restaurants or temporary workplaces is highly heterogeneous: as heterogeneous as the reasons why people see themselves forced to accept doing precarious work at conditions well under society's standards. Typical disadvantages for these workers are less often low formal qualifications, than lack of mobility or flexible time disposition (e.g. due to family needs or limited work- or residence permits), weak German-language skills, discontinuous work-biographies, lack of recognition of foreign educational and training credentials, but also personal physical limitations on work capability. Precariously employed service workers are people from many different countries, whose linguistic, cultural and political backgrounds vary to the extreme; students work beside childless wives wanting a little extra money, or single parents with extremely precarious family situations, the formerly imprisoned beside law-students, migrants with foreign university degrees beside others who can hardly read, and for the first time in their lives are working for wages. All this makes for not only considerable communication problems, but also for differences of interest in terms of wages, working hours and union representation strategies. For bad humour also makes often the pressure to perform and deadlines, together with poor pay and permanent behavioural pressure to conform during work. That is why there is much conflict potential on the job, not so much between those 'above and below', but between fellow workers. Bullying is common. The emergence of structures of simple camaraderie seems already difficult in such conditions, while the formation of anything like an effective collective interest representation: nearly impossible.

Thus it is, *secondly,* not accidental but rather immanently logical that the *imbalance of power between capital and labour* in these economic sectors is particularly apparent. Internationally active, powerful concerns with significant labour-market sway and well-equipped legal departments stand here face-to-face with employees who are particularly weak in economic, cultural and social capital resources. Their workforce is often easily replaceable, and in times of mass structural unemployment, they have little employment alternatives, which makes them greatly vulnerable to existential pressure. Their low labour-market power and low structural power in the workplace is

also scarcely compensated by the presence of union organisational power.[2] Precarious service jobs are traditionally not a focus of concern of the normal union apparatus.[3] Consequently the level of organisation here is fairly low, and the union, 'far off'.

In a study on the question of why in Germany around 90% of all works-council-eligible workplaces in practice possess no works-council (cf. Ellguth/Kohaut 2010), the sector of precarious service jobs emerged by far as the most repressive in form of management policy against the unions and worker participation (cf. Artus 2008a,c, 2010a; Lücking 2009). The mode of interaction between management and employees structures itself often as a relation of repression versus powerlessness. The workers are recruited (in the words of one personnel manager interviewed) according to the motto: 'willing and cheap'. They are considered and treated as a source of labour in need of discipline rather than as a bringer of productive or even creative results. Demanded is obedience and readiness to perform in the strict execution of given instructions. Working conditions are kept systematically precarious and the emergence of a core workforce is limited, in order to facilitate the replacement of no longer productive or willing individuals. There are comparatively rigid practices of direct control. Mistrust and disrespect maintain each other in a reciprocal relation. The relationship between superiors and employees can be described therefore, less as one of exchange than a one-sidedly arranged set of rules that workers are confronted with in totalitarian style. They have only the choice between obedience and exit (quitting or being fired). The high rate of turnover (100% and more) is indeed due pri-

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2 This differentiation of varying sources of power takes up a suggestion by Silver (2005: 30-34) borrowed from E.O. Wright. It differentiates structural power, which itself can be differentiated into marketplace bargaining power and workplace (or production) bargaining power, from organisational or associational power. Organisational power emerges in this view from the formation of collective worker organisations, above all unions and political parties.

3 This has changed somewhat in the most recent past in the wake of the general union membership crisis (cf. Ch.3).

marily to employee exit. Termination of the employment relation is the typical form of conflict resolution.[4]

Altogether, the conditions for the creation of an opposing employee power are thus rather poor. And the entrepreneurial management on the other side is often very rigid and professional in the resolve to suffocate any collective movements tending in the direction of worker interest representation, if possible at the nascent stage. The repressive strategies of management are often thoroughly systematic, in the sense of the US 'anti-union' policies. These consist in terminating or buying off uncomfortable union activists; in massive internal workplace propaganda against the election of a works-council; in using a range of legal means against critical employees (e.g. criminal charges, particularly often of theft), in massive attempts to influence works-council elections through intimidation or systematic 'mind-changing', in extreme cases also through collective punishment of disobedient branch locations, by, for example, exempting these from company-wide wage increases, closing them or purposely letting them go bankrupt (cf. here i.a. Royle 2000, Bormann 2007, Artus 2008a,b,c). The managerial strategies of influencing elections as well as existing works-council committees are massively, systematically and permanently employed. They are, as a rule, successful.

In light of the imbalance of power, the attempt at union organisation and the establishment of some kind of workplace opposition can seem to be simply 'crazy' (Artus 2008b). It might thus seem, by contrast, more sensible to stay usually 'under cover' from the total power of management, and function as invisibly as possible, as long as possible. This pragmatic survival reflex, in the face of often difficult personal circumstances, also rests on a realistic assessment of workplace power relations. In the world of the precariously employed there are hardly experiences suggestive of the usefulness to them of individual or collective resistance, collective forms of organisation and interest representation. The largely uncritical conformity to the reigning

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[4] In an extensive description of the interaction modi in the precarious service sector, two typical variants of social relations can be differentiated: Besides the above-described 'pure repressive' management strategies, there are sometimes also policies with decidedly symbolic recognitional and communal elements (cf. Artus 2008a,b,c).

conditions has therefore little to do with satisfaction, but is to be understood as the 'choice of destiny' (to use Bourdieu's term) that adjusts one's horizon of expectations to the realistically appraised givens. The dearth of hope for improvement in one's life and work situation is the result of 'intuitively perceived and progressively internalised objective possibilities' (Bourdieu 2001: 34).

2. 'Crazy' struggles and union initiatives in the low-pay sector: the problem of the cultural gap

Yet, there are cases that make the headlines, like that of the supermarket cashier named Emmely. Active in a collective bargaining strike in the retail sector, she was fired with the justification that she had stolen a bottle-deposit ticket worth 1.30 Euro (cf. Hajek/Zattler 2009). She won her publicly effective struggle for reinstatement in her job in a final appeal to the German Federal Labour Court. Besides her, there are the 'Schlecker' retail cashiers who led a determined struggle for works-councils (cf. Bormann 2007). There are the McDonalds workers who in France struck for almost a whole year for better working conditions and the reinstatement of their colleagues (cf. Tie-Internationales Bildungswerk 2003). There are the Teamster activists in the US who in the 1990s after a brutal labour struggle managed to organise a union at UPS, and their colleagues in the Turkish union Tümtis who (at the time of writing) are attempting similar organising in Turkey. They are struggling for the reinstatement of the 161 employees fired by UPS for union organising. There are the strikers at London's Heathrow Airport (Dufour 2005) and those at Gate Gourmet in Düsseldorf (Flying Pickets 2007).When, and how does it come to such 'precarious struggles'?

First of all it should be stressed that in most of the cases mentioned above, it was a matter of defensive struggles against the impertinences of the entrepreneurs or resistance to repressive measures. If one looks at the protagonists in such precarious struggles, it is typical that these are actors in comparison with whom the power disequilibrium is somewhat less obvious. They often possess a relative 'extra something' in the way of workplace-structural or even labour-market power. Thus, resistance to precarious conditions in the

rule emerges from a circle of core workers who have an above-average duration of workplace history[5] and, sometimes, a somewhat elevated position, e.g. that of overseer, or a team, shift or even branch supervisor. They know the workplace routines and many colleagues; and the colleagues know them. Often they may have in the past achieved modest advances in the workplace, because of their above-average commitment and qualification. In the case of a conflict these workers do not (always) resign, but (sometimes) keep trying to resolve them internally. Since they may have also routinely functioned as spokespersons for an employee collective, it is logical that later at a certain time they may do this again, but with other aims and means. Because they know well the collective problems from long experience, they can talk about them convincingly in concrete cases. The chances that colleagues and co-workers and those further down will join up, will also be better when the relatively powerless are led by a few who have just a bit of power.

Sometimes the 'precarious' activists also have some competitive advantage within the labour-market , i.e. because of their subjective situational assessment, or their objective life-situation as well as qualification, they are more prepared and able to risk their job in a 'crazy struggle' than others[6]. Probably the most important requirement for 'raising one's voice' is being able to forego one's job, or hinder an 'exit' (termination). This rather banal explanation from organisational sociology is fundamental for the conditions in the precarious service sector, for, not accidentally, many of the 'precarious struggles' mentioned above were (and are) fought over hindering job losses.

The trigger for precarious struggles are also often not primarily material demands, e.g. higher pay. They are set off more often typically in cases of violating moral standards, to an extent even beyond the already humiliating

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[5] An extremely interesting story of union struggle at Pizza Hut in France begins with the words of the author, a key activist: 'I became a unionist because I'm nearsighted, very nearsighted' (Mabrouki 2004: 17, author transl.). His visual handicap forced him to work as a dishwasher instead of as pizza deliverer. This position was, for its part, the reason why he could accumulate an unusually long duration of employment – which again was a basic requirement for his commitment as a union activist.

[6] The term 'crazy' originated with the interviewed activists themselves (cf. Artus 2008b).

routine treatment. Issues of respect and recognition play thus a central role. At issue is for example whether saleswomen more often than once per day should have the right to go to the toilet; whether in worker dressing rooms there should be surveillance cameras; whether a work-shy supervisor has the right to verbally abuse the workers as lazy do-nothings; and whether the shelves in a hypermarket really have to be cleaned with toothbrushes. Some employees also find it immoral that colleagues who have resisted undignified treatment are dismissed under the accusation of theft. Solidarity shown such colleagues and against obvious arbitrariness of some companies often marks the beginning of conflicts, in the course of which the improbable happens: the formation of an effective worker collective under precarious conditions.

Typical of such precarious struggles is that they lead relatively fast to a quite sharp conflict situation often compared by participants to a 'war'. By the time Emmely had to appeal to the Federal Labour Court to defend her rights, some of her colleagues had been dismissed two, three and four times and reinstated (cf. Rosa Luna 2009) or after a series of legal confrontations finally considered a hunger strike as a possible last recourse (cf. Artus 2008b). In this unequal battle of a David and Goliath, to retain even a prayer of a chance, considerable personal endurance is required, great long-windedness, as well as solid collective support structures not only at the workplace but also beyond. One might think that all this could be arranged through union support networks. In principle, and in some cases this is indeed so, but alas not always. The unions' bureaucratic organisation structures, and the traditional orientation of union policy towards conditions favourable to well-organised industrial or office-work, give rise to various irritations and misunderstandings (cf. Artus 2008a,b). From the viewpoint of union functionaries the question is understandably whether it is worthwhile to pick a fight with the all-powerful concerns, when even the all-company works-council chairperson, who has a proper 'Ver.di' (German service-worker union) membership card and directs union influence in the company, plays down potential conflicts, and everybody is glad anyway that the concern holds to (at least) its own low-wage branch collective agreements; and anyway it is clear that, with the lack of a big-enough membership base among employees there is hardly the power needed to force management to the

negotiating table if it decides to give up its formally recognised policy of cooperation between the 'social partners'. It seems to make little sense to put much work and time into the organisation and defence of precariously employed, whose membership dues as such are negligible, and who in three months will probably change jobs again anyway. Union functionaries have anyway less and less time, because of fire-fights on more and more 'fronts'.

Admittedly, in recent years in German unions a slow but sustained awareness has emerged that the organisation of the growing host of precariously employed workers is a matter of the unions' own future, and must be dealt with if these are not to become the new dinosaurs of human history. This gets public attention, above all in the unions' campaigns. The most influential of these in the media and politically has been probably the campaign for a minimum wage that was first taken up by the NGG (union of food industry and restaurants) and Ver.di (union of the service sector) (cf. Sterkel et al. 2006) and, after long reluctance by IG Metall, could finally win over a majority of unionists as well as citizens. The campaign resulted from the realisation that downward pressure on wages in many sectors (above all in precarious service work) in the medium term cannot be contained by the traditional collective bargaining policies. Thus on the one hand this is an admission of union weakness; on the other, a 'reality check': a pragmatic re-adjustment of traditional union strategies to new conditions on the ground. As the unions could get no further on their own, they launched public relations efforts and lobbying to mobilise the state as ally in the effort. Even though the concrete result of the campaign thus far has been limited to the half-hearted acceptance of various branch-specific minimum wages, the virulent and sustained politisation of the question of a general minimum wage in Germany has been a nice success. But with only the aim of an overarching politisation of the public, the campaign goes *beyond* the organisation of the workplace membership base, and in no way solves the problem of weak union penetration among precarious workers.

Explicitly different cases are seen in the various organising campaigns conducted for about ten years now in different unions. The magic word o*rganising* spilled over early in the new century from the US to Germany. On that side of the Atlantic the service union SEIU achieved great success with a

few of its organising campaigns (cf. Bronfenbrenner 1998, Dribbusch 1998, Voss/Sherman 2000, Choi 2008, Schroth 2009). The promise of membership growth, precisely in precarious sectors made the, supposedly in part transferable, 'techniques' of organising attractive also for the German unions (cf. Hälker/Vellay 2006, Brinkmann et al. 2008, Dörre 2008, Birke 2010). The various [German] attempts however to strategically plan union organising campaigns, as it were, 'on the drawing board' and carry them out, were only a mixed, partial success. The effort to politicise precarious, exploitative conditions and 'scandalise' with them (as in the 'Lidl campaign', cf. Hamann/Giese 2004; Hamann et al. 2006) did in fact succeed. Sustainable membership effects, which was and is the primary goal of efforts such as in the Hamburg surveillance industry (cf. Dribbusch 2008, Birke 2010), in the warehouses of the Otto mail-order company, or also in the hospital sector, could be realised only to a very limited degree. This was also true of the extensive campaign of IG Metall on the issue of sub-contract employment. Many of the temporaries who had been organised at great effort quit the union again when it could not protect them from redundancy during the world economic crisis of 2008.

Even despite apparent problems with union attempts to penetrate the precarious employment sectors, overall a definite increase in conflicts there can be ascertained (cf. Renneberg 2006, Bewernitz 2008). These take place sometimes in the traditional forms of collective bargaining mobilisation (as in the strike in retail sales), and sometimes the unions try out new tactics and strategies. In early 2009 for instance, the traditional 'strong male Ver.di-fighters' of the waste collection sector were replaced by the dynamic, mostly young female day-care workers who exposed with great energy, creativity and original ideas their bad working conditions and low pay. In repeated, mostly one-day nation-wide strike actions they demonstrated considerable fighting strength in the middle of an economic crisis. Not only the public but also many Ver.di officials were surprised by the dynamism of the movement. That their demand for, at first glance rather unspectacular, new health protection regulations would prove so mobilising, many people had not expected. The goal of a collectively bargained health protection agreement was contrived by Ver.di as rather a kind of political bargaining trick to be able to

demand, despite the workers' existing legally valid wage agreement, an increase in compensation. The child-care workers instead took seriously the content of this justification for the strike. The call for better working conditions symbolised the collective feeling that their work in nurseries and day-care facilities was not being sufficiently respected by society. The longing for more respect, largely responsible for the strike's dynamism, was symbolised much better in the form of this demand than it would have in a 5% or even 10% pay rise demand. The issue of health protection became in this way a symbolic 'bookmark' in a struggle with its focus on societal recognition and valorisation of 'typically female' service work in a low- (or a bit higher-) wage sector. This day-care worker strike was also original in their attempt to carry the discussion systematically beyond the boundaries of the collective bargaining parties. The children's parents (those mainly affected by the strike) were, as far as possible, informed and involved in the strike. The moral justifications for the labour conflict were a systematic departure from the traditional realm. Beyond wage-justice and fair distribution of societal resources, further fundamental questions were raised, such as, what values and services are central to a society that wants to secure the life-chances of future generations.

New strike tactics came to be used also in diverse conflicts and struggles in the area of cinemas. These were in part organized by Ver.di (e.g. at CinemaxX and Ufa), sometimes only informally coordinated with Ver.di, or even took place with Ver.di excluded (e.g. at the Berlin cinema Babylon). The employees in the cinema branch are often hired on termed contracts and work in various highly flexible part-time shift systems. After, for example, in 2004 the nation-wide cinema giant CinemaxX terminated the existing collective contract, it began paying new employees an hourly wage of only slightly above 6 Euros. Four long years the CinemaxX employees agitated at many locations in Germany, using kind of 'pin-prick' tactic, for uniform, subsistence-ensuring level of wages. Union activists determined, often short-term and autonomously, which shifts would strike for one-and-a-half hours (and with that causing the cancellation of a film showing). Parallel to that they sought contact with cinema-goers and in fantasy-filled actions tried to inform the public on the issue of cinemas' low pay and their refusal of collective

bargaining agreements. After four years of low-threshold but stubborn bargaining discussions, CinemaxX finally declared its readiness to (again) conclude a collective agreement which would at least set limits on the free fall of employee wages.

Here certainly other cases of conflicts breaking out in low-pay areas could be mentioned, such as the strike of building cleaners at IG BAU in late 2009. The overall picture of interest representation in the low-wage sector is in any case strongly dynamic and potentially conflictual. Because of the relative weakness of employees, the conflicts often are long and drawn-out, characterised by intransigence on both sides. The struggles are vicious and stubborn, and over changes that in material value sometimes seem hardly worth the effort, but are (also) powerfully symbolic and marked by a will to win the respect and recognition of society. Though it is to be acknowledged that, overall, the unions are in no way inactive, their strategies until now have shown only mixed results, and some systematic problems can be identified. These are inherent on the one hand in structural weaknesses of the employed; on the other, in part by *cultural* and in part *political-interest gaps* between the precariously employed and union apparatus. How can the latter be explained?

The realities of precarious service work are different than what is usual for union organising, in terms of work conditions, management policies and patterns of conflict. A union functionary who went through occupational and union socialisation in the 1970s and 80s in such well-organized environments as the German Post or huge retail hypermarkets, will have understandably considerable difficulties imagining the repressive conditions and extreme conflict situations like at Pin AG (a private postal service) or the retail discounters Aldi and Lidl. Their lack of first-hand knowledge of conditions on the ground reduces the usefulness of unionists' advice. Cases of striking misassessments and strategic mismanagement by union functionaries have happened often in this situation. Problems also arise when the 'new', 'precarious' activists scarcely resemble traditional union personnel in gender, ethnic origin and social position. The development of a trusting relationship between, for example, a young cashier of Turkish origin whose family was perhaps politically persecuted, and a 50-year-old social-democratic affiliated union functionary who over decades in the ranks of bureaucratic experts has

become a specialist in the complex material of collective bargaining, though not impossible, is also not self-evident. There is also a systematic disproportion between the exorbitant demands made on the unions by the precariously employed during their individually high-risk, 'crazy' struggles for recognition and justice, and a union's organisational logic that measures the success of its policies often above all in terms of increases in membership numbers. That here disappointments will not be long in appearing, is clear. Relations between the precarious activists and the unions are thus, not rarely, afflicted by misunderstandings and considerable mutual irritation.

As an example of such a 'crazy struggle' we give here the conflict experienced by Fatima.[7] It took place not in Germany but in France, and is thus in some respects characteristic for conditions there. A particularly drastic case, it is still in its basic structure thoroughly similar to the situations of any number of German 'Emmelys' working anywhere between Flensburg and Lake Constance:

Fatima is the daughter of an Algerian family who in the 1950s immigrated to France. Her father worked in the northern French mining region. She was born in 1965 as the first of many children. As her parents in the 70s left the country with a repatriation premium in their pockets, she chose to remain in France, though still a young girl. She left school at 14 without finishing any qualification. A hairdresser training she started was also broken off, so she took care of elderly people and did child-minding. As an '*animatrice'* for children and youth she did achieve an officially recognised qualification, but her pay rarely exceeded the minimum wage. At 19 after an unplanned pregnancy she had a first daughter. She married the father and seven years later followed a son. As she landed a job in 1989 at a nation-wide discount bookstore chain, she was enthusiastic about her new activity. It meant for her daily contact with a world of culture and education, to which she had hardly any access before: her parents could never read or write. She describes herself as an autodidact. With commitment and growing competence she rose relatively fast to branch-outlet supervisor and direct superior to three or four employees. She worked round the clock, often seven days a week. Her pay was still

[7] The name has been changed.

low, but she says of her then employer: *'Sure, they exploited us, but never questioned our dignity'.* This changed in 1997 as the firm, after an embezzlement affair, went bankrupt and was sold to a new owner. In this situation Fatima became involved in setting up a union organisation representing the company's workers, which was in future to keep an eye on management's doings. Her arguments struck a chord with colleagues. Within a short time she had organised into the CGT union over 60 employees who worked in the extensive small branch outlets. This brought her some attention and respect at CGT and she was named the main union delegate from the company. But the struggle, far from won, was only beginning. There began a period of confrontations with management, not over wage increases, but about the concretisation of rights that, in the French *Code du Travail,* are guaranteed each and every worker: allowing cashiers to sit, for example, or (at workplaces without toilet facilities) the right to more than one pre-paid visit per workday to a nearby pay toilet. Management answered with systematic strategies to destroy her morale: Fatima was continually transferred to new branch locations, her work was monitored for errors, or she was provoked into making insulting remarks. Employees were often warned of contact with the troublemaker, and thereafter did so often only secretly. Still, she organised a total of four strikes, and was dismissed four times, i.a. for defamation and damaging the reputation of her employers. She had reported to interested media representatives the causes of the labour unrest. On the frequent repressive strategies of management she commented with the words: '*You can get depressed about it, or you start to defend yourself*.' When going to work in the morning, she now had the feeling of '*going to war'* instead. She never knew what awaited her. Crucial for her 'workplace survival' was on the one hand a permanent self-control over her behaviour, and on the other, that she kept the responsible labour inspectors informed of all goings-on at work. Because conditions there were known, cases of new dismissals were anticipated and not allowed. At the beginning she had had no idea what she was getting into with the union involvement. After some years of confrontations she developed however the necessary resistance to the repressiveness of management: *'After all, it's them (management) who made me into what I am.'* She ultimately won all court cases and had to be reinstated in her job three times. But it was costly.

'*In the end you're only working off the legal fees'*. At the last court case therefore her legal advisor recommended taking the settlement offered. As the court documents grew massive, she saw she could not hold through the conflict any more. Thus she finally settled out of court. At the time of the interview she was retraining for computer and office-work. She is not really bitter about the repressive actions taken by her employer, after all they were perhaps to be expected. But she is bitter about the lack of solidarity shown to her by CGT. Repeatedly the union showed itself unwilling to give her unbureaucratic help in sudden conflicts, not even with such items as copy machines or other material aids (telephone, fax). She received no financial support either during the strikes or ensuing legal battles. Dissonances also resulted from her taking the union principle of 'rank-and-file' democracy a bit too literally. As she was called to sit on the executive committee of her local union branch, she wanted thorough information about the origin and use of union money before she would agree to proposed budgets. Union insiders interpreted this as a lack of trust, and a breach in solidarity. As she also, in a newspaper article, expressed criticism of the union, she and some like-minded colleagues heard the charge: *'Vous ête*s *des electrons libres':* You people are like free electrons who can't conform to the discipline of the organisation. For her part, she reproaches the union that they '*played at politics while we were fighting for survival.'* But she has still not quit the union, because '*I believe one has to get involved. I'll try as long as possible to change things from the inside.'*

Fatima's conflicts as sketched above contain many elements found also in Germany and other countries with similar situations. Accordingly, it is disproportionately often people with a migration background who engage in such 'crazy' struggles, especially those who are comparatively well integrated in society. In their workplace conflicts there is thus an inherently more comprehensive struggle against daily discrimination and for societal emancipation. Quite distinct in the case of Fatima are the cultural fault lines between the precariously employed and the established union organisations: Traditional union rituals are not accepted as self-evident, but questioned as to their justification; needs arising out of intensifying, and in their course sometimes

unpredictable struggles collide with unwieldy bureaucratic administration structures.

Of course we need to add that the gap between the precariously employed and union organisations is not only to be understood as a cultural one, but sometimes also as an expression of opposing political interests within an organisation whose members are in competition with each other on the labour market. This is particularly true when traditional union clientele and precariously employed do not work in different branches, but are employed side-by-side in one and the same large workplace. A majority of DGB members, for example, are among the permanent workforce at their companies. Their perspective sees the extension of union solidarity to the precariously employed (who at the same time are not often union members) quite ambivalently. Though many core workers too now feel and are indirectly threatened by precariousness tendencies and the downward pressure on wages, at the same time, the existence of precariously employed offers them, indirectly, a certain protection: a 'redundancy reserve' for bad times, so to speak. It makes possible a hierarchical segregation and elevation of the 'regulars' from the precariously employed: an important symbol of individual self-esteem. This ambivalent situation of political interest becomes especially clear, and the correspondingly ambivalent union policy in a matter such as subcontracting, but also in the representation of foreign or 'irregular' workers. 'Union policies vary in reference to migration (…) between rejection and efforts at organising, between exclusion and integration, equal and special treatment' (Schmidt/Schwenken 2006: 42).

The question: what forms of support from the view of established union organisations and their members are 'worthwhile' in helping to self-help those who are especially weak on the labour market, is also the focus of the following case. Or, put otherwise: How far does union solidarity actually go?

3. Union interest-representation beyond traditional domains: the strike of the French *travailleurs sans papiers*

The beginnings of and background to the strike of the *travailleurs sans papiers* ('workers "without papers"') reach back to 2006-07.[8] During that time in the Parisian '*Banlieue*' emerged an instance of close, action-oriented co-operation between the CGT (or at least one central CGT activist) and single collectives of 'irregular' migrants. In 2006 a group of migrant workers in the cleaning firm 'Modeluxe' in the *Département* of Essone occupied the company in protest against the working conditions and to achieve their 'regularisation': with success. A similar work-action took place in 2007 in the steak restaurant 'Buffalo Grill'. At the end of November 2007 in the so-called *Loi Hortefeux*, the newly passed French immigration law, a passage was agreed, which explicitly provided for the possibility of migrant legalisation through waged work. This was subject however to a rather tough restriction: The employee should be able to present a work contract of at least one year in an area of activity affected by a dearth of available labour. An official list was to define these sectors. The application for legalisation should also be lodged by the employer, which would have brought employees into a direct dependence on and obligation to employers, in the sense, 'The boss gave me work, and got me my papers too' (Blanche 2009: 21). In this situation the CGT had the idea of using the new legislation for shop-floor based forms of work-action: In early 2008 nine *travailleurs sans papiers* who were illegally employed as cooks in the luxury restaurant *'Grande Armée'* on the *Champs-*

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[8] In a further sense the strike can be admittedly ordered into the considerably longer history of struggles by the *sans-papiers* in France which had a first high point in 1996/97 and have continued (with variable potency) since then (cf. Cissé 2002). In the course of many occupations, demonstrations and hunger-strikes the earlier image of the (tendentiously suspected of being criminal, illegal) *clandestins* has changed into that of the *sans-papiers*, who are the victims of the state's 'illegalisation' practice, being denied regular residence permits and other legal documentation. The *sans-papiers* are thus a 'mature' movement in France with a history, organisational experience and considerable public notoriety. The organisation of the *sans-papiers* as *travailleurs sans papiers* within the framework of waged-worker organisation and in close association with the unions means however a 'qualitative leap' (cf. Terray 2009).

Elysée, demanded the legalisation of their residence and employment status with the support of the CGT. The case aroused great media interest, and the cooks were 'regularised' without delay. Further work-actions were intended, by way of spectacular single cases in the media, to cause the issuance of a general *circulaire* (a ministerial order to the prefectures, i.e. the police and immigration authorities in the *départements*), which would guarantee the *sans-papiers* generally a legal protection during the procedure of legalisation (which was often characterised by irregular and arbitrary treatment).

With this aim the 'April-15th-2008 Movement' was declared (cf. Schmid 2008, Rondeau/Esquerre 2009).[9] It comprised 300 strikers employed in 15 companies: retail sales ('Paris Store'), restaurants ('Chez Papa', 'Mountain Pizza', 'Passion Traiteur'), the refuse business ('Veolia'), clothing industry ('Fabio Lucci'), hotels ('la Jatte') and others. The work-action was secretly prepared, and on 15 April 2008 the activists (mainly men from the French-speaking regions of equatorial Africa as well as the 'Maghreb') occupied their workplaces. With that they appeared 'from out of the shadows' of the black economy and into the public eye (cf. Blanche 2009: 20). Then on the 1st of May, this time morer visible, they marched in a cordon behind a banner with the slogan '*on bosse ici, on vit ici, on reste ici'* ('we work here, we live here, we'll stay here'). Among them the firms being struck were indicated, framed by CGT emblems and waving CGT flags (cf. Rondeau/Esquerre 2009: 4f.). On the next day, on May 2, 2008, the *travailleurs sans papiers* occupied a union local in the city centre, where they intended to live, sleep and engage in politics for the following period. This action is not mentioned in the glossy CGT official report on the movement (Rondeau/Esquerre 2009).

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[9] Legalisation of residence status was the centrepiece of the demands, while other topics (wage levels, working conditions) were treated as side-issues. The downward pressure on wages is in France currently weaker than in Germany because the state minimum wage has a normative function even in the black economy. In the statement of the interviewed CGT official, a majority of the *travailleurs sans papiers* receive the minimum wage, which was 8.86 Euros per hour at the time of the interview. The '*patrons-voyous*' (employer bandits) who pay migrants two or three Euros per hour, she thinks are sporadic cases. 'Regularisation' of residence status, she said, was of central importance to the workers' being able to defend themselves against employer transgressions, above all demands for an extreme flexibility in terms of time and mobility.

The union local was, over one year later in the summer of 2009, violently cleared by CGT hirelings.

The negotiations between CGT and the responsible ministry proved this time quite a lot tougher than in the case of the nine cooks. Nonetheless there were some successes in the course of 2008. Then, as in January 2009 the government minister was replaced (M. Hortefeux was succeeded by M. Besson), the state's legalisation practices changed too. Increasingly, legalisation applications with fictitious justifications were rejected. The independent movement of 'illegalised' migrants in the union local also brought out emphatically several 'blind' spots in the CGT's politics up to then. That particular group of *sans-papiers* did not share systematically in the collectively hard-won legalisations, as they were often singly employed and therefore could not publicly represent themselves as a collective possessing a certain power to impose their postulates. A similar problem concerned the temporary workers who cannot demonstrate a continuous employment by a single employer, e.g. those working in personal care services, (short-term) child-minders ('nannies') in multiple families or as cleaners sent to multiple households by different employers simultaneously and/or successively. Thus a new, still more extensive strike movement was planned that should inform a wider public. A 'Committee of Eleven' was created, comprising five unions (CGT, CFDT, Solidaires, UNSA, FSU) and six civil associations, e.g. the 'League for Human Rights', 'Network for Education Without Borders', etc.. In an open letter to the Prime Minister Fillon they demanded uniform and binding regulations in the legalisation process for waged workers, which should also solve the problem of the temporaries, the discontinuously and sporadically employed.

On October 11, 2009 began the new strike. At the first strike meeting around 1300 *sans-papiers* were present. Their numbers increased in the following months to c. 6000 strikers from 2100 different companies. Among these were the biggest 'temporaries' firms (e.g. Adecco), the building industry, security and surveillance trades, cleaning trades, hotels and restauration, as well as sub-contractors in general. Only c. 500 of the strikers were women, above all many Asian women employed at home sewing clothes, and some 90 women working as home-carers (*aide à la personne*) in private house-

holds. The main focus of the movement was the Paris region, though it began to reach far beyond, with workers and companies in 38 French *départements* ultimately participating. The coordination and creation of an infrastructure for the strike was thus a great challenge. The CGT issued all participants a strike 'ID card' that, for many, represented the first 'official' document they possessed in their new homeland.[10] The CGT sent the firms of all strikers information on which of their employees was participating, so that, by French law, these could not be dismissed. Also the state Labour Inspectorates (*inspections du travail*) and the Ministry of Labour were given the names, which at least from a German perspective would seem quite a risky act given the illegalised residence status of the strikers. Also the names of the employer companies were made officially known to the authorities. Following this however the authorities took no legal steps against either the former or the latter, quite to the contrary. Strikers stopped by the police profited by an *accord tacit* (silent agreement) between the state and the unions, whereby strike participants would benefit from a certain immunity.[11] Co-ordination among the strikers was ensured through the regular delegate assemblies held at the CGT central. Furthermore, around 25 pickets were set up in the Paris region. These were set up in front of the workplaces being struck, but also at the larger firms who contract out to the sub-contractors employing the strikers. Employer confederations and state institutions were also publicity-effective locations for strikers. At the same time CGT sought support for the strike in the entrepreneur camp: In fact, more than a few employers were

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[10] The strike identification card had thus a similar function as e.g. the union membership card with photo that are issued by unions in some countries to 'irregular' migrants and for them are often the only form of quasi-official identification they have. This practice of written union recognition of 'illegalised' migrants exists e.g. in the US in the AFL-CIO, as well as in the UK unions federation TUC (cf. Schmidt/Schwenken 2006: 44).

[11] The practice that strikers hardly have to fear criminal sanctions is a particularity of the French political culture, which has very liberal strike laws, and understands protest as a kind of civil obligation. This practice was and is also observed in many of the previous periodic waves of French strikes (cf. Artus 2010b). Thus, the interviewed CGT official related that in all the struggles of recent years only a dozen or so activists had been deported and these were only cases in which the union learned too late of the arrests to be able to intervene.

prepared to join in the demands of the 'Committee of Eleven' for dependable legalisation criteria, because the long-term employment of the workers was also in their interest in the face of labour-shortages in the branches concerned. Ultimately even the employer confederation MEDEF supported the movement.

The negotiations with the government were drawn out, not least because regional elections were to be held in France in mid-March 2010, and compromises on immigration-policy questions seemed in this situation inconvenient for Sarkozy's conservative government. For the strikers who received from the CGT only a symbolic cash support of around 200 Euro per month, the duration of the strike meant increasingly an unbearable existential burden. Many began to work illegally again in new jobs, in order to survive. Although picketing was maintained, the number of those really striking began to crumble.

In spring 2010 the action began again to intensify. In May 2010 a group of *sans-papiers* made a publicity-attracting march on foot from Paris to Nice. This action was carried out by a group independent of the CGT and the 'Committee of Eleven', the same which, after the clearance of the union local had again taken over another [union] building, this time in Rue Baudelique (cf. Bell 2010). The cleavage between the *sans-papier* movement, supported by the CGT, and the group mentioned above has different sources: Most of the *sans-papiers* of the Rue Baudelique came, in contrast to most activists near to the CGT, often from countries in which French is not the national language (e.g. Turkey or Kurdistan). These were often single *travailleurs sans papiers* who would have hardly benefited from the collective CGT strike actions. Differently from the 'Committee of Eleven', they demanded also the unconditional legalisation of *all* sans-papiers, not 'only' the 'regularisation' of *travailleurs sans papiers* by waged work. Although it is quite difficult (if not impossible) to attribute coherent political positions to each of the two groups, more radical political positions were surely more wide-spread among the activists in the Rue Baudelique. They sometimes claimed deeper structural changes of a capitalist world whereas the CGT movement clearly and only aimed inclusion of the *travailleurs sans papiers* into the French economy and society. Limiting the movement to integrative demands, they could

hope and ultimately succeeded in attaining the support even of a part of French employers. However after the direct confrontation of the two movements in the wake of the union local ejection in summer 2009, they subsequently operated, if not solidarily, at least largely without conflicts, in parallel (cf. Bell 2010, Schmid 2010).

To give their demands symbolic emphasis, the *sans-papiers* in late May also occupied the steps and the square in front of the Paris Opera on Place Bastille. Supported by i.a. the CGT, they persisted there for several weeks, even after the police cleared the square temporarily on 1 June. They departed only on June 18, 2010, when, 'satisfied with progress achieved, they declared the end of the occupation' (Schmid 2010: 8), which at the same time was the end of the strike. The compromise reached by the Committee of Eleven and state authorities made it possible in the future for workers to 'add' several employments together, and now temporary jobs could qualify workers for the right to 'legalisation by waged work'. However only personal applications would be considered which were made to the prefectures between July 1, 2010 and March 31, 2011, with the support of the union organisations. Immigration minister Besson reckoned with c. 6000 legalisations, and perhaps 70% of the strikers being able to fulfill the given conditions. The prior legalisation method of '*cas par cas'* (case by case), i.e. individual, single-case decisions, repeatedly criticised by the s*ans-papiers* movement, was thereby not repealed at all, but on the contrary consciously preserved by the state. At the same time however, this movement achieved the establishment of the principle of legalisation by waged work as a means of struggle for the *sans-papiers* and the union movement as well, who furthermore, at least in part during the strike actions, joined into a single common movement. The CGT evaluated the result in any case as a success and a sign that they could establish a foothold in representing the 'precaritised', i.e. migrant proletariat.

4. Interest representation in the German and French low-pay sector: comparative and summarising suggestions for union practice

The example of the French *travailleurs sans papiers* shows the potential and the problems of an interest representation of workers who do not belong to

the traditional union clientele. It is interesting, to start with, that the question of recruiting membership in the French case played an absolutely secondary role. This had surely to do with the character of the French unions, whose organisational existence depends in far lower measure (than German or US unions) on membership dues and much more on state aid to organisations. French union staff, for example, often are financed by the state or large employers, allowing full-time functionaries to be seconded from their jobs, staying however on the payroll. Union locations are rent or sold by the state for quite low, even symbolic amounts. According to the French work legislation, most employers are forced to pay considerable sums for qualification and social affairs to the employee representatives, mostly identical with union representatives; so unions can benefit indirectly from such legal regulations (cf. Artus 2008a: 177ff.). For this reason in the CGT, egoistic organisational motives count for less during the strike oft the 'travailleurs sans papiers'; much stronger is the fundamental political and strategic significance that organising the most vulnerable sections of the modern proletariat has for the total union movement. To organise those people who, for various reasons, are a particularly vulnerable labour force, is now more than ever with globalisation and intensified migrations, a necessity. One CGT activist, in an interview, said in so many words: *„Je ne fais pas de l'humanitaire, je fais du syndicalisme.'* ('I don't do humanitarianism, I do union politics.'), and '*On défend le salariat, pas les pauvres.'* ('We defend wage-earners, not the poor.') This is also the intent, for example, in setting up legal help points for 'illegalised' migrants in Hamburg, Munich, Berlin and Frankfurt: not primarily moral or humanitarian aid, but the creation of solidarity between variously empowered groups of workers. '*Prendre pieds chez les précaires'* ('Get a foothold among the precarious'), as the interviewed CGT-activist called it, in this perspective is a question of union survival, not for reasons of membership recruitment, but to hinder a trend of disastrous 'social dumping' that impacts all dependent employed.

This fundamental realisation, of course, does not eliminate contradictions between different groups of the employed or within union organisations. The question, how far union solidarity can and should be extended, is also in the French context, a permanent theme. It has structured the relation of tension

between CGT-dominated groupings and the parallel current of *'sans papiers'* in the Rue Baudelique, just as within the internal discussion at CGT. The *travailleurs-sans-papiers* strikers who collected money for their cause in front of the CGT building, were met by the mistrustful looks of more than one union official. Although the strike was officially supported by CGT General Secretary Thibault and presumably a majority of CGT members, the 'cause of the precarious' is within the union still a secondary one, if not even mainly just the special concern of a few single officials who are committed to the issue. Analogous to the German situation, also in CGT there are lines of argumentation by which precarious forms of employment are considered a necessity to keeping national or company locations attractive in the internationally competitive struggle.

The fight of the *travailleurs sans papiers*, in the course of which the number of strike participants increased in a veritable landslide, shows on the one hand the immense need, and the potential for union interest-representation in low-pay job areas; at the same time it makes clear however also the problems in bridging the *cultural gap* between the particularly vulnerable and societally only conditionally integrated parts of the proletariat, and the established union colossi who can lay self-assured claim to their place in the political system. The CGT did solve the difficult problem of 'unity in action', in continuity with the relatively decentralised and constitutively worker-oriented French union culture, by ostentatiously rejecting a strong direct representative function. The union emphasises that it stood 'beside' those struggling (not at their head) and 'supported' the work-actions (actually led however by the *travailleurs sans-papiers* themselves). Whether such a form of loose co-ordination between unions and 'grass-roots' movements is transferable to Germany, seems at least doubtful. At the least, it would require a definite shift in thinking. The danger of a loss of control over the not (yet) solidly union-socialised 'new troops' would scare DGB unions quite a lot more than the CGT, whose officials describe their daily routine with the words: '*You can't keep anybody from doing what they want, or make anybody do what they don't want to. Union politics means then just co-ordinating whatever happens.'* The maintenance of a certain distance, with at the same time the assurance of unconditional solidarity, could however not even in France

assuage the structural problem of the high expectations that the 'precarious' activists, in their strongly existentially-coloured struggles, place on the presumably 'strong' union organisations, and who at the same time have an (often not wholly unjustified) latent insecurity over whether the established organisation's commitment to their issues is as earnest as their own is.

Bridging the cultural gap is in any case not easy. Important steps in this difficult process could be: First, the realisation that the representation of workers in precarious low-pay sectors requires other strategies than those used in fordist mass production. In the light of the diversity of working conditions in different jobs, and of the cultural and personal backgrounds of the workers, there is probably also no *one* correct strategy of organising. These must be more diverse and variable, and be more oriented to the concrete conditions, than in the past. In this sense, it is a matter of questioning and rethinking traditional political wisdom or, to be '*à l'écoute'* ('listening up') to what problems are 'out there' and what solutions are emerging. Such a context sensitive, organisation-cultural 'learning' of interest representation under precarious conditions implies necessarily also the recruitment of workers with plausible social contacts to (or from) the 'precariat'. This would mean a significant increase in the participation of women as well as persons with a migration background in the unions' apparatus of officials. Precisely for German realities, in which traditionally more compromise-oriented representation strategies are established than in for example France, this would mean also learning how to act in extremely sharp conflict situations. The topics of repression and corruption (e.g. of workplace-council members) as systematic entrepreneurial strategies must be discussed, at least besides or even prior to that of the 'social dialogue'. That implies also a more intensive rethinking of the possibilities for union action in sectors where in the medium term there may be no works-councils or collective bargaining, or in which union action may eventually have to impose itself *against* [existing but] corrupt worker-representation institutions. Exaggerated hopes of membership increases and easy organising are probably undue. The interest representation of low-pay workers will be surely a Sisyphean task in adverse conditions, but for unions in post-fordism, strategically central and unavoidable.

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