

## Multilingualism in Germany

### Practices and Perspectives

(Case studies)

By Ingrid Artus, Ronald Staples, Rainer Trinczek,  
Michael Whittall



## I - Brief introduction presenting the three case studies (1 page)

Geographically situated in the middle of Europe, and bordering 9 other countries, Germany has long been an important destination for migrant labour. According to a recent census around 20% (Statistisches Bundesamt, 2015) of the population, 16.8 million people; have a migrant background. Of these just under half are non-German citizens. Although migration to Germany can be traced back to the 18<sup>th</sup> century, more recently two migration waves have had a major impact on the German labour market and society. Whilst the first involves migrants from southern Europe between the 1950s and 1970s, many migrants invited from Turkey, Greece, Italy and Spain to deal with a labour shortage in the post-war-years, the second influx is a consequence of European economic integration. The more recent development, one which can be traced back to the 1990s and picked up speed with the lifting of mobile labour restrictions in 2004 and 2011, has changed the labour market landscape quite dramatically - employees from eastern European countries now free to move to Germany in search of employment. Even though European and national policymakers refer to the existence of a European labour market, emphasising here the need for employees to be mobile, accommodating migrant workers continues to be informed by national practices and traditions – especially when this involves communication. With the exception of English, the so-called lingua franca, national languages dominate. For this reason our choice of case studies not only reflects historical developments, i.e. the different migration waves, but moreover examples where multilingualism to different degrees needs to be addressed. In the first case study, a Foundry, we uncover a situation in which Multilingualism has increasingly become a peripheral problem. Home to a predominantly Turkish workforce, a group whose heritage is linked first wave of post-war migrants, many employees now have a good command of German or have discerned ways of dealing with multilingualism. Next, we turn to consider newly arrived migrants (often low skilled), all from Eastern Europe and faced by precarious employment practices. Acknowledging how the inability to communicate in German is the root cause of such precariousness, we focus on a project designed to inform workers of their rights in their own language. The final case study involves the growing role of skilled migrant labour in the health and care sector, specifically focussing on how actors manage the issues of employee representation, task specific language and cultural integration.

## II - The three case studies (including quotes from the interviews) (some 20 pages)

### II.1 Metal Sector – Foundry

#### **Overview of the company/sector: 1/2 page**

The metal industry is an important sector for German exports. Furthermore, it is home to Germany's largest union the IG Metall, currently with around 2.3 million members (2015). Of these more than 188.000, around 5% of the total membership are foreign nationals and a further 400.000, 18%, have a migration background (IG Metall; Ressort Migration/Integration). In short, the IG Metall organizes the highest of number of immigrants in Germany.

The case study company under consideration is an aluminium foundry producing parts of gearing boxes. Founded in 1924, the company has long and florid history, briefly going into insolvency in 2010, and more recently becoming part of a global parts supplier for the automotive industry. The production site employs about 1.000 workers, a mere 3% of which are women and around 20% foreign nationals - mostly Turkish workers. Altogether the site employs workers from around 15 different countries, most of them employed as unskilled or semiskilled workers. Although there is no 'official data' support this, the personal management and works council estimate that the percentage of workers with a migration background considerably higher, between 40-50% of the total workforce. Given the hard, dirty and often dangerous nature of work, the company has a long tradition of hiring immigrants, this dating back to the 1960s and 1970s. Made up of 15 members, a third of these have a migrant background, 3 Turkish, one Romanian and one (ex-)Yugoslavian delegate respectively. However, the head of the works council is German – employed on the site since the 1980s and functioning as the works council chairman since the 1990s.

#### **Fieldwork conducted (Access to the fieldwork, Interviewees' profile)**

The following case study is based on literature, union and company documents and ten interviews (s. appendix):

- 2 interviews with IG Metal officers responsible for migration policies (1 national level; 1 regional level)

- 7 interviews with employees, employee representatives and management in a German aluminium foundry
- 1 additional interview with a Turkish female works council member of a German electronic enterprise

## **Linguistic / Professional biography of interviewees**

### **Languages, organisation of work and day to day work relationships**

Despite an enduring and more or less stable number of non-German workers in the enterprise, interviewees agreed that there had occurred a noticeable *decline in multilingualism* since the 1990s, this put down to an improved level of competence in German language on the part many of the workers with migration background. Mainly older workers, belonging to the first waves of immigrants (the so-called *Gastarbeiter-generation*) still have considerable problems with the language whereas younger workers mostly have improved language competences (I9). Certainly since 2011, the year when the “new” personal director took over, new recruits have been required to demonstrate competence in German language (I9). This is true for all jobs, temporary workers included. A Turkish works council member insists: *“The youngsters, who arrive now, are speaking much better German (...). Their parents’ generation had many more problems (...). The people who come now, **speak** German. For example the Italians in former days, they didn’t want to speak German. (...) From generation to generation the situation is getting better.”* (I5)

All interview partners emphasize that German is clearly the “official company language” (*Deutsch als Amtssprache*). This is widely accepted and also backed by the works council. All kinds of multilingual tags or translations during official company meetings, existing in former days, have been abolished. Main arguments for this practise concern the need to communication and coordination in German in connection with work processes, but also health & safety standards. Production in an aluminium foundry involves high temperatures and considerable health & safety risks. In the past, there have even been some fatal accidents. Thus the personal management as well as the works council argue that all workers must be able to understand German so they can comprehend the health & safety rules. But works council members also

employ 'social' arguments for German as common "official" language. The works council chairman explains: *"...because the Turkish white collar-workers aren't accepted if they talk in Turkish. Where it happens, the other colleagues get upset. I find this interesting. It is a special problem of Turkish colleagues. On such occasions I intervene and the Turkish colleagues are required to talk in German in the office. Otherwise the Germans or the other colleagues feel discriminated against. This is because communication is necessary to do the work"* (14).

Although all written documents and 'official' conversations are in German, German is not always the "day-day-language" (15) throughout the company. Especially in sections of unskilled or semiskilled work non-German workers are wide-spread. There are no clear divisions along different nationalities and languages within the production site, but if (more or less accidentally) workers with an identical 'mother language' are working together, it is common practice that they also talk, for example, in Turkish, Russian, Italian or Croatian. Given the high percentage of Turkish workers, Turkish has become a kind of unofficial *"second company language"* (16). Therefore most of the shift leaders (mainly in low-skilled work areas) therefore have had to *"learn a bit of Turkish"* (16) and even other languages, too. For day-day requirements they also use *"small interpreters"* (16), foreign workers with better German language skills who can help to translate for their colleagues less fluent in German. A Turkish works council member stigmatised these 'corners of multilingualism', calling them *"a kind of ghettoization"* (15). From his point of view, talking in foreign languages is (at least within the aluminium foundry) clearly associated with low qualification, bad working conditions and a lack of career possibilities. The (ex-Yugoslavian works council member and shift leader in a (rather low-skilled) production area also pointed out that lacking German language skills tend cause additional stress and conflicts on the shop floor: *"The biggest problem is, if I cannot explain and I am upset and he [the worker lacking language skills] is upset then conflict emerges. Although in fact there might be no big problem, but I cannot explain what I want to say, what I think he should do, or, he made a mistake. I think that he made a mistake. The man wants to explain to me that he did not do anything wrong. It is really a problem of language. It is difficult. We are under pressure at work, the performance and the machine is running..."* (16)

## Language training

### Other initiatives and policies to deal with Multilingualism at the workplace (from both Employers and Unions)

Consequently, the works council initiated German language lessons in the past. In the years 2003/04 a program for “professional German” was launched, supported by management and co-financed by the European Social Fund. Participation was voluntary and open to all employees. The program comprised of around 100 lessons during the working time and finished with an exam and an official certificate. Around 50 employees took part, mainly those with Turkish or Russian migration backgrounds. The evaluation of this program 12 years later was mixed: Some interviewees think “it was a success”. Others think “it came too late”, or “was not adequately accepted by the workers” as participation was too low or too selective.

Parallel to German as “official company language”, German is also the works council’s “official representation language”. In the 90s the speeches of the works council’s chairman during the employee meetings (*Betriebsversammlungen*) were translated; this is no longer the case and the head of the works council feels this is an improvement. He felt the former translation practise was being an obstacle to the way he spoke: “*All my emotions were chained*” (14). Similarly, formal talks (interviews to higher new personnel) and political actions nowadays are in German. Further, existing foreign language union materials (Turkish translations of the Works Council Constitution Act; applications of union membership or leaflets) are not used – although the ‘multilingual’ members of the works council emphasized that they have some problems especially in relation ‘legal’ language in German. Their solution, however, is not to rely on ‘translations’ but improve their German language skills.

### Language command and access to labour rights

In sum, the official representation language is clearly German even though the day-day representation practice can also be multilingual. All three interviewed ‘multilingual’ works council members feel the need to be “translators”, in several senses as the following quote shows: “*Sometimes you speak together, but you don’t understand each other*” (16) – and the reason is not only a lack of vocabulary, but a lack of information

concerning the meaning of special terms or the use of language in certain contexts. Many employees have no higher education. Thus it is not enough, for example, to simply translate rules; the works council members try to explain the legal practice in simple words and to illustrate this by using examples. They often have to do this in Turkish, Croatian – or with the help of “interpreters”. Although insisting that German should be the ‘official representation language’, a Turkish member of works council emphasizes: *“There is a lot in it, in language, over all confidence.”* Thus the works council language practice is twofold: No doubt, the works council offers translation support where it is possible and necessary on a day-day basis. Its clear aim and general strategy, however, is to represent the workers’ interests in a common language, German: *“We are against separations and cleavages and feel obligated to treat everybody equally: young, old, German, Turkish (...) the common language is also binding the political interests.”* (15). This strategy is also considered to be applicable to union activism, too:

*I: “Is IG Metall seen as a German organization?”*

*Chairman of the works council: “No, we are all IG Metall. Everybody is shouting in German at the first of May.”* (14)

Most of our interviewed experts as well as the members of the national advisory board emphasized that the ‘main findings’ of the aluminium foundry company case can be seen as more or less representative of the German metal industry and the development of IG Metall as a whole. Thus since the 1980s policies of multilingualism within IG Metall have clearly declined: *“It was clear then that people will stay in Germany; this became normal. And then we said that different languages are no longer necessary.”* (11) As the following data shows at the same time foreign colleagues (or their descendants, the ‘second generation’) started more and more to take on responsibility of ‘official positions’ within German representations structures (s. Schmidt 2006) as well as within IG Metall:

**Tab 1: Non-German functionaries (= without German passport) of IG Metall**  
(August 2015)

Function	Functionaries all IGM (absolute data)	Functionaries without German passport (absolute data)	Percentage of non-German functionaries
Works council chair(women)	9.786	413	4,2 %



Assistant works council chair(wo)men	7.941	365	4,6%
Members of works council	39.150	2.419	6,1%
Chair(wo)men of the Youth representation structures	2.557	121	4,7%
Members of the Youth representation structures	1.299	52	4,0%

Source: IG Metall Ressort Migration/Integration

However, despite the growing representation of non-German workers within the IG Metall, they are still under-represented (Matziari 2012). In addition, the IG Metall language policies as a whole are comparatively less oriented towards “German as official language” than it is the case in our case study company. Union language policies are intimately linked with German migration history (Wlecklik 2013) – and thus might be again revised by current migration movements. In either case IG Metall functionaries have learnt over the years that there does not exist an ‘universal good language policy’ which might always be applicable to all situations (IG Metall 2009, 2012). Offering translation services, for example, can be interpreted as offering “help” and “solidarity” as well as an “act of discrimination”. Language policies therefore have to be context-sensitive so that they respect the specific identity constructions of individuals.

Language and integration within trade unions

Further Additional Comments (1/2 page).

## Appendix:

### Interviews:

- I 1 IG Metall functionary, national level, female, German
- I 2 IG Metall functionary, regional level, female, German
- I 3 head of the works council, aluminium foundry, male, German
- I 4 head of the works council, aluminium foundry, male, German
- I 5 works council member, aluminium foundry, male production worker, Turkish
- I 6 works council member, aluminium foundry, male shift leader/production, Yugoslavian immigration background
- I 7 assistant works council member, aluminium foundry, male shift leader/production, Turkish immigration background
- I 8 temporary worker, aluminium foundry, male, Russian migration background
- I 9 two personal managers (director; assistant), male/female, German
- I 10 works council member, electronic enterprise, engineer, female, Turkish

### Literature:

IG Metall Vorstand/Ressort Migration (Hg.) (2009): "... von Novosibirsk nach Nürnberg". Betriebliche Handlungshilfe für die Werbung russischsprachiger Beschäftigter, Frankfurt a.M:

IG Metall Vorstand/Funktionsbereich Zielgruppenarbeit und Gleichstellung (Hg.) (2012): Vielfalt fördern – Zusammenhalt stärken. Handlungshilfe für eine interkulturelle Gleichstellungs- und Personalpolitik, Frankfurt a.M.

Matziari, Rodoula (2014): Migrantinnen und Migranten in der Industriegewerkschaft Metall – eine Erfolgsgeschichte? Dialog Edition: Duisburg

Schmidt, Werner (2006): Pragmatische Zusammenarbeit. Kollegialität und Differenz bei Beschäftigten deutscher und ausländischer Herkunft in Industriebetrieben, in: Zeitschrift für Soziologie, Jg. 35, 6/2006, 465-484.

Wlecklik, Petra (2013): Partizipation von Migrant\_innen und interkulturelle Öffnung am Beispiel der IG Metall, migrationspolitisches Portal der Heinrich Böll Stiftung, <https://heimatkunde.boell.de/2013/09/10/partizipation-von-migrantinnen-und-interkulturelle-oeffnung-am-beispiel-der-ig-metall>, abgerufen: 15.4.2016

## II.2 Counselling for migrant workers -“Faire Mobilität”

### **Fieldwork conducted**

The following research is based on interviews conducted with employees of the DGB Faire Mobilität (FM) project. Over a four month period we had contact with members of the project, this contact involved both conversations on the telephone but also visits to the Project's Munich and Berlin offices. In the case of Berlin we were able to use a training seminar organized on behalf of FM employees to interview officers from the Dortmund, Stuttgart, Berlin, and Frankfurt advice centers. Altogether the interviews, which were recorded and partly transcribed, lasted between two and three hours. With the exception of the Project's manager the respondents all had migrant backgrounds, most moving to Germany to study or search for employment. In addition to the linguistic skills, each fluent in German and at least one Eastern European language, all were versed in German employment law, some interviewees even had a degree in law.

### **Overview of the company/sector:**

Faire Mobilität is a project conceived to address problems faced by Eastern European migrants employed in Germany. Jointly founded by the Federal Ministry of labour and Social Affairs and the Deutsche Gewerkschaftsbund (DGB), the project was launched in response to the lifting of labour restrictions on the so-called ten accession countries in 2011. The DGB had long been an advocate of informing such workers of their employment and representative rights in their own language. Drawing on past experience, experienced gleaned mainly from the construction industry, the DGB together with its affiliated member the IG Bauen-Agrar-Umwelt, was concerned that the new influx of migrant labour would lead to social dumping as well as the exploitation of migrant employees seeking employment in Germany. In the previous decade the DGB's work in and around posted-workers had demonstrated that migrant workers, predominantly individuals with no to very little knowledge of German had to contend with various illegal practices. These included the failure on the part of the employer to 1) to pay salaries, 2) to reimburse employees in accordance with collectively agreed standards, 3) to pay and correctly record overtime and 4) to provide acceptable

accommodation. When discussing the project's genesis one respondent noted: *"The project was devised to support people who cannot speak German because those of them who can speak German well can go to the union and become a member or they can hire a lawyer. For them (German speaking migrants) it should not be a problem. But there are people who don't speak German and we have observed a strong correlation between people who don't speak German and exploitative structures, these people are most at risk (Interview 6)."*

DGB's proposal, a proposal initially discussed around 2003-04, to set up advice centers for migrant employees from Eastern Europe failed to receive the necessary support and hence resources from either the wider-trade union movement (the IG Bau the exception to the rule) or the Federal Ministry of Labour and Social Affairs. However, as various respondents' outlined a series unforeseen but favorable events involving the Ministry suddenly placed the Faire Mobilität idea at the top of the agenda. The events in question involved discussions between the German and Polish governments, in particular a planned visit of the then German minister of labour and social affairs, Ursula von der Leyen, to Warsaw 2011. An aspect of this delegation to Poland concerned measures the German government, something it was required to do under EU Free Movement of Labour law, was undertaking to accommodate the arrival of Eastern European, mainly Polish employees at the time, seeking employment in Germany: *"They [ministry] suddenly pulled the DGB's project out of the hat and said that they had something. The DGB had prepared this project and they (DGB) had asked about financing it on numerous occasions. And then von der Leyen (the then minister) pulls it out the draw before she travelled to Poland. She announced that a Polish-German project existed for Polish employees even before it was in place. And then it just took off (Interviewee 3)."*

From the very beginning the question of multilingualism played a central role in the launching of the FM advice centres, determining in particular the cities in which such a service would be provided as well as influencing the projects employment policy. In the case of locations cities were chosen renowned for having well established Eastern European communities, often newly arrived migrants, but equally areas renowned for their precarious employment conditions. In the case of Dortmund, for example, the FM office was opened in response to known employment malpractices in the regions agricultural and meat processing branches, two branches heavily dependent on migrant labour. Due to the high number of Rumanians working in these branches FM

advice officers were initially employed who spoke Rumanian. In the meantime, the Dortmund office now employs advisors who speak Hungarian, Bulgarian and Polish. In addition individuals were employed who possessed expertise in advising service sector employees. The same strategy was applied in the case of the Munich office, too. The predominance of Bulgarian nationals dependent on casual daily employment; employment conditions which resulted in many of these affected employees having to live on the streets of Munich, saw FM higher two Bulgarian speaking advisors (See table 1. for an overall picture of languages on offer).

<b>FM Advice Centre</b>	<b>Languages spoken</b>
Berlin	Bulgarian, Macedonian, Croat, Serb, English, Polish
Dortmund	Bulgarian, Rumanian, Hungarian English, Polish
Frankfurt am Main	Rumanian, English, Spanish, French, Polish, Bulgarian.
Kiel	Polish, English, Rumanian
Munich	English, Rumanian, Turkish, Bulgarian
Oldenburg	Polish, Rumanian
Stuttgart	Polish, Czech, Slovenian, English

Another aspect of the FM launch strategy involved its close association with DGB affiliates' - close working relations with German trade unions entailed a number of practical and ideological reasons. On a practical level unions' provide FM with important office space as well as resources for campaigns and special activities such as demonstrations. On an ideological level the project felt at home in union offices, too. This was because the notion of "conflict" remains a central issue in understanding the project: *"We are an organization which is close to the unions and has a conflict oriented approach, by this I mean that employees come to us when they have a problem with their employer, namely are in conflict. We differ from social workers in the sense that they might be reluctant to get involved in this conflict. (Interviewee 6)."* Nevertheless, FM does not see itself as a union organization either in terms of organizing or representing migrants: *"It is accepted that such centers are needed, i.e. centers that work with employees that are not members of a union, but also that such centers should be seen as structures that are addressing larger societal problems and for this reason should be publicly funded. I don't personally think that this line of thought is*

*wrong.... But this actually leads to problems because when we say we want to organize employees we have to consider that we are financed by public money and the Federal Ministry of Labor and Social Affairs can rightly argue they will not finance organizing campaigns. This means the more we undertake, what are clearly union activities, the more we come into conflict with the fact that we are publicly financed organization (Interviewee 3.).”*

Hence, the project finds itself treading a very fine-line. On the one hand it's dependent on state funding - the Federal Ministry of Labor and Social Affairs covering 75% of incurred costs. However, on the other hand its ability to address clients' problems may involve it recommending individuals join a union so as to receive legal support. Furthermore, its ability to reach out to its client group, being proactive as against reactive (*“we want to inform people what they can undertake to improve their situation”* – Interview 6.) often entails close working relations with unions on specific cases, cases which have often been brought to their attention by local union officers in the first place. Officers from the Berlin office highlighted how together with the IG Bau and the Berlin Posted-Workers office they had visited seasonal agricultural workers in Brandenburg, an area just outside of Berlin, to inform migrant workers of FM's existence as well as their rights. Similar activities were reported at the other FM offices, too. In the case of the Dortmund office, FM representatives played an active role, namely using their language skills to support the NGG's campaign to set up a works council at a large meat processing factory in the region. Their role here involved FM officers visiting the site three times a week to explain to employees, mainly from Rumania and Bulgaria, 1) the importance of having a works council and 2) that there were two electoral lists for forthcoming works council elections; a union and a company list. As a consequence 6 of the eventual nine seats were won by representatives on the union list.

Outside of such proactive actions FM officers deal with what they refer to as “first advice” activities. First this involves discerning whether the rights of an employee have been compromised. Next, they try to determine the best course of action. This can range from helping a client formulate a letter to be sent to the employer, seeking out a lawyer to represent them through to or applying for legal aid. As many respondents implied, though, taking legal action is less preferable *“Our main aim is to find a solution as quick as possible because the last thing that we want is to go to court as a legal process can take many months or even a year (Interview 4.).”* The fact that employees

have the support of FM, an organization not only versed in German employment law but able to provide employees with advice on representation, be this in the form of a lawyer or trade union organization, often leads employers to address the supposed misdemeanor. Central to this process of empowerment are the FM officers' linguistic skills. In their role as a delegator they can address a key variable that undermines the rights of migrant employees, that of language: *"Let me say it this way language is the biggest obstacle to integration in the labour market, away from precarious working conditions. I observe this fact very often. When people come to us for advice it is usually individuals who have some knowledge of German, amongst their colleagues they are the ones who speak German the best, they are usually the representative voice of their group when this involves contact with employers, because they have a level of competence. Here you see how important language can be. Language is the key to success. In the main as soon as someone can speak a bit of German your standing improves."*

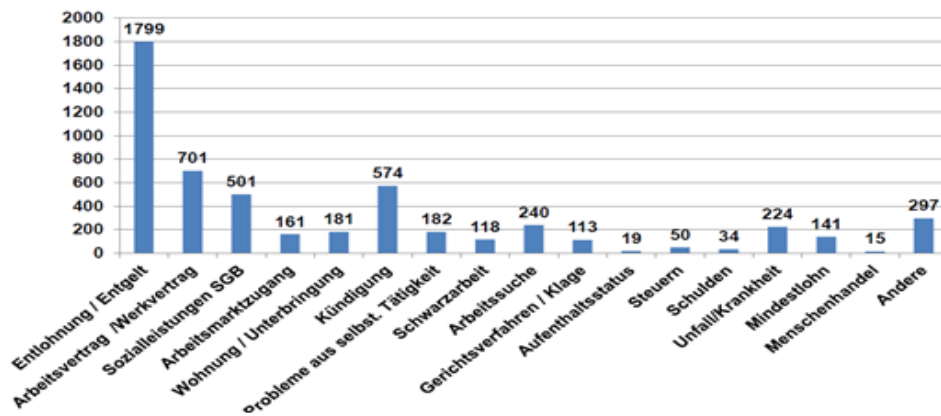
In sum, FM officers cannot represent prospective clients; something respondents critically argued *"is a really big problem. The individual employee has to personally approach their employer because under the current law covering services we are not allowed to take this step. This is because the legal definition of advice clearly stipulates you do not have external representative rights. We can advise, we can support but we cannot represent. It is not like when you go to a lawyer, i.e. someone comes and I represent them (Interview 5)."*

### **Languages, organisation of work and day to day work relationships**

On average FM officers have to deal with between 40 and 50 cases, i.e. enquiries, a month. These can range from a simple telephone call in which the query can be answered in a matter of minutes, to face-face appointments that require intense supervision, especially cases involving industrial accidents such of the loss of a thumb (case dealt with by the Dortmund office), or illegal malpractices in which employees unknowingly (due to a lack of German) sign a placement contract in which they waver their right to a salary as reported by the Berlin office. In total terms 4 issues would appear to dominate the reasons why migrant employees contact FM, these being pay, employment contracts, national insurance contributions and the termination of the

contracts (See table.2). In terms of pay a total of 1799 cases were recorded in 2015, accounting by far for the main reason employees seek the help from FM.

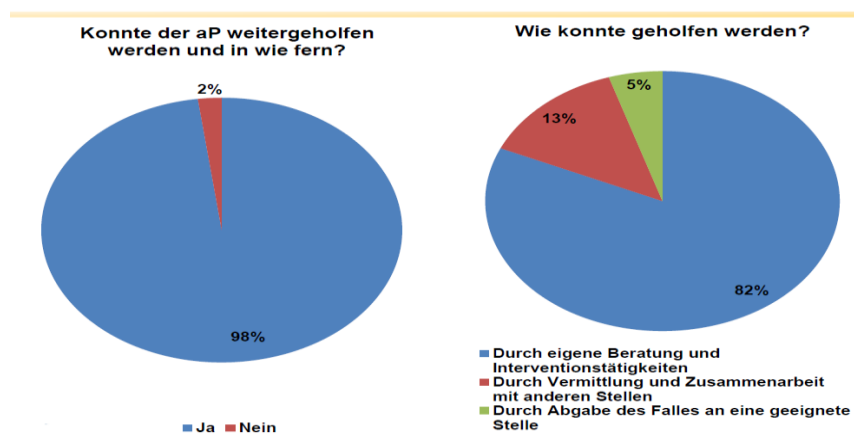
Table 2: Reasons for contacting FM



Source: Faire Mobilität 2016.

As the graph below implies FM is quite successful in dealing with cases, success measured here in terms of offering employees advice to help them resolve their problem. In 82 per cent of all cases advice and intervention on the part of FM officers is documented as having contributed to employees trying to resolve their particular problem.

Graph 1: Help received





## **Other initiatives and policies to deal with Multilingualism at the workplace (from both Employers and Unions).**

In addition to the above mentioned services FM provides the project further tries to address the issues of poor employment conditions associated with multilingualism in the workplace by trying to raise the wider public's and employer representatives' awareness of this problem. This involves working closely with the media. As the following respondent suggests, informing the media both locally and nationally about specific cases can serve a double purpose: *"A part of our work is to make people, society aware of the problems that such individuals face in Germany. This goes also for trade union circles, too. We take part in podium discussions or workshops that we are invited to so that we can report on the work we do and our experiences."* Whilst on the one hand it can serve to shame particular employers and serve as a forewarning to other employers who might be breaking the law, on the other hand it serves to raise FM's profile amongst potential clients, i.e. it is an excellent way of reaching out to employees who require help. Furthermore, it helps remind politicians, the project's main paymaster, of the positive role it is playing in supporting migrant labour.

In terms of employee representatives, works councils and trade unions, FM is committed to participating in training schemes provided to these two bodies in attempt to make works council and trade union officers 1) more conscious of the problems faced by migrant labour and 2) aware of what legal and organizational means they have at their disposal in response to such illegal employment practices. As the interviewees indicated, though, this aspect of their work has proven somewhat problematical. Although FM have close ties with the trade union movement, not only is it housed in union offices but FM advisors often work very closely on specific campaigns with certain unions and their officers, the interviews suggest the existing relationship is often the result of building personal relations with local union officers sympathetic to their cause rather than FM being embedded within union structures: *"Amongst the unions there is a lot of support for the project and you will come across a lot of union officers who praise our project, but there is not a willingness to really discuss what we are doing and what we should be doing. For example, FM is a project and like all projects it has a beginning and an end. Originally at the beginning we said 'we are initially financing this project with public money but the unions then have to take the project over, they have to become responsible for the project, to feed project*

*into their own structures.’ Unfortunately, we seem to have abandoned this original position (Interviewee 3).”* A picture here emerges whereby unions seem to be struggling in responding to changed labor market conditions. According to respondents they are currently in the process of comprehending the need to respond to a labor market increasingly dependent on migrant labor because 1) it cannot linguistically speak on its own behalf or 2) because it is not aware of representative bodies which can speak on its behalf. The current response though is viewed as too slow: *“What I have learnt in the last five years is that unions are too slow in reacting to changes in society, so much so that it’s really painful to watch. There is hardly any political dynamism within the unions. It takes ages until they develop new structures in response to such changes. In my opinion we have to study how the organization, the trade union organization has changed in response to migration in the last ten years. These committees [migrant committees that we have for over 20 years], has anything been achieved? I don’t think it has (Interview 2).”* On a practical level one respondent outlined that a number of problems prevail that unions need to address. These include, the fact that membership forms are often in German and once a migrant employee joins a union they are confronted by union officers who do not possess the necessary foreign language skills to communicate with them. In short, though relations with unions have been established these predominantly tend to be sporadic, dependent on local FM offices building relations with local union officers sympathetic to their cause.

A similar picture emerges in the case of work councils, too. When discussing the training FM provides to works councils respondents outlined how they had been forced to reassess their strategy in acknowledgment that site level representatives appear unwilling to attend training programs on migrant labour: *“these (training programs) are not always as successful as we would have hoped for. It was not easy to fill these seminars. It was discussed and decided that you cannot just offer seminars on the issue of the free movement of labor and residency or just mobility. You need to link this into general training programs for works councils and include individual modules on these issues. They just do not have the time for a two day seminar on the free mobility of labour and residency.”* Although the last respondent implies works councils inactivity can be partly explained by a lack of time and resources, respondents generally suggested the main problem concerns the notion of responsibility. Often employed by sub-contractors many migrant workers, especially employees from Eastern Europe

and the former Yugoslavia, do not fall within works council constituency, they did not elect them to office.

### **Additional developments**

In discussing the question of multilingualism specifically and migration generally respondents referred to a number of issues worth highlighting. These included, branch developments, migration trends, labour market legislation and the application of social media. In terms of branch trends respondents outlined their surprise at observing how the precarious nature of migrant employment was no-longer restricted to construction, healthcare and cleaning industries, but had spread to industries such as metal and logistics not traditionally associated with such practices. *“These are conditions that we know from the meat industry. The conditions might not be as severe as in the meat industry but the system of exploitation is quite similar. And these are things that have caught us by surprise in the last few years – also automobile suppliers (Interviewee 3).”*

Concerning migration, the biggest change related to the rescinding of restrictions imposed on new EU-member states in 2010 and 2014. Free access to the German labour market has to a limited extent alleviated the illegal misclassification of employees. In some branches, specifically healthcare the practice of registering posted workers as self-employed remains a concern, though. Furthermore, there has occurred a conspicuous increase in the number of employees from the former Yugoslavia entering the German labour market, the new victims of unscrupulous employers.

Regarding changes in legislation, in particular the 2015 minimum wage and the 2016 company liability acts, respondents argued these have forced employers to be more accountable for their actions, especially when dealing with sub-contractors. For example, in the case of the 2016 legislation an employee working for sub-contractor can now seek compensation from the principle contractor in cases where salary payments are outstanding. When it was suggested that the new laws might make the work of FM superfluous one respondent noted *“Not at all - the very opposite. It strengthens our hand - we are now in a better position to act (Interviewee 4).”* In addition, it was pointed out that employees coming to Germany were gradually more aware of their rights: *“A key development is that the individuals we come into contact with are more and more aware that they have the same rights as their German*

*colleagues. In the past Bulgarian employees believed that they were second class citizens in the EU. But now they know what rights they have in terms of overtime, breaks, minimum wage and holiday entitlements (Interviewee 1).*” This brings us to the final development observed by interviewees; the application of social media.

The internet has not only become a useful source of information concerning employee rights in Germany and access to advice centers, it also represents a tangible step towards labour organization, especially for the likes of healthcare workers employed in private households. The following respondent, someone who specializes in advising healthcare workers, specifically Polish care-workers, noted: *“Due to my role here I have a lot of contact with such women. They constantly get in touch. I am also in contact with these women via Facebook. They have organized themselves into four different groups on Facebook in Germany. Moreover, one of these groups alone has 3500 women as members. And that is only one group. It is a group that in virtual reality stays in contact with each other, exchanges information. This is a group that the union could contact. This is a group that is in the process of considering how they could organize themselves. Actually contacting these women should not be a problem for the union as I am in contact with them and I have their trust. The real advantage I have is that I speak the language. Everything is actually in place (Interviewee 3).*” As the interviewee outlines social media is an essential tool for overcoming a key problem of employment in the healthcare branch, that of isolation. It represents an opportunity for the individual workers in question, in particular the prospect of belonging to a community that offers moral support and practical advice concerning employment law as well as organizations that exist to represent their interests. Moreover, such Information Communication Technology, in this case Facebook, provides unions with the opportunity to communicate with potential future members. Of course, a prerequisite of access, a point highlighted by interviewee 3, requires unions to become more diverse in terms of their capacity to organize in an increasingly multilingual employment environment.

## Conclusion

Launched in 2011 “Faire Mobilität” has made a major contribution to informing Eastern European workers about their employment rights in Germany. Of course, it is impossible to gauge the project’s impact as the number of cases recorded fail to take into account the multiplication effect of advising clients, the fact that these same clients share the information gleaned from visiting an FM office with colleagues and friends faced by similar injustices, who in turn share it with their network. The uniqueness of the project lies in its ability to address a major obstacle encountered by migrant labour coming to Germany, or for that matter any country, language. Due to this deficit many migrant workers are unable 1) to express themselves and 2) to comprehend the existence of legislation designed to challenge the exploitation of migrant labour by unscrupulous employers. By providing employees with advice in their native language FM contributes to the emancipation of workers lacking a voice.

Respondents, though, raised questions about the projects long-term prospects. Two factors appear to be at play here, the FM’s status and the issue of resources. In terms of “status” FM was designed as a project and like all projects has a beginning and an end. The main issue here involves funding. Although the Federal Ministry of Labour and Social Affairs is committed to funding the project until the end of 2016, question marks remain about FM’s future. Long-term interviewees argued FM’s sustainability depends on ending its project status. Here, the role of trade unions comes under the spotlight, in particular the need to construe a strategy designed to embed FM within union structures. It was argued, however, that such a development requires unions *“to see this group of EU citizens as potential members. These [unions] have to invest more in union organizing because I know that many of these employees would like to join the union but they do not know the process involved joining a union. They want to join a union so that their rights are protected. But the unions have to reform themselves – they have to invest more in this area (interview 4).”*

In terms resources respondents demonstrated that the project has to account for the fact that the migrant labor market is complex and in the process of incessant change, factors FM’s current structure struggles to accommodate. Restricted on average to two advisors per office respondents suggested that an increase in personnel, in particular employees able to complement the existing set of languages on offer, would allow FM to reach out to migrants currently left to their own devices. In addition, it was pointed out that the need to provide more languages has increased in light of the refugee crisis. Their increasing access to the labor market requires FM to

change its existing remit which restricts it to merely advising EU members and furthermore employ personal who speak Arabic, Farsi, English and French. Finally the issue of resources is not only confined to improving services, it is also concerns the interrelated issues of quality and the employment conditions of the service providers. In terms of the service provided it was suggested that the lack of a back-up office to deal with the administrative side of the project, scheduling appointments, recording cases, writing letters and so on had consequences for 1) the number of cases officers are able to process each month and 2) the amount of time they can donate to individual cases. Concerning employment conditions, the question of workload and the emotional aspect of the job, the fact that many clients have traumatic stories to tell, are depicted as resource issues that need to be addressed, either through employing additional personnel or providing individual coaching to deal with the strains associated with the job.

## II.3 Integration and representation in the health care sector

### Overview of the company/sector

Multilingualism in this case-study concerns the question of how immigrants are able to integrate in a certain (German) host society. Integration is at least a two-fold process. On the one hand it is a professional one and on the other it concerns informal social relations both private and professional'. The empirical focus of this case study is the German health care sector.

Overall there are more than 5 million people employed in the health care sector. Of which around 1 million work in jobs assigned to care work, these mainly in hospitals or other health institutions such as old people's homes. In addition, more than 500 000 work in the nursing care sector<sup>1</sup>. The health and care sector in total is heavily gendered; almost 80% of the employees are females. In the case of nursing this share rises up to 85%.

Initially the study focused on the institutionalized care sector and even more specific on hospitals. As the fieldwork unfolded step by step several other types of care-work and care organizations came into focus which seemed to be relevant to answering the question of how multilingualism affects the integration for migrant care workers and their host institutions.

It is more than evident and occasionally even the object of public discourse that the care sector in Germany is a continuously growing sector that lacks skilled personnel<sup>2</sup>. Since the financial crisis in 2008, labor markets, especially in southern Europe declined, has meant that many young well trained people had limited and very precarious access to their home labor markets. Most public institutions were forced to cut personnel costs and long term job prospects were no longer reachable for people who were just entering the labor market (See the centralized Spanish system for the

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<sup>1</sup> For detailed data see:

<https://www.destatis.de/DE/ZahlenFakten/GesellschaftStaat/Gesundheit/Gesundheitspersonal/Tabellen/Berufe.html>

<sup>2</sup> Glassner, Vera, Susanne Pernicka, und Nele Dittmar. 2015. Arbeitsbeziehungen im Krankenhaussektor. Düsseldorf. Cangiano, Alessio. 2014. Elder Care and Migrant Labor in Europe: A Demographic Outlook. *Population and Development Review* 40: 131–154.

placement of nurses on a job ranking list where the ranking position refers to experience and educational qualifications – but if you can't get a job, you will not get a higher position in the ranking)<sup>3</sup>. So German Institutions (public labor administration as well as bigger care firms or actors in the staffing industry) saw the opportunity here to hire (more or less systematically) people from southern Europe to fill vacancies in German hospitals, nursing homes or in mobile elderly care services<sup>4</sup>.

How unions and works councils are addressing a multilingual workforce was the initial research question. It turned out soon that in the highly diverse care sector issues of multilingualism are mainly about language strategies in order to gain language competencies and job specific language skills. Additionally, integration and alienation are issues that are highly correlated to active language speaking competencies.

The study concerns workplaces which are affected by multilingual issues in several ways. One of these is the absence of representational support or attention. Another involves the difference between formally required language competencies and workplace specific language practices. Thirdly, there is the (obvious) relevance of cultural competencies and associated obstacles in relation to integrating foreign employees into the local workforce.

### **Fieldwork conducted**

Access to the field proved quite difficult as the works council of a large hospital we initially contacted refused to cooperate. It took more than six months to finally gain access to the hospital and get the opportunity to interview migrant workers and their line nursing managers. Consequently, the research focus widened so that other actors in the care sector could be considered. Mainly via informal contacts interviews with (Spanish) migrant workers and different stakeholders (union, employment agency) were conducted. One of the first findings indicated that it would be necessary to integrate the perspective of temporary employment agencies which seem to be quite

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<sup>3</sup> For a comparison of European health care systems see: Pavolini, E., und A. Guillén. 2013. *Health Care Systems in Europe under Austerity: Institutional Reforms and Performance*. Springer.

<sup>4</sup> As reported by Euractiv: <http://www.euractiv.de/section/gesundheit-und-verbraucherschutz/news/pflege-in-deutschland-fachkrafte-aus-dem-ausland-sind-fehlanzeige/>



important in accommodating migration paths. Unfortunately, the relevant regional company did not reply to our requests.

For this reason, the case study is based on document analysis and several qualitative interviews with the following actors: an Interview at the Public Employment Service with two specialists on migrant worker hiring (ZAV), an interview with a representative of Germany's largest service union (Verdi), someone responsible for the care sector in middle Franconia. Another Interview was held with a representative of G.A.S<sup>5</sup>, an initiative of Spanish migrants based in Berlin who engage in workers' rights and representation but draw a distinct line between themselves and 'classic' unions. Furthermore, an interview was held with a HR-manager at a local network of radiological surgeries. Altogether these interviews depict the institutional dimension of the case - although the meeting with the representative of G.A.S. has the benefit that it bridges the institutional and individual dimension. This was mainly covered by interviews with a Spanish radiological assistant, a Portuguese doctor, three Spanish nurses, two nursing managers and a Rumanian home care nurse.

#### Overview on conducted fieldwork

Organization	Occupation	Country of Origin	Gender
Federal Employment Service	Job Placement Specialist Foreign Job Markets	-	Male
Federal Employment Service	Job Placement Specialist Foreign Job Markets	-	Male
Service Union (Verdi)	Union Secretary (social affairs, including health and care)	-	Male
G.A.S.	Student (interviewed in his role as activist)	Spain	Male
Small Hospital (communal)	Medical Doctor	Portugal	Male
Small Hospital (communal)	Radiological Assistant	Spain	Female
Radiological Network	HR Manager		Female
Private	Elderly care at home	Romania	Female

<sup>5</sup> <http://www.accionsindical.org/>

Large Urban Hospital	Nursing Manager	-	Male
Large Urban Hospital	Head Nurse	-	Male
Large Urban Hospital	Nurse 1	Spain	Female
Large Urban Hospital	Nurse 2	Spain	Female
Large Urban Hospital	Nurse 3	Spain	Female

The specialists of the public employment service are experts in the sense that their main objective is to establish programs that attract migrant workers to work in Germany, especially in care sector. Multilingualism is a skill which one has to be in command of in order to gain access to the German labor market as a skilled worker. Therefore, there is a need to comprehend a close correlation between language competencies and specific job profiles. The union representative is mainly concerned with the care sector in his region and before working for the union he was employed as a paramedic for several years where his interest workers' rights grew over the years. Multilingualism is a novel topic for him personally, an issue which his union is usually not that concerned with. The representative of G.A.S, a migrant himself attended a German university and is preparing to write his master thesis in engineering. Due to his biographical experience he is very attentive to language related issues: *"For me, yes (...) for me it [the language] is a barrier, especially when talking to locals. It is a different thing: one can't say the things with the same precision or joke around, I can't or I don't understand the "nuances", the "subtext" of what is said to me. I think it [using the foreign language with native speakers of this language] lets me appear more stupid, to say it simplified. Still, I speak decent German, but there are days where I feel very clumsy (...). For example, at work, sometimes I have to say the same thing three times (...) for me it is a great barrier."* (Spanish activist)

But nevertheless he is member in an organization that engages in migrant workers' rights and it is interesting to note that multilingualism is not an explicit issue for the organization. The interviewed Spanish migrants have literally the same biographical background. They studied nursing in Spain, where they received their degree but failed to find employment which would last longer than a few months. One of the contradictory reasons was the specific job placement system in Spain in the care sector. Graduated nurses are enrolled in a national list and they are awarded credits for good grades and professional experience. The more credits one earns the higher he/she will be ranked

in the table. If a permanent or even temporary job opportunity arises, then those ranked highest will be offered the job. Hence, for beginners it is structurally almost impossible to get a permanent contract. In case of the Portuguese medical doctor the situation was a bit different. He decided to migrate, because of a better chance to get specialist medical training. Also he was awarded a scholarship so he could afford the required language training in Germany. Different story altogether concerns the Romanian home care nurse. She is not a professional nurse, but was hired in Romania by an agency that sends people to Germany for homecare jobs. She just took the opportunity to escape poverty.

### **Language training**

As mentioned above to get a contract as a formally skilled nurse in the institutionalized German care sector the individuals have to provide a certificate that they are in command of the German language B2 level<sup>6</sup>. The language training can be completed in the home country or when already working which seems to be a more common way. Especially if nurses are hired by one institution they migrate as soon as possible so as to get integrated into job routines and additionally to work on their language skills: *"...there was just working, school, sleep, working, school, sleep, calling home sometimes crying, yes it was hard. The first six months were hard indeed"* (Nurse1). The care sector (and medical doctors as well) is seen from this perspective different to other branches. For example, engineers have no obligations to provide certified language skills, if they are migrants from a non EU-state they just have to have a job contract before emigrating. One reason why the access to the skilled care labour market in Germany is restricted in this way may be related to sensible legal situation of care and medical work.

At a practical level one is required to state, something mentioned in several interviews, that the level of B2 does not sufficiently measure individual's command of the German language. It is just proof that one

has undergone some kind of language training. A nursing manager puts it as follows: *"To me B2 is just a formality. It is important to pass, also for professional recognition and wage. But finally there are other important criteria (other than language*

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<sup>6</sup> There are some regional differences. Hessian only B1 is demanded but usually B2 is required.

competence) – *Do I dare to speak as a migrant {...} How extroverted am I and how is language practically experienced (lived)? B2 is a technical feature but it is basically not sufficient*” (Nursing manager).

### **Other initiatives and policies to deal with Multilingualism at the workplace (from both Employers and Unions)**

Employers in this case study rely on a practice whereby they try to integrate migrant workers via some kind of mentoring program. The radiological network and the hospital attach each new migrant nurse to an experienced member of staff that ideally has the same migrant background. Hence, migrant workers are enabled to start working right away and almost from the beginning are integrated into working routines, receiving guidance and practical support from someone who has gone through a similar procedure. This is reported to be successful but cost-intensive model. Sadly, there were no initiatives run by the service union or the works council due to the problems mentioned above.

### **Language and integration within trade unions**

A really interesting finding in this case study is the fact that language does not remain an issue for the service union (*“I guess the knowledge on multilingualism issues is not objectified in our union, and as a consequence the reason may be why we do not have many members in this sector.” Union\_representative*). It is well known that care work is mainly female and more and more migrants are filling the gaps in this sector but obviously no consequence was drawn so far that multilingualism could be a crucial issue for integration and empowering workers to exercise their rights. It was reported that one of the main problems the service union has to deal with in this sector is high degree of diversity and that many care organizations are rather small and not organized.

In the case of the hospital there exists a well-established works council (which did not take part in the study) but migrant nurses as well as nursing managers reported that the works council did not take any kind of action to ensure a proper professional and social integration of migrant nurses.

## Further Additional Comments

Most interviewees stated that being in command of the language of the host country is an at least two-fold issue. One concerns the need to especially learn technical terms used in the professional field migrants work. What seems to be even more important, though, is the cultural dimension of language and its' practise. Migrants as well as experts believe that integration can only properly be achieved (professional as well as social), if multilingual competences cover not only technical language skills but also cultural ones, too. On the professional level this is important in terms of interacting with colleagues and superiors. Hugging for example is a typical gesture in Spain not only frequent practice in intimate relationships but also in professional ones. In our case of a German hospital this behaviour would prove irritating due to the need to express more formalized behaviour in public and professional environments like hospitals (*"You recognize a difference, actually there have been three Spanish nurses at the intensive care unit and when we are working together it is different, it is completely different, it is a lot more comfortable, you can hear us laughing."* Nurse1). Another cultural practice reported, especially in the case of Spanish nurses, is the fact that they are used to communicating with doctors as if they were almost their peers, whilst in Germany nurses and doctors belong to quite distinct status groups. Hence, therefore someone who has been socialised in a hierarchical 'class-system' could be quite irritated by someone who seeks close contact. Undoubtedly, further research on multilingualism and industrial relations needs to widen its' scope and take into consideration issues emerging from diverging cultural and professional practices. Especially in the case of the care sector, it can be stated that the key to a higher degree of organization for unions is to provide migrants opportunities to train formal language skills as well as intercultural competencies.

### **III - Some general conclusions (1 page).**

In summary, our case studies exemplify that multilingualism in the workplace remains a complex phenomenon. At one level, for example, we uncovered evidence that suggests multilingualism is on the decline. This primarily relates to the fact that formal programmes dealing with multilingualism have been reduced, both employers and employee representative bodies reducing investment in activities designed to address employees' linguistic shortcomings. Here, "German is not only the official language" but the emphasis is also on immigrants attaining required competence in German to be able to participate in a workplace. For employee representatives this also concerns the recurring commitment to having "one voice", namely the workforce can only be strong if it speaks, regardless of language and cultural differences, "with one voice".

At another level, however, the Informal level on the shop floor so to say, multilingualism is very much alive. Our two workplace case studies from the metal and health care sectors exemplify that individual's knowledge of German may not always be sufficient to deal with the work tasks at hand. Hence, informal solutions are often required. In the foundry dealing with multilingualism involved organizing shifts across ethnic lines. Only at interface points were bi- or multilingual language competencies deemed necessary – here the use of so-called "small interpreters" (individuals who speak German and another relevant language, in this case often Turkish or Russian), a term coined by a respondent, are used in to transmit and translate work instructions. This way organizing work is informal, though. In the health care case, similar strategies were discovered. Nevertheless, there remains an obligation to speak German. Nursing managers as well as nurses themselves stated that the formal requirement of German language skills (certified B2 level) is not sufficient for the complex tasks required of health care professionals. Hence, speaking German is more or less a necessity for gaining access to better paid qualified positions as nurses have to 1) communicate with their colleagues and medical staff and 2) they have to talk to patients and their relatives – both an essential part of the job description. Strategies to deal with these tensions are manifold; some nurses talk English with peers or doctors (this often fails because of local workers' lack of competence in English), whilst some try to avoid active communication in German, relying on their passive understanding in the hope that this is 'good' enough to fulfil their tasks. Many on the other hand use a mix of

gestures, mother tongue and German to communicate, they try to deal with theoretical problem of how to comprehend their environment by relying on a multidimensional translational praxis.

In the case of the fair mobility, similar obstacles are dealt with in a completely different way in the sense that effected individuals draw on the specialized language skills and expertise in German Labour market of advice workers. In this sense, multilingualism as an issue in German Workplaces becomes visible in that the inability to communicate in the “official language” opens up the door to exploitative working conditions.