IR - MultiLing
Industrial relations in multilingual environments at work

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Comparative Report

Prepared by

Sylvie Contrepois (Coordinator)

From national reports by

Zsuzsanna Arendas (Hungary);
Ingrid Artus, Ronald Staples, Rainer Trinczek, Michael Whittall (Germany);
Sylvie Contrepois (France);
Maurizio Ambrosini, Pietro Manzella (Italy);
Antonio Martin Artiles, Oscar Molina Romo, Alejandro Godino Pons (Spain);
John Eversley, Alex Krouglov, John Gabriel (UK)

European Commission

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Introduction

With the globalisation of the economy, linguistic diversity at work became a key challenge for European Industrial Relations both as a result of most frequent communications between workers based in different countries and of a growing circulation of workers between national labour markets. At the turn of the 1980s, Europe became a continent of immigration (Janus, 2005) and the working situations where different languages from all parts of the world are in presence multiplied over the last 20 years: communication between workers from different subsidiaries and mother companies; communication between posted workers from subcontracting companies and workers from sourcing companies; communication between migrant and domestic workers; international commercial exchanges.

Issues arising from these situations are varied: while posted workers are only present on production sites for a short period of time and need interpreters to understand their work and working conditions, permanent immigrants need to quickly learn the host country language in order to find decent jobs and optimise their access to public services; and while managers usually need to speak dominant business languages – often English in addition of other EU dominant languages -, low skilled workers tend to be excluded from the learning of these dominant languages. These issues are potentially leading to a number of risks that have to do with health and safety at work, discrimination, and over exploitation of the labour force (Trajkovski and Loosemore, 2006; Piller, 2016).

These risks were only addressed recently by public policies as they began to be perceived as a brake to economic efficiency. At the European level, the concept of Diversity Management was shaped and developed in the context of the European year of equal opportunities and anti-discrimination as an "active and conscious development of a future oriented, value driven strategic, communicative and managerial process of accepting and using certain differences and similarities as a potential in an organisation, a process which creates added value to the company" (Keil, Amershi, Holmes, Jablonski, Lüthi, Matoba, Plett and von Unruh, 2007). This program has been developed to support the effective implementation of the new anti-discrimination legislation in the EU. The six-year Programme targeted all stakeholders who can help shape appropriate and effective development of legislation and anti-discrimination policies in EU-25, EFTA and EU candidate countries. Twelve collective agreements were identified as promoting "best Practices" in terms of Diversity Management (Keil and al., 2007).

The IR-MultiLing project questioned the ability of the diversity management policies to deal with language diversity and multilingualism. Our research addressed companies as well as trade unions policies.

Aims of IR-MultiLing project

Funded by the EU DG employment and social affairs for two years (2014 – 2016), the IR-MultiLing research project had five key objectives: to establish the trends in the presence of linguistic diversity at work; to understand the effects of linguistic diversity on industrial relations at the workplace; to develop an analytical framework to help explain strategic decisions by employers and trade unions; to complete an effective comparison of the national contexts and outcomes and present recommendations to employers, trade unions and policy-makers; to produce a training DVD/YouTube film for trade unionists showing different ways of overcoming the obstacles to participation by minorities.

IR-MultiLing researched company language policies and the way they were elaborated and implemented. It especially questioned the role of social partners in this process. The ambition to develop an analytical framework was meant to fill in an important gap in the existing knowledge on multilingualism at work. If most of available research has evidenced the variety of employers strategies in relationship to language, it does not fully explain it. Furthermore, little research has been dedicated to trade union strategies. Our main hypothesis was that employer strategies regarding language policy are predominantly guided by company business model. They are often reflected in the diversity management policies which provisions also depends upon the quality of industrial relations, especially the involvement of trade unions. A second hypothesis related to the segmentation of companies into different worlds where the use of languages may be different. The predominant use of English as a vehicular language might be establishing new class barriers between the headquarters and management of companies on one side and less qualified workers on the other. Amongst the latter, the use of mother language or community languages might contribute to further segmentation of the labour market.

Researching with case studies in six European countries, IR-MultiLing developed a typology of multilingual work environments contrasting multinational and national/local organisations with different management and non-management linguistic experiences. It considered whether workers lacking full linguistic access at work were treated differently in terms of their access to trade union participation and support. Where they are members of what are still Europe's largest civil society organisations, trade unions, the issue of who is appointed or elected to represent their interests is an important one.

Methodology of the research

The research was conducted in France, Germany, Hungary, Italy, Spain, UK; six countries with distinct traditions in terms of national language policies, which take roots in different histories of immigration and in different approaches of regional cultures assimilation. One research team was based in each country, in a local university, with some of their members being bi- or multilingual.

A first phase of the research consisted in a desk research aimed at comparing the national trends and regulatory regimes concerning linguistic diversity, employers and trade union policies. Three main trends were explored: the dominant use of the English language as a vehicular language in all the countries studied; the presence of several languages from immigration in some segments of the workforce; and the presence of regional languages at work in some of the countries covered – especially in Spain and Hungary. These situations were explored in more depth according to a common template detailing historical experience of linguistic diversity in workplaces in each

country; data and trends in terms of immigration and languages spoken at work; legislative and industrial relations landscape; actors and their actions.

The second phase of the research consisted in company or sector case studies conducted in each of the countries covered between September 2015 and June 2016. In the light of the desk research findings, a matrix was developed in order to choose significant case studies, capturing the main characteristics of the different workplaces in relationship to multilingualism issues. This matrix articulated different indicators: sector (agriculture, industry, services); type of employer (private, public, multinational…); characteristics of labour force (gender, ethnicity,…); languages spoken; industrial relations (trade union presence, collective agreements coverage…). The access to the fieldwork took several months in most cases and varied from a case study to another. While in some of the places, the team could access through management, in most of the other places the team used the trade union route. In few cases, also, access was obtained throughout researchers personal networks. Once the access was granted, snowball sampling was then systematically used.

Sixteen case studies were conducted in companies: three in international hubs -call centres and IT companies in Spain and Hungary-; three in merchant services -catering, hotels and cleaning respectively in Italy, UK and France-; three in the health care sector in France, Germany and UK and eight in multinational companies from the industrial sector in the six countries involved in the research. Two other case studies researched national trade unions' clinics dedicated to immigrant workers in France and in Germany. About 180 interviews were conducted in total, 10 for each case study.

A common template was agreed between partners. It was covering a description of labour force and industrial relations in the studied companies / sectors; employers policies and trade unions demands; and actions regarding multilingualism. Three interview guides were developed respectively for employers, employees and trade unions representatives. Employers were interviewed on: the principal characteristics of the company; language company policy; languages used in the company; language and employee rights. Employees were interviewed on their linguistic biography, language and daily working relationships, language training, language and access to labour rights, language and trade union involvement. Trade unions representatives were interviewed on their professional and union profile, the principal characteristics of the company, the language company policy, language and working conditions, language and employee rights, the trade union language policy.

The research was supported by national advisory groups. About 40 stakeholders -trade unions, employers, labour inspectors, experts and other actors of the field- were involved across the six countries. They provided data and sources of information, opened access to fieldwork, commented on the draft reports submitted on to them by the research team, participated to the different meetings and events organised during the life course of the project.

A point on terminology

In this report, we will be speaking of linguistic diversity. Bilingualism, as well as plurilingualism, is an individual phenomenon; that is, it represents language skills or the achievement of a single person immersed simultaneously in two or more language communities. Bilingualism applies to

individuals able to use more than two languages, that is, possessing several bilingualisms of varying degree.

Plurilingualism as term appeared later and had some political connotation, as it was applied to Europeans speaking several languages. Multilingualism, by contrast, is a societal – not an individual – phenomenon; that is, a society made up of individuals who speak two or more languages to some degree of proficiency. Multilingualism at work - defined as a situation where people who have different mother tongues and / or are able to speak some other tongs need to cooperate in order achieve products and services delivery

I – Linguistic and cultural diversity at work in Europe: data and trends

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Mainly two trends were observed through the literature review and case studies in the six countries covered by the research: English has spread as the main foreign language spoken in most countries; meanwhile linguistic diversity issues are very different in each country due to different patterns of immigration and different approaches of regional languages.

The exchange of language is in part spontaneous and apolitical, but immediately we must say that in all societies historically there have been political efforts to influence the behaviour of others to acquire the local language, structure and functional assignment linguistic codes and social values. In other words, it is a form of regulation relating to non-linguistic objectives, such as consumer protection, scientific exchange, national integration, political control, economic development, creating new elites or maintaining existing local elites (Alarcon 2002: 179). Also, we can distinguish two positions related to the use of languages: one essentialist and the other instrumentalist. According to the essentialist position, the minority language pertains to a collective identity to protect, so "good" that live in the language itself is claimed as an enforceable right in the heart of liberal societies, while according to the instrumentalist position, language is not an end in itself, but it is understood as an instrument of exchange.

1. Immigration waves and national situations

Migration trends were different in each of the countries studied. From the 19th century, the industrialisation process generated successive generations of migrants coming from eastern and southern European countries and mainly settling in the **UK, France and Germany**. The UK and France also received migrants from their colonies.

France's industrial development has been largely based on immigration since the end of the 19th century. In the 1920s, foreigners coming mainly from the neighbouring countries - Belgium, Italy, Spain, and Poland - represented already 7% of the population (Noiriel, 1988). Immigrants share in the total population grew considerably during the aftermass of World War II with colonial, then post-colonial immigration from North and Sub Saharan Africa, called by successive governments to contribute to the reconstruction. But during the 1970s, with the economic crisis and the severe increase in unemployment, the migration flow was restricted to family reunification and was therefore considerably reduced. This new orientation applied over the following decades. Between 1975 and 2008, the share of the EU immigrants decreased from 66% to 38% of the overall population. The bulk of Spanish, Italian and Portuguese workers returned home. In the same time, the North African migrants increased substantially. From 554.000 in 1975, the number of Algerians has grown to 710.000 in 2008 while the Moroccan immigration tripled since 1975, mainly due to

family reunification. Also between 1999 and 2008, the share of the other African countries - Cameroon, Ivory Coast, Democratic Republic of Congo - has grown, representing a quarter of the overall migration stock. The migration pattern changed during the 1970s and immigrants began to settle more systematically (Dechaux, 1991). As a result, direct offspring of migrants became more numerous than immigrants themselves, a situation highly atypical in Europe. It has been estimated that one in four persons in France had an immigrant parent or grandparent (Tribalat, 2004). In 2013, the first were 5.8 millions (about 8.8 % of the overall population) while the second were 6.7 millions.

In 2011, 43 % of immigrants living in the country were African, mainly from Algeria (13,2 %), Morrocco (12,1 %) and Tunisia (4,4 %). More than a third (37 %) were European citizens, mainly from Portugal (10,6 %), Italy (5,3 %) and Spain (4,4 %) while 14,4% were Asian (with 4,4 % from Turkey) and 5,5 % were from America and Oceania. In 2012, European citizens made 50 % of the new arrivals coming mainly from Portugal, United Kingdom, Spain, Italy and Germany (INSEE, 2014). This recent increase in European immigration has been facilitated by the fact that, following new regulations from 2003, European citizen do not need to apply for a residence permit anymore.

In Germany, migration to Germany can be traced back to the 19th century, Polish workers hired to work in the coal mines in the Rühr area of Germany. The rebuilding of Germany after the Second World War, what came to be known as the *Wirtschaftswunder* (economic wonder), saw the mass-recruitment of Gastarbeiter from southern European countries, in particular from Greece, Italy, Spain and Turkey between the 1950s and 1970s (Jutta Höhne et al, 2014). This represented an unprecedented period in the history of immigration to Germany, with 14 million Gastarbeiter moving to Germany up until 1973, of which the majority, 11 million, eventually returned home (Oltmer, 2013: 52). This historical juncture also changed quite radically the country's demographic structure, i.e. a major increase in the number of foreign nationals living in Germany. In 1961 foreigners made up a mere 1.2% of the population. By 1974, a year after Germany stopped its recruitment drive in response to the economic crisis brought on by the first oil crisis; the number of non-Germans had increased fivefold (Statisches Bundesamt, 1992). The unification of Germany and the assimilation of former Soviet Bloc countries in the European Union has once again seen the face of immigration to Germnay change again. A closer look at current migration trends exemplifies quite clearly how Eastern Europe now accounts for the highest percentage of new immigrants moving to Germany, in particular the accession countries of Poland, Rumania, Bulgaria and Hungary. The Bundesamtes für Migration und Flüchtlinge (2013 ;23) reports Polish citizens account for the highest number of news immigrants, 190.424 thousand in 2013, nearly 60 thousand more than the Rumanian figure of 139.48 thousand citizens. Combined, these four countries, Poland, Rumania, Bulgaria and Hungary accounted for a total of 450.802 migrants settling in Germany in 2013 (ibid).

In the UK, 19th century migration came from Italy and Jewish populations from eastern countries. Post world war two migration included populations from eastern countries, then from former colonies and new commonwealth, then from Africa and Balkans following genocides. 6.0 million of the non-UK born population are aged 16 to 64. In 2011 63% were in employment, a slightly lower level than the UK-born population (69%), largely due to the higher proportion who were studying. Those born within the EU were more likely to be in employment (73%) than those born outside the EU (59%). EU-born residents were less likely to be studying (11%) or economically inactive. Recent arrivals were more highly qualified than those who had been in the UK for longer, with 38%

of recent arrivals having Secondary or Tertiary Education or above qualifications (and only 11% reporting no qualifications), compared to 29% of those who had lived in the UK for more than 30 years (and 32% reporting no qualifications). In 2014, about 8.3m people or 1 in 8 (13.0%) of the usual resident population of the UK were born abroad. This compares to 1 in 11 (8.9%) in 2004. 5.3m don't have British Nationality: 8.4%.

Automatic rights of entry were restricted to those either with significant ties to Britain or to those with a job to go to and a proven skill that could not be met using domestic labour. Following a similar pattern, applications from asylum seekers that had averaged around 4000 per annum until 1990, significantly increased to almost 45,000 and up to 84,000 in 2002. Legislation was passed in 1993 and 1996 under a Conservative Government and subsequently strengthened by Blair's Labour Government in 1999 on similar ideological grounds. Specific provisions included the replacement of benefits with vouchers (a provision that was scrapped soon after its introduction), a national dispersal policy and the introduction of smart ID cards. In 1999, a camp in Sangatte, outside Calais, was established to provide shelter and welfare for around 1800 (it was only meant for 700 at any one time) for those seeking entry to Britain.

In the three other countries covered by the research - **Hungary, Italy and Spain** -, immigration only began recently.

For around a century (1870-1970) **Italy** was a country of large-scale emigration. Political and trade-union debate, like social initiatives, were mainly concerned with the protection of Italian emigrants abroad and maintaining their bonds with the mother country, including the conservation and transmission of the Italian language. The trade unions, for example, opened offices abroad (which still exist today) to assist emigrants and ensure their entitlement to social benefits at home, thereby fostering ties with Italy. Only in the last quarter of the last century did Italy become a country of immigration, and then with some delay became aware of it in the early 1990s. Trade unions were among the first social actors to organize counselling and protection services, while entrepreneurs began to hire immigrants to meet labour shortfalls not fulfilled by domestic supply.

Today, immigrant workers are coming from very different backgrounds, have very few links with Italy's modest colonial history, and almost always possess very little knowledge of the Italian language at the time of their arrival and their entry into the labour market, with the partial exception of Albanians. On the basis of the statistical data and the results of local surveys, we can then distinguish four territorial models of immigrant employment (Ambrosini, 2011): industrialized provinces of the Centre-North; metropolises and the urban economies (more varied employment, construction, catering, cleaning and transport); temporary employment in the *Mezzogiorno* (harvesting, tourism and construction); central and northern provinces that attract significant flows of seasonal workers employed during the summer in the tourism industry and in the autumn for the fruit harvest (grapes, apples, etc.). In 2001, the first nationality was Moroccan, six of the first ten groups were non-European and nine national groups made 50% of the foreign population. Six out of the ten first groups were predominantly male. In 2013, the largest group was Romanian. Five of the top ten groups were European, and six were predominantly female. Also recorded was a greater concentration of origins: five nationalities accounted for 50% of the foreign population.

The flow of immigration in **Spain** began to grow in the 1990s and was especially intense during the expansionary economic cycle from 1995 to 2007. A distinguishing feature of immigration in Spain

compared with other European countries is that between 2000 and 2008 it grew rapidly over a very short period, with migrants coming predominantly from Morocco, Peru, Ecuador and Romania. One of the main features of immigration in Spain is the attraction of unskilled workers (for a profile of immigrant workers, see e.g. Reher and Requena 2009) because the Spanish production model is labour-intensive. The incorporation of immigrants in certain labour-intensive sectors has meant that their territorial distribution is uneven. Immigration in agriculture is concentrated in the regions of Andalusia, Murcia and Valencia, which have a modern and dynamic agriculture sector. #The construction sector is concentrated on the Mediterranean coast, and tourism and services are concentrated in Madrid. A number of migrants are employed in services. As a result of the economic crisis and unemployment, immigration to Spain fell dramatically between 2008 and 2014 and was controlled by quotas. The main immigration flows were from Morocco, Peru, Ecuador and Romania. Moroccans and Peruvians came to Spain earlier, between the late 1980s and the early 1990s, whereas Ecuadorans and Romanians came mainly between 1999 and 2007. Another feature of immigration is that many immigrant women are employed in homes: in the 1980s these women were mostly from the Philippines, and the flow was managed largely through social networks of the Catholic Church. However, since the 1990s immigration of women from Latin America has been an important issue.

Hungary was a multi-ethnic country during the 19th century, but was marked by assimilation policies during the 20th century. Migration remains today marginal in Hungary, with a clear preference given to ethnic Hungarians coming from outside of Hungary. In the post-1989 period of economic and political transition, foreign capital appeared in the region, mainly in the form of West European and US investors and companies. These companies brought into Hungary some of their employees, mostly in senior managerial positions. At the same time, some Asian investors also appeared on the market, further diversifying the linguistic and ethnic picture of Hungarian workplaces. Today Hungary differs from West European models of work migration. On one hand, a strengthening flow of outgoing migration of Hungarian workforce is characteristic for the last 5-10 years, unlike in Western Europe, where the dominant feature of workforce migration is immigration of workforce from the EU and other third countries. On the other hand, the proportion of foreign nationals is still very low, approx. 2 per cent of the total population, out of which 2/3 are ethnic Hungarians from the neighbouring countries. Ethnic Hungarians represent an invisible type of immigrant labour: they speak the language, know the culture, thus they do not pose any integration challenge to the Hungarian state - realising this advantage, Hungary provides preferential treatment in citizenship applications to ethnic Hungarians; on average, ethnic Hungarians may get citizenship in less than 3 months from the time of the submission of application. Foreign workforce in Hungary is thus composed of ethnic Hungarians working in different sectors and at various positions (their average qualification is higher than of the local population) and of other, non-Hungarian workforce (approx. half of them are EU citizens, others are non-EU). The characteristic of foreign employees of MNCs and other foreign companies is that they usually work in higher positions (due to difference between local and West European salaries) and many of them come for assignments for a few years. However, the 2008 economic crisis, badly effecting labour markets of southern parts of Europe, resulted in immigration of e.g. engineers from southern Italy, Spain, and Portugal to IT positions of MNCs located in Budapest. Despite its EU-membership, Hungary remains mainly a transit-country of the East-West migration. However, the Hungarian right-wing government has recently launched a strong anti-immigrant campaign, with a significant risk to further worsen the anti-immigrant attitudes of the Hungarian population.

While immigration is now growing everywhere in Europe, national immigration policies tend to converge in all European countries. They are overall becoming more restrictive due to the employment crisis. An extreme is perhaps Hungary, trying to avoid migration from non-EU countries and to preserve cultural and linguistic homogeneity. However, we could observe some evolutions in terms of integration of migrants: from gastarbeiter to more inclusive policies in Germany; from assimilation to recognition of diversity in France.

In France, while immigration flow was officially restricted to family reunification since 1974, the legislative activity on immigration particularly accelerated from 2002 after the far-right leader, Jean-Marie Le Pen, obtained a sufficient score in the first round of Presidential elections to stand in the runoff election. The different law adopted in 2003[1], 2006[2] and 2007[3] were particularly restrictive regarding the naturalisation of foreigners. As a result, the number of escort orders for unlawful residence raised from 14,901 in 2005 to 16,653 in 2006. From 2007, under the right wing Sarkozy government, the immigration control policies were further strengthened. In order to reduce the legal professional immigration to the strict needs of the National labour market, ministries of Interior and of Labour elaborated, in 2008, a first list of 150 jobs open to non-EU workers, then reduced it to 70 jobs in 2011. Furthermore, from 2009, international (or bilateral) agreements between France and African countries (Gabon, Tunisia, Senegal, Benin) were passed, in order to "rationalise" the migrant workers flows and movements (Bussat, Archias, 2013). Finally, the law passed on the 16 June 2011, the last from the Sarkozy era, tightened the conditions for immigrants who want to stay in France. Fight against terrorism was explicitly mentioned in this law.

In Germany, as Meier-Braun (2006) notes, the first ever elected SPD and Green coalition took the ground-breaking decision to distance itself from the *Jus sanguinis* principle in the late 1990s, i.e. that nationality is based on the right of blood. As of 2000 the process of naturalization became far more influenced by the notion *Jus soli*, the right of soil. In 2005, the government passed the Immigration Act, a law designed to steer, limit and regulate the length of time foreign nationals could stay in the country as well as the process of integration. The last element of the Immigration Act referring to integration is of particular importance in that again it demonstrates a recognition on the part of Germany that not only do immigrants intend to remain but equally it represents a tentative commitment to promote the inclusion of migrants within German society.

In Hungary, the governmental strategy on immigration and further steps in terms of integration strategy are stated in a single strategic document '*Migration strategy*'[4] for the period of 2014-2020, which came to force in 2013. The document includes a definition on immigration, defines the circle of legal and illegal migrants, also persons entitled to international protection. In the section on integration, the document vaguely mentions that immigrants need more support and help from the state in terms of linguistic, cultural and everyday integration. The document discusses the lack of organized Hungarian language learning opportunities (in form of courses) for immigrants. While officially recognized refugees get the opportunity to attend free language courses, this is not the case for others (with a non-refugee status). The legal context of migration is set in two laws: the

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1   Loi n° 2003-1119 du 26 novembre 2003 relative à la maîtrise de l'immigration, au séjour des étrangers en France et à la nationalité.

2   Loi n° 2006-911 du 24 juillet 2006 relative à l'immigration et à l'intégration.

3   Loi n° 2007-1631 du 20 novembre 2007 relative à la maîtrise de l'immigration, à l'intégration et à l'asile.

4 The title of the document in Hungarian is "Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum".

Law on the Entry and Stay of Third Country Nationals (2007/2) and the Law on Asylum (2007/80). The Law on the Entry and Stay of Third Country Nationals defines conditions of temporary and permanent settling, the regulations (and their enforcement) relating to entering and leaving the country, expulsion, detention, deportation, and the controlling of TCNs. It also regulates the various registration obligations of TCNs (residence, birth, education) and the procedures of registration (Messing- Arendas, 2014). The legal framework mirrors the diversity that characterizes migration processes Hungary in a very limited manner (Tóth 2013). The main focus of the legal framework is the controlling of foreign entrants at and within the boundaries of the country. At the same time, regulations concerning the most influential and numerous segments of the migrant population –i.e. employees, entrepreneurs and students – are very general and scarce in terms of provisions supporting their social integration (Messing- Arendas, 2014).

In Italy, the main device of migration policy has been the repeated enactment of regularization laws (Barbagli, Colombo and Sciortino, 2004): seven in twenty-five years. The Italian law was first reformed in 1992, eighty years after its first enactment, by almost unanimous vote in Parliament. As Italians began to realize that their country was becoming multi-ethnic, the new norms went in the opposite direction: they doubled (from 5 to 10 years) the length of stay required of third-country nationals before they could apply for naturalization; instead, the norms reduced the time required for citizens of EU member countries (from 5 to 4 years).

The most recent law was passed in 2012, in addition to a number of undeclared regularizations, such as those implemented through immigration quota decrees (*decreti flussi*). On this crucial issue, one discerns a surprising continuity in immigration policies, regardless of the party in government. In the three years that followed Berlusconi's election in 2008, with a series of measures comprised under the label of "security package", the Berlusconi-led government issued various provisions against immigrants. For example, the package defined irregular immigration as a criminal offence; it introduced an aggravating circumstance for illegal immigrants prosecuted for other offences; it prohibited irregular immigrants from performing civil status acts, including marriage it ordered the turn-back to Libya of boatloads of asylum seekers; and it allowed private citizens to establish neighbourhood watch patrols. The measures on immigration included a compulsory Italian language test to obtain a long-term EC stay permit and the so-called 'points permit': a mechanism which deducted credits, up to withdrawal of the stay permit, from immigrants who did not fulfil certain conditions. Numerous ordinances were thus targeted, directly or indirectly, on the poorest and most marginalized immigrants: those who sought shelter in abandoned buildings, slept on park benches, consumed alcohol in public, or begged for money. Other ordinances prohibited gatherings of immigrants in public places; yet others hit shops opened by immigrants, especially when they became meeting places for groups of people and had long opening hours. There were also interventions that undermined freedom of worship for Muslims, prohibited the use of languages other than Italian, or sanctioned the use of face-covering veils.

However, it should be stressed that Italy, with its 'quota' system for the admission of foreign workers, not only seasonal or highly-skilled, has on the whole been more open to immigration than most EU countries in the past two decades. Transposed in 2012, the 'Blue Card' directive in regard to high-skilled foreign nationals allows the entry of foreigners in excess of the quotas and at any time of the year (hence without waiting for determination of the inflows). It therefore represents a highly flexible and simplified channel of entry. However, only few foreigners have entered Italy via this channel as the Italian economy has no specific need of high-skilled immigrant labour, with the

partial exception of nurses.

In Spain, there has been both legal and illegal immigration since the 1990s. In the first phase of expansion of immigration, regulation was lax and inconsistent, partly due to historical, cultural and linguistic ties with Latin America. In the second phase, in the late 1990s, immigration was regulated through bilateral agreements with Latin American countries. European Union policy and the needs of trade unions have been an important factor in controlling immigration and have led to a massive regulation of immigration through quotas. The quotas have aimed to channel the flow of immigration towards certain sectors, particularly domestic work on temporary employment contracts and the construction sector. The immigrants who have come through quotas have been forced to stay for at least one year in the territory and in the sector for which they had been hired, but most of them moved a year later to other sectors with better wages (Miguélez et al., 2011). Since 2008, within the framework of the economic crisis and unemployment, immigration policy has become more restrictive, with greater control of borders. To this we must add other forms of invisible restriction and the effects of intra-European labour mobility. In fact, in Spain and in the EU several regulatory obstacles have been placed in the way of the principle of free movement. This policy of control and restriction is not laid down in laws and regulations but is implemented through "circulars" and unwritten rules for the officials responsible for registering residence permits. European citizens are required to have a work permit before obtaining the right of residence. These work permits are delayed for a long time, and even denied when immigrants take legal action, which increases and hinders# free labour movement. Indeed, today this seems to be a practice of many European countries in the context of the economic crisis (E1).

2. Geography of linguistic diversity

Due to the diversity of regional and national immigration histories, languages issues are different in each country. Dialects, regional and minority languages are present in all countries studied but are not used in the same way in each. According to the *Special Eurobarometer 386 'Europeans and their languages'* (2012) report, countries where respondents are least likely to be able to speak any foreign language are *Hungary (65%)*, Italy (62%), the UK and Portugal (61% in each), and Ireland (60%). In contrast the proportion able to speak at least one foreign language has decreased notably in Slovakia (-17 percentage points to 80%), the Czech Republic (-12 points to 49%), Bulgaria (-11 points to 48%), Poland (-7 points to 50%), and Hungary (-7 points to 35%). In these countries there has been a downward shift since 2005 in the proportions able to speak foreign languages such as Russian and German.

In France, about 400 different languages are spoken in France, including about 75 regional languages. In 2012, 26 % of residents declared that they were brought up in another language than French (2/3 in a foreign country). Languages most frequently spoken beyond French: dialectal Arabic (3-4 millions speakers); Creoles and Berber (2 millions); Alsatian (548,000); Occitan (526,000); Breton (304,000); Oil language (204,000) (INED). Languages spoken vary according to generations in relationship with immigration waves (Arabic is more frequent amongst young people while European languages are more frequent amongst the elderly) and according to regions

(languages of immigration most frequent in metropoles like Paris and Marseille). The most frequently foreign language spoken after French is Arabic. It was recognised as a "Language from France" in 1999.

In Germany, the main language spoken in is Hochdeutsch (high-German), followed by Niederdeutsch (low-German). Only towards the end of the 19th Century, this coinciding with unification of Germany, did a standard form of German, mostly written, become widespread. As in the past various regional dialects continue to prevail today, such as the Bavarian dialect, *Bairisch*. Furthermore, recent migration trends, in particular the return of the so-called Aussiedler, former German citizens from Eastern Europe, specifically Russia have added a new dimension to the German language. The so-called Russlanddeutschen (Russians with a German heritage), speak Plautdietshe (Mennonite Low German). The arrival of many immigrants from Russia and eastern-Europe together with the first wave of Gastarbeiter means that Germany has become a multilingual society. After German and English, English being the second language, just-under 3 million citizens speak Turkish and around 1.5 million speak Polish. Furthermore, Germany has long been home to minority languages too, such as Danish, Friesian, Sorbian and Romani.

In Hungary, Hungarian is the official language spoken by 99,6 % of the population. German (11,2 %) and Romanian (1,3 %) are two foreign languages considered as co-official minority languages. English is considered as foreign language but spoken by 16 % of the population. There are also numerous dialects deriving from Hungarian that people try to hide when they are at work (switching language). This cultural and linguistic diversity is a result of centuries of migratory movements of workforce, settlement programs and just spontaneous movement of people. It can still be traced in Hungary, despite long and systematic efforts of the Hungarian state to assimilate its ethnic groups.

In Catalonia (Spain), immigration represents 15.9% of the employed and about 160 languages are spoken (Jódar et al. 2011). The use of both Spanish and Catalan in companies in the Barcelona Metropolitan Region is stratified: 1) Catalan is used as the preferred language by the middle class, such as highly qualified workers, office staff and specialists, entrepreneurs, small-business owners with employees and artisans and landowners; and 2) Spanish is used by the working class and immigrants, such as labourers, unskilled workers, service workers, agricultural workers, foremen and supervisors, as highlighted in a study by Nello (1998). Knowledge of Catalan is important for upward mobility, for changing profession and for improving social position. There is an almost linear relationship between positions and professional categories and Catalan has a high value as the language of social prestige, providing access to higher categories and middle-class wages. Catalan therefore becomes an important reference for immigrants, but especially for the second and third generation children of immigrants.

In the UK, the 2011 Census indicated that 92.3% of people in England and Wales said their main language was English (or Welsh in Wales). 4.1m people reported a main language other than English (or Welsh if they lived in Wales). Although over 100 languages are reported, more than three quarters (77%) are accounted for by twenty languages. The top five languages were Polish, Punjabi[5], Urdu, Bengali (with Sylheti and Chatgaya) and Gujarati. Of those who have a main language other than English, just over one in five say they cannot speak English well or at all (21.45%). Significantly a higher proportion of people living in London and the South East say their

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[5] Punjabi is the spelling in the UK Census, Panjabi in the England and Scotland School Census

English is good but because there are more of them, nearly half of those whose English is not good live in London and the South East (46%). Between roughly three-quarters and two-thirds of the speakers of the top five languages other than English said that they speak English well or very well (ONS Main Language, Online).

In all the countries studied, it was noted that Asian communities were often exclusively speaking their own language - Indian communities in Hungary, Chinese communities in France, Turkish communities in Germany - when working in some economic niches where they were dominant.

3. English as first foreign language

The domination of English as the first foreign language spoken by workers was noticed in all the countries covered by the research - sometimes along with some other languages like German in Hungary. Over the two last decades, English also became the first foreign language learnt at school. As a result, two lines of differentiation were noticed in the working population:
- Generational: the youngest workers are more likely to speak English than their elders.
- Occupational: English is very important for white collars, not so much for blue collars workers.

With the internationalization of business and the growing linguistic diversity of working teams more and more companies are choosing English as the common language in their firm (Alarcon 2002; Hohenstein and Spoori, 2012). However, it needs to be recognized that Hohenstein and Spoori stance is based on a study they conducted between 2010 and 2012 of highly qualified employees in the finance sector. But not all international companies are committed to such a strategy. In 2010, for example, Porsche publicly announced that it was bucking the trend to make English the firm's language of communication, arguing that such a move would have negative consequences for the quality of its product as many non-management employees do not possess a competent understanding of English (Süddeutsche Zeitung, 2010). In sum, when reflecting on the issue of multilingualism within German companies there is a need to consider factors relating to product markets, skill levels/educational background and sector. Although in some large industrial complexes companies still exist which continue to hold general employee meetings in various languages, other firms tend towards communicating in German whilst a smaller number have introduced English as the joint language for communicating. Generally, speaking there is not a clear pattern in relation to multilingualism.

In France, it was found that one employee out of four must speak or write in another language, usually English (CEE, 2006). Some trades are particularly dominated by English: IT, finance, aerospace electronics, pharmaceuticals, hotels (Truchot, 2016). This growing importance of English in business is perceived as a stressor and a factor of degradation of working conditions (CGC, 2012).

4. Language discrimination

Language discrimination was mentioned in all countries, especially in relationship to access to

employment and to upward mobility.

4.1. Class domination versus linguistic diversity

Sociologists and economists have studied the distribution of resources among language groups under a given interest rate structure. The most obvious example is the consideration of language as a barrier to access the labour market, particularly employment in the public administration where there are mechanisms of "social closure" to reduce competition. This is one way the dominant language group can maintain its privileges: The closure of the elites is possible thanks to three socio-linguistic universal propositions: 1) not all individuals of the same community speak the same language varieties; 2) the varieties in use in a community have different situational uses; 3) all varieties are positively or negatively evaluated by members of a community according to a specific type of interaction (Solé et al. 2005). These propositions explain barriers blocking the access of immigrants to certain segments of the labour market and the differences in policies implemented respectively for the elites of multinational companies, the local elites recruited and the local workers.

The language and associated accent appears to be one of the grounds for discrimination on the labour market, according to 17 % of respondents in **Spain**. The skin colour, ethnicity and age are still the most perceived as the main reasons for discrimination. Much of migrants with language difficulties come from the Maghreb and have worked in the field of construction until the economic crisis in 2008. Since then a significant number of North African immigration is long-term unemployed. This is one of the social groups that is most at risk of social exclusion for two reasons: lack of host country language command and low vocational training. Spain also represents a specific case as the regional language (Catalan) is requested to access public sector jobs. It is also the language for middle classes – associated to social prestige and upward mobility - while working class and migrants are speaking Castilian (Spanish).

It has to be noted that the perceptions of dominant / dominated languages evolve over time, as exemplified in **Hungary**. The role of German language has been changing in the CEE region in the 19-20th century. Used to be an imperial language in Hungary in a specific historical period of the Monarchy, it was used by its German minority populations arriving to the territory of the current Hungarian state since the 15th-16th centuries. Thus, German language, as a language of power and knowledge, and also as a language of people who has been present in this region for several centuries became a compulsory language in all schools. It has completely lost its place and significance after WWII. Only few schools continued to teach German, as Russian language was the dominant foreign language. After 1989, German language partly regained its importance in schools, along with English language. German and English are today the two most widely taught foreign languages in Hungarian schools, with a slight dominance of English language. However, the older generation (above 45) still speaks more German than English, due to the longer historic presence of this language in the region. Recently outgoing work-related migration to Germany and Austria seems to reinforce the importance of German language among younger and middle-aged, economically mobile population. The history of English language in much shorter compared to German language, and can be linked to the post-1989 changes, to the growing foreign direct investments and to the Bologna process in which Hungary is involved. The above difference in the historic heritage of German and English languages in Hungary is reflected in a generational divide

between its users too. While older generations prefer and speak mostly German, younger generations are more familiar with English.

Finally, according to data from European Social Survey (ESS), the distribution of Subjective perception of linguistic discrimination is very different between Countries. In table 1 it can be seen that the Baltic Countries are showing a higher rate of discrimination, both natives and immigrants. These country cluster, Estonia and Lithuania, have a large population of Russian origin who linguistics suffer discrimination, but although these people are native to these countries. Similarly, respondents expressed immigrants subject to linguistic discrimination in the Baltic Countries. Discrimination linguistics of Native possibly associated with the local languages. In some cases the non-recognition of these languages, as in the Baltic Countries, and in other cases regional Because Governments and companies introduce mechanisms "social closure" staving off competition for resources, employment and welfare.

Language discrimination by country in Europe

	Natives	Immigrants
BE	0.2%	5.3%
BU	0.7%	0.0%
CZ	0.2%	6.4%
DE	0.2%	2.0%
DK	0.1%	3.5%
EE	4.4%	19.8%
ES	0.2%	1.9%
FIN	0.6%	4.3%
FR	0.2%	1.0%
UK	0.1%	0.7%
HU	0.1%	0.0%
IR	0.0%	0.5%
IT	0.0%	0.0%
LIT	1.5%	18.6%
NL	0.0%	2.4%
NO	0.0%	0.5%
PL	0.1%	0.0%
PO	0,0%	2.7%
SW	0.2%	3.0%
SL	0.0%	0.9%
SK	0.2%	0.0%
Total	0.7%	3.5%
N	49268	465
V Cramer	0.220	0.282
Sig.	0.000	0.000

Source: Self elaboration from ESS (2013)

According to data from the ESS (2013) in the 21 countries studied here the most important

discrimination is related to nationality (4.7%) after the race and ethnicity (3.7%) and finally the language. The other type of discrimination has a lower incidence according to this data.

In all the countries covered by the research it was observed that migrants were concentrated in low qualified jobs and were perceiving low incomes. For example, large numbers of migrant workers can be found in the agricultural sector, metal processing, construction and currently growing home care/nursing.

In France, 2.7 million immigrants and 2.5 million descendants of immigrants – 20 % of the workforce in total - were present in the French labour market in 2011, nearly two-thirds from non-EU countries. With a gap of 7 points in 2013 between a national employment rate of 64,1 % and a national activity rate of 71,1 %[6], the French labour market still appears very discriminatory towards immigrants. First, immigrants and their offspring still experience more difficulties than the nationals to access the labour market. In 2010, 2,7 millions of migrants over 15 years old were present on the labour market (9,4 % of the labour force). Their unemployment rate was highest by 7 points than the non-immigrants one. France is one of the five European OECD countries (with Belgium, Finland, Spain, Sweden) where the unemployment rate of youth immigrant is above 30% (30,8%)[7]. Unemployment, and especially long term unemployment hits descendants harder than the other workers: 13% more for the long term unemployment, 5% more for the unemployment of less than 1 year. Furthermore, this component of the labour force is today particularly affected by the recent evolutions of the labour market and the deterioration in the quality of the jobs. They particularly suffer from increasing job instability and are more and more represented among the temporary workers. 19% of the immigrants who are working in France have time-limited jobs, compared to 16% among native born. As in other European countries, there is a high prevalence of part-time work among female migrants. Among workers aged 15 and over with a minimum of two years of study after the baccalaureat, the employment rate varies as follow: 73% for immigrants against 81% for offspring of immigrants and 85% for French born from non-immigrant parents; while the unemployment rate reaches 12% for immigrants against 10% for offspring of immigrants and 5% for French born from non-immigrant parents. When they are present in France for less than 10 years, immigrants from non EU countries have a risk to be overqualified for their job of about 2,8 times higher than any other workers (Robin, 2012). For the main part, the most stable and protected jobs are still largely inaccessible to foreign-born workers due to the persistent weight of old nationality clauses, now extended to EU workers. In 1988, Danièle Lochak (1988) established that almost one third of jobs were not accessible to non-nationals due to nationality clauses. In 2011, the Observatoire des inégalités indicated that 5,3 millions of jobs were still not accessible to non-EU workers[8].

In Germany, migrants account for 25% of all employees working in the hotel and catering industry. This is closely followed by temporary agency work and agriculture, with non-German citizens accounting for 17.9% and 14.7% of the labour force in these two branches respectively. Quite remarkable is the fact that foreigners make up a mere 2.4% of the public sector workforce, even lower than the finance sector which records 2.9%. Concerning the question of shift work, for example, a form of employment associated with physical and psychological burdens, migrants are more likely to be required to work these kind of hours than German nationals, respectively 7.5 %

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6   http://www.insee.fr/fr/themes/tableau.asp?reg_id=0&ref_id=NATnon03168
7   OECD Indicators of Immigrant Integration 2012
8   http://www.inegalites.fr/spip.php?article1480&id_groupe=17&id_mot=112&id_rubrique=97

and 6.1 % (Bundesamt für Migration und Flüchtlinge, 2011: 52). As the Bundesamt für Migration und Flüchtlinge concludes, employment statistics clearly demonstrate that the position of migrants on the labour market is significantly inferior compared to citizens without a migrant heritage.

In Hungary, since the 2008 world economic crisis that impacted the country very badly, the following *economic recession is mitigating the number of migrant workers* from other member states of the EU and EEA to Hungary. The central registration of the EU workers and family members noticed by the employers including the simplified employment (Government Decree No.255 of 2007, 23 December) contains data and figures of all freely employed non-nationals in Hungary. Accordingly, the yearly number of registration registered by the employers was 7835 persons in 2012 that means a decrease (-34%) within one year (2011: 11 847). Since 2009 the declination of EU migrant workers has been detected. The component of migrant workers is almost stable: 4521 Romanians, 790 Slovaks, 305 Germans, 261 from UK and 238 Polish citizens, so workers from the EU 15 (1 306) are marginal to the workers from EU12 (5 789). These workers were employed mainly in agriculture, trade, processing industry and IT/communication.

However, almost the half of these registered workers (3 367) was employed in simple (not qualified) work and only 18.3% of them were employed in highly qualified jobs. The total number of residing registered workers on 31 Dec 2012 was 51 191 persons with right to free movement. Amongst them 49 488 were EU citizens (EU15: 5 145 and EU12: 44 343 persons) (Tóth 2013). On 31 March 2013 the total number of residing registered workers with right to free movement was 51 813 persons and from them 50 049 had Union citizenship. Inside this group the number of Romanian citizens was over 30 000 persons and 9 000 Slovak citizens, while a decline of Polish and German nationals (below 1 500) was registered (Tóth 2013). Non-EU citizens –TCNs- have access to the Hungarian job-market only in a very limited way due to the strict visa policy of Hungary. Work-related visa are issued only on the basis of a secured employment prior to the arrival to Hungary, practically it means that only employees of MNCs and foreign companies get employment permit in Hungary. Family members (typically spouses, wives) of those arriving on work- related visa, who during their stay in Hungary (thus, they are already physically in the country) find it extremely difficult to get employed- the Hungarian state (e.g. State employment services) doesn't provide any help for job-seeking foreign nationals.

The National Employment Service (NFSZ) keeps records about foreigner employees and job-seekers, but provides no further services to them. Another urgent matter which needs to be changed is the high number of regulated professions in Hungary, where foreign diplomas can't be used directly only after the long and tiresome administrative process of official recognition by the Hungarian state (more on this by Messing- Arendas, 2014). Based on the statistics of the National Employment Service, most of the permits are released in the *processing industry* (25.3%); *commerce and car-repair industry* is the second (17.6%) and *hotel industry* is the third largest sector (10%). These three industries absorbed 52.9% of all the work permits given to foreigners in 2014. It can also be added, that *information and communication* sector has almost the same rate of foreign employees as hotel industry (9.9%), and in the area of highly qualified professions, professional, scientific, technical activities give 4.7% of all permits regarding foreign employees.

In Italy, 2,355,923 immigrants were employed at the end of 2013, and represented 10.5% of total regular employment. This average figure, however, conceals marked concentrations of employment matched by exclusion from other sectors – public, clerical, and skilled. With respect to the average,

their presence was double in construction (in which 19.7% of immigrant workers were employed), reaches 13.6% in agriculture, is slightly lower in industry in the strict sense (9.6%), and aligned with the average in services (10.7%), but with a different composition whereby immigrants were almost absent in the most remunerative sectors and far more numerous in domestic services, where more than 50% of workers were foreigners. Unemployed foreigners, however, have grown substantially in numbers, reaching 1,275,000 in 2013, equal to 17.3% (in 2007 the proportion was less than half – 8.3%), compared with 11.5% of Italian workers (Ministero del Lavoro, 2014). The great majority of immigrant workers (almost 80%) are employed as blue-collars (for Italians the value is slightly above 30%). By contrast, very few (0.8%) have a managerial position, compared with 7.7% of Italians (Ministry of Labour, 2014: 66). The disadvantage of immigrant workers is confirmed by the data on pay. Almost 60% receive wages of up to 1,000 euros (while for Italians the relative value is 27.5%), while only 2.1% earn more than 2000 euros, although many work by shifts or have awkward working hours (ML 2014, p.73).

Immigration in **Spain** is concentrated in certain labour-intensive sectors, such as construction, agriculture, hospitality, industry, transport, retail and administrative and service activities. These are the sectors where the work is the most intensive and the least qualified. Immigrants have a higher participation in precarious jobs, temporary contracts and low salaries (Miguélez et al. 2011 and 2014). Also, immigrant workers bear the impact of unemployment before domestic workers because they have been employed in the sectors especially affected by the economic crisis. Immigrants have a higher participation in the professional categories of labourers and first-, second- and third-class tradespersons. Moreover, these are the professional categories that have suffered most unemployment according to available data for the period 2007-2011.

In the UK, migrants are concentrated in health, hotel, manufacturing and restaurant sectors, particularly those from A8 countries (i.e. the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia that those that joined the EU in May 2004.) Longstanding EU members, (EU15) in contrast are concentrated in the finance sector. It is very clear that there is segregation by sector, occupation and skill level. Areas such as Food Processing, Hospitality and Cleaning and low-processing jobs are the industries and occupations with the highest proportions of migrant workers (Migration Observatory, 2014). For, example, 95% of London Underground cleaners are foreign-born; two thirds of care assistants in London are migrants (Migration Observatory, 'British and other EU migration'. See Angiano et al., 2009). These are also the sectors most vulnerable to poor working conditions and violations of employment codes (Anderson and Rogaly 2005; Low Pay Commission 2009). Furthermore, there is evidence of pay having declined in these sectors in London in recent years (Wills et al 2009). Domestic work is of particular concern for London, given the concentration of domestic workers in the capital and the large numbers of migrants employed in the sector (Gordolan, L. and Lalani, M. 2009).

4.2 A rise of xenophobia in Europe

The restrictive and hostile attitudes toward immigration have increased in the context of the economic crisis. In several European regions they have been some outbreaks of xenophobia towards immigrants. The explanatory factors for these hostile attitudes toward immigration are threefold.

First, the economic factors have an important role in influencing attitudes towards immigration: unemployment, low wages and the risk of poverty are negatively impacting on them. The literature has already highlighted that indigenous perceive a growing deterioration of working conditions, a reduction of wages, increased working hours, erosion of collective rights and even loss of collective bargaining power of trade unions (González 2008; Jódar et al 2011). To this problems could be added the competition for access to housing and social services (Ancona and Vallés, 2010; Martín Artiles, Molina 2011).

A second set of factors is the role that cultural values and ideology are playing in shaping attitudes toward immigration, in particular the role of collectivists and normative values such as the notion of justice, tolerance and welfare (Martín Artiles, Meardi 2011). In this sense, some studies have highlighted the most tolerant attitudes of union members than those others not affiliated to unions (Artiles Martin, Molina 2011).

The third set of factors that influence attitudes are contextual, as the unemployment rate, long-term unemployment, the rate of immigration, also the GDP per capita, social spending per capita, the risk of poverty (Martin-Artiles, Meardi 2014). In short, the context of economic and political uncertainty, between 2007 and 2015, has stimulated hostile attitudes towards immigration, but to an extent they were slightly lower in Spain than in other countries such as Hungary and France (Martin-Artiles, Molina, 2014).

In Hungary, the Prime Minister has repeatedly expressed his dissatisfaction over the growing immigration, emphasizing that Hungary shall not be 'misused by economic immigrants' [megélhetési bevándorlók] and shall not give shelter to people who want to misuse the Hungarian social security system– in short, the country shall remain for the Hungarians only. The Prime Minister repeatedly expressed his strong position against multiculturalism, as a failed model of the West and a potential source of terrorism. Later this year, Hungary closed its borders against illegal migrants on the Hungarian- Serbian border section, and later on the Hungarian- Croatian border section too.

In Italy, founded during the early 1990s in the northern regions was the Lega Nord party, which made hostility to immigrants a core component of its political platform. The public discourse on immigration began to take shape in 1989-90, with the debate on the immigration bill bearing the name of the then minister, Martelli. For the first time, voices opposed to immigration were raised at official level. In the following years, the success achieved by the Lega Nord, with its positions markedly hostile to immigrants, characterized the political debate on the subject. For twenty years, immigration was an issue that defined the identity of the political parties and enabled them to mobilize supporters. Three main arguments were adopted by the centre-right parties. Following the Northern League, they expressed positions of substantial closure to immigrants, refugees, and cultural and religious diversity: immigrants as a threat to the security of citizens and public order; immigrants as competitors for the diminishing resources of the public welfare system; immigrants as a danger to the nation's cultural and religious identity. Especially during the elections of 2008 the 'immigration/security' binomial impacted strongly on voters and facilitated the success of the centre-right.

In Spain, there is no important right-wing political party such as in the UK (UKIP), Germany (Pegida) and Greece (GD) whose discourse is clearly unfavourable to immigration. However, a

hostile discourse towards immigration is certainly latently present in Spain. Catalonia and the Basque Country have a long tradition of immigration and hostility expressed colloquially in words like *charnego* and *maqueto* to refer to immigrants from other parts of Spain. Some studies have shown that hostile attitudes towards immigration are characterized by the ideological/political position of individuals: those who position themselves on the political right wing are more likely to have hostile attitudes towards immigration, as are non-union members, people with low wages and low levels of study, older people, the unemployed and those at risk of poverty (Martin-Artiles, Molina, Meardi, 2012; Ortega, Polavieja 2009). On the other hand, Spanish trade unions show special sensitivity in trying to integrate immigration through linguistic, cultural and social inclusion. The union policies have been inspired by the experience of Spanish immigration to other countries of Europe during the 1960s. The collaboration of European trade unions with Spanish unions has also been an important factor for building policies. The main influences are from Belgium, France and Germany, where the Spanish immigrants settled in the 1960s.

In the UK, finally, current efforts to re-negotiate the terms of membership of the European Union has its origins in a very vocal anti-European lobby, one that also alludes to the threat to national sovereignty, as well as the annexation of Westminster by Brussels (the latter characterized by overregulation and bureaucracy at the expense of individual and market freedoms). The influx of European migrants from newly annexed member states (according to the Independent newspaper, 30.5.15., 86,000 in 2014) compounded this ably constructed sense of threat and loss. This narrative has been shared by Euro-sceptics in the Conservative Party and is a key plank of the UK Independence Party (UKIP)[9]. In the longer term, efforts of the current Cameron government (Elected in 2015) to renegotiate the terms of EU membership includes proposals to restrict to those who have worked for four years or more and to deport EU nationals after six months without work (ibid). Although the thrust of popular media coverage is on the negative aspects of migration there is the "paradox" of government perception of 'good migrants' who have included refugee scientists, doctors and nurses before WWII, the public services migrants of the 1960s -both not only welcomed but facilitated by Enoch Powell, and 'highly skilled' and rich migrants and White, English speaking migrants from Australia, New Zealand, USA, Canada and South Africa who don't have to endure the same visa restrictions etc.

5. Conclusive remarks

Several hundreds of languages are now currently spoken in the countries covered by the research due to the acceleration of the circulation of labour forces. Their presence on the different territories is not homogeneous and implies divers arrangements in terms of cross-cultural communication at the local level. Beside, our research confirmed that the English language is emerging as the main foreign language used in European companies, especially at managerial level. This results in a generational as well as a class divide.

Language discrimination was mentioned in all the countries studied and occurs in a range of situations. One of the most visible is the case of migrants who do not have a sufficient command of

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[9] Sufficiently in line with right wing populist thinking for such groups to lose their impetus and, with factionalism rife, for further splits, dissolutions as well as re-births.

the host country language and cannot find decent jobs and/or experience difficulties in defending their labour rights. But the literature have also evidenced that immigrants and their offspring were the victim of a more systematic racial discrimination, even when they had a good command of the host country language. Cultural barriers, including accents and the different ways of using the host language, may be playing a more important role in the discrimination process.

Another situation of discrimination affects local employees who do not have a sufficient level of English command to be promoted to more qualified or to managerial jobs. Regarding this point, the literature revealed that English command is requested for a growing number of jobs, even when no communication occurs into this language. This language is thus used as a kind selective barrier that, in fact, impedes upward mobility and operates as a class barrier.

A third situation of discrimination occurs with the use of regional languages, either because they are used by dominant classes to protect their access to the best jobs like in Spain with the Catalan; or by contrast because their use is made illegitimate at work like in Hungary.

II – Actors and their policies

Linguistic diversity at work is not only a given, but is also produced through the policies decided and implemented by the different key actors. Monolingualism has been advocated since the fifteenth century in Europe and especially in Western Europe, with the idea that the use of a common language is the main cement of the Nation. In almost all European countries - except in Switzerland, Belgium or Luxembourg - the state imposes monolingualism. Meanwhile, new linguistic policies acknowelging language as a fundamental human right were introduced after world war two by the international and European organisations.

In this part of the report, we will explore in greater details the ways in which each of them is producing, using or managing linguistic diversity. We will first address the growing role of transnational firms in creating and sometimes organising working situations marked by the use of different languages. Such situations have consequences in terms of the quality of working interactions and in terms of the social integration of the labour force. Our hypothesis is that all the other actors involved in the world of work – international institutions, states and trade unions - need to adjust their policies in order to address these consequences. The three following sections will therefore address international institutions policies, national regulations and trade union policies.

1. The growing role of transnational firms in producing a certain type of "multiculturalism"

Through the increase of their foreign direct investments and the way they organise the production, transnational firms are producing a dichotomous world between international managers -often speaking several dominant languages and using English as vehicular language- and workers -often speaking dominated languages and not having good command of dominant languages. In this section we explore how far this dichotomy is maintained and eventually used by companies in their managerial strategies.

1.1 The leading role of multinational companies

The case of Hungary is particularly illuminating regarding the leading role of multinational companies in the evolution of language policies. During the post-1989 transition period the Hungarian economy transformed from a state-planned economy to a liberal market-economy, foreign companies appeared in the country, often with major need for people with knowledge of foreign languages like English and German. In multinationals typically, the top management often impose English, since they are not speaking Hungarian or German themselves. A whole new sector of language education was established in form of private language schools, following this sudden and en mass demand of the job-market. Twenty-five years after the political-economic changes, a

new generation of workforce is present on the market, typically people with higher qualifications (diploma) who speak English and/ or German languages. Other European languages are spoken in addition by many workers like French, Spanish and Italian among European languages. Chinese and Japanese languages are also becoming popular.

Recently, the LINEE research project[10] examined linguistic diversity and communication in parent and daughter companies of large MNCs in the Czech Republic and Hungary. The investigation revealed that the language-use of the parent companies was 'project-based and dynamic, rather than representing a general approach toward all their daughter companies or subsidiaries' (*Linee* 2009: 8). They recalled the example of German companies where it was assumed that people in CEE often speak German, that's why German/ and or English language use was accepted, unlike in other regions, like Asia. The LINEE research also revealed that most large companies had an official corporate language, but when employees were directly asked about it, very rarely could they articulate where and how this fact is recorded. Rather, they often refered to the use of one and only common language as a given. The project also brings the example of the Czech Republic where the Ministry of Labour could not come up with any legal regulation regarding the language use at workplace.

A number of other research focused on multinational companies language policies all over Europe. Studying multinational companies based in Catalonia, Alarcon (2002) and Solé et al. (2005) have distinguished five types of "linguistic regimes" that they described as follow:

1. The ethnocentric companies, so called because the management comes from the country of origin of the corporation. This means that the language used and the values are shaped by this particular country's culture. The language of the ethno-centric multinational company is a symbol of status and power and a barrier to upward mobility for other linguistic groups. Local languages have little relevance in upward professional trajectories, they are the languages of lower labour strata. The strategy is defined by the central management and is transmitted to subsidiaries. This arrangement involves a high mobility of executives between the centre and the subsidiaries, language and culture is an important link in the elite directive, but so is the loyalty and trust.

2. The business geocentric multinational companies are characterised by a greater independence of the subsidiaries. Their capital originates from shareholders from different countries. The recruitment of the workforce is usually done preferentially on the local labour market and the local market language is valued. The directors of the company have extensive autonomy, the common language is English but coexists with other languages. Production may have a wide international coordination.

3. Some multinational companies are in transition between ethnocentrism and geocentric as a result of globalization, mergers and alliances between companies.

4. Industrial clusters are small companies that cooperate in the production process; each of them being specialized in specified tasks. These are usually small and medium-sized family businesses; many of these enterprises are labour-intensive, low-skilled and the degree of

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[10] *Linee- Languages in a network of European Excellence*. (Thematic Area D- Language and Economy, area research report). Jiri Nekvapil, 2009. 12.10.

internal communication is not high. But language is important for communication between companies. The language of communication is Catalan or Castilian.

5. In recent years, some studies have focused on call centres because of their importance in the use of languages (Alarcón and Martinez, 2014). While some of them are orientated towards "mass market" and are employing a low qualified workforce to deal with simple and much standardised transactions, others are orientated towards "professional services" and employ a high-qualified workforce to deal with high-value services. Two types of company strategies were observed. First, a trend towards the strengthening of linguistic divisions as a result of internal segmentation of the businesses and the labour market, as a result of corporate micro-stakeholder organization, this is seen in both multinational companies and in the industrial cluster. The language becomes a social closure mechanism, advocacy groups' formal and informal interest in the company. The tongue plays an important role in the up labour mobility. Second, a tendency to develop strategies to increase the effectiveness and efficiency assuming corporate transaction costs of languages to access linguistically heterogeneous markets, while trying to reduce internal transaction costs through de-Bring ethnicity corporate language, adopting English as the universal language. Therefore, in this type of strategy language is not a criterion of social closure, but a professional skills. English plays an important role in the upward job mobility and to a lesser extent, the local language.

Beside foreign direct investments, multinational companies are also organising the circulation of workers more and more systematically. From this respect, posted workers are a new kind of immigrant workers, whose number grew very rapidly over the last twenty years. In Germany for example, the DGB Bildungswerk calculated that between 2009 and 2013 the number of Posted Workers rose by over 50 thousand, and although a slight downturn was observed for the year 2012 this would appear to represent a temporary blip as the figures for 2013 again indicated an expansion in the market for Posted Workers - currently nearing a quarter of a million.

Posted Workers differ from the majority of migrants in the broader sense in that their status on the national labour markets is not only temporary but they are often employees of non-national companies. As a consequence they are often exiled to a parallel society. In their article, "Posted Workers": Zwischen Regulierung und Invisibilisierung, Staples et al (2013) describe how posted workers can go for years residing in Germany, often in container camps, without having any contact to the wider German society. The posted workers in Spain have had some relevance in certain sectors, such as construction. Companies that have outsourced tasks are performed for certain tasks in the field of construction and inserted in certain niches in the labour market, as formwork of Portuguese origin; polish electricians, plasterers Romanian, Moroccan low-skilled labourers, etc. That is, the subcontractors involved in intra-European mobility in Spain have a character of ethnic organization. In other words, this type of ethnic businesses reflects the segmentation of the labour market.

To sum up, language company policies differ according to the priority objectives of the companies. These are driven by competition, efficiency, language market in which the company operates, customer satisfaction, costs and benefits. In short, companies conceived language in terms of economic logic and achievement-oriented management.

1.2. Employers organisations

Employers' organisations are dealing with diversity issues in companies since the beginning of the 2000s, through dedicated websites, charters signature, national events, and publication of diversity mappings. There is no unique behaviour or policy in companies as regards to diversity issues. Awareness in large companies is much more developed than in SMEs, due to the available internal resources and skills. Large companies have also early been targeted by the public policies against discrimination.

A "Diversity charter" was first launched in France in 2004 under the name *Charte de la Diversité en Entreprise*, after the publication by the think-tank Institut Montaigne of a report authored by Claude Bébéar and Yazid Sabeg. It is a chart to be signed by each company, condemning discrimination at work and promoting diversity. The charter is structured around six axes: raising awareness and training; respecting and promoting application of the principle of non-discrimination; seeking to reflect the diversity of French society; communicating, drafting and implementing diversity policies and ensuring that diversity is a topic for debate with staff representatives; and including a chapter in the annual report describing the commitment to non-discrimination and diversity. Main tools are recruitment optimization, work with teams, improve the image, and develop its activity in compliance with regulation in force. "*On signing it, companies commit to investing in and safeguarding diversity and respecting it among their staff members. They also commit to combating all forms of discrimination*." It has to be noted though that this Chart had no binding effects nor any provision for evaluation and follow up, so it did not guaranty the efficiency and coherence of the signatory company's engagements.

However, actions to promote diversity in companies constituted a dense activity from 2006-07. The « Chartre de la Diversité » became a basic reference in Europe and some other countries, like Spain, settled up foundations for their own Diversity charter. **In France,** the Diversity Label was finally created in December 2008 by the Government, as to reward companies and organisations having promoted diversity internally. In December 2010, the minister of domestic affaires, Brice Hortefeux, distributed the Label to the first ten companies (TF1, SFR, Veolia, Disneyland Paris,…). In 2011, 3 396 companies and public administrations had signed the Chart, some of them for communication purposes (Bereni, 2011) and more than 250 were certified. Regarding relations between prime contractors and subcontractors, some Companies' specific commitments were applicable to all subcontractors. In these cases, diversity management concerned companies at all levels of the productive chain. Moreover, branches, sectors, - and their social dialogue committees and traditions -, have had their own ways and methods to emphasize diversity matters.

Diversity management is seen as profitable, bringing the diversity out of the equality language to the performance language. Diversity is seen as having a positive impact on companies' management: the study Goodwill/ IMS showed that the human resources management company policies based on diversity are increasing economic performance, creating value and reducing turnover. It is supposed to increase gross of 5 to 15%, according to various sectors.

Although the Diversity Charter is supported by the main employers organisations, companies networks and several public actors, it may be noted that the companies which signed it had not systematically budgeted and ensured a real follow up of it.

Not all employers from all EU countries are engaged in such diversity approach. **In Italy,** despite playing a key role in the country's acceptance of a multi-ethnic and multilingual society –as the promoters and beneficiaries of the inclusion of foreign immigrants in the economic system – employers have rarely entered the debate on immigration and expressed opinions on government policies. They took a stance in the early 2000s, at the time of the Bossi-Fini Law, when they appreciated the close link between stay permits and regular employment contracts, and investment in training in the countries of origin (of which some educational institutes run by the business system were involved). On the other hand, they have voiced some mild protests about the oppressive bureaucratic procedures imposed on firms and workers, which are also costly in terms of working days lost.

2. International & European specific legislative frame on language

International organisations have played an active role in the defence of the diversity of languages, especially after World War II. The right to speak the language of ones choice is seen as a fundamental freedom. In this section, we present the main international provisions regarding language.

2.1 The Universal Declaration of Human Rights and further provision from United Nations

Among the fundamental documents which defined freedoms and rights of citizens was the Universal Declaration of Human Rights adopted by the UN General Assembly in 1948. The Declaration was commissioned and drafted immediately after the Second World War and reflected aspirations of peoples suffered during the war. While not a treaty, the Declaration was specifically adopted for the purpose of ensuring understanding of "fundamental freedoms" and "human rights" appearing in the United Nations Charter, which is binding on all member states. Article 2 of the Declaration specifies that everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Being a constitutive document of the United Nations, it served as the foundation for the development and adoption of two binding UN human rights covenants in 1966: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights. The latter undertakes "to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant" (Article 3). The principles of the Declaration were elaborated further in international treaties such as the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of Discrimination Against Women, the United Nations Convention on the Rights of the Child, etc.

The UN has developed and promoted various documents to protect linguistic rights, especially indigenous, minority, and endangered languages. Article 27 of the ICCPR contains the most far-reaching binding protection for linguistic human rights for minority languages. It specifically declares that: "*In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language*".

UNESCO has been instrumental in offering support to language communities of endangered languages, funding research projects and describing those languages. However, various declarations and documents initiated and developed by the United Nations do not always have the force of internationally ratified conventions, for example The Universal Declaration of Linguistic Rights (The Barcelona Declaration) World Conference, signed by the International PEN Club, and several non-government organisations in 1966. It remains a non-binding document.

In November 2001, UNESCO adopted the Universal Declaration on Cultural Diversity, bringing cultural diversity to the rank of "common heritage of mankind". Finally the UNESCO World Report (2009: 22) shows, "that various researches seem to confirm the existence of a positive link between diversity and economic and financial performance of multinational companies." This report is a milestone in advancing the recognition of strategic value of managing cultural diversity in the world of business and organizations.

2.2 The European legislative frame

In Europe, human rights of the European citizens have been central in all activities of the Council of Europe founded in 1949. The EU has developed and adopted over time a language policy, which has two major objectives: to protect Europe's rich linguistic diversity and promote language learning as it considers that EU citizens need to receive language training to support their international mobility.

The Convention for the Protection of Human Rights and Fundamental Freedoms, better known as the European Convention on Human Rights, incorporates some rights of citizens to communicate in a language an individual understands, e.g. in court (Council of Europe, 1950). The Convention was the first instrument to give effect and binding force to certain rights stated in the Universal Declaration of Human Rights and established the European Court of Human Rights in Strasbourg. Article 14 of the Convention contains a prohibition of discrimination. This prohibition is broad in some ways, and narrow in others. It is broad in that it prohibits discrimination under a potentially unlimited number of grounds. The article specifically prohibits discrimination based on "sex, race, colour, language, religion, political and other opinion, national and social origin, association with a national minority, property, birth and other status".

The Council of Europe has also done a lot of work to promote the speaking of more than just home languages in European countries. This issue was addressed in the European Cultural Convention (1954) where Article 2 prescribes that each member state:

"shall, insofar as may be possible:
- encourage the study by its own nationals of the languages, history and civilisation of the other Contracting Parties and grant facilities to those Parties to promote such studies in its territory; and
- endeavour to promote the study of its language or languages, history and civilisation in the territory of the other Contracting Parties and grant facilities to the nationals of those Parties to pursue such studies in its territory".

Another issue later raised by the Council of Europe was the position of minority and endangered languages in Europe. Their concerns are raised in the European Charter for Regional or Minority Languages which grants recognition, protection, and promotion to regional and/or minority languages in European states, but specifically non-immigrant languages (Council of Europe, 1992). Once every two years, the Secretary General of the Council of Europe has to present to the Parliamentary Assembly a detailed report on the application of the Charter. This ensures that members of Europe's parliaments are kept informed about the application of the Charter and latest developments. This also, enables them to bring political pressure and encourage national governments to take appropriate measures.

In the same line, the Treaty on European Union, The Maastricht Treaty signed in February 1992, stated in its article 3 that the "*Union... shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced*" (European Union, 1992). A few years later, protocol 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms (2000) developed further application of the Article 14 of the European Convention on Human Rights. It applies the expansive and indefinite grounds of prohibited discrimination in Article 14 to the exercise of any legal right and to the actions (including the obligations) of public authorities. The Protocol entered into force on 1 April 2005 and has (as of July 2015) been ratified by 18 member states. Several member states – Bulgaria, Denmark, France, Lithuania, Malta, Monaco, Poland, Sweden, Switzerland, and the United Kingdom – have not signed the protocol.

EU's human rights framework is also defined by the EU Charter of Fundamental Rights, which was agreed in 2000. Article 15 of the Charter specifically addresses the right to seek employment and work in any Member State, that they are entitled equal working conditions:

1. Every citizen of the Union has the freedom to seek employment, to work, to exercise the right of establishment and to provide services in any Member State.
2. Nationals of third countries who are authorised to work in the territories of the Member states are entitled to working conditions equivalent to those of citizens of the Union.

In this charter, the concept of diversity is contained in Title II, which is devoted entirely to the principle of equality in the EU. Article 21 says: "*Any discrimination, and in particular on grounds of sex, race, colour, ethnic or social origin, ethnic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation. 2. Any discrimination on grounds of nationality within the scope of the Treaties and without prejudice to its specific provisions*" Article 22 goes further and confirms that the Union shall respect cultural, religious and linguistic diversity.

In 2007, the Lisbon Treaty has strengthened the position of the European Union in the fight against

discrimination, while establishing a new framework in terms of policies of equal treatment and non-discrimination. Article 3 specifies in more details that European Union "*shall combat social exclusion and discrimination and promote social justice and protection, equality between women and men, solidarity between generations and protection of children's rights*". The Treaty also gives full effect to two legal instruments: the Charter of Fundamental Rights acquires the same legal value as the Treaties and the European Convention for the Protection of Human Rights and Freedoms acceding Fundamental. Member states are not allowed to discriminate against citizens of other EU and EEA countries, simply on the basis of language, under the 'free movement of labour' provisions (European Union, 2011).

The Language Policy Unit in Strasbourg deals with intergovernmental programmes focusing on activities and tools to support policy decisions of the Council. They work closely with the European Centre for Modern Languages and the European Charter for Regional or Minority Languages. The Language Policy Unit funded the development of a policy document Linguistic Integration of Adult Migrants – Guide to policy development and implementation (2014) which confirms that the Council of Europe has been at the forefront in promoting the integration of migrants in all member states. It specifies a two-way process: migrants learning the language of the host country and the responsibility of the state to providing access to labour market and averting discrimination. The recommendations address the issues of quality of language training for immigrants and calls for careful consideration of the levels of competence required in order to ensure that these are appropriate, achievable and do not exclude migrants who would otherwise be eligible.

The European Centre for Modern Languages has engaged in research, which looked at language training and effective use of the multilingual and multicultural resources in the workplace and migration and language training. The Centre has promoted learning foreign languages across Europe as a valuable resource to enhance employability and deliver success to companies employing multilingual workforce. The most recent project Language For Work: Developing Migrants' Language Competences at Work (2012-2015) explored learning of the majority language by migrant and ethnic workers in the workplace and how to make the workplace a learning space.

The Employment Equality Framework Directive (2000/78/EC) defines a general framework for equal treatment in employment and occupation. It aims to protect everyone in the EU from discrimination based on age, disability, sexual orientation and religion or belief in the workplace. Although language was not mentioned in the Directive, it specifies discrimination on the basis of racial and ethnic origin in the introduction. This principle was fully presented in the Council Directive 2000/43/EC which dealt with the implementation of the principle of equal treatment between persons irrespective of racial or ethnic origin. Finally, an important field where language is very important for immigrants and local authorities is health and safety at workplace. European Safety Directive 89/391/EEC, known as the Framework Directive plays an important role in promoting training prevention of occupational hazards and safety at work.

3. Different national regulations on language

Analysing the French case, Priestley (2015) identified three main sources of linguistic rights at work:

- The general national legal framework;
- Labour Law and binding collective agreements;
- Business law.

He noted the extreme weakness of provisions related to language in collective agreements: they are almost non-existent in national and sector agreements; they are only marginally present in large companies collective agreements. The same observations were made in the other countries covered by the research when we investigated.

3.1. National policies: language as a vehicle for integration

Language regulation became gradually part of the migrant integration policies in EU countries, where the Government eventually implemented –in France and Germany- or sought to implement –in the UK- welcome and integration contracts, with specific provision for newly arrived immigrants to attend language compulsory classes. Today, in all the countries covered by the research, foreigners are requested to learn and speak the national language, especially when they are appointed in skill jobs (doctors…). It appears that language command has become an instrument of immigration control for the lowest skilled.

At the same time, provisions in terms of official language recognition were introduced in some national constitutions. This was especially the case in France -where the official language is French, in Hungary -beside Hungarian, German is also an official language- and in Spain -where the constitution recognise Catalan and Basque along Spanish.

In France, French was made official language in 1992 (constitution, art 2). The 1994 Act known as the Toubon's Act reinforced this position, stating that the French language "is the language of education, labour, trade and public services. It is the key link between the States comprising the Francophone community "(Article 1). Meanwhile, in 2001, about 50 regional and foreign national languages where recognised as "languages of France" (DGLFLF). Finally, in 2008, the regional languages were recognized by the constitution as part of the nation's heritage (art 75-1). Regarding immigration and integration policies, an important step was passed with the implementation of a *Contrat d'accueil et d'intégration* (Welcome and integration contract) in 2006, which provides language training up to 200 hours and classes on Republican values. At the same time, French law has provisions that enable foreign workers to request a translation of their employment contract in their language, stating that only the translated version can be opposed to them (art. L1221-3 Code Trav).

In Germany, the question of language competency has become a key issue of political and public debates around the issue of integration in the last decade. The development and passing of the 2005 Immigration Law makes a clear reference to the need to learn German, the law making a firm commitment towards German language courses with individuals having access to 600 hours of German lessons. At the same time, the current recruitment drive is focussing on highly skilled labour in which knowledge of German is seen as essential.

Although German law does not require employers to translate an employment contract for a perspective employee who possesses a limited or no knowledge of German, the responsibility here lies with employee, the question of language and employment is quite complicated (Schmid, 20013). Schmid (2013), in fact talks about Sprachrisiko (the language risk), the fact that legally it remains a question of interpretation which of the two partiesare responsible for potential misunderstandings caused by a lack of a common language.

In Hungary, after 1989, the whole discourse on the nation-state and the national minorities has re-emerged, Hungary became very vocal and political regarding its co-ethnics abroad (mainly in Romania, Yugoslavia, Slovakia, and Ukraine). As part of this renewed interest and discourse, the question of Hungary's minorities also had to be addressed. Accordingly, the *1993 law on national minorities*[11] dealt with their legal status -collective and individual rights, language use, schooling, minority self-governments-, which was long overdue, and came a bit too late. Indeed, by the late 80's, ethnic minorities in Hungary became linguistically assimilated. At the same time, more recent research also points out emerging new dynamics in their identification processes like double-ethnicity, and re-ethnicization.

After 1989, a progressive system of minority self-governments has been organized among Hungary's officially recognized 'national minorities', and is functional till present. A special law regulates the use of minority culture, community and individual rights regarding protection of minority cultures, languages, customs, traditions, right for schooling in minority languages, etc. However, this law has nothing to say about the language rights of minorities in the world of labour; it is taken for granted that minorities in Hungary are bilingual, and are able to communicate in Hungarian. Needless to say, that this law, addressing rights and needs related to 'autochtonous' minorities of Hungary ('who live on the territory of the country for more than hundred years' as the text of the law spells out) has nothing to tell about 'newly arrived migrants', neither is there any other regulation than the 'Migration Strategy' (discussed later) which would be related to their cultural and linguistic rights. In Hungary, a special law regulates the use of minority culture, community and individual rights regarding protection of minority cultures, languages, customs, traditions, right for schooling in minority languages, etc.

In Spain, Article 4 of the 1931 Constitution established Spanish (Castilian) as the official language. Article 3 of the 1978 Constitution confirmed that Spanish was the official language.
The statutes of autonomy of the Spanish regions have established other official languages in their respective territories:
- Catalan in Catalonia (Article 9 LRARFN, amended by the 2006 Statute).
- Basque in the Basque Country (Article 6.1. AEFI) and in the Basque-speaking areas of Navarre, as is regulated in a statutory law
- Galician in Galicia (Article 5.1. EAG).
- Valencian in the Valencian Community (Article 7.1. EACV).
In all the above statutes, these languages are declared co-official with Spanish, and the right to use them is recognized. There is no obligation to speak the language, except for workers of the public administration in the respective autonomous communities. These communities have developed the following regional regulations:
- In Catalonia, Law 1/1998 on linguistic policy and Law 16/1990, on the special arrangement of the

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[11] Nemzetiségi és etnikai kisebbségek jogairól szóló törvény.(Law on the rights of ethnic and national minorities) (1993)

Aran Valley (which includes the protection of Aranese).
- In the Basque Country, Law 10/1982, which normalized the use of Basque.
- In Navarre, Regional Law 18/1986, which regulated the Basque language.
- In Galicia, Law 3/1983 on linguistic normalization and Law 5/1988, on use of the official language by local authorities.
- In Valencia, Law 4/1983, on the use and teaching of the Valencian language.
- In Asturias, Law 1/1998, on the use and promotion of Bable-Asturian.

The regulation of languages has generated controversy about the extent of the co-official languages in the territories of the autonomous communities. The Constitutional Court has created a doctrine whose principles are: "A language is official, regardless of its situation and importance as a social phenomenon".

Catalonia is a specific case in which the regional language (Catalan) is requested in order to access public sector jobs. It is also the language of middle classes, associated with social prestige and upward mobility, while the working class and immigrants speak Spanish.

In the UK, the Government has declined to sign Protocol 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms (2000) on the grounds that they believe the wording of the Protocol is too wide and may result in a flood of new cases testing the extent of the new provision. They believe that the phrase "rights set forth by law" might include international conventions to which the UK is not a party and eventually would result in incorporation of these instruments by stealth.

In October 2015, the UK Cabinet Office published a consultation on a draft Code of Practice relating to the requirement set out in the Immigration Bill 2015-16 that UK public sector workers who regularly speak to the public as part of their roles must be able to speak fluent English (or Welsh in Wales). It is intended to assist public authorities in meeting their obligations under Part 7 of the Immigration Bill 2015-16 and also to provide a higher quality service offering to the public. The proposed Code of Practice addresses important issues related to the use of English and Welsh, however the UK IR-MultiLing project team identified some inconsistencies and sent their assessment of the proposed legislation to UNISON which produced a statement addressed to the Government.

3.2 Language issues in anti-discrimination policies

In several of the countries covered by the research, the government and social partners developed anti-discrimination policies. In some cases, these policies addressed language issues while in some others they did not.

In France, the « republican egalitarist model », built on the principles of the 1789 Revolution, is mainly assimilationist and rejects any form of distinction based on ethno-racial elements in the name of national unity (Dechaux, 1991; Bertossi and Duyvendak, 2012). The system grants all citizens, *de jure,* equal rights before the law, regardless of their origin. However, anti-discrimination policies were developed as part of integration policies. Racism at work had difficulties to emerge as

an issue in the debates and on agendas, though, since French policies and debates on integration are arising in a national context marked by the absence of recognition of race and ethnic minority as pertinent concepts. As a result, awareness was very low among employers as well as among employees and trade unions (Bussat, Archias, 2013).

The legislation started to evolve in the 2000s, but mainly as a consequence of EU regulations such as the Employment Equality Framework Directive 2000/43 and the Racial Equality Directive 2000/78 adopted in 2000. The French law on discriminations, adopted on 16 November 2001 extended consequently the definition of discrimination also to indirect discrimination and reversed the burden of proof from the victim to the perpetrator (Fassin, 2006). But it addresses discriminations in a general way. This declared it illegal for employers in the private sector to exclude or penalise anyone, directly or indirectly, 'because of his or her real or assumed ethnicity, nationality or race, political opinions, union activities, religious convictions, physical appearance, family name, health or disability.'

Following this law, common mechanisms relating to the implementation of the principle of equal treatment for all, regardless of race or ethnic origin, as well as mechanisms for equal treatment in terms of employment and labour, have been integrated into the Labour Code and the Criminal Code. The High Authority for the Fight against Discrimination and for Equality (Haute Autorité de lutte contre les discriminations et pour l'égalité, HALDE) was set up in 2002 to answer EU requirement to create an independent and anti-discriminatory institution. It's main competences consisted in giving information about people's rights and the various grounds for discrimination prohibited by the law; in building cases; in fill in court records, and producing a Decision.

But despite the growing number of complaints addressed to it and the significant number of cases solved, the High Authority for the Fight against Discrimination and for Equality was integrated into a broader institution "Défenseur des Droits", in 2011. Today, this institution gathers a very large scope of issues from children's rights to ethics. Civil society actors observed this restructuring with great suspicion, fearing that this reform revealed the lack of real political commitment to fight discrimination. They especially questioned the multiplication of prerogatives in a context where the resources provided are modest and the nomination by the President of the Ombudsman that may well undermine its independency in spite of an investiture vote by the Parliament.

In Germany, concerning the question of discrimination the employer is required to protect any non-German employees from all forms of racism and discriminatory behaviour they might experience from other employees. Furthermore, clause 12 of the *Allgemeines-gleichbehandlungsgesetz (Equal Opportunities Act) 2006, states that the employer has to take certain measures to address the issue at hand.* Regarding terms and conditions collective labour law stipulates that employers are not allowed to treat employees differently due to their nationality.

In Spain, there is, however, a comprehensive legislation to prevent and control the attitudes of discrimination related to diversity. Article 14 of the Spanish Constitution states: "The Spanish people are equal before the law, and there may be no discrimination on grounds of birth, race, sex, religion or any other personal or social condition or circumstance". The Workers' Statute (Art. 4.2 and 17.1, revised law 6/2003) establishes the right to not be discriminated against directly or indirectly in access to jobs. In employment, workers may not be discriminated against on grounds of sex, racial or ethnic origin, religion or belief, political views, sexual orientation, membership or

non-membership of a trade union, or language within the Spanish State. It also stipulates that any individual agreements, collective agreements or obligations of the company in relation to the workers that contain any type of discrimination based on origin, belief or gender are deemed null. The Spanish legislation against discrimination in the workplace was reinforced with the transposition of Directives 2000/43 and 2000/78 in Law 62/2003, of 30 December, on fiscal and administrative measures and on social order, in force since 1 January 2004, which includes the following:

- The definition of direct and indirect discrimination.
- The definition of harassment and discrimination.
- The possibility that anyone may take legal and/or administrative action to guarantee that the principle of equal treatment is observed.
- Reversal of the burden of proof (except in criminal matters).
- Protection against reprisals.
- Fostering of the social dialogue.
- The creation of (independent) organizations "for the promotion of equal treatment of persons without discrimination on grounds of racial or ethnic origin".

Overall, pragmatism dominates at work: all the social partners have reported a transition towards English as a vehicular language, especially for white-collar jobs. Some court cases were reported on the following issues: the right for immigrants to speak their mother language at work (UK immigrants); the right to work in the mother language (French immigrants).

3.3 Language and safety at work

Multilingualism was reported as being dealt with as a challenge for Health and safety at the workplace in France, Spain and UK. It is indeed an important field where good understanding is crucial for workers. This field is regulated by the European Safety Directive 89/391 / EEC, known as the Framework Directive and incorporated into EU countries law. For example, in **France**, although the French language is the only official language at the workplace, information and training related to health at work must take account "of the language, spoken or read by the worker" (art. R. 4141-5 Code Trav.). Beside, one exception must be noted in terms of official language, this is the aeronautic sector where the use of English is required for security reasons (Cass. Soc. 12 Juin 2012).

In Spain, Law 31/1995 of 8 November on occupational health and safety plays an important role in promoting training on health and safety at work. The Promotion Action Plan to improve health and safety at work and reduce occupational hazards was approved by the Spanish government in 2005. It has played an important role in the evolution of the construction sector's collective agreement. Chapter IV of this collective agreement established health and safety training programmes that are necessary to obtain the sector's "professional card" (Hernandez 2012: 17-129). The use of language is not specifically addressed here, but the obligation to go through the training to enter the workforce forces this issue to be addressed indirectly. In the agreement there is a clause stating the need to "adapt to the needs of migrant workers." The jurisprudence has interpreted the term "suitable" (*adecuada*) of Article 19 of the Law on occupational health and safety in a personal sense: the transmission of information must be suited to the workers, in the sense that they can

understand it. There is no express provision. But legal practice has led inspectors to penalize companies that have provided training in a language not understood by migrant workers.

4. Trade unions

Trade unions are directly confronted with languages issues in their activity either because they need to represent workers in international organisations (international trade union confederations) and institutions (European works councils, Workshops organised by European commission…) or because they need to represent migrant workers at work. Existing research (Penninx, Rooseblad, 2000) has shown that trade union attitudes towards migrant varied over time and depending on countries. In the first section, we will explore the salient traits of these attitudes in the countries covered by the research. The two following sections will examine the positions defended by trade unions in collective bargaining and the internal trade unions language policies.

4.1 Trade unions attitudes towards migrants

In all the countries covered by the research, in spite an ambivalent position towards migrants, trade unions opposed the restrictiveness of the recent migration policies. In some of the countries, they even organised undocumented workers.

In France, trade union confederations opposed immigration laws, denouncing especially the restrictions on family reunification and on naturalisation and the repressive approach taken by the successive governments against irregular immigrants. They demanded, instead, the break-up of smugglers' networks; a repressive policy against employers who are using clandestine work; the regularisation and equal rights for all immigrants; and the respect for the right of asylum[12]. From the 2000s, the main trade union confederation, the CGT, helped to organised undocumented workers strikes, obtained new decrees for their regularisation and supported a vast network of undocumented workers.

In Germany, trade unions have struggled, and to a certain extent still struggle, to come to terms with the fact that Germany has become a country of immigration (Kühne et al, 1994; Pries and Shinozaki, 2015). As Pries and Shinozaki (2015) point out, German unions' stance on migration is ambivalent: On the one hand a fear that migration threatens existing terms and conditions, hence German unions' insistence on a seven year moratorium in connection with free movement of EU nationals when the accession countries joined the EU in 2004. And on the other hand a commitment to the ideal of international solidarity. Generally, though the passing of the 'Florence' agreement, signed by the ETUC and UNICE in 1995, a commitment to fight racism at work, resulted in unions and works councils taking the problems faced by migrant employees more seriously (Whittall et al, 2009). Subsequently, today it is uncommon if unions do not have migration department or are active, certainly on the surface, in campaigning on behalf of migrant workers. Since the 1990s

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12 http://www.cgt.fr/Immigration-un-projet-de-loi.html; https://nord-pas-de-calais.cfdt.fr/portail/nord/la-cfdt-prend-position/immigration/projet-de-loi-immigration-integration-nationalite-des-dispositions-inquietantes-recette_16786;
http://foadp.free.fr/documents/200707_immigration.pdf

unions have become more involved in addressing issues faced by migrant workers. In 2003, for example, the IG Metall passed a programme to raise the number of union officers/committee members with a migrant background. Furthermore, Unions have launched various campaigns to promote the interests of migrant employees as well as taking a firm stand against racism both within companies and the wider society. One famous measure, supported by all DGB members, is the campaign entitled *Mach meinen Kumpel nicht an!* (Do not harass my mate alone).

In Italy, the trade unions have been among the main protagonists of the inclusion and integration of immigrants in Italy. They have acted at the political level by pressing for the regularization of workers with irregular status, for the extension of social rights, and for change of the law on citizenship. They have developed information and counselling services on administrative procedures (the issue and renewal of stay permits, family reunification, naturalization), and they have defended workers against employers in the case of individual disputes. Consequently, in a period difficult for the trade unions and their capacity to gather and represent new demands for protection and representation, the case of foreign immigrants runs counter to the trend: more than a million are enrolled with a confederal or autonomous trade union (Idos-Unar, 2014). A peculiarity of Italy is the presence alongside the trade unions of the *patronati*. These are offices specialized in assisting workers to access particular social benefits: pensions, compensation for injuries, unemployment allowances. Today, the *patronati* also help immigrants in their dealings with the public administration. In recent years a better division of tasks between trade-union organizations and the *patronati* has more clearly distinguished trade union activity from advice on bureaucratic procedures: overall, the package of services that unions are able to offer immigrants has grown, and this has bolstered their memberships.

A common aspect in the policy of the **Spanish** and European trade unions (Jódar et al., 2011) is the complex position of unions regarding immigration. On the one hand, there has been a demand for traditional control measures and limitation of immigration to avoid social dumping and deteriorating working conditions: the influx of immigrants should be adjusted to the characteristics of the economic cycle, and immigration should be restricted to only the few occupations in which the labour market really needs it. On the other hand, unions demand equal treatment for immigrants, prevention of racial discrimination and xenophobia, reserved quotas for ethnic minorities and the development of trade union structures that provide immigrants with representation and a voice. The Spanish unions have prioritized the fight against precarious employment, low wages, illegal employment and exploitation that have been suffered by certain groups of immigrants.

Immigrant membership of Spanish unions grew significantly over the period of economic expansion: in 2003 the rate of unionization was 2.6 % and in 2008 it reached 7.1 %, a figure below the overall average of 16.2 % in the same year. One of the reasons why the unionization of immigrants is very low is the segmentation of the labour market and the place that immigrants occupy in it. Among immigrants, 53% claim that the collective bargaining structure of their business and industry does not provide union membership, compared with 33% of native workers. Furthermore, 51% of immigrants say that that they are unaware of the coverage provided by the collective agreement (Jódar et al. 2011).

According to Rosa Sanz, the union has had difficulty in entering the world of immigrants. Usually they have done so indirectly: for example, for many years Philippine immigrants employed in domestic and care work were contacted through a Catholic priest. Therefore, the unions have links

with cultural associations of the immigrants' countries of origin in order to make the first contacts and penetration in the community. Immigrants have difficulty in obtaining knowledge of labour law, especially when they do not know the language. Unions are struggling to contact immigrants because they come from different national experiences. Some from Eastern Europe experienced trade unions as a semi-mafia. The situation is similar with migrants from Latin America, but Latin American integration is easier thanks to knowledge of the language and cultural proximity. The unions also find it difficult to contact African immigrants, who have no experience of union organization.

4.2 Trade unions and collective bargaining on diversity

During our research, it proved very difficult to access information about collective bargaining. We could only do so in a few countries.

In Italy, the collective protection of the rights of immigrant workers and the management of cultural and linguistic diversity are extremely important for the trade unions; but it is a challenge that they have rarely, and only in certain branches, been able to meet effectively. The difficulty of recognizing the particular needs of immigrant workers is particularly evident in the national collective agreements (*contratti collettivi nazionali di lavoro*, CCNL). Firstly, given the marked occupational segregation of immigrant workers, only few sectors are concerned to protect the specific interests of this category of workers. Secondly, there is a general delay in considering certain specific needs of immigrants: longer holidays, spaces for prayer, specific foods in canteens, Added to these are the need to prevent workplace accidents and to combat discrimination. For this purpose, trade unions have set up Italian language courses, obtained that companies translate instructions in foreign languages, and some other measures to manage linguistic differences.

However, the issue of discrimination against immigrants in the workplace is still little addressed by unions and collective bargaining. The unions are active and vigilant on forms of discrimination by public institutions, especially at local level, but less incisive against private employers, as is the case of Southern Europe as a whole (Pajares 2008). There are various factors that explain this delay. First, it is more difficult to take action against employers, who are often the owners of small businesses, and especially at a time of economic crisis. Discrimination has to do with freedom of choice by the entrepreneur in hiring and promotions, and it is difficult to prove where freedom ends and discrimination begins. The burden of proof is on the workers and then on the trade unions that protect them, while entrepreneurial freedom is a generally accepted principle. Second, almost all immigrant workers in Italy still belong to the first generation. Recognition of their qualifications requires costly and wearisome procedures, and it may not give the right to occupy higher-skilled jobs.

In this regard, in 2006, the Workers Commissions (*Comisiones Obreras*, CCOO) in **Catalonia** launched a pioneering project of diversity management and non-discrimination in companies. CCOO obtained the support of the Public Employment Service of Catalonia in 2008 within the Innovative Projects programme and was co-financed by the European Social Fund. The pilot experience, which started with Managing Diversity in the Company, was conducted under the 2008 agreement of the Girona abattoir. Today there are 12 collective agreements signed under the

umbrella of diversity management. According to José María Ginés (member of the Information Centre for Foreign Workers [CITE] of CCOO), the guiding principles of trade union action are reflected in the following contents found in collective agreements:

- The principle of equal opportunities in access to employment, selection and hiring, also applicable to union representation of workers. This principle helps to build trust between the parties and to integrate immigrants.
- A reception plan for migrant workers who join companies. It informs them of subjects such as business objectives, business structure, the work process and the organizational responsibilities, and also of labour rights and the industrial relations system, so that immigrants know the paths to follow in cases of problems at work and labour disputes.
- Learning the language, which is seen as essential for carrying out the work and understanding the instructions for health and safety at work and equal opportunities. The policy of the Catalan government and the Language Consortium can help immigrants to learn the language through "language pairs". Learning the language is also important for further training and retraining.
- Non-discrimination of all kinds, which is considered important in a cosmopolitan society and company. Non-discrimination guiding diversity management refers to dimensions such as ethnicity, race, language, culture, age and gender. Non-discrimination is also an essential element in communication within the company.
- Flexible working time is considered an important way to manage diversity. Holiday periods, leave and public holidays have different meanings and uses in a cosmopolitan society. Immigrants are not used to them, so flexibility in the use of working time, seeking agreements that allow individualized adaptation, is an important factor in the integration of immigrants. Such agreements can contribute to work efficiency and improve the working environment.

4.3 Trade unions and language policy

Trade unions' language policies mainly consist in actions aimed at raising awareness among migrant workers. They are less often though as to sustain migrant workers self-organisation, although they can contribute to this too.

In Italy, the language issue, in fact, is strongly felt by trade unionists (Ambrosini, De Luca, 2014), especially in sectors where competence in written and spoken Italian is closely bound up with workplace safety. Knowledge of Italian is also considered important to prevent immigrant workers from being cheated by employers on contracts, wages, etc. To overcome this problem, some categories have produced brochures in various languages: the contract for domestic workers, for example, is written in nine different languages.

Another important aspect is training. Outstanding in this regard is the construction industry, which has bilateral training institutes (co-financed and co-managed by employers' associations and trade unions). An extensive memorandum of understanding is annexed to the 2008 CCNL of building cooperatives and similar (renewed and merged with the CCNL for the employees of construction companies on 1 July 2014). In this memorandum, which covers foreign labour recruited for the construction of large-scale public works, the parties acknowledge the growing need to find skilled

workers in short supply on the domestic labour market. The topics addressed by training courses are the Italian language, elements of civic education, contracts, labour law, prevention and safety, and technical skills. The 2008 agreement for construction firms states that they must notify the *enti scuola* (i.e. the sector's bilateral training institutes) of the presence of foreign workers, while the Formedil (Ente nazionale per la formazione e l'addestramento professionale nell'edilizia) is responsible for formulating the training programmes to be delivered through the *enti scuola* (art. 82). The 2010-2013 CCNL for the wood industry specifies that specific training, with language comprehension tests, must be provided for immigrant workers (art. 8).

In Spain, CCOO's language policy has been linked to two factors: the influx of immigrants during the 1990s and the language policy of the Catalan government led by the Consortium for Linguistic Normalization, which has provided funding (CCOO, 2002 and 2006). The language policy has been aimed at dealing with problems of knowledge of labour law and citizenship rights among immigrants. The first language need of immigrants is to learn Spanish, which is the dominant language in the workplace and the most universal language. Catalan is also necessary as the language of social integration and for upward job mobility, to improve opportunities in the labour market. Knowledge of the language is essential for work, for understanding the health and safety instructions, for learning the customary rules of work, and for knowing and enjoying social rights.

5. Conclusive remarks

Linguistic diversity has been addressed by the different actors playing a part in industrial relations, at national, European and international levels. The issue of management of language differences has so far been addressed in four main ways. The first is the establishment of observatories, commissions, and study groups for the analysis of multi-ethnic changes in workplaces and the identification of problems due to cultural diversity. The way is by enhancing the acquisition of literacy in the national language. Whilst in elite occupations, the internationalization of professions entails the increasing use of English, social actors still insist during collective bargaining that national language is the language of work.

The third matter is understanding of the basic rules of working conditions: rules on safety and accident prevention, especially in the building industry, or the employment contract, as in the domestic sector. Here the main concern is to reach workers in a language familiar or at least understandable to them. In some of the countries covered by the research like Italy, social actors, notably the trade unions, have provided for the translation of contracts, rules and regulations into the main languages spoken by immigrants.

The fourth theme concerns the management of cultural diversity. This has received greater attention in bargaining, with the result of a wider range of innovative solutions. It is mainly cultural differences connected with the Islamic religion that produce a search for new contractual provisions: culturally appropriate menus in cafeterias, pauses for prayer and the availability of suitable premises, modified work schedules during Ramadan.

Still lacking, however, is real investment in diversity management by companies. Diversity is still seen primarily as a problem, not as an opportunity and a resource for firms. There are plenty of

seminars and university courses on the subject, but the economic system does not seem to feel the need to invest significantly in diversity management. Symptomatically, the trainings provided for the prevention of occupational risks remain unsatisfactory as they do not fully take into account the linguistic and cultural diversity of immigrants. In Spain especially, it was observed that the practical content has been non-existent in many cases in the training offered to immigrants who go to work in the construction sector.

Another issue is how to combat racial discrimination in the workplace. The rules exist, and there are national offices for the fight against racial discrimination. But effective commitment in workplaces is scant. In fact, subordinate integration is still the main approach adopted to include immigrants in national's economy and society.

III – Experiences of linguistic diversity at work: issues and challenges

This part of the report explores the company policies managing linguistic diversity at work in the six countries studied. The material presented here is extracted from the national case studies conducted by the research team. The main purpose was to identify the variety of issues arising from the different types of work organisation and to critically describe the different solutions explored by employers to address these issues.

Each of the four sections is dedicated to a particular type of business model as we found some very specific issues in each. Thus the first section presents the case of international hubs that are mainly employing highly qualified workforce speaking the same mother language as their international clients. The second section deals with merchant services that are mainly employing an immigrant workforce without any consideration in terms of mother language. A third section deals with public services, where the command of the national host country language is perceived as essential. The fourth section deals with industrial companies where the issues of language vary considerably according to the division of labour.

Each of the section describes briefly the sectors and the companies covered. It then examines the extent to which the linguistic diversity is produced by the work organisation and / or taken on board. It finally tries to assess the successes and failure in terms of linguistic diversity management.

We have conducted the analysis of the 16 sector case studies according to the theoretical framework developed by Martin Artilès, Godino and Molina (2016). Based on written and unwritten company policies and their level of tolerance towards, control and awareness of informal practices, this framework evidences three ways of managing the linguistic diversity at work. The first one, the assimilationist model, is characterised by voluntarism in terms of linguistic policies and a low level of tolerance towards informal practices. In such scenario, a dominant language is implemented by management, which prohibits or denies the use of the migrant workers' mother tongue. The second one, the cohabitation model, is characterised by either a "laissez faire" or an explicit use of linguistic diversity in business strategies. In this scenario, the different cultural and linguistic communities are using their mother tongue but there is a very low level of interaction between each community. The third one, the integrative or "bottom-up" model, is characterised by a pragmatic management of linguistic diversity, based on cross-linguistic and cultural communication. In such a scenario, there is high level of workers participation in decision making with high flexibility and adaptability in the use of diverse languages during the work process.

1. International hubs: call centres and IT companies

1.1. Sectors and companies overview

Call centres, consultancy companies and IT starts up are in most cases subcontracting companies dealing with their prime contractor's client portfolio. In a growing sector, these companies are organised as multinational companies and are present in numerous countries all over the world. They mainly employ a young, high skilled and international workforce on fixed term and part time contracts. Linguistic skills are key criteria for recruitment and workers are sometimes organised according to linguistic pools.

Three case studies were conducted in such companies. One of these took place in **Spain**, respectively in two call centre companies. The first one was an American multinational focused on the business of contact-center with more than 64 000 employees worldwide and which had 750 employees on fixed term contracts in its multilingual hub of Barcelona. We called it *CallSolutions.* The other one was a Spanish company of 1200 employees, which we called Telemarketing International.

A second case study was also conducted in **Spain**, in a start-up that has two offices, one in Barcelona with 43 employees and one in California. The study focused on the development of an online communication and collaboration platform that provides clients with a one-stop site for collaborative tasks, discussion, file sharing, group chatting and video conferencing.

The third case study took place in **Hungary** in a multinational company that has over 160,000 consultants based in around 42 countries, with its headquarter based in South Asia. This company started its operations in Hungary in 2001 and currently has more than 1300 employees employed on permanent contracts and providing services to over 40 companies. The ***Budapest Service Centre*** (BSC) is active in the field of Business Process Outsourcing (BPO), providing customer service support in different languages for both global and European clients.

Apart from the start up, the workforce in these companies is predominantly young and female. The share of foreign workers varies from 35 % in the Spanish Start up to 95 % in Telemarketing International. While in some cases numerous nationalities are represented (Spanish start up and consulting company in Hungary), a few nationalities are dominating in other cases (French and Italian at CallSolutions and German and English at Telemarketing international).

1.2 Work organisation and languages at work

Company Official languages are either the national language plus English (***CallSolutions***) – or, in some cases, English plus national language (***Telemarketing International***) or English only (***ITProject, Budapest Service centre***). In one case (***Budapest service centre***), the researcher noted that "*My interviewees could not point to a specific document which would specify this central and single role of English, instead referred to it as a general practice, a matter of common understanding*". She also noted specific requirements in terms of accent, employees being supposed to neutralise their regional accent and to speak a perfect international English, or conversely being encouraged to use their accent in commercial interactions if it comes from a dominant European language.

Interestingly, in none of the companies studied, the command of the country language is a requirement to work as call agent. At **CallSolutions** where workers are dedicated to a specific client, a spatial division by national origin is meant to create a complete cultural and linguistic immersion so customers perceive a native language use. Only the relationships with the HR services create an exception to this linguistic bubble, as HR communicates in Spanish with international workers and all training sessions are taking place in English due to financial issues.

At **Telemarketing international** and **ITProject,** the requirement for English command is very high, so that interaction in English between workers of different nationalities is fluid. English is the official language at **ITProject** and workers can attend free classes of English during working time. But, since all informal conversations are taking place in Spanish and even in Catalan, the role of other languages has also been acknowledged and, at the request of workers, free classes of Spanish (various levels), Catalan and also French and German have been offered during working time. The workers interviewed indicated that they appreciated the cultural exchange taking place within the company. The developers - most of them being Spanish - learn English when speaking with the workers from other departments - Sales Operations, Customer Services, Product Design, Human Resources and Billing – who are mainly foreigners, while the latter learn Spanish from the first.

At **Budapest Service Centre**, all employees are expected to be proficient in English whether they only use it for internal communication – a good level is requested in this case – or for external communication with customers – an excellent level is requested here. The applicants' level of English is assessed by a local language school according to the Berlitz scale. Additionally, most of the BSC employees are hired on the basis of their high or excellent proficiency in another European language. Free languages courses in Hungarian and in a number of West European languages are available to employees by the company but are not systematically used for different reasons: changing shifts, minimum number of people required for starting a group, perceived difficulty to learn the Hungarian language. It was also noted that some informal communication - email communication of minor importance; internal chat messages – or even some formal communication at the beginning or at the end of a meeting happened occasionally in Hungarian. Such informal practice is tolerated by the management, although those who do not speak that language do not appreciate it. Furthermore, the use of domestic language is seen as an expression of narrow ethnocentrism and lack of professionalism by some managers.

1.3 Managing linguistic & cultural diversity: successes and failures

As we can see through these three cases, three main ways of managing linguistic diversity are practised. One way, which we could describe as being assimilationist, is to impose English as the company official language without taking into consideration the other languages in the daily internal communication. It is simply the dominant language. The intention is to create a kind of uniform company culture, beyond formal "linguistic pools" instituted to answer clients' needs. However it does not necessarily have the intended benefits and has disadvantages too. In such a context, even the availability of free language courses does not necessarily enhance language diversity at work (**Budapest service centre**). Moreover, such a choice appeared to generate situations where workers were not learning the national language, making it difficult for them to adapt to life and environment of the city (**Telemarketing international**), unless they can stay in an

"expat bubble" (***Budapest service centre***). But, the ignorance of the host country language appears to create situations where those who are not speaking the host country language feel excluded from informal communication taking place in this language (***Budapest Service Centre***). Finally, it appears extremely difficult to reach a uniform use of English across the company as the way people perceive the meaning of words largely varies according to cultural backgrounds. A number of examples were given: answering "I don't know" to a question may imply for some that the person is incompetent when it indicates for others that the person does not have full information and will check before answering. In the same way, using emotionally charged words is usual in some cultures while it appears inappropriate in some others.

The other way to deal with linguistic diversity is to use it as part of the work organisation. This cohabitation approach is systematised at ***CallSolutions*** where staff are organised in language pools, and is also in use at ***Budapest service centre***. In both cases, it appeared that the way in which national teams were divided by nationalities does not facilitate interaction between workers of different nationalities, in spite of the company initiatives organised to make employees fraternize. These are perceived as superficial, rather formal and occasional attempts than day-to-day management of linguistic and cultural diversity on a micro-level.

A third way, which we can describe as being integrative, is to value linguistic diversity and use mutual understanding. Interestingly, in the company where this is taking place (***ITProject***), management used to organise socials outside working hours to enhance cross-cultural exchange. But these initiatives do not have much impact on the work organisation. At ***ITProject***, we could observe the efforts made by the staff in terms of mutual understanding sustained by the implementation of free classes in various languages during working time.

2. Services

2.1 Branches and companies overview

In this section, we are dealing with companies employing a local workforce to deliver service sector either on the local market or to other companies. Merchant services are characterised by their rapid economic growth and by the fact that they are employing a low or intermediately qualified workforce, often from foreign national origins.

We conducted three case studies in total in merchant services, which covered catering (Italy), cleaning (France) and hotels (UK).

In the catering sector in Italy, the case study was conducted in a leading multinational company that provides its services in company restaurants and staff canteens, schools and hospital cafeterias across Italy. It employs some 6,500 workers on the Italian soil, of whom 45% are females and 55% males. It provides stable employment as 95% of its employees are on permanent contracts and agency workers are less than 1 %. However, due to the type of activity and the services provided, a significant share of the staff is hired on part-time employment contracts (some 60%), while only 5% of them have fixed-time employment contracts. Non-national workers make up some 30% of the

company's total workforce and mainly come from: Northern Africa, South-America (Mexico and Ecuador) and Eastern Europe (Romania).

In the cleaning sector in France, the interviewees were accessed through two channels. A first part of the fieldwork was conducted in an aeronautic plant of 4 000 employees subcontracting its cleaning to other companies, while a second part of the fieldwork was conducted through a trade union surgery specifically dedicated to the cleaning sector. Highly concentrated, the cleaning sector was employing 469 000 workers in 2012, hired most of the time on very low grades and on part time permanent contracts. 67 % of these workers were women, 29 % were foreigners and probably a much greater proportion were from foreign origin. In this sector, the employment relation is characterised by triangular relationships between the contracting company, the sub-contractor and the employee. One of the consequences is that the employee can be transferred from a company to another while continuing to be based physically at the same workstation.

In the hotel sector in UK, the fieldwork was conducted through a union branch. Most of them did not have a good command of English. **In the UK,** it was estimated in 2012 that 26.2% of workers in the Hotel and Restaurant industry were immigrants[13]. The figure for London is much higher, estimated as between 69% and 86%[14]. Cleaning and housekeeping workers are also overwhelmingly from foreign origin and this is still the case for 38,6 % of their managers and supervisors.

2.2 Work organisation and languages at work

In two of the three sectors / companies researched, the national language of the host country is systematically used as the working language but, paradoxically, the level of proficiency in this language is not systematically assessed at recruitment stage nor properly taken into account in the work organisation. This generates a series of problems for the staff involved, which have serious consequences on their autonomy at work but also on their health and wellbeing. It especially appeared that the foreign workers with a low level of command in the host country language are more subject to harassment than their colleagues. In the hotel industry, much of the day-to-day communication was in the home languages of migrants, with bilingual supervisors and other intermediaries being go-betweens with English speakers.

In the hotel sector in UK, we observed that whatever the level of workers proficiency in English was, the workers were sometimes placed in work situations where they were in contact with clients. This situation was humiliating for the workers with insufficient command of English, as they often found themselves unable to answer clients' requests and did even not know how to deal with their inability to fully perform their task as no specific procedure existed to assist them. Such situations were found to open the way to disrespectful attitudes from clients and / or to expression of

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[13] Wadsworth, J. (2012) Immigration and the UK Labour Market: The latest evidence from economic research Centre for Economic Performance, LSE http://cep.lse.ac.uk/pubs/download/pa014.pdf

[14] People 1st (2013) *State of the Nation Report 2013* http://www.people1st.co.uk/getattachment/Research-policy/Research-reports/State-of-the-Nation-Hospitality-Tourism/SOTN_2013_final.pdf.aspx; People 1st (nd) *Migrants in Hospitality* http://www.people1st.co.uk/getattachment/Research-policy/Research-reports/Monthly-insights-reports/People_1st_Migrants_Insight_Report_Hospitality_V6.pdf.aspx

discontent directly addressed by clients to managers, potentially undermining the worker's job security.

"*If the guest needs something... a toothbrush, or whatever guest needs, I don't know. If I say 'call the supervisor' it is not polite. I don't understand if there is a problem.* [Even] *If guest wants to say 'thank you' I don't understand if they say thank you or if I have done something wrong and I need to correct. Can't do better.* » (Hotel housekeeper).

Another difficulty experienced by staff with insufficient level of English command was their inability to appropriately communicate with management to explain the difficulties encountered while performing their tasks and to find solutions. In most cases, the communication is reduced to a few words accompanied with gestures, meaning that the only hope for the worker to be understood lies in face-to-face and situational interactions; the sole alternative being that some translation by colleagues could take place. The workers' autonomy is therefore considerably reduced and this had an impact on his/her productivity and his/her salary.

One of the interviewees explained: "*Yesterday, for example. I cleaned room. The sink was blocked but didn't know how to explain [on phone] so had to go down to supervisor to show her. I ask supervisor to come upstairs to show exactly what needs to be done. I lost time and they cut the time [they pay me] if I don't finish job and I lose money.* » (Bulgarian hotel housekeeper)

Finally, a third difficulty is to understand health and safety instructions as all meetings are held in English.

The situation is different **in the cleaning sector in France** as the branch collective agreement respectively prohibits situations where workers with low level of French command find themselves alone at work and obliges employer to organise health and safety trainings in languages understood by all workers.

According to our interviewees, these provisions mean that language proficiency is assessed during the recruitment process, that trainings are organised in different languages and that the workers from the same community can speak in their mother language at work. Linguistic diversity is therefore tolerated by employers as it guarantees a smooth working process and enhances productivity in a sector where new migrants constitute a significant share of the labour force.

"*We can speak Portuguese between colleagues, there is no problem. There is a lady who arrived from Portugal one year ago. She does not understand French. I explain things in Portuguese.*" (Cleaner, based in aeronautic company).

"*In meetings, the official language is French. But on the ground, the employees speak their language among themselves. Each community speaks its language, there is no sanction on it. This is not an issue, we never speak about this, it is actually natural.*" (Trade union representative)

From the different testimonies gathered it appeared that the work is organised in such a way that workers with a low level of host country language proficiency are integrated within working teams where at least one member is speaking their mother language.

Such organisation is potentially less stress generating than the one observed in the hotel sector in UK. But still the situation appears somewhat paradoxical as French is proclaimed by employers as being the sole working language and as other language skills are never acknowledged. Also, interviewees indicated that most of contracting companies are requesting French speaking personnel.

The language requirements are less explicit **in the catering company in Italy,** where the level of Italian command does not appear as a criterion for recruitment. Beyond Italian several languages are spoken in this company: French and English are used as "international" languages between workers from different nationalities who do not speak Italian; Spanish, Arabic and Romanian are the other languages the most commonly spoken.

Documents explaining rules concerning health and safety are available in Italian and translated into English and at times into the main languages spoken by migrant workers (Arabic and Romanian). The text is often illustrated with signs and images to ease understanding. Most of the meetings are held in Italian with some workers acting as translator for the other workers from their community. The company turns to external linguistic experts when a need arises to explain and translate highly technical documents containing difficult terms that need to be disseminated among workers, for example instructions to operate particular or newly-bought machinery and special procedures concerning health and safety at work.

2.3 Managing linguistic & cultural diversity: successes and failures

Efforts to manage the linguistic diversity at work vary depending on activities and countries. However, the assimilationist model appears to dominate in merchant services, mitigated in some cases with the cohabitation model.

Indeed, the assimilationist model appears to dominate quite brutally **in the hotel sector in UK**, where migrant workers lack of fluency in English is largely ignored as well as their ability to speak other languages. Significantly one of the key demands of union members was for English language training. During the research this was negotiated by the union with the cooperation of the employer and arranged by the union. The pattern appears, therefore to be shifting from an assimilation model towards an integrative one, directly as a result of union intervention.

The catering company in Italy offers another approach of the assimilationist model. Being fluent in Italian (for migrant workers) and in another language (for both nationals and non-nationals) is not considered a pre-requisite for candidates. But once hired, workers are asked to attend courses to gain knowledge of specific terminology related to the job. In-company free language courses and training are available to migrant workers to learn Italian. These language courses are often "field-specific", as the tasks and assignments frequently require social interaction and communication. Non-nationals are also provided with the opportunity to learn another language - mostly English. This opportunity – which is extended to national workers – can be explained by the fact that customers at canteens and restaurants might not speak the national language.

The situation is more ambiguous **in the cleaning sector in France** where the assimilationist model

- all workers are supposed to have a good command of the national language – is clearly mitigated by informal encouragements to develop cohabitation practices in order to ensure the good completion of the work. Some few regulations are protecting workers with low level of French language command. Meanwhile access to linguistic training remains quite rare: only 5 % of trainees from the cleaning sector are attending linguistic training paid by their company – which is often alphabetisation training - while most of the other trainees are attending technical trainings.

3. Public services: health care

The health and the care sectors were chosen in three of the countries covered by the research – France, Germany and UK - to represent the specific problematic of public services. Up to a recent period, public services were mainly employing a national labour force. Recruitment became to be more widely opened to EU workforce from the 1990s with the Maastrich Treaty (1992) later renamed as the Treaty on the functioning of the European Union (2007). Also, in most of the western EU countries, these health and care sectors had to face a labour shortage and had to rely on foreign labour force. However, the national language remained the dominant working language in most cases.

As many other public services, the health sector is at the forefront of actors dealing with migrant populations. It is permanently confronted with languages and cultural issues.

3.1 Sectors and companies overview

In France, the health sector employs about 1,87 million of workers (6,5 % of the total workforce). The vast majority (1,32 million) work in hospitals and 350 000 work as free-lance. About 70 % of the sector workforce are women. The interviewees were accessed through various channels: several of them were met during a local trade union training, another interviewee was met through a trade union network specifically working on linguistic diversity and finally another was met amongst the foreign personalities invited in a political congress. We also used the snowball sampling to access some other interviewees. The interviewees' professions are: nurses, medical secretary and physicians working in hospitals, local health centre or occupational health service.

In Germany, the health care sector is a continuously growing sector and employs more than 5 million people. About 1 million employees work in jobs in hospitals and other health institutions and more than 500 000 are working in the nursing care sector[15]. The health and care sector in total is heavily gendered, almost 80% of the employees are females. In nursing care this share goes up to 85% female workers. The research focused initially on the institutionalized care sector, especially on hospitals. Several other types of care-work and care organizations were also covered.

In the **UK, the NHS** is one of the five largest employers world-wide[16]. It employs 1.5m people in England, of whom 400,000 are nurses in 2015-2016. According to official data for 2013, 22% of

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[15] For detailed data see:
https://www.destatis.de/DE/ZahlenFakten/GesellschaftStaat/Gesundheit/Gesundheitspersonal/Tabellen/Berufe.html
[16] The other four include McDonalds, Walmart, the US Dept of Defence and the Chinese People's Liberation Army

nurses were born abroad, a much higher share than for the UK workforce overall (14%). According to an NHS survey in 2014, the overwhelming majority of overseas nurses were recruited from EEA countries, notably Spain, Portugal and Ireland (Jayaweera, 2015:20). The Philippines provide the highest number of qualified nurses, midwives and health visitors. According to the lead in education and training we interviewed, Filipino nurses came with a high standard of English ('98% are fluent'), with several years health care experience and retention rates of around 97% after 5 years. However, the introduction of a language test (IELTS at level 7) for all those non EU staff applying for Nursing and Midwifery Council (NMC) registration after February 2016, is very likely to impact on recruitment.

3.2 Work organisation and languages at work

In all the health care institutions researched, it was noted that the official language was the national language. This raised different issues in the three countries covered. In **France** none of our interviewees indicated that they experienced any difficulties in terms of communication with their colleagues, as all employees are supposed to be fully fluent in French. A few of them, though, mentioned colleagues occasionally using their mother languages – often Arabic - in informal conversations and indicated that this was not well tolerated. The dichotomy appeared more visible in **UK** where Filipino nurses who were interviewed, whilst acknowledging their competence in English, also recognized their own limitations in the language. For example they sometimes felt uncomfortable answering the phone, in case they were unable to understand the caller. They also readily admitted that they spoke informally with other Filipinos in their first language, despite the English-only policy. Doing so, they suggested, made communication easier, and made them feel less isolated and more 'at home'. According to one manager, such practices can 'alienate the group from other staff' whilst another said that she found 'it really offensive' and that patients would also not understand and this may cause anxiety and suspicion.

In Germany, it would appear that the dimension of multilingualism is particularly affected by 1) learning strategies required to achieve the necessary language competencies and 2) job specific language practice. The study reflected the following three issues related to linguistic diversity: absence of representational support or attention; differences between formal language skills requirements and the workplace specific language practices; the relevance of cultural competencies and obstacles neede to obtain an integrated local workforce. To be able to work as a skilled nurse in the German care sector individuals have to provide a certificate that they are in command of the B2 German language level[17]. The language training can be completed in the home country or in Germany which seems to be the preferred option. Several interviewees indicated that the level B2 is not a sufficient measure of German proficiency, though.

" To me B2 is just a formalism. It is important to pass, also for professional recognition and wage. But finally there are other important criteria (other than language 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).

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[17] There are some regional differences. Hassia only B1 is demanded but usually B2 is required.

A number of other issues raised during the interviews were related to the communication with the patients who are from various ethnical backgrounds and sometimes do not have sufficient command of the national language. These issues were particularly sensitive in **France and in UK** where a number of problematic situations were recounted, all leading to difficulties in identifying the patients' pathology and in establishing accurate diagnosis or to failures in explaining his / her pathology to a patient or to bring him / her some psychological comfort.

The solutions put in place to deal with these serious problems appeared relatively light in comparison and limited to a case-by-case approach. **In France**, two interviewees mentioned a list of pluri-lingual in-house personnel established by management; others mentioned specialised but very costly external translation services available to hospital personnel; one indicated that his colleagues were writing a specialised lexicon in several languages; and one indicated that she was using extensively an English medical dictionary and drawings.

Access to language training in relationship to patient needs appeared to vary considerably from one institution to another. Nurses in a regional hospital indicated that they could benefit from multi-cultural trainings without any problem but that language training was difficult to access due to their working time organisation. Another nurse working in an occupational health service reported that she could improve her English considerably through a free weekly training offered by her company during working time. Finally, a psychiatrist who provides medical consultation in Russian mentioned some difficulties in accessing appropriate specialized training in Russian through his company.

In UK, the need to take into account patients with low proficiency in English is also dealt with through a case-by-case approach, although with some more systematic solutions than in France. NHS Choices provides a google translate in 90 languages. The trust where the research took place uses a provision of interpreting and translation services for patients, *Language Line Solutions*, but apart from informal ad hoc arrangements, does not draw in any formal or systematic way on the language expertise of staff to address communications issues with patients. In any case, there is not necessarily a good match between the linguistic skills of staff and the needs of patients. For example, there are more Filipino-speaking staff than patients. Elsewhere, research commissioned by NHS Manchester led to the production of a series of online videos and animations in various languages that provide health care advice. There are a number of charities, too, working on behalf of migrants and refugees that provide multilingual resources to ensure that those whose first language is not English are supported in accessing the most appropriate health care, depending on their needs (Hogg and Holland, 2010). The situation in Wales provides an interesting point of comparison with over 20% of the population speaking their first language (i.e. Welsh) and a number admittedly a minority with little English language proficiency. In a recent survey, many respondents felt more at home speaking to health care workers in Welsh. The Report therefore recommended that bilingual speakers should somehow identify themselves so that Patients/service users were made aware of that option[18].

The issue of access to language training appeared to be very different, where the purpose of training was to improve the national language proficiency of immigrant workers recruited to work in the

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[18] http://www.wales.nhs.uk/sites3/documents/415/welshinthehealthservice.pdf

sector.

In Germany, some language courses are organised by institutions. I t turns out, though, that workers have to pay to attend such courses and also to pay illegal fines if they were leaving the course before completing. Eventually, the level B2 appeared not ´to be sufficient to access high skilled jobs. Beside language classes, some institutions have put in place a mentoring program to support the process of integrating migrant workers. This is the case of the radiological network and the hospital researched where newly employed staff are individually accompanied by an experienced nurse who has ideally the same migrant background. Migrant workers are thus able to start working right away and are integrated within working routines thanks to guidance and practical support from someone who has followed a similarpath. This model appeared to be successful but cost-intensive.

In the **UK NHS**, it was noted that attitudes to English language support vary between Trusts. Some administer their own tests and the workers failing are required to meet the threshold within the first six months of their appointment. Others, following complaints from patients have provided ESOL classes which, until 2010, had been funded by Government. Since then, courses have either been funded by the Trust or by employees themselves and either in their own time or, in some cases, during working hours. There are various models of English Language support, some Trusts are outsourcing ESOL to local colleges, others are facilitating more informal conversation clubs within the hospital which raises the question as to what kind of English language support is appropriate.

It was noted that general proficiency in English does not necessarily equip staff with vocabulary specific to a health care and hospital setting, and at least one Trust/ hospital has provided a tailored course in hospital English to address this.

3.3 Managing linguistic & cultural diversity: successes and failures

Management in all three case studies in the health sector have adopted an assimilationist model either explicitly or in terms of custom and practice. This might seem surprising given the multiplicity of language requirements arising from the patient populations in all three cases. However, it is not unique that the working language between professional staff is English, even if their users, speak other languages e.g. airline pilots

Linguistic and cultural diversity amongst staff appeared to not be addressed at all within the **French health sector** due to the Republican very specific culture of public services in this country, supported by the 1992 Toubon's law that proclaimed French as the language of the Republic. None of our interviewees mentioned any specific linguistic issues related to work relationships or organisation and several claimed that the "French only" rule was absolutely normal.

Turning to patient needs, it was very surprising to observe that linguistic issues were not seen as a priority in spite of the seriousness of the problems raised and their potential impact on work related stress and working conditions.

In the UK NHS, there was a consensus amongst management and UNISON members that, with one exception, no effort had or should be made to promote multilingualism or plurilingualism in the workplace. On the contrary for some to do so would detract from the policy that requires staff to

communicate in English at all times. Issues of discrimination were raised though by the UNISON Equality representative. One example was the case of a band 6 nurse of African background who was on a disciplinary, she said, due to her inability to articulate her reasons for refusing to administer bandages to a patient. Regarding patients' needs, two managers did raise the possibility of making greater use of the linguistic diversity amongst staff to support communication with patients but as yet no initiatives have been taken.

Beyond languages policies, assimilationist practices were also observed when it turned to professional behaviours. This was particularly the case **in Germany** where hugging colleagues - a typical gesture for Spanish nurses – was described as being irritating for locals because of the more formalised behaviour people are supposed to have in public and professional environments in this country - *"You recognize a difference, actually there have been three Spanish nurses on 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",* explained a Spanish nurse working in a German hospital. In addition, Spanish nurses noted how in German nurses and doctors are sharply distinguished their status, which subsequently has consequences for the way formally communicate. In contrast Spanish medical personnel communicate, doctors and nurses, almost as if they were peers. Such important cultural gap may lead to misunderstandings and even interpersonal conflicts.

In such a context, being integrated at work appeared particularly difficult for migrants. One of our interviewees, a trade union representative **in Germany**, with a good command of German, explained:

"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)

4. Traditional industries

Eight of IR-Multiling case studies are covering multinational companies from the industrial sector in the six countries involved in the research. Traditional industries are characterised by a strong decline in Europe, apart in some countries like Germany and Hungary where they remain quite powerful.

4.1 Branches and companies overview

Five types of industrial activities were covered by the case studies: the metal industry in Germany and Hungary; the energy sector in Hungary; the food industry in Italy; the construction sector in France and Spain and the waste recycling in UK.

The characteristics of the companies studied were very different in terms of their total workforce and employees profiles. Some of the companies, like ActiveBrick in Spain or the waste recycling in UK had less than 300 employees while others like the food processing company or the car manufacturing company in Hungary had more than 2000 employees. The workforce of these companies was predominantly male, with some variations from one company to another: from 41% women and 59% men in the food processing company in Italy to 3 % women and 97 % men in the aluminium foundry in Germany. The share of immigrant workforce also varies from one company to another from around 10 % in the poultry company in Italy to about 75 - 80 % in the waste recycling company in UK[19].

The table below summarises these principal characteristics*:

Company, country	Total workforce	Gender	Share of immigrants	Nationalities represented
ActivBrick, Spain	130	?	22.31 %	Morocco, Pakistan, Mali
Energia, Hungary	2,500	?	1 %?	Germany
Car manufact., Hungary	4,000	?	1 %?	Germany
Waste recycling, UK	70		75-80 %	Polish
Foundry, Germany	1,000	3% women, 97 % men	20 % non German; about 50 % with immigration background	Turkish (15 nationalities in total)
Food processing, Italy	3,000	41 % women, 59 % men	10 %	Northern Africa (Morocco, Tunisia, Egypt), Central Africa (mainly Cameroon) and Latin America (Ecuador, Colombia, Venezuela and Brazil).
Pouldry, Italy	300	35 % Women, 65 % Men	12 %	Vietnam, Albania, Bulgaria and Romania

- The fieldwork was conducted in different companies in France

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[19] The waste recycling sector in UK has the highest proportion of migrants (43,3 %) of any group of occupations (Rienzo, 2015b).

4.2 Work organisation and languages at work

In all the companies studied, there was a clear separation between the world of production and the world of management. The immigrant workforce was mainly concentrated in the first, often occupying the less qualified, the most risky and precarious jobs as this was already observed in the construction sector in Spain (Alós, 2014). Exceptions to this dominant pattern were found in Hungary where the two companies researched were brownfield (Energia) or greenfield (car manufacturing) of German multinational companies. In these two cases, production workers were all Hungarians while the foreigners were on the management side, coming from Germany. In the car manufacturing company especially, the senior management of the plant comes from Germany and usually stays for two-three years, while mid-level management and experts are both Hungarians and Germans.

In most of these companies, the language policy appears to be dual. The national language is proclaimed as the working language (**foundry in Germany, construction in France**) or admitted as the "natural" working language in the production spheres (**Energia in Hungary, food industry in Italy**); while English tends to be imposed as the dominant working language in the management spheres. The **Hungarian car manufacturing** company is an exception as it has German as official company language. It seems that this dominance of German has not only to do with the German ownership of the company but also with the fact it has been implemented in a region which has strong traditions of the German language use. However, Hungarian is also widely used in "ordinary" communication, while English is used in specific departments, like sales, or in specific occasions when employees are in contact with non-German speakers.

Beyond these official policies, language uses vary. While the workers directly in charge of production are speaking either the national language or their native languages, the management speaks English but also the national language, the regional language (Catalan **in Spain**) or their native language in the case of German managers in **Hungary**. These informal practices are more or less acknowledged or tolerated depending on companies.

They are fully acknowledged in integrative companies, like those we researched in the **food industry in Italy**. Indeed, in the Italian food processing company, the research identified at least 5 languages spoken in the shop floor: French, Spanish, Portuguese, Arabic, and a variety of French spoken by Cameroonians. In the waste recycling company it appeared that Polish was the principal language spoken between workers.

Even if the risk of ghettoization is sometimes feared, the use of languages of immigration is tolerated, in line with a logic of cohabitation, in the **construction sector in France** and **in the waste recycling in UK**.

Several companies in our sample appeared to be more assimilationist. In **ActiveBrick in Spain**, the management even denies that there is a use of other languages than Spanish and indicates an opposition to it happened. The management of the company considers essential to speak only Spanish to benefit the coexistence and conviviality among workers. And to achieve that, one strategy is the dispersion of workers from the same community to avoid linguistic and cultural ghettos. In the **German aluminium foundry** also immigrants are strongly encouraged by the management as well as by the works council to learn the national language and the researchers

observed a decline of multilinguality since the 1990s, although some managers still find it helpful to learn some of the immigrant languages, often phrases, to help the smooth running of production. Indeed, German has still not been fully adopted as the "day-day-language" in the company, especially in the sections of unskilled or semiskilled work where non-German workers are widespread. Given the high percentage of Turkish workers, Turkish is a kind of *"second official company language"* according to our interviewees. Most of the shift leaders (mainly in low-skilled work areas) therefore *"learn a bit of Turkish"* and even other languages. For day-day necessities they also use *"small interpreters"*, which means foreign workers with better language skills help to translate to their colleagues with poor knowledge of German.

The recruitment processes and language training policies reflect the different profile of the companies. For example, the two **Italian food processing and poultry companies** do not have any "entry test" or evaluation of workers' Italian level. The level of Italian command is assessed informally, knowing that most of the information circulating within the company is also available in English and may be available in other languages in specific occasions. In the case of the **Italian food processing company**, free Italian language courses are offered to immigrants. They are usually organised through external consultants and language experts who operate at the business premises in working hours or after work, depending on the willingness of workers and the number of participants.

"Language classes at the company and those organised by the union are intended to give migrant workers practical knowledge. So at these courses you can learn how to respond to emails professionally and also how to go to a store and buy what you need. Of course learning a language also involves an understanding of the cultural dimension. But that is implicit!" (Trade union representative, food processing company, Italy).

In the **Hungarian automobile plant**, by contrast, candidates have to undergo a German language test, which includes some grammar exercises, reading and oral communication. Up to a recent period, when a candidate was qualified for the job but not performing well on the language test, he/she was hired and some free German language classes were offered to that person during his/her working time. At its beginning, the company even used to provide trainings up to 10 months in Germany to its employees. However, according to many interviewees, this 'tolerant language policy' has changed recently, and only those get hired who already speak enough German to perform their job. Interestingly, the plant management has opened in 2015 a free bilingual elementary school for the children of its employees.

In the same way, the **German aluminium foundry** is systematically now hiring more young people who have a good command of German and because of this have stopped offering German classes to its employees. The works council initiated German language lessons in the years 2003/04 on a program for "professional German", sustained by the company management and co-financed by the European Social Fund. Participation was free, voluntary and open to all employees. The programme comprised around 100 lessons during the working time and finished with an exam and an official certificate. Around 50 employees took part, mainly with Turkish or Russian migration backgrounds. Twelve years later the evaluation of this program is mixed: Some interviewees think "it was a success". Others think "it came too late", "was not adequately accepted by the workers", and hence participation was too low or too selective.

In the **Spanish construction company ActiveBrick**, which also hires more systematically people with a good level of Spanish, language courses are compulsory and form part of the broader "reintegration" training.

Turning to managerial spheres, it appeared that English is appropriated through specific company languages. At *Energia* **in Hungary**, for example, it was noted that a mix of German and English technical words, expressions form a specific „*company speak*", which is used by engineers and managers within larger company context, between different locations in Germany, Central and Eastern countries, and other parts of the world. Also German remains a language frequently used as older generations of Hungarian managers speaks more easily German than English.

Language courses are provided by **Energia in Hungary** in form of free language classes provided on company premises within working hour, in an intensive form or on weekly 1-2 hours basis during a longer stretch of time. Participation on these courses is always based on job requirements, actual business trips, upcoming project tasks and the languages taught depend on the needs.

4.3. Managing linguistic & cultural diversity: successes and failures

In most of the companies studied, it clearly appeared that the linguistic diversity was managed in a differential way whether it concerned workers or management. While the specific linguistic skills of immigrant workers directly in charge of the production are never acknowledged nor valued; the command of several languages is encouraged for the management staff. Overall, in industry, the management of linguistic diversity is mainly based on the assimilationist model, slightly mitigated with the integrationist model when it comes to managerial spheres.

The adoption of assimilationist policies has serious consequences for the blue-collar immigrants workers employed in these industries. In most of the companies studied, it appeared that failure to master the national language was excluding workers from specific tasks. In the case of the **Spanish construction company ActiveBrick**, for example, they are not allowed to deal with customers. Also, linguistic diversity is even a matter of conflict between the national workforce and immigrants. Some workers described situations in which the Spaniards felt suspicious of the content of the conversations of Moroccans, sometimes resulting in xenophobic comments. The use of Spanish as a common language thus appeared as a sign of respect in a region where Catalan is the dominant language.

In the same way, the use of Turkish language is not well tolerated in **the German foundry**, especially when it is used by white-collar workers. As explained one of our interviewees « *(…) because the Turkish white collar-workers, they aren't accepted if they speak in Turkish. Where it happens, the other colleagues get upset. I find this interesting. It is a special problem of Turkish colleagues. And then, I am intervening and the Turkish colleagues are forced to speak in German in the office. Because otherwise the Germans or the other colleagues feel discriminated against. And because communication is necessary to do the work*" (Works council Chairman)

Significantly, all kind of multilingual tags or translations during official company meetings that existed in years gone by have been abolished and linguistic diversity is described more as a kind of

ghettoization than actually celebrated. Talking in a foreign languages is now clearly associated with low qualification, bad working conditions and a lack of career possibilities. The (Ex-)Yugoslavian works council member and shift-leader interviewed in a (rather low-skilled) production area also explained that lacking German causes additional stress and conflicts on the shop floor level, too: *"The biggest problem is, if I cannot explain and I am upset and he [the worker with lacking language skills] is upset. The conflict emerges. Although there might be no big problem (…)"*

For workers in the **waste recycling sector in UK**, it appeared that not speaking the national language was a real source of suffering. This has mainly to do with dignity at work and discrimination:*"Sometimes I have to get someone else to do it for me and explain what I want and it's never exactly what I want"* (Worker Waste recycling) *"There have been times when the manager is rude to me. Why was he rude? I think he is just an angry person. I can tell you he wouldn't speak to an English speaker in the same way"* (Worker Waste recycling).

It appeared clearly, in this particular case, that immigrant workers were discriminated against especially when they did not speak the national language: being asked to work more than other staff, being kept as agency staff rather than company employees, maintained at lowest salaries for longer time, being more exposed to risking terms of their health and safety.

The experiences reported from Italy also testified from the implantation of the assimilationist model but in a less systematic way. **In the food processing company,** it appeared that linguistic and cultural diversity was not felt as an "aspect requiring particular attention". Yet one of the main concerns that emerged from the interviews was that of enabling migrant workers who do not speak or have insufficient knowledge of the main/national language to access all the information needed in terms of health and safety, trade union rights, contractual conditions etc. *"It is important that non-national workers and national ones are placed on the same footing and access the same information so the former do not perceive or feel they are treated as 'second-class individuals'"* (HR Manager). For this purpose some key information related to health and safety is translated into English and language classes are available. Also, multiligual meetings are set up with non-professional interpreters (colleagues) who have a good knowledge of Italian, English or French. Meanwhile, it was noted that no particular linguistic resources were used at this company to fundamentally overcome language problems.

In the Italian pouldry company, non-national workers seem to be well-integrated, even those from Vietnam, whose cultural background presents the most significant differences with the Italian one. Non-nationals tend to speak their own language when interacting with colleagues from their same country, while they use their knowledge of Italian to communicate with others. The lack of language command is not perceived as an obstacle to everyday work as the tasks required from non-national workers tend to be repetitive and mechanical.

The approach to language diversity is very different in the managerial spheres, where pragmatism is more easily accepted. At the **Hungarian company Energia**, the in-house meetings are supposed to take place in English, as it is the *connecting language* of the company. In practice, the language of the meetings always depends on language competencies of the participants. One manager explained that "*the guiding principle was practicality and there is no need to more formalization in language use. The least formalized things are, the best they work »*.

In industry, like in the other sectors, the role of culture has been specifically underlined. According to interviewees, a particularly appropriate use of language comes from sufficient familiarity with the culture and with the place where this language is spoken by its native speakers. In the Hungarian multinationals, they made difference between Hungarians who learned German in school, or during shorter stays in Germany, and those who lived and worked in Germany or Austria for longer period. This second type of German language speakers obtained a cultural closeness which provided them with the feeling of familiarity and comfort when dealing with native speakers.

The perception of the work organisation and hierarchy are also very different in each culture. At the car manufacturing plant, it was observed, for example, that Hungarian employees do not speak up on a meeting even if they have a strong idea about something; they need to be asked. In worst cases, they do not say even if they don't understand something due to language issues or otherwise.

5. Elements of conclusion

During our fieldwork, it appeared that the number of companies with very clear linguistic policies is very low. In most cases, policies were not written and were described through custom and practice. None of the companies researched had a single language culture and all had subgroups of workers speaking some unofficial languages. From this point of view, experiences were very similar from one country to another, independently of national legislations.

A hierarchical split was observed, between professionals and managers working in English and low skilled workers who are only speaking their national language and the language of the host country when they are immigrant. In the case of multinational subsidiaries, this split was even clearer. A generational divide was also noted with the youngest generations having a better command of English. Also it appeared that the recruitment policy of some companies have evolved towards the recruitment of more people speaking easily the national language. This was the case for the Spanish construction company and for the German foundry.

Our case studies revealed that assimilationist policies are by far the most frequently promoted by management in all sectors, meaning that linguistic diversity is largely ignored if not repressed. These assimilationist policies are different depending upon the organisation and the nature of work.

In some cases, these policies are accompanied with some efforts from the management of company to ensure that immigrant workers can at least understand the health and safety instructions and that they are integrated into the work collective. For this purpose language classes and multicultural social events are offered to the staff. Our research did not allow us to measure the efficiency of such initiatives as it would have implied that we could access to precise data regarding, for example, the share of employees accessing these trainings, the language proficiency acquired through this training but also the cultural understanding.

In some other cases, though, no specific measures were put in place and it appeared that the workers we interviewed in such companies expressed a strong feeling of being discriminated against.

The case studies also highlighted that in most cases, the assimilationist company policies were coexisting with an informal use of languages of immigration within the organisation of work. The most paradoxical case we found was certainly the German Foundry, where the Turkish "ghettos" are denounced even by the works council reps while the departmental heads and team leaders did not hesitate to learn some Turkish to ensure an efficient communication at work.

During our fieldwork, we only found two examples of cohabitation policy and one example of integrative policy, all in international hubs. In the two cases of cohabitation policy, the linguistic diversity appeared mainly instrumentalised: high-qualified workers being precisely employed for their linguistic competencies but without specific efforts to integrate them into the work collective. In the case of the integrative policy, we could observe that it emerged directly and spontaneously from the staff in a small and very new company where staff had a voice regarding the work organisation.

Finally, our case studies emphasised that the management of linguistic diversity cannot be reduced to language issues and call for a global approach of cultural diversity. This relates, of course, to issues in terms of mutual understanding but also to less immediately visible issues of well-being at work. Workers testimonies were particularly clear regarding this aspect; with the example from the Filipino nurses in the UK NHS being particularly striking.

IV – Trade union positions and workers representation at the workplace

In this part of the report we are dealing with trade union responses to company policies regarding linguistic diversity issues as well as with their own internal strategies. The material used was principally gathered during our fieldwork. It comprises various documents (collective agreements, leaflets and trade union brochures) and interviews with employees and trade unions representatives.

One of the main purposes was to identify good practices that could be disseminated beyond boundaries. For this purpose, we needed to understand the various trade unions strategies developed in the different contexts of national systems of industrial relations.

A first section resituates each case study within the context of their national system of industrial relations. The second section examines trade unions positions and actions at company level while the third section analyses two experiences of national trade unions clinics. The fourth section questions the role of linguistic diversity in relationship to trade union membership and activism. Finally, the fifth section will be dedicated to demands and collective bargaining and will be followed by some elements of conclusion.

1. Workers representation at company level

Workers representation at company level is organised differently in the six countries covered. While there are dual systems of representation through trade unions and representative institutions in five of the countries covered, there is a single channel of representation through the trade unions in UK (Andolfatto, Contrepois, 2016). In the countries covered, collective bargaining tends to become more decentralized, however the sector and national collective agreements remain a key regulatory source in most countries.

Workers representation also varies from one sector to another, mainly depending on trade union presence. In some of the companies we have covered trade unions were completely absent, like in **Budapest service center, telemarketing international or ITservices** while in some other companies they had almost 80 % of the workers unionised like in the food processing company in Italy. We also found a number of intermediary situations where trade unions were present.

In France, workers representation at company level is organised through both the unions and structures directly elected by the company workforce. All trade unions are entitled to set up sections within the companies and can name a representative (Représentant de section syndicale – RSS) who will benefit from paid working time to achieve trade unions duties. In the companies with more than 50 employees, where and when the trade unions present in the company win at least 10 % of employees votes during elections, they are entitled to name a trade union delegate (délégué syndical) who will be able to take part in collective bargaining and sign collective agreements. It

has to be noted that although several recent legislations made it easier for company agreements to diverge from sector and national level agreements, these last remain a key reference in terms of employee rights.

In addition to the RSS or to the DS, two representative bodies are directly elected by employees. One is the employee delegate (délégué du personnel - DP) and is dealing with grievances and the respect of employment rights. The other is the works council (comité d'entreprise - CE) and is dealing with economic issues and service activities. These two bodies are responsible for designating the members of a third body, the health and safety committee (Comité d'hygiène, de sécurité et des conditions de travail - CHSCT). In companies with between 50 and 300 employees, the employer can decide that the functions of all three bodies should be combined in a single common representative body (Délégation Unique du personnel - DUP). Where trade unions are representative they play a co-ordinating role and the trade union delegate is a key figure.

The legislation on social dialogue and employment, enacted in August 2015, provides for employee representation covering very small companies for the first time. Companies with fewer than 11 employees (the threshold for employee delegates), will be covered by regional bodies of made up of equal numbers of employer and union representatives, with the members drawn from these very small companies. In addition to these representative structures, individual workers have "the right of expression" about their working conditions. The exact form in which this right is organised is left to local negotiations with the unions, but might involve occasional meetings of groups of workers with their supervisors.

Trade unions were present in the two sectors we covered. In the cleaning sector, they were particularly present in big companies and in the Paris region. Their membership can be estimated at around 3 % for the whole industry. The branch collective agreement covers almost 100 % of employees and the two companies from where the interviewees were coming had representative institutions.

In Germany, workers representation at company level occurs through supervisory boards and works councils that can be set up in all private sector workplaces with at least five employees. In the public sector, there is a system of staff councils with a broadly similar structure. In practice only 9% of all eligible workplaces had a works council in West Germany and 9% in the East), covering 43% of all employees in the West and 35% in the East. In workplaces with more than 500 employees, 87% had works councils in West Germany and 89% in East Germany[20]. In the aluminum foundry covered as well as in the health care sector workers were represented by work councils.

Works councils are legally required to represent the interests of migrant employees. Here Article 18, Para 7, of the Works Constitution states, the works councils has "the task of integrating foreign employers into the company as well as promoting a mutual understanding between German and foreign employees." Concerning works council elections the election board is required to inform all employees not possessing a competent knowledge of German about the forthcoming elections, the election process and candidates. If necessary they are also required to provide relevant documents and information sheets in the language of the affected employees.

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[20] Tarifbindung und betriebliche Interessenvertretung: Aktuelle Ergebnisse aus dem IAB-Betriebspanel 20113, by Peter Ellguth and Susanne Kohaut, WSI-Mitteilungen, 4/20124

The unions have a major influence in works councils decisions and actions. In 2014, around three-quarters of the members elected were members of DGB unions[21]. Works councils have the right to invite trade unions to attend their meetings, provided a quarter of the members are in favour, and works council members often go on union-organised training courses.

The law in Germany does not provide a separate statutory structure for union workplace representatives. However, some unions make provision for them. Their rights and duties are normally fixed by the unions, although in some industries their position is also regulated by collective agreements.

Up to recently, collective bargaining was only occurring at sector level, whilst works councils had an array of responsibilities ranging from overseeing the implementation of collective agreements to drawing-up redundancy - site specific issues. With the decline in collective bargaining, new arrangements were put in place, allowing works councils to use open clauses options to negotiate agreements themselves. It is estimated today that 62 % of employees are covered by sector collective agreements against 82 % in the 1990s (Welt, 2015), while two thirds of German works councils use open-clauses options to negotiate agreements over working time variance, the suspending of collective agreements and a reduction in pay.

In Hungary, workplace representation is provided by both local trade unions and elected works councils. Under the new labour code implemented from January 2013, unions have negotiating rights – providing they have at least 10% membership in the company - but have lost their monitoring powers and their right to be informed and consulted. The new Labour Code allows collective agreements, agreements with works councils in companies where there are no unions, and individual labour contracts to regulate the content of work differently to that stipulated by law. To achieve further flexibility, it also now allows agreements to deviate in favour of the employer and not only in favour of the employee.

The rights of union activists and employee representatives were considerably reduced[22]. The number of union officials entitled to legal protection has been limited to five, depending on the size of a workplace while only the president of the work council is now entitled to protection. Also, the time to perform trade union duties has been limited to one hour per month for each of two trade union members while no facilities are planned for trade union education ; the code no longer mentions the right of unions to participate in the electoral committee which organises works council elections; the unions' rights of veto and control over the living and working conditions of employees have been limited; in some cases, unions' consultation rights have been shifted to company works councils. The information and consultation role of the works council has been given more emphasis than in the former code, but in practice works councils representative often find it difficult to influence company decisions. The new code has also given the task of monitoring the observance of employment rules to the works councils. However, in order to conclude a collective agreement, the employer remains obliged to provide economic information to a representative trade union. The works agreement may regulate terms and conditions of employment in a collective agreement, with one important caveat – it cannot regulate wages and other forms of pay.

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[21] Trendreport Betriebsratswahlen 2014: Zwischenbericht, by Ralph Greifenstein, Leo Kißler and Hendrik Lange, Hans-Böckler-Stiftung, August 2014 http://www.boeckler.de/pdf_fof/S-2014-695-2-1.pdf (Accessed 16.04.2015)
[22] based on EurWork, 'New Labour Code takes full effect' by Krén, I- Rindt, Zs.; www.solution4.org

Trade unions presence varied in the companies we researched. Trade union were absent from the call center. In industrial sites, by contrast, trade unions were more systematically present, were influencial and had strong traditions. At **Energia** the trade unions had traditions embedded in the socialist period. The types of social benefits the Hungarian employees were used to prior to 1989 (from the period of state-socialism) were unknown for the German employer or the German trade union model. The head of the S. trade union perceived the establishment of factory works council based on German model (prescribed in the *Hungarian Labour Code 2002*) as a direct challenge to the trade unions, to their role in industrial settings.

At the automobile plant in Hungary a works council has been established in collaboration with partners in Germany and the European organization of works councils. The most active and largest trade union in this plant is a local unit of Vasas trade union (the oldest one in this sector, predating the 1989 changes), organizing 30% of the total workforce in K. They set up their local unit in 2010 May, starting with ten people. By 2012 they had 1,000 members (30-33% of total workforce) and this ratio remains roughly the same till the present. Liga is another local branch of a national trade union, but managed to organize less than 100 workers locally. There are plans to establish a joint office in cooperation with the German IG Metal in K, primarily with the goal of training new trade union trustees and thus enabling a further growth of the local trade union (ideally 70-80%, according to the local leader of Vasas).

In Italy, workplace representation is provided in companies of more than 15 employees either through RSUs or through RSAs. The RSU is composed of representatives elected by the whole workforce – candidates are nominated by the trade unions. This structure was accepted in principle in an agreement with the employers' organisation Confindustria in July 1993. The details were set out in an agreement for the private sector in December 1993 and for the public sector in April 1994 and modified in 2014. However, in some sectors, the previous form of trade union representation, the RSA, continues to exist. The precise composition of the RSA can vary from company to company, depending on the agreement signed. Under the 1970 Workers' Statute, only the unions who are signatories to the appropriate collective agreement can appoint the members of the RSA.

RSUs act as the workplace representatives of the trade unions and have the power to negotiate binding agreements for their workplace as part of the bargaining structure. They have a right of information and consultation that includes – depending on agreements - economic and financial situation of the company; investment; the numbers employed; changes in working methods; the introduction of new technology; gender equality and training.

The consultation increasingly takes the form of joint employer/union committees, which formally are intended to prepare the groundwork for collective bargaining by providing technical support. Workplace collective bargaining is not compulsory and is supplementary to industry bargaining. It is mostly undertaken in medium-large firms. In some sectors fragmented into small and very small firms (construction, agriculture, retail trade) and in some local areas, especially those with high concentrations of small and medium-sized enterprises operating in the same industry, another form of local bargaining takes place – *territorial* – which replaces company-level bargaining and refers to agreements that apply to all firms in the branch operating in that area. It can also involve the local public institutions on matters of common interest: training, environmental protection, accident prevention, management of redundancies. National industry bargaining remains the most important

level of bargaining because it determines, sector by sector, wages, working hours, duration and organization of holidays, overtime pay, and job classifications. 80% of employees are covered by a collective agreement: in its absence, reference is made to agreements in similar sectors.

In the Italian food processing company, some 80% of workers are unionised.

In Spain, in all but the smallest companies, the law provides for elected workplace representatives of the whole workforce: employee delegates or an elected works council. The vast majority of elected representatives in works councils are proposed by the unions and around three-quarters of them come from the CCOO and the UGT. Works councils have information and consultation rights, and they bargain on pay and conditions at company level.

Spanish trade unions also have separate, legally recognized structures (trade union sections) within the workplace with a range of legal rights. In addition, in larger workplaces union members can elect a trade union delegate who has a range of rights.

A high proportion of workplaces appear to exercise their right to elect employee representatives, although they are less likely to do so in smaller workplaces. Participation in the elections is high: around three-quarters of those entitled to vote.

Negotiations take place at national, industry and company level in Spain and, since 2002, with the exception of 2009, an annual national agreement has provided a framework for lower-level bargaining. The overall level of coverage is around 70% of the total workforce.

In UK, there is no formal legal mechanism providing for on-going workplace representation and there is also no legislation or system of legally binding collective agreements. A major official survey of workplace employment relations carried out in 2011 and 2012 (WERS 2011), looking at all workplaces with five or more employees identified four potentially overlapping forms of employee representation in the UK. These were: a "recognised union" – a union with which the employer had agreed to negotiate; 21 % of workplaces and 46 % of employees covered –; an on-site representative of a non-recognised union – about 2 % of workplaces -; a joint consultative committee – a committee made up of managers and employees concerned with consultation rather than negotiation; 7 % of workplaces – and stand alone non-union representation – 7 % of workplaces.

Many workplaces are in fact deprived from employee representation, especially when they don't have a union. The situation has not changed much with the legislation passed in 1999 and providing for a legal mechanism to compel employers to recognise unions nor with the legislation implementing the EU information and consultation directive, which came into effect in 2005 for companies with more than 200 employees and in 2008 for companies with more than 50 employees.

Less than a third (29%) of all employees in the UK are covered by collective bargaining. In the private sector coverage is lower at around a sixth of and the key bargaining level is the company or the workplace. In the public sector, where almost two-thirds of employees are covered, industry level bargaining is more important. In total, 6.4 million people in the UK were trade union members in 2014, 25% of all employees, 28% of women and 22% of male; 16 % of UK born and 18% of non-UK born. Employees in professional occupations are more likely to be trade union members

than other employees.

Our fieldwork is representative of the British reality with trade unions far less present in the private sector (14,2 %) than in the public sector 54,3 %). **The accommodation and Food Services sector** has the lowest trade union density of any sector in the UK (3.5%). London and the South East have the lowest union densities of the countries and Regions of the UK. Inner London has the lowest of all[23]. Two trade unions are present in the sector: Unite the union with about 1000 members in its London hotels branch and GMB with between 1200 and 1300 members in the mid-2000s. In the **waste recycling**, about half the workforce are members of the union.

In the **health sector**, membership is 40 %. The major unions include UNITE, UNISON, GMB and professional associations include the BMA (Doctors) and RCN (Nurses) and RCM (Midwives) (*Glossary?*). An important feature of this relationship is the NHS Staff Council, made up of NHS employer representatives (senior managers from NHS Trusts), and recognized trade unions (UNISON, UNITE, RCN, RCM, CSP, GMB, and representatives of TUs from Scotland, Wales and Northern Ireland) which is responsible for pay and conditions across the different sectors of the NHS. Whilst not prescribing local practices, the Council has declared its commitment to replicating this partnership in the workplace, in the interests of effective employee relations and improved services for patients and service Users. In keeping with this principle, the local Trust has a number of committees and groups where both management and unions are represented. The Joint Board Committee which meets monthly and which is chaired alternative months by UNISON and the Director of HR and where the directorate of all departments provide reports and address concerns and issues raised by Trade Unions. There is also a Policy Group which also has Trade Union representation and is chaired by the HR directorate and considers policies in such areas as paternity rights, whistlblowing, disciplinary procedures, leave and work capability. UNISON has two representatives on the Policy Committee one of whom has an equality brief and is particularly concerned with reviewing obligations under equalities legislation including the impact of policies on those groups identified in the Equalities Act 2010 with protected characteristics.

2. Trade unions positions and actions at company level

During our fieldwork we could notice ambivalent positions from trade unions regarding linguistic diversity. **In the NHS in UK** for example, it appeared that on the one hand, UNISON understood the importance of retaining English as the medium of communication in public spaces, but also recognised the importance of informal communications in languages other than English. For example, banter amongst Jamaicans speaking in broken patois was not intended as threatening but to ease communications amongst those from different language backgrounds. **In the German health sector**, the trade union representative interviewed was a member in an organization that engages in migrant workers' rights but multilingualism did not appear to be an explicit issue for its trade union. 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 undertake any kind of action in order to ensure a proper professional and social

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[23] Department for Business, Innovation and Skills (2015) *Trade union Membership Statistical Bulletin* https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/431564/Trade_Union_Membership_Statistics_2014.pdf

integration of the migrant nurses.

Some of the trade unions we met were less ambivalent. A few acknowledged that the perfect command of the host country language was unnecessary to perform professional tasks and interact with colleagues. This was especially the case in the **food processing company in Italy**. A few others, by contrast, appeared to be worrying about the ethnic divide that –according to them- was exacerbated by immigrant insufficient host country language command. This was the case for the trade union officers at the **works council of the aluminium foundry in Germany**. This would tend to confirm observations by Whittall et al (2009): German works councils have been known to exhibit a certain degree of reluctance in taking up special interest issues out of fear that German employees will accuse them of showing preferential treatment to a particular group of the workforce.

Most trade union representatives emphasised that the inadequacy of language command often turned to be a fatal obstacle when immigrants had to claim their labour rights. One **hotel worker** interviewed **in UK** confirmed: "*I feel discriminated against because I cannot speak English. I would like to know the rights. Even if I read, I cannot say what I would like to say or what I would like to know. I cannot defend myself. I would like to stay in England. I need to speak English* »

Several of the trade unions interviewed indicated that they had set up language classes to help immigrant workers towards more autonomy in their working and everyday lives. This was the case for example in **the Italian catering company**, were the trade union offers Italian courses that tend to be less specialised than those planned at the company and that are usually intended to allow workers (and their families) to achieve a command of Italian that might be helpful in everyday life. Another initiative established by unions is called "cultural meals", that is lunches and dinners where migrant and Italian workers make food from their own regions/areas and practice the things they have learnt in class through short conversations and dialogues. Many workers have found this measure a useful one, as it gives the opportunity to learn culture and language while eating, therefore in informal contexts. **In the same way, in the waste recycling company in the UK**, the trade union have also organised English language classes for which they devised a 30-hour syllabus. Members are working to ensure the sustainability of this initiative through the Community Interest Company they have set up to raise funds. At the time we did the fieldwork, they had five volunteers TEFL teachers who were union activists and friends. They were also trying to get employers to give up an hour.

In addition to mastery of the local language, the understanding of the national system is also at stake, as work contracts are strongly embedded in national culture and legislation. One of the key issues for immigrants is understanding their labour rights within a particular system. When and where they are present in companies, the institutions of representation of workers are the main means for foreign workers to understand the content of their contracts and to articulate their labour demands. In the **Spanish construction company**, the works council is clearly playing this role. The fact that its chairman is Moroccan facilitates this type of interaction. Foreign workers are also helped by the lawyer linked to the works council. In the **Italian catering company** trade unions assist migrant workers to fill in documents concerning tax returns, payment of social security contributions and other administrative procedures that might be difficult for immigrants to deal with, especially because these forms often make use of difficult terms and/or are complicated to understand for those with a limited knowledge of Italian.

In the German Foundry, the 'multilingual' works council members interviewed felt they were "translators", not only in a linguistic perspective. *"Sometimes you speak together, but you don't understand each other"* – and the reason is not only a vocabulary problem, but a lack of information on the meaning of special terms or context. Many employees have a low level of education. Thus it is not enough simply to translate legal rules; the works council members need to explain the legal practice in simple terms and to illustrate it with striking examples; and they often do this in Turkish, Croatian – or with the help of "small interpreters". Works council leaders disapproved of this practice and initiated German lessons. They insist that German should be the official language of worker representation.

In the Spanish call centres too, the works councils are often called by foreign workers for help to explain their work contracts, which are written in Spanish, though at ***CallSolutions*,** the human resources team indicated that they dedicate "*all the time workers need to understand their work contract*" and that all the members of human resources department attend English lessons. But some workers suggested a lack of transparency from human resources and even mobbing and harassment. Their requests to the works councils mainly concern maternity rights, schedule changes and mobbing.

Difficulties may be even greater when dominant practices in a company downplay the applicable legislation or agreements, because confusion may be added to misunderstandings. At ***ITProject* in Spain**, for example, the applicable collective agreement is the Offices Agreement (2009), but human resources stated that in-house practices were "more flexible" in terms of schedules, holidays and sick leave. For example, working from home when on sick leave was a common practice. Some foreign workers confessed during the interview that because they do not understand Spanish, they do not even read their work contract, and just trust the company.

The situation is particularly challenging for non-EU citizens, who are even not familiar with the European legislation. Furthermore, these migrants are concentrated in very competitive sectors where labour law is particularly complex due to the market organisation. This was especially the case for those working in the **cleaning sector in France** or in the **hotel sector in the UK** as they can be transferred from an employer to another without leaving their job or their place of work. **In the UK**, for example, workers reported a case where the workers were transferred and should have been protected under the Transfer of Undertaking Protection of Employment (TUPE) legislation: *"We didn't understand rights. We still have problems with money when the transfer happened. One Bulgarian girl who knows a little bit English tried to translate but it was not everything. Finally, she ended up with loss of money. Now going to tribunal"*.

The workers and their trade unions do not seem to be facing the same level of problems in the **Hungarian** and **Italian** companies we researched. In **Hungary**, the Budapest service centre's labour contracts are both in Hungarian and in English with both having the same legal value. At Energia, the employment contracts are in Hungarian language, for non-Hungarian employees (high-level managers) English or German translation of the document is provided automatically. **In Italy,** employees from the **Poultry company** explained that they could be helped by the company to access translation services – via external consultants – when they needed to translate official documents. Trade unions also provide this kind of service. Yet the most widespread means to overcome linguistic barriers is to rely on friends and acquaintances, even outside of work: "*If I am*

given a document that is not clear and do not want to ask my principal for assistance, I can always rely on friends and relatives".[24]

Such solution appeared to be largely used in all companies and all countries researched. It was even more likely to be used when workers could not find any trade unions representatives from the same ethnical origin, which was the case in most of the companies. But asking colleagues, friends and relatives from the same communities could sometimes turn to real nightmare, as some trade unions officers from the **cleaning sector** explained in **France**: "*Those who have a bit of language command think that they understand, but legal matters are very complex and they may confuse their mates. As a result, the worker misinterpret the rules and might sometimes even sign documents that are compromising his or her chances to solve his or her problems. After this, it prove very difficult for us to sort the situations*".

Curiously, the perception of discrimination based on linguistic and cultural reasons is very low in European countries. However, the perception of discrimination is greater among immigrants (3.5%) than among natives (1%) in Europe (European Social Survey, 2013).

3. Trade unions national surgeries

In several of the countries covered by the research, trade unions have set up clinics for immigrant workers in order to be able to deal with their specific problems, amongst which language is not the less important. The enrolment of foreign trade union activists and, even more, the appointment of foreign trade union officials is seen as one of the key elements of the success of these surgeries.

During our fieldwork, we covered two of these clinics: the undocumented workers clinic created by the Confédération Générale du Travail (CGT) in France and Faire Mobilität in Germany. These two initiatives have very different origin and purpose.

The CGT undocumented workers clinic was opened in 2012 after this confederation obtained key decrees that clarified the conditions for regularisation. Over the 10 years before, the CGT had organised several massive strikes of undocumented workers and had obtained their regularisation for several thousand of them (Meardi, 2013). The aims of the new clinic are to ensure that undocumented workers rights are respected, to identify employers bad practices and to promote new rights. Most of the time and energy in the clinic is dedicated to follow up and defend individual cases.

Faire Mobilität is a project jointly founded by the Federal Ministry of Labour and Social Affairs and the Deutsche Gewerkschaftsbund (DGB) to address problems faced by Eastern European migrant labour employed in Germany. The project was devised to support people who cannot speak German and are therefore more at risk of exploitation. Clinics were opened in seven cities renowned for having well established Eastern European communities, often newly arrived migrants, but equally areas known for their precarious employment conditions.

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[24] J.W (worker). Interview March 2016.

Four 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. Fair Mobilität does not have the right to represent workers at their workplace. Neither it can provide legal support. Instead it advises workers to contact the relevant union. In short, its activities involve "first advice", visiting workers at their workplace and informing them of their rights. In addition FM organises information campaigns to raise the public's as well as employer representatives' awareness of the poor employment conditions associated with multilingualism in the workplace.

Languages issues are tackled in both trade union clinics researched. **At the CGT undocumented workers clinic**, the French language dominates since the public is mainly from African origins. But the clinic had to deal with the Chinese community and had also to face recently a massive arrival of Bangladeshi who did not speak French. Therefore activists with immigrant background had been involved at different steps of the work. Most of them are from African origins, they are able to speak several African dialects and one of them can speak English with the Bangladeshis. One is Chinese and can speak Mandarin Chinese. Some leaflets and forms were translated into English and Chinese.

One of the main difficulties with language is due to the complexity of undocumented workers' situations in the light of the French law. According to trade union officers, it is not rare that they need to use words from different languages or dialects, as well as the help from interpreters, in order to reach some level of mutual understanding and to be able to deal with the case. This makes each case very long and hard to handle.

Faire Mobilität employs advice officers speaking different European languages (especially from central and eastern countries): Bulgarian, Croat, Czech, English, French, Hungarian, Macedonian, Polish, Rumanian, Serb, Slovenian, Spanish and Turkish. By providing employees with advice in their native language FM contributes to the emancipation of workers lacking a voice. However the research suggested that an increase in personnel, in particular employees able to complement the existing 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.

In both cases, the lack language barriers are identified as an obstacle to deal with labour rights. At the time we were doing the fieldwork, the CGT was envisaging to set up French language classes as a way to help undocumented workers to better defend their rights.

4. Language command and integration within trade unions

During our fieldwork we questioned the effects language command had on workers integration within trade unions. When directly asked about this, most interviewees answered spontaneously that they did not see language command as an obstacle to become a trade union member or an activist. However, triangulation of data on this specific aspect appeared particularly difficult to achieve in the absence of quantitative data articulating precisely language command, trade union membership and trade union responsibilities.

One way of getting an idea about the effects of language was to enquire about the presence and level of responsibilities of workers of foreign origin within trade unions. Even this appeared very difficult to assess, as few trade unions do record their members' ethnic background. From the data we were able to gather, it appeared that workers of foreign origin were generally under-represented within trade unions, as the work by Marino and alii (2016) had already stressed it. This under-representation varied according to the country and to the sector studied, though.

In numerous cases, one major difficulty raised by interviewees was that foreign workers are concentrated in sectors with precarious and very hard working conditions, where employers are particularly hostile to trade unions. **In the Italian pouldry company,** for example, only few foreign workers are unionised, in spite of the specific services offered to them by the union (language classes), as they believed it risky to expose themselves in a context where their employment terms are better than those they could get in their home country. A similar situation was observed in the **German caresector**. But the trade union officer we interviewed explained that some communities were organizing themselves through virtual networks, using face book to overcome their isolation and exchange information regarding their labour rights. This was the case of a large group of about 3500 Polish female workers.

Another issue is the dominance of host country culture and language within trade unions. Only few trade union officers speak a foreign language and all union forms are in the national language. This issue was especially raised in **Germany**, where interviewees explained that migrants have difficulties communicating with most of trade union officers. Consequently, any contact is sporadic – plus they rarely partcipate in meetings.

In UK, some organising campaigns are specifically aimed at immigrant workers. They are articulated with various initiatives to support multilingualism. The **TUC** has translated number of documents relating to employment rights, health and safety, etc. into 13 languages and has a dedicated officer responsible for supporting immigrant access to the educational language program ESOL. **In the hospital studied**, **UNISON** has also worked with employers to support ESOL and has been successful in at least one other hospital, but is reliant on employers to fund and/or time off work to undertake the classes. Trade unions also engage in campaign against racism at work or against bullying. The Royal College of Nursing has run a project 'Is That Discrimination?', which is part awareness raising, part capacity building and part recommended guidelines on bullying and harassment. Such initiatives are undoubtedly efficient in terms of unionising foreign workers; the vitality of the **UNISON** Filipino workers network testifies from it. But they are not sufficient to overcome foreign workers under-representation.

The same observation was made in **two of the Italian companies researched (food processing and catering)** where non-Italian unionised members accounted for about 20% of the total membership, which could be considered as a high rate by comparison with situations observed in other sectors. In the case of the **catering company**, it appeared that this relatively high membership was fostered by a practice of systematic translation of leaflets and booklets. Some translations were also provided by activists during trade unions meetings. When asked if language could constitute a barrier to integrate immigrant workers, one of the trade union delegate interviewed replied that what matters was workers commitment to their colleagues and that this was going beyond languages and cultures. However the foreign workers interviewed indicated that being trade union members was encouraging them to learn the Italian language in order to get their voice heard.

Learning the host country language is clearly necessary in order to become further involved in the trade union, especially in a context where foreign workers are in minority. Indeed, when it turned to trade union responsibilities, their under-representation was even more obvious in our sample of companies. **In the Spanish call centre,** *CallSolutions***,** foreign workers represented 45% of the workforce, but they were only 4 out of the 16 elected members in the Committee. Two of them came from Spanish-speaker countries. The other two were French and Italian. The Committee member interviewed acknowledged that the language could be a barrier to employees' participation in the Committee. Similarly the works council of the **aluminium Foundry in Germany**, comprises only of 5 foreign workers out of a total of 15 members - 3 of them Turkish, one Romanian and one from the former Yugoslavia. The head of the works council, however, was German. Finally, when dealing with hotel workers, **Unite the Union** only recently (in 2016) replaced the three retired workers running the branch by current workers, all migrant workers.

When and where they are entrusted with trade union responsibilities, it is obvious that foreign workers play a key role of mediation between their union and the workers from their community. Indeed**,** the committee member interviewed **in the Spanish call centre,** *CallSolutions,* acknowledged that having an Italian and a French delegates made it easier to contact with the Italian and French colleagues.

Very often these intermediaries are chosen for their level of host country language command. This was the case in the **British waste recycling company**, where the worker who was speaking the best English was elected as shop steward. The main issue raised about this by interviewees was the risk of not having elected the best representative to face the employer.

In some places, however, trade unions insist on the national language being the official language of internal communication. In the case of **the German foundry works council, for example, such a policy was adhered to.** While in the 90s the speeches of the works council's chairman during the employee meetings (*Betriebsversammlungen)* were translated, this is no longer the case similarly all 'official' talks (i.e. entrance interviews with new workers) and political actions are in German. Existing union materials in foreign languages (i.e. 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 emphasize they have some problems with German 'legal' terms. Their solution, however, is not more 'translation' but improving their German language skills.

The fact is that one of the key aspects of trade union activity at company level today is collective bargaining. Yet, from the testimonies we gathered, a lack of sufficient knowledge or language command on the workers part is considerably weakening their position when facing the employer. This was true for the migrants workers we met in the **cleaning sector in France** for example as well as for any reps in multinational companies where the lack of command of English language emerged as an important handicap on trade unions side. **At the Hungarian company** *Energia***,** for example, it was noted that both Hungarian and German languages were being used during meetings between the company management and the trade union, and often English instead of German. Among works council representatives not everyone speaks fluent German (or English), but the representatives stated that they had always spoken enough German so that management could not cheat them in the negotiations. But they indicated that during tough negotiations, when they needed

to use all the skills of persuasion, tactics of negotiation, it would have been important to be able to communicate in their mother language: '*Each and every word has a special weight, a consequence which translates directly to wages*'.

5. Demands and collective bargaining on linguistic diversity issues

Only few demands related to linguistic diversity and emanating from social actors were identified during our fieldwork in companies. These revolved mainly around the use of languages at the workplace and language classes. As seen in the **French case**, some actions were developed by trade unions during the 2000s to defend workers' right to use the official national language – French - at work against the spread of the English language. Such approach was not found in any of the other countries covered by the research.

The most frequent demand was for language classes, especially for immigrant workers. It is noteworthy that, although frequently envisaged and used, translation never appeared among the demands, even for the employment contract and other related legal documents. Significantly, the members of the **works council** of *CallSolutions* **in Spain** who were interviewed stated that translating contracts would be a complicated initiative, as it would have to be done for all languages of foreign workers in the company, and the use of professional translators would make it costly. The Committee members insisted on their own role in helping workers to understand legal documents in the company.

In none of the companies covered by the research, linguistic diversity at work was seen as a specific and independent topic for collective bargaining. This is a point that has been made clear during the interviews from both representatives from trade unions and the employer. An Italian trade union representative explained: "*Multilingualism, and such related issues as linguistic and cultural diversity, is not seen as a hot topic in collective bargaining. (…) collective bargaining is usually interested in topics such as wage, working conditions, flexible work and work-life balance, which also concern migrant workers. Multilingualism is seen as an easy one to deal with through training and courses organised by the company and the union*". When it is raised, the language issue is mentioned in collective agreements dealing with health and safety issues, with management of diversity or discrimination, and very rarely with salary and career.

Health and safety is by far the principal reason to address linguistic diversity as language barriers are seen as a source of occupational risks. It is particularly sensitive in sectors like cleaning or construction. In the **cleaning sector in France**, the national collective agreement has specific provisions for the training to be made in a language that employees can understand. In the same way, the collective agreement in the **construction sector in Spain** highlights the obligation to take into account language issues when training workers in prevention of occupational hazards. It states: "*In addition, taking into account the presence of immigrant workers in the sector, training and information to these workers must be appropriate to their characteristics, especially if they are unfamiliar with the Spanish language.*" (BOE-A- 2012-3725, p. 23838). As a result, specific language is used in the training and information on Health and Safety issues for foreign workers, as well as other supports like visual media, simultaneous translation and the informal information during the working process.

We only found one example of language qualification recognition, in Spain. The current sectoral collective agreement ("Collective agreement at State level of call center industry", 2012) includes in the Article 46 a wage bonus for those workers "*that are required for the development of their activity the use of one or more foreign languages*".

Numerous topics related to linguistic diversity were totally absent from the collective bargaining agenda in the companies studied, like issues related to the good understanding of labour rights and duties; the use of several working languages within the companies or the access to language trainings.

6. Conclusive remarks

Trade unions were present and had representatives in most of the companies covered by the research. They rarely appeared to be questioning the accuracy of their company's language policy – with the exception of some French trade unions identified during the desk research and challenging the use of English as a vehicular language. Apart from this exception, trade union actions were principally aimed at defending migrants workers rights and mainly consisted in top down initiatives: translating documents, appointing plurilingual officers and setting up language classes. These initiatives proved to be essential in terms of defending all workers rights against social dumping.

As a general remark though, we need to emphasise that linguistic diversity as such is rarely addressed as a specific issue by trade unions. This is mainly due to two reasons. First they appear only partially aware of the social effects of the difficulties encountered by workers and, as a result, language issues are not identified as a matter of grievance nor as a topic for collective bargaining. Second, languages issues appear to be related to individual skills and education issues in the eyes of the majority of our interviewees. They are very rarely envisaged as a field of discrimination, or as a field of racist domination. As a result, exclusions based on language command often appear to be 'normal' in organisations where the notion of efficiency is based on shared internal cultures.

This partly explains the difficulties encountered by trade unions to integrate migrant workers within their ranks. If some organizing campaigns prove successful in unionising migrant workers, it appears that only few of them are untrusted with responsibilities and that those who are have a good or at least a sufficient level of language command. This situation also partly results from employers' pressures as employers do not give the same credit to representatives who are less educated or who are a lowest level of language command.

V. General conclusion

The IR-MultiLing research was conducted in two steps that consisted in desk research and fieldwork research.

The first step, the desk-research, confirmed that the way linguistic diversity is dealt with in each country varies considerably according to the type of companies and to the history of the country considered. Languages issues due to the evolution of boundaries and migrations are different in each country, although language discrimination is mentioned in all countries, especially in relationship to access to employment and to upward mobility.

Several hundreds of languages, among which dialects, regional and minority languages, are now currently spoken in the countries studied due to the acceleration of the circulation of labour forces. Their presence on the different territories is not homogeneous and implies various arrangements in terms of cross-cultural communication at the local level. Beside, our research confirmed that the English language is emerging as the main foreign language used in European companies, and the first foreign language learnt at school.

Language discrimination was mentioned in all the countries studied and occurs in a range of situations. One of the most visible is the case of migrants who do not have a sufficient command of the host country language and cannot find decent jobs and/or experience difficulties in defending their labour rights. But the literature have also evidenced that immigrants and their offspring were the victim of a more systematic racial discrimination, even when they had a good command of the host country language. Cultural barriers, including accents and the different ways of using the host language, may be playing a more important role in the discrimination process.

Another situation of discrimination affects local employees who do not have a sufficient level of English command to be promoted to more qualified or to managerial jobs. Regarding this point, the literature revealed that English command is requested for a growing number of jobs, even when no communication occurs into this language. This language is thus used as a kind selective barrier that, in fact, impedes upward mobility and operates as a class barrier.

A third situation of discrimination occurs with the use of regional languages, either because they are used by dominant classes to protect their access to the best jobs or by contrast because their use is made illegitimate at work. From this respect, Spain appears as a very specific case where the regional language (Catalan) is requested to access public sector's jobs. It is also the language for middle classes – associated to social prestige and upward mobility - while working class and migrants are speaking Castilian (Spanish). In Hungary, by contrats, there are numerous dialects deriving from Hungarian that people try to hide when they are at work (switching language).

Linguistic diversity has been addressed by the different actors playing a part in industrial relations, at national, European and international levels. The issue of management of language differences has so far been addressed in four main ways. The first is the establishment of observatories, commissions, and study groups for the analysis of multi-ethnic changes in workplaces and the identification of problems due to cultural diversity.

The second way is by enhancing the acquisition of literacy in the national language. Whilst in elite occupations, the internationalization of professions entails the increasing use of English, social actors still insist during collective bargaining that national language is the language of work.

The third matter is understanding of the basic rules of working conditions: rules on safety and accident prevention, especially in the building industry, or the employment contract, as in the domestic sector. Here the main concern is to reach workers in a language familiar or at least understandable to them. In some of the countries covered researched, like Italy, social actors, notably the trade unions, have provided for the translation of contracts, rules and regulations into the main languages spoken by immigrants.

The fourth theme concerns the management of cultural diversity. This has received greater attention in bargaining, with the result of a wider range of innovative solutions. It is mainly cultural differences connected with the Islamic religion that produce a search for new contractual provisions: culturally appropriate menus in cafeterias, pauses for prayer and the availability of suitable premises, modified work schedules during Ramadan.

During the second step of the research, our case studies revealed that the number of companies with very clear linguistic policies is very low. In most cases, policies were not written and were described through custom and practice. We found that workplaces had a mixture of policies and practices on language which were sometimes deliberate; or were consequences of other policies and practices; or were unplanned and accidental. As a result, none of the companies researched had a single language culture and all had subgroups of workers speaking some unofficial languages. From this point of view, experiences were very similar from one country to another, independently of national legislations.

Case studies confirmed that a social division exist in the use of languages. A hierarchical split was observed, between professionals and managers working in English and low skilled workers at the bottom of the social scale using national languages and immigration languages. We noticed that there were no specific policies to manage linguistic diversity in the latter case. Immigration languages were often tolerated as an instrument to allow the production to run smoothly without any acknowledgement of its role. In the same way, there were no expectations in terms of the level of command of foreign languages. This split was even clearer in the case of multinational subsidiaries.

A generational divide was also noted with the youngest generations having a better command of English. Also it appeared that the recruitment policy of some companies have evolved towards the recruitment of more people speaking easily the national language. This was the case for the Spanish construction company and for the German foundry.

During the primary analysis of fieldwork data, an analytical framework was elaborated by the Spanish team (Martin Artilès, Molina, Godino Pons, 2016), then adopted by all partners. This analytical framework distinguishes three models of linguistic diversity management in companies. The first one, the assimilationist model, is characterised by voluntarism in terms of linguistic policies and a low level of tolerance towards informal practices. In such scenario, a dominant language is implemented by management, which prohibits or denies the use of the migrant workers'

mother tongue. The second one, the cohabitation model, is characterised by either a "laissez faire" or an explicit use of linguistic diversity in business strategies. In this scenario, the different cultural and linguistic communities are using their mother tongue but there is a very low level of interaction between each community. The third one, the integrative or "bottom-up" model, is characterised by a pragmatic management of linguistic diversity, based on cross-linguistic and cultural communication. In such a scenario, there is high level of workers participation in decision making with high flexibility and adaptability in the use of languages during the work process.

Assimilationist policies are by far the most frequently promoted by management in all sectors, meaning that linguistic diversity is largely ignored if not repressed. These assimilationist policies are different depending upon the organisation and the nature of work. In some cases, these policies are accompanied with some efforts from the management of company to ensure that immigrant workers can at least understand the health and safety instructions and that they are integrated into the work collective. For this purpose language classes and multicultural social events are offered to the staff. Our research did not allow us to measure the efficiency of such initiatives as it would have implied that we could access to precise data regarding, for example, the share of employees accessing these trainings, the language proficiency acquired through this training but also the cultural understanding. In some other cases, though, no specific measures were put in place and it appeared that the workers we interviewed in such companies expressed a strong feeling of being discriminated against. The case studies also highlighted that in most cases, the assimilationist company policies were coexisting with an informal use of languages of immigration within the organisation of work. The most paradoxical case we found was certainly the German Foundry, where the Turkish "ghettos" are denounced even by the work council reps while the management did not hesitate to learn some Turkish to ensure an efficient communication at work.

We only found two examples of cohabitation policy and one example of integrative policy, all in international hubs. In the two cases of cohabitation policy, the linguistic diversity appeared mainly instrumentalised: high-qualified workers being precisely employed for their linguistic competencies but without specific efforts to integrate them into the work collective. In the case of the integrative policy, we could observe that it emerged directly and spontaneously from the staff in a small and very new company where staff had a voice regarding the work organisation.

It would have been helpful to test this typology in the light of data on linguistic discrimination. But we could not find any studies showing precisely how far language could be a discriminating factor. We could access some ethnic data on discrimination in a few sectors in UK.

In the UK NHS, for example, language did not feature within the Trust's approach to diversity and equality, and whilst data was required by the DoH on equality standards, as well as an annual staff experience survey, language was not included in the standards or in the survey questions. In the meantime, there is anecdotal evidence from interviews to suggest that language is an important source of discrimination and disadvantage. The NHS Workforce Race Equality Standard Indicators (April 2016) is concerned with recruitment, subject to disciplinary procedures, access to training, experience of bullying and harassment, promotion and Board representation. The findings confirm a number of issues of concern, including underrepresentation of BME staff in more senior positions, the disproportionate numbers of BME staff who experienced discrimination in the last twelve months (over twice as many as white staff) and bullying and harassment (1.23% higher). It would be useful to consider these indicators in relationship to the experiences and outcomes for different

linguistic groups amongst staff, assuming the data collected provided an opportunity to self identify by first language. Multivariate analysis could explore associations between language and these indicators but also link them to other background factors, such as BME status, gender and disability. The intersectional relationships between these factors could then be considered with language alongside other discriminatory markers.

Finally, our case studies emphasised that the management of linguistic diversity cannot be reduced to language issues and call for a global approach of cultural diversity. This relates, of course, to issues in terms of mutual understanding but also to less immediately visible issues of well-being at work. Workers testimonies were particularly clear regarding this aspect; with the example from the Filipino nurses in the UK NHS being particularly striking.

Still lacking, however, is real investment in diversity management by companies. Diversity is still seen primarily as a problem, not as an opportunity and a resource for firms. There are plenty of seminars and university courses on the subject, but the economic system does not seem to feel the need to invest significantly in diversity management. Symptomatically, the trainings provided for the prevention of occupational risks remain unsatisfactory as they do not fully take into account the linguistic and cultural diversity of immigrants. In Spain especially, it was observed that the practical content has been non-existent in many cases in the training offered to immigrants who go to work in the construction sector.

Another issue is how to combat racial discrimination in the workplace. The rules exist, and there are national offices for the fight against racial discrimination. But effective commitment in workplaces is scant. In fact, subordinate integration is still the main approach adopted to include immigrants in national's economy and society.

Some efforts from trade unions to organise and integrate migrant workers were observed though in all countries. In UK and Italy, trade unions have appointed migrant trade union officials. One specific project in Germany called 'fair mobility' is run by the Federation of German Trade Unions (DGB) and cofounded by the ESF and German government. Nationwide there are about six agencies in which multilingual counsellors advise migrant workers concerning rights and duties. In France, the Confédération du Travail (CGT) settled specific clinics at national, regional and local levels for undocumented workers.

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This may explain that in all the countries research, the linguistic diversity rarely form a specific and independent topic for trade union policies and for collective bargaining, apart when it comes to health and safety issues - language was raised in one agreement on stress at work in Axa company in France. It also rarely appeared that the language issue was mentioned in collective agreements dealing with management of diversity or discrimination.

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