

RAISE UP

Stop undeclared work in agriculture



GOOD PRACTICES
TO CONTRAST TO UNDECLARED WORK
IN AGRICULTURE
VADEMECUM

Investigation carried out by
METES FOUNDATION

As part of the RAISE UP project - grass Root Actions,
Innovative approaches and Stakeholders
Engagement to tackle Undeclared work Propensity
(VS / 2017/0320)



CONTENTS

Premise	6
1. The case analysed	8
2. Guidelines.....	8
3. The problems and solutions that work.....	9
3.1 Socio-economic analysis of the territory.....	10
3.2 Identification of a territorial referent in the community	12
3.3 Planning the activities.....	13
3.4 Stakeholder involvement	18
3.5 Monitoring and evaluation	20

Premise

Undeclared work in agriculture is not an exclusively Italian phenomenon, but is to be found in various European countries. It is only through transnational cooperation, the involvement of all the interested parties and the adoption of a holistic approach that we can think of finding a solution to the problem.

This is why trade unions, employers' organisations and institutions from Italy, Bulgaria, the Republic of North Macedonia, Romania and Serbia were able to work together and, in January 2018, thanks to funding from the European Commission, launched the RAISE UP project to engage in strategic discussions and develop effective policies and concrete measures that will contribute to combating undeclared work in agriculture. This project supports mutual learning on innovative policy measures and practices and their transfer into regional and national systems through cross-border cooperation.

In particular, through the planning and implementation phase of mutual learning, we hope to contribute to the drawing up of strategies based on concrete experiences and action plans for the future, enhancing the contribution of all the interested parties, in order to ensure powerful and efficient coordination above all among labour inspectorates, social partners and other key players, and to develop joint activities, including transnational cooperation, at an operational and political level, starting from the established practices to improve them or promote new ones.

The opportunity offered to all the parties directly involved in the fight against undeclared work and exploitation by the RAISE UP project, to compare directly with each other on the basis of concrete experiences, resulted in the opportunity for representatives of the Bulgarian and Macedonian trade unions to meet the Bulgarian and Macedonian workers employed in Italian agriculture and to suggest how to turn to the Italian union, introduced to them as a reliable and trustworthy interlocutor, contributing to their active participation within the organisation.

This is an experience that has added value to daily work, a fruit of the transnational dimension, contributing to the construction of the idea of unity in the fight against exploitation, promoting solidarity among workers, trade unions, local institutions and control bodies, beyond any differences relating to the country of origin or residence, thus raising the level of attention on the protection of workers' rights globally.

We have chosen to analyse the experiences of the privileged witnesses, selected through interviews carried out with a semi-structured questionnaire with open answers. The choice of this tool was based on the need to carry out a comparative analysis, but, at the same time, to respect and bring out the economic and social diversities at the structural level which justify and presuppose different strategic and operational approaches in concrete cases.

This methodology allowed the highlighting of two different characteristics of the phenomenon, connected to territorial, economic and productive peculiarities. Where, in fact, there are great harvesting campaigns, the use of labourers is concentrated in certain periods of the year, although following a constant regularisation of the work that leads to a repetition of the use of the same people year after year. On the contrary, in those areas where cultivation is possible throughout the year as a result of substantial investments and integration processes in the supply chain, the employment of labourers assumes stable characteristics and determines the conditions for permanent employment. These differences are evident in the choice of objectives, in the approach with the workers, in the priorities to deal with problems connected to placement, transport, housing, social integration and welfare services.

However, the analysis made it possible to reconstruct the work flow, identifying the individual phases for the planning, implementation and follow-up of the initiatives. For each of these phases, the interviewees described the main problems they face, also showing, through their concrete experience, the solutions that were found, illustrating their advantages and disadvantages. The needs and expectations of the participants, all they

should/wanted to know before undertaking this kind of activity, were summarised in ten short videos lasting a few minutes in which the interviewees describe their own experience and provide practical details. More detailed information is illustrated in the needs analysis document. In this handbook we have gathered together a collection of good practices, innovative solutions that have been concretely tested and produced results. Solutions that can be improved by mutual comparison in terms of repeatability or transferability to other contexts, or that can be the starting point for creating new forms of collaboration.

1. The case analysed

Altogether, we considered 10 case studies. As also explained in the methodological notes in the needs analysis document, we gathered the experience of 10 witnesses, all with long experience in the fight against undeclared work and exploitation in agriculture, who operate on a daily basis in areas in which agriculture is a strategic sector for the economy and employment; expresses the highest incidence of irregularities, according to a trend of constant growth; has registered, as a sector, a reduction in added value, demonstrating that undeclared work steals from everyone. In particular, the experiences in Italy in the territories of Foggia, Lecce, Trapani, Caserta, Latina, Saluzzo and Gioia Tauro were analysed, in addition to the good practices implemented in Bulgaria and the Republic of North Macedonia.

2. Guidelines

In the needs analysis we asked the interviewees what the main problems are that they face in order to concretely organise an effective campaign against undeclared work. Based on their experience, it was possible to reconstruct the work flow, identifying the individual phases for the planning, implementation and follow-up of the initiatives.

The outcome of this work is a checklist, an operational working document attached to this booklet, which allows users to follow the phases, in self-check mode, with the possibility of adapting them according to the characteristics the territorial context of reference.

For each of these phases, the interviewees then described the main problems they face, also showing, through their concrete experience, the solutions that were found, illustrating their advantages and disadvantages. The needs and expectations of the participants were illustrated in the needs analysis document. The results of the analysis allowed us to summarise all that the interviewees should/wanted to know before undertaking this kind of activity, in ten short videos lasting a few minutes, available for all those interested in e-learning.

Below we will see the problems and related solutions that the interviewees identified and concretely experimented with reference to each phase.

3. The problems and solutions that work

Most of the interviewees were faced with the following problems:



The selection of the sources concerns the analysis of the territory from a socio-economic point of view, a preliminary and indispensable activity in order to obtain information on the main crops; on the type of labour employed; on the locations of labour recruitment; on the most represented ethnic groups; on the existence of places of worship or for meeting. In particular, this last aspect is linked to the second problem represented by the interviewees, and refers to the difficulty in identifying a referent in the territorial community, who might assist in overcoming linguistic and cultural barriers, creating a sense of trust in the workers towards the organisation. Moreover, a careful analysis of the territory, also taking into account the fundamental elements of the contract of reference (rates of pay, working hours, classification) allows the identification of the expectations and needs of workers first, thus developing the capacity to respond to their requests in real time. Another aspect is the involvement of all the interested parties, both from the point of view of operations and dissemination. Raising awareness in the local community and public opinion about the importance of the holistic approach as a priority for integration in all its aspects (housing, school, regulatory and fiscal policies) is a fundamental aspect for creating the conditions for lasting integration founded on the principles of mutual respect and solidarity. Finally, for the interviewees it may be difficult to proactively involve the institutions and the forces of law and order.

3.1 Socio-economic analysis of the territory

Where can useful data to plan the initiative be found? What are the formal sources and which are the informal ones?

All the interviewees consider it essential to first proceed to the socio-economic analysis of the territory of reference in order to concentrate the initiative in the area most characterised by evident phenomena of serious conditions of exploitation, concentrations of immigrant workers, large harvest campaigns and the presence of improvised ghettos/camps.

It will be essential to know beforehand which are the major crops of the territory to understand which type of labour is employed and which is the contract of reference (rates of pay, working hours, classification); what are the meeting places for the recruitment of labour; to which ethnic groups do the immigrants who work in the territory belong, in order to identify cultural mediators, to find meeting places and places of worship. This step will be decisive in the choice of where and when to meet the workers: at work, at the end of the day or at dawn, before getting on the gangmaster’s minibus, or, instead, in community meeting places such as places of worship on holidays. This evaluation will also allow the identification of a reference for the workers in the area to establish a first contact.

Official spurces

Only a part of this information can be obtained by consulting official sources: data from the Chamber of Commerce, national welfare and social assistance institutes, institutions that monitor the functioning of the labour market. Often, in fact, these sources tend to underestimate the phenomenon of undeclared work. In some cases, in the absence of useful sources, it was helpful to commission a survey on working conditions in agriculture from a local research institute

Informal spurces

Interviewees consider it useful to turn to those who know that territory well, such as operators in the local union organisation, in line with a criterion of proximity to the workplace. Very often, associations and non-governmental organisations committed to controlling various aspects of the problem of exploitation, also possess useful data. The creation of relationships and the mutual exchange of information is a good practice which, enhancing the importance of the holistic approach, has allowed trade unions to build a unique pool of knowledge that contributes to enhancing and giving authority to

the work carried out. This is also useful in terms of involving stakeholders, in particular local government institutions and the forces of law and order, offering realistic and up-to-date data on the status of agricultural work, thus also contributing to the start of the institutional dialogue

3.2 Identification of a territorial referent in the community

How do I get workers to trust me?

Language and cultural barriers can often be an obstacle and source of mistrust in the approach to workers. For this reason, most of the interviewees state that it is essential, especially in the first approach, to have a territorial referent in the community who can present the trade union organisation as a valid and reliable interlocutor with the workers.

The cultural mediator

Sometimes it might be one of the workers, sometimes someone from the same country, or a cultural mediator. In any case, someone who speaks the language of the workers and knows their customs and lifestyles.

The interviewees would consider as very useful the establishment of a network of cultural mediators, specialised for different languages and cultures, located in the territories and available on an ongoing basis to be involved in the various campaigns to combat illegal work and exploitation.

The gadgets

In order to approach the workers and create a feeling of trust in a short time, the interviewees feel it is useful to have some gadgets to distribute to the workers (straw hat, water bottles, bicycle lights, reflectors, gloves, shoes and socks against the cold and rain, waterproofs). The choice of which gadgets to use must be functional to the activity to be carried out in the field and to achieve the objective of the campaign. The costs to be budgeted will essentially be those related to the movement of operators in the territory, the tools to be used, the material to be distributed and the information to be produced, translated and printed. In the interviewees' experience, gadgets are an important tool to quickly transmit key information related to the employment relationship. The trade union contact details can also be transmitted via the gadgets, for example by having them printed on the labels of water bottles, hats or reflectors.

3.3 Planning the activities

How long does it take to organise the initiative? What human resources are involved? Where is it intended to approach workers? What activities will be carried out? What tools and materials are needed? What is the budget?

The planning of activities is the result of choices that take into account the objective to be achieved and the needs, expectations and requirements of the workers, without ever constituting a risk for their safety in the workplace. It is worth remembering that the goal is to get in touch and establish a relationship with the workers, assessing their needs to offer them answers, but also obtaining useful information by analysing their living and working conditions. The workers met should be offered, as far as possible, immediate answers based on their concrete needs, without taking anything for granted, using simple and immediately understandable language. Among the information that can be gained back, instead, attention has to be paid to housing conditions (ghettos); the possession of documents (resident's permit, removal of identity documents); the need to provide Italian courses to foster integration and useful for the

acquisition of Italian language certification; the methods of recruitment and the conditions of engagement (gangmastering); the means of transport used to travel to the workplace.

Human resources

For the interviewees it is necessary to consider the commitment of at least two people for at least a month for the planning phase of the campaign and at least one person for the two-three months following the end of the campaign, since it is fundamental to guarantee continuity to the campaigns. In some cases, especially where the agriculture involves protected cultivation, the need is to guarantee a presence and support to the workers not so much and not only with reference to a single harvesting campaign, but throughout the whole year.

In this case, the approach is completely different because the needs and expectations of the workers involved change as well, since they are mostly settled and now rooted in the social fabric of the territory.

In order to carry out an effective intervention, according to the interviewees, in these cases, it is necessary to select the work group in order to have the capacity to respond to all workers' requests, possibly also involving professionals from outside the organisation. According to the experiences gained, the ideal composition of the group is as follows: an expert in the field of services able to give general answers on unemployment benefits and other forms of income integration and support, on the requirements for the recognition of illness, accidents and disability; an immigration expert able to provide answers relating to resident's permits; a contract expert who can provide answers about rates of pay and working conditions. In many cases, as mentioned above, the presence of a cultural mediator is foreseen. In others, that of an employment lawyer who also deals with social security matters.

Unfortunately, the prevailing opinion is that the scarcity of human and economic resources is one of the greatest threats to the sustainability of projects

The time

Time is an important variable to keep in mind, for planning, implementation and follow-up.

In particular, it is the most important element of risk with respect to which prevention and management measures have to be adopted in order for the campaign to succeed. In fact, the time available to approach workers in workplaces or recruitment locations is low (5-10 minutes maximum). The tools to manage this according to the interviewees are: having a clear and shared strategy before starting; having an adequate number of human resources to blanket the territory as quickly as possible.

In some cases, during the planning phase, reconnaissance and surveys of the territory were carried out using technologies (Google Maps bookmarks) capable of geolocating the areas in which to intervene subsequently. This type of preliminary analysis is useful, on the basis of the experiences gained, to circumscribe the area of intervention in which to concentrate the resources available and assess the needs, requirements and expectations of the workers in order to intervene with immediate and effective responses to their needs.

The lack of time, according to the interviewees, also leads to a further need: that of providing just-in-time answers, without taking anything for granted, using simple and immediately understandable language without being influenced by the customs and lifestyles of our own cultural models.

The meeting places with the workers

Workers can be approached at work; at the end of the working day; in recruitment locations; in places of worship on holidays; in community meeting places. The choice of intervention modalities is the result of an analysis of the living conditions of the workers in that territorial context and, in particular: of the evaluation of the housing conditions (possible presence of ghettos); the recruitment methods and the conditions of engagement (possible presence of gangmasters); of how they go to work.

Action in the camps and recruitment locations

On the basis of the experiences gained, when the campaign takes place at the time of recruiting labour (square, bar, reception camp, etc.) or in the workplace, the activity is purely informative: brief multilingual explanatory flyers are therefore delivered which contain basic information on the types of contracts, on individual and collective protection, and organisation contacts so that the worker knows who to contact and where. Considering the limited time available, the interviewees consider it essential to have formed a group of people which is as numerous as possible in order to effectively blanket the territory and be easily identified as belonging to the union (with t-shirts, caps, jackets, etc.). The time will be best used to get in touch with as many people as possible, to acquire as much information as possible about their living conditions (origin, length of stay, accommodation, family) and work (hours, pay, contract, safety), and at the same time explain who we are, what the union is, where they can go for more information and protection, how they can be helped. During the meetings with the workers it will be useful to take photos and shoot short films, in order to collect material for subsequent trade union actions and for the dissemination of the initiative through social media. Care must be taken that workers are informed in advance and that they give their consent,

even verbal, to avoid possible adverse reactions to violations of their privacy or, worse still, legal complaints.

We will leave before the arrival of employers who, if suspicious, might not appear, making workers lose that day's work and putting others at risk. It is advisable, however, to return to the same place several times, to consolidate knowledge, and the relationship and trust with the workers. Back in the office, we will discuss the information gathered and a report will be drawn up on the most useful and representative data collected during the day.

Action at the end of the working day and in reception centres

Instead, in the case of activities that take place at the end of working hours, a longer period of time is available, in which information can also be provided regarding pay slips, resident's permits, sickness and disability, agricultural unemployment benefits and other forms of income support.

This type of activity is carried out, on the basis of the experiences gained, in reception centres above all, in which, according to a pre-established calendar, provisions are made to provide legal, tax and social security assistance services.

These villages, in the experience of the interviewees, can help solve problems with reception and housing by providing, in addition to lodgings, free services related to food, hygiene, medical care and transport, thus eliminating the notion of the intermediation of the gangmasters. However, according to the interviewees, it is necessary to keep an eye on reception centres in order to ensure decent living conditions and prevent them from becoming themselves places of illegal recruitment of the workforce. Furthermore, it is widely felt that these villages, in which access is allowed only to immigrant workers holding a regular resident's permit, exclude, also because of

their limited capacities for reception, most of the workers who suffer from conditions of labour exploitation and degrading living conditions.

In other cases, mobile workstations are set up (with a simple tablet or equipped campers).

3.4 Stakeholder involvement

How can I start a dialogue with the institutions? How can I involve the supervisory and control bodies? How to sensitise the local community?

The interviewees believe it is essential to involve the key players in a synergistic coordination, in particular, the control bodies (labour inspectorates, local government representatives,) and the institutions.

In most experiences this involvement is formalised through the establishment of a permanent committee.

The permanent committee

According to the interviewees, this is a place of bland dialogue that does not translate into effective collaboration. Instead, according to the interviewees, it is useful to provide the data and information collected regarding working conditions in the territory and to request new controls and interventions in the companies and farms that have already been reported to counteract inaction and an attitude of wait-and-see.

Only in some cases has the involvement of institutions led to innovative forms of collaboration, such as, for example, forms of experimentation in meeting labour demand and supply, thanks to synergies between institutional subjects. Finally, in other cases, the involvement of the stakeholders allowed the foundations to be laid for the

institutional dialogue by starting legislative review procedures or the production of new regulations.

Communication

According to the interviewees, it is also important to involve the entire community of reference through effective communication: the problem of undeclared work is not just a matter of labour law, but is a social scourge, even if the general low level of awareness suggests a lack of sensitivity to the problem in local communities. In any case, the choice of communication channels has to be functional: if the target audience does not use the traditional media, it is pointless to use them.

The choice of communication strategies varies according to the territorial context: most of the interviewees state they use a full-blown communication plan (press releases, social networks), involving the press offices and contacting the local or national press to participate directly in the campaigns; in other cases, the interviewees prefer not to involve the press so as not to generate false expectations of an immediate change in their living conditions among workers and to not run the risk of speculation in the press about the conditions of exploitation of workers.

In any case, it is a generally held opinion that it is useful to involve the media by communicating the results of the activity of the street union to them: places, numbers, people, working conditions, reports of exploitation. It is also possible to organise a conference in the presence of the institutions, politicians and civil society, to solicit interventions and solutions.

In any case it will be useful to provide the institutions involved at the outset with a detailed report describing the situations encountered and summarising the data and information collected, even if only for information purposes.

3.5 Monitoring and evaluation

How to set the goal of a campaign? On what basis do you evaluate if the campaign went well?

It is essential for all interviewees to evaluate the outcome of a campaign both in terms of quantity and quality. In many cases, meetings are held during the course of the campaign to assess progress and take corrective action.

To evaluate the outcome of the initiative it is necessary to establish from the beginning the objective of the campaign and the qualitative and quantitative indicators that might measure its impact and effectiveness.

For example, in the interviewees' experience, a campaign may aim to inform about the existence of the territorial organisation; promote knowledge of workers' rights; establish a contact relationship.

Indicators useful for monitoring the intervention might be: the number of workers who after the first contact turned to the union; the number of workers who sign up; the number of reports of cases of exploitation; the number of mentions and articles in the press. In some cases a database was established and data collection formats adopted which are constantly updated. Most interviewees link the success of a campaign to the growth in the number of members and the impact this can have on the contract renewal phase in the sense of acquiring greater negotiating power.

Evaluation questions might be: was the time chosen right? Was the chosen location suitable? Did I meet a decent number of workers? Did I gain their interest and trust? In the following days, did any of these go to the territorial union headquarters to investigate the acquired information or report a negation of their rights? Did I collect data, information, images and useful testimonies to build a complete report of the

situation to submit to the competent institutions and solicit their intervention? Did I receive positive feedback to posts on social media to publicise the initiative? Was I contacted by journalists wanting to learn more about the phenomenon? Did I receive requests from the territory (workers, delegates, local trade union leaders) for the replication of the initiative?

The interviewees believe that it would also be useful to monitor labour flows in the various geographical areas according to the harvesting phases (geo-referencing workers).

Finally, the majority of the interviewees expressed the need for a place in which to exchange their experiences also in order to ensure greater coordination. The interviewees, in fact, are aware that not all initiatives are replicable or immediately transferable, but they know that comparison is an essential moment to understand what to do and what not to do. According to the interviewees, study visits to the places of origin of the workers are important in order to understand people's lifestyles, meet the local unions and learn about the different ways of organising work.