

Mobile workers in the construction sector:
Outreach counselling, data collection, and self-organisation
Germany

GENERAL INFORMATION	
Name of the organisation	PECO-Institut e.V.
Type of organisation	Civil Society Organisation (NGO)
Address	Luisenstr. 38, 10117 Berlin, Germany
Web page	www.peco-ev.de/
Contact person	Alexandru Firus Project manager E-mail: Alexandru.firus@peco-ev.de
Member State	Germany
GOOD PRACTICE - GENERAL INFORMATION	
Title of the good practice	Mobile workers in the construction sector: outreach counselling, data collection, and self-organisation
Topic of the good practice	Construction
Geographical focus	<ul style="list-style-type: none"> ► Regional (Frankfurt am Main), for data collection and outreach work; ► Nation-wide and cross-country, for cooperation with the self-organised group, 'Seven Star Crane Operators' (<i>Macaragii</i>*****).
Duration	October 2020 – December 2022 (outreach and data collection); July 2021 – December 2023 (partnership and cooperation with the group 'Seven Star Crane Operators').
Summary of the good practice	The European Migrant Workers' Union (EMWU) and the PECO-Institute, with technical support from the labour union IG BAU, implemented an innovative project in late 2020 designed to reach out directly to and collect data on mobile construction workers to gain a clear understanding and overview of the dynamics within this sector, in

	<p>particular focusing on their lives and working conditions. Contact with workers was direct and personal and took place in pre-selected workers' lodgings.</p> <p>In addition, in 2021, while carrying out this research work, the PECO-Institute met members of an online Facebook community of Romanian crane operators called 'Seven Star Crane Operators'. The group was established in 2017 to provide an exchange platform dedicated solely to certified crane operators, independent of employers and other intermediaries. It serves as a channel for the selection of reliable job offers through group verification and allows socialisation in a climate of trust.</p>
OBJECTIVES AND ACTIVITIES	
Background/context	<ul style="list-style-type: none"> ▶ Illegal work practices are endemic in the sector and hinder a clear overview of the dynamics within it, particularly the lives and working conditions of mobile construction workers. For instance, while there are inspections concerning financial fraud, such as the detection and recovery of unpaid taxes and social insurance to the government, there is no state organisation through which exploited workers can reclaim their financial losses resulting from their occupational activity. Therefore, workers trying to recover unpaid wages need to hire their own lawyers, a cost that can be prohibitive; ▶ The EMWU has gained considerable experience over 20 years in the counselling of mobile workers on questions of labour law and is an active part of the wider Fair Mobility Network in Germany.¹ PECO-Institute e.V draws on a similarly long history in researching labour mobility; ▶ The German construction sector is also characterised by pronounced fragmentation due to the high number of companies and building sites, as well as widespread

¹ Fair Mobility is an advisory network of the German Trade Union Confederation with 13 locations nationwide. They inform, advise, and support employees from Central and Eastern Europe, in their languages of origin, about their rights on the German labour market. For more information see, <https://www.faire-mobilitaet.de>

	<p>subcontracting activities concerning both posting and local companies;</p> <ul style="list-style-type: none"> ▶ Within this context, mobile workers are invariably difficult to contact. Long-term expertise and observations have shown, however, that workers' accommodation tends to be an accessible and effective route for reaching out to and engaging workers in a mutual exchange and in-depth communication. The project focused on gathering information from posted and non-posted mobile workers in a regional context, focused on the urban agglomeration around Frankfurt am Main; ▶ Through the project's contact with the group 'Seven Star Crane Operators', a wealth of information came to light on various deficits related to mobile crane operators' work on German construction sites, as well as comparisons of working conditions across the EU. Issues included occupational health and safety, undeclared work, large-scale fraud with holiday allowance, legal wages, language difficulties, poor housing conditions, etc. A two-way partnership and cooperation were thus established between the PECO-Institute and 'Seven Star Crane Operators'.
<p>Objectives</p>	<p>General objectives</p> <ul style="list-style-type: none"> ▶ To gather information on the conditions of mobile workers in the construction sector. ▶ To provide information and counselling in labour and union law as well as aspects of social law to mobile workers. <p>Specific objectives</p> <ul style="list-style-type: none"> ▶ To use the data and on-site observations collected for the creation of up-to-date informational campaigns and events; ▶ To build bridges and foster communication between mobile workers and local institutions including, for

	<p>example, unions, counselling activity networks, and other parts of civic society such as academics;</p> <ul style="list-style-type: none"> ▶ To allow professional researchers and journalists access to the empirical findings gleaned from the project and to use the data in press-relations and political lobbying work; ▶ To cultivate the connections established with individual workers and workers' groups contacted and address concerns they raised concerning Germany and other parts of Europe through exchanging knowledge, creating space for further debate (online events), and fostering empowerment.
<p>Main activities</p>	<ul style="list-style-type: none"> ▶ Contact with the workers was initially established through contacts of the EMWU. The main project researcher was a native Romanian speaker, facilitating easier communication with the workers; ▶ Over 1 500 hours were spent among several hundred mobile workers in three large accommodation centres and several smaller ones, gathering data through individual and group discussions and interviews on their lives and working conditions in the area of Frankfurt am Main; ▶ With consent, over 1 000 individual work and social security documents were analysed and handled; ▶ Consistent cooperation and feedback to partners and institutions involved in the project took place; ▶ Labour or social law cases identified during the outreach work were passed on or handled together with Fair Mobility, the EMWU, the labour union BAU, and where needed, SOKA BAU²; ▶ Information campaigns were implemented using printed flyers, QR codes, and also online material.

² The Holiday and Social Fund of the Construction Industry was created via a collective agreement between the labour union IG BAU and the two main employers' associations in Germany and is currently managed by them.

<p>Did you previously provide information about this particular good practice under the European Platform tackling undeclared work?</p> <p>(if yes, is it possible to provide the year and the title of good practice or a link of the good practice in ELA Virtual library)</p>	<p>No</p>
<p>Funding/organisational resources</p>	<p>The project was funded by the Ministry for Social Affairs and Integration in the State of Hesse, Germany, and by the PECO-Institute.</p>
<p>PARTICIPATION</p>	
<p>Stakeholders involved</p>	<ul style="list-style-type: none"> ▶ European Migrant Workers' Union (EMWU); ▶ German Labour Union IG BAU; ▶ Fair Mobility Network; ▶ SOKA BAU; ▶ Seven Star Crane Operators (mobile workers self-organisation online group); ▶ Ministry for Social Affairs and Integration in the state of Hesse.
<p>Target groups</p>	<p>Mobile construction workers, both posted to Germany and employed by German construction companies (mostly subcontractors).</p>
<p>Final beneficiaries</p>	<p>Mobile workers in the construction sector</p>
<p>GOOD PRACTICE CRITERIA</p>	
<p>Achievements/ Results and outcomes (Alignment of good practice with the priorities of the Call (if not applicable, alignment with the field of EU labour mobility)</p>	<ul style="list-style-type: none"> ▶ A carefully documented inquiry took place into the massive transition of mobile construction workers from posting companies to local subcontractors in the

	<p>researched region (as part of a phenomenon known as regime shopping³);</p> <ul style="list-style-type: none"> ▶ Comprehensive data was collected from 150 workers on 40 posting and local medium-sized and large subcontractors, including data on working conditions, company structure, and affiliation to criminal networks and a short internal report on the research conducted was produced (in German);⁴ ▶ 247 labour law-related cases were investigated, and 124 social law related interventions were made e.g. support was provided to workers on issues pertaining to social and health insurance, health emergencies, and communication with relevant authorities was facilitated; ▶ Three problem-centred information campaigns were carried out in 2022 as part of the project in the accommodation and on construction sites in the states of Hesse and Bavaria on the topics of occupational health and safety, holiday allowance, and undeclared work (500-700 workers were reached); ▶ The project was involved in the first ever in-depth research of widespread practices of fraud with holiday allowances and the subsequent establishment of cooperation with the Social and Holiday Fund of the German Construction Sector (SOKA BAU); ▶ As a result of the cooperation with the self-organised group of Romanian crane operators, ‘Seven Star Crane Operators’, the following outputs have resulted: <ul style="list-style-type: none"> ▷ Three live-streamed debates between experts and workers were organised on Facebook (with more than 1 000 views for each event) on issues relating to crane operators in Germany;
--	---

³ Regime shopping is the selection of a country for inward investment by a multinational enterprise on the basis of the framework of employment law and industrial relations. This definition can be found at Oxford University Press’ *Oxford Reference*, at <https://www.oxfordreference.com/display/10.1093/oi/authority.20110803100411838#:~:text=Is%20the%20selection%20of%20a,employment%20law%20and%20industrial%20relations>.

⁴ Source: Internal report (2022) on the organisation’s outreach activities with workers in Frankfurt.

	<ul style="list-style-type: none"> ▷ Several meetings between the group ‘Seven Star Crane Operators’ and leaders of IG BAU were organised to discuss improved occupational safety and work technology, online language classes, and employment with general contractors; ▷ Testimony-based comparisons were gathered on working conditions under posting companies, local subcontractors, and general contractors; ▷ An online-petition for better wages and occupational safety, elimination of fraud, and improved work-life balance was launched in June 2023 as a joint initiative of the group ‘Seven Star Crane Operators’, the PECO-Institute, and IG BAU. The petition is still active and has so far gathered over 450 signatures online and a further 100 paper signatures;⁵ ▷ Joint planning of a job specific online seminar on the topic of slingers⁶ was scheduled for autumn 2023, with experts from the Institution for Statutory Accident Insurance and Prevention (BG BAU); ▷ Organisation of a once-off 12-month long ‘Sunday German class’ for 10 Romanian construction workers was organised between August 2021 and August 2022; ▷ The project resulted in 12 contributions to national press articles (one proposed for a national media award) and advisory for three university research projects.
<p>Recognition (has this good practice been recognised on regional, national or EU level)</p>	<p>The practice was acknowledged as a good practice in Frankfurt am Main by the ruling Social Democratic Party of Germany (<i>Sozialdemokratische Partei Deutschlands</i>, SPD) who included it in its political programme in May 2023.</p>

⁵ The petition is translated into Polish, Romanian, Serbo-Croatian and German. For example, see <https://www.umfrageonline.com/c/7mvwumij> (addressed to employers union, politicians, labour ministry, others workers’ solidarity among workers and empowerment etc.).

⁶ Slingers - workers responsible for attaching and detaching the load to and from the lifting equipment, especially cranes.

	<p>The work of the practice was highlighted in the TAZ (<i>Die Tageszeitung</i>) newspaper, a popular daily newspaper in Germany, in an article on illegal workers in Germany. It was nominated in 2023 at the German awards for alternative journalism as well as for the grand prize at the German press awards in the category ‘Education and Work’.⁷</p>
<p>Cost effectiveness (the degree to which the practice was successful in reaching objectives and producing clear and measurable outcomes at the lowest possible cost)</p>	<p>The financial requirements of the outreach activity were very low with one part-time employee tasked to perform it. Cooperation with the ‘Seven Star Crane Operators’ has mostly taken place online.</p>
<p>Transferability (how the experience from this practice could be transferred to other contexts i.e. what would another Member State/group/sector need to have or put in place for this measure to be successful in their country/group/sector)</p>	<p>Shifting the focus from construction sites to workers’ accommodation for the collection of data and outreach activities is replicable in other countries and in different sectors. It can also facilitate the identification of, and cooperation with, self-organised groups across sectors and in other Member States, providing useful industry-related information in various professions/sectors, and facilitate their participation in civil participation processes.</p>
<p>Sustainability (how the practice is sustainable from a social, financial or environmental perspective)</p>	<p>In the context of a very fragmented sector, reaching out to workers in their lodgings is an efficient and sustainable way of obtaining relevant data on a large number of workers, as well as providing them with relevant information. In doing so, the practice also contributes to the sustainability of rights among workers. Financial sustainability is seen also in the way in which the group, ‘Seven Star Crane Operators’, organises its activities online, mostly through Facebook.</p>
<p>Innovativeness (innovative features of the good practice)</p>	<p>The approach found a less restrictive and more accessible way of engaging with mobile workers - meeting in their immediate living environment (workers’ accommodation) rather than on construction sites or offices. By so doing, it was possible to gain more insight into the dynamics surrounding the lives of mobile construction workers, get to know individual workers and workers’ groups, build</p>

⁷ Reportage aus dem Rhein-Main. Ganz unten im System (Report from the Rhine-Main: At the very bottom of the system). See <https://taz.de/Reportage-aus-dem-Rhein-Main-Gebiet/!5897238/> (German).

	<p>trust, create networks, and engage workers in different activities.</p> <p>In regard to cooperation with the group ‘Seven Star Crane Operators’, most of the innovative aspects originate from the group itself and how it organises and moderates itself online, applying a code of conduct to an online-environment and fostering community building, creating a strong sense of identity and empowerment.</p>
<p>Digitalisation (Design, development and/or utilisation of digital tools, policies or plans for digitalisation, business processes and data digitalisation, data sharing digital initiatives, the use of digitalisation to facilitate the access to data in real time and detection of fraud and error, etc.)</p>	<p>Many of the documents collected during the outreach work were digitalised with a scanning app. QR codes were used during the information campaigns as a quick and efficient means of providing workers with information. Cooperation with the group ‘Seven Star Crane Operators’ took place mostly in an online environment (Facebook) and the group’s activities and events took place almost exclusively online.</p>