MIGRANT PRECARITY IN THE GREEK LABOUR MARKET; THE LEGAL STATUS OF MIGRANTS AS A KEY FACTOR

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Abstract

Five years after the start of mass migrant arrivals in Greece, the issue of their documentation and regularization remains largely unresolved, keeping migrants in a state of insecurity, continuous threat of expulsion, and widespread exploitation.

The various irregular/illegal conditions in which migrants find themselves in the contemporary Greece, reflect a roll-down of migrants to a state of extended precariousness and insecurity. Those migrants who came earlier have obtained legal status, show a comparatively higher occupational mobility, have obtained higher incomes and expanded social networks, and thus appear to be less precarious and more resilient to the local labour market fluctuations and the implications of crisis. At the other hand, migrants experiencing higher insecurity and desperation show higher adjustment in the environment of crisis offering higher work flexibility; they accept uninsured employment, lower payments, and poorer working environments. The struggle for survival is accompanied by more precarious working and living conditions.

The duration of stay, the status of legality, the degree of knowledge of the Greek language, their social profile, and the ‘networking’ with migrant societies can be some of the factors that affect the precariousness of migrant labour in Greece. Migrants with legal status of stay in Greece and positive network interactions are expected to live in less precarious working conditions. Relevant information can be gathered through interviews with local migrants of different profiles, through bibliographic research, through questionnaires with public officials and statistical analysis.

Keywords: precarity, migrants, labour market

1. INTRODUCTION

1.1 Precarity vs precariousness, precarization and vulnerability

Precarity is a concept used to describe the rise of casual, flexible, sub-contracted, temporary, contingent and part-time work in a neoliberal economy, which can help explain labour market processes that are conducive to the production of forced labour. Precariousness is also understood as a condition or experience of (ontological) insecurity and as a platform to mobilise against insecurity. Distinguished from other similar terms such as vulnerability in the way in which it has become a symbol of struggle and action for insecure workers,
precarity evokes the central role of forced labourers in resisting exploitation. Processes of precariousness start in the labour markets due to ongoing economic, social, political, and even cultural transformations of capitalism. Precarization is not, though, limited to the labour market but can penetrate entire lifeworlds of individuals and groups of people (D. della Porta, et al. eds., The New Social Division. The notion of ‘precariat’ emerged as an attempt to organize the various components of precarious work and precarious statuses (Standing, 2011).

Studying precarious work is essential not only for dealing with work-related issues (for example, job insecurity, economic deprivation, inequality) but also for addressing non-work-related aspects of social life (for example, family organization, individual welfare, community relations).

The notions of precarity and precarization have a complex connection (Cincolani, 1986; Barbier, 2005). The term “precarity” refers to any type of insecure, volatile, or vulnerable human situations that are socioeconomically linked to the labour-market dynamics. Not only temporary, fixed-term work or unemployment, but also atypical, flexible, cognitive work has been defined as representing precarity. (Neilson and Rossiter, 2008). As a political concept, precarity signifies a new phase of capitalism.

1.2 Migrant precarity

The notion of precarity is at the intersection of labour relations and citizenship, widely used in migration studies in recent years (Schriepel et al., 2014). Migrants make up, according to Standing (2011), a significant proportion of the world’s precariat. The migrants’ (legal, semi-legal, or illegal) status and employment are some key factors to migrant precarity. Nationality and gender are differentiated by sector and form of employment. Undocumented migrants, a non-insured working population, are usually employed in the informal economy in sectors like tourism, construction, street vending, agriculture, domestic services,

2. BACKGROUND

Greece has transformed into a host country very recently. In the early 1990s neighbouring Albanians dominated the migrants’ waves, and in mid-1990s other ethnicities were involved, such as Pakistanis, former Soviets, Indians etc. In the past decade, Greece has experienced a change in the sending countries. More and more undocumented migration towards Greece has come from Afghanistan, Iraq, Syria, Bangladesh, Pakistan.

Due to increased demand for migrant labour independent of trade unions and labour legislation, migrants provided labour for unstable, marginal, underpaid, exploitative jobs in sectors like agriculture, domestic and construction services. Nearly half of the estimated migrant population remains undocumented. The residence status of migrants is a determining factor of their living and working conditions in the country. Their state of precariousness is highly dependant on that status, along with their employment, income and integration.

In the past five years, Greece has grown to be the main gate for unauthorised entry into the EU for migrants from Africa and Asia. The construction of a fence alongside the eastern borders of EU, the implementation of Dublin III Regulation and the EU-Turkey agreement
involving the hot-spots in Greek islands, have turned the country into the ”storehouse” of irregular migration to Europe. Migrants experiencing higher insecurity and desperation show higher adjustment in the environment of crisis offering higher work flexibility; they accept uninsured employment, lower payments and poorer working environments. The struggle for survival is accompanied by more precarious working and living conditions (Rodriguez- Planas and Nollenberger, 2014)

For the past ten years Greece has been an important first country of arrival in Europe for irregular migrants and asylum seekers that are heading west and north. The combination of systematic detention of asylum seekers and irregular migrants, the systematic checks on the streets and other public places and the economic crisis have jointly led to many irregular migrants abandoning Greece (participating in voluntary/forced return programmes, or moving further north and west via Italy with the help of smuggling networks, or crossing north through the Balkan, cheaper routes of irregular migration and asylum seeking).

In this difficult landscape, Greece has been facing two important migration crises. On one hand a crisis of irregular migration and asylum seeking as Greece remains a main point of arrival and entry into the EU of migrants and asylum seekers from Asia and Africa. On the other hand, Greece is yet to face its internal migration crisis, notably the rampant unemployment among migrant workers who are settled in the country, and their resulting de-legalisation (because of their inability to renew their stay permits).

Data on effective inflows and outflows of immigrants in Greece are based on the issuing and renewal (or not) of stay permits but are not accurate as hardly any immigrants enter Greece through the legal channel. However, data on stay permits do give an indication of the actual trend in terms of inflows and outflows and also in terms of the possible de-legalisation of migrants who previously had a legal status.

Greece has been characterised by relatively high irregular migrant population stocks and flows during the past 25 years. The evolution of presumed inflows of irregular migrants (as registered through apprehensions at border areas) has gone through ups and downs at the different border areas.

Although the EU has taken steps since 1999 to harmonize both the conditions for entry of third country nationals who enter an EU member state in order to work and the rights to which they are entitled to when working within the EU, Member States have been reluctant to abandon their control over immigration (Herzfeld Olsson, 2012).

The emerging legal framework at the EU level would create various tiers of migrant workers with different rights, which

2.1 Composition and Features of the Immigrant Population

About 60 % of Greece’s foreign population comes from Albania while the second largest group is Bulgarian citizens, but their percentage in the total migrant population is considerably smaller. Georgians and Romanians are the third and fourth largest communities. 45% of the men hold permits of 10-year or indefinite duration, which are included in the ‘other category’, followed by permits for family reunification (31%) and stay permits for employment purposes (23%) while the vast majority of women hold family reunification permits (65%) followed by 10-year or indefinite duration permits (23%) and employment permits (11%). Student permits are considerably low in number (National Composition of the


In summary, it comes as no surprise that the Greek economy is shrinking and that unemployment has been quickly rising, both for natives and for third country nationals. The employment prospects for both men and women from non EU countries are rather bleak as they are doubly hit by the crisis. Men suffer because of the crisis in the construction sector, in public works and in transport which has left them out of work. Women start suffering too, however, as the crisis is hitting now also middle class Greek families who have cut off on cleaning and caring services usually provided by foreign women.

It is worth noting that lately attacks on workers of Pakistani origin who protested against the Greek employers for compensation or arrears accrued, have increased (Youssef 2013). The economic recession of the last three years has affected particularly the development of the rural sector, where mostly immigrants are employed, leading to a radically increased racist violence and economic and social exploitation. Payments are scarce and when employees react by requesting their salaries, they end up at the hospital or in the best scenario they get replaced by 28 other compatriots. Among many other similar situations, the case of Nea Manolada in the Peloponnese is the most striking; it saw the light of publicity recently and confirms the incidents of racist violence and labour exploitation, where about 5,500 workers-out of which a large number of Pakistani immigrants- work in farms of the area (Ethnos, 20 April 2013).

Racist and xenophobic incidents including episodes of racist violence have sharply increased in Greece in the past few years. Third country nationals, including asylum seekers, refugees and irregular migrants are increasingly attacked, by mainly members of right-wing groups.

2.2 Literature review

Guy Standing has been one of the most prolific and visible contributors to these debates. He is perhaps best-known for his analysis of the “precariat”, which he develops over the course of three books: Work After Globalization: Building Occupational Citizenship (2009), The Precariat: The New Dangerous Class (2011), and A Precariat Charter: From Denizens to Citizens (2014). In The Precariat, he defines the precariat as consisting of those who lack seven different forms of security – labour market security, employment security, job security, work security, skill reproduction security, income security and representation security (Precarious Lives Research (DOI: 10.14197/atr.20121554), Asylum, Immigration Restrictions and Exploitation: Hyper precarity as a lens for understanding and tackling forced labour. Hannah Lewis and Louise Waite).

Three principle groups are included at different stages of the asylum system: asylum seekers (people who have made a claim for asylum and are awaiting a decision), refused asylum seekers (whose claim for asylum has been refused) and refugees/ beneficiaries of international protection (referring to people who have received leave to remain after claiming asylum). As these three groups do not reflect the complexity of migrant journeys at the intersection of forced migration and forced labour in Greece, three different groups are revealed through bibliography: asylums seekers at entry, irregular migrants and trafficked migrants.
2.2.1 Theoretical implications

The combination of precarious work and compromised immigration status creates an environment that favours unscrupulous employers and allows workplace abuses to flourish. An ongoing precarity track has been generated for refugees who continue to be at risk of entering severely exploitative work. Alternatively, for irregular migrants and trafficked persons, the asylum system potentially can offer, at least initially, a form of protection and way out of forced labour. However, this possibility for protection needs to be mediated by recognition that asylum support may only constitute a respite from the necessity to engage in severely exploitative work if an individual’s claim is refused and they are left destitute.

3. ANALYSIS

Precariousness is associated with particular sectors and types of work. Research has shown that the media and cultural work are sectors where temporary contracts and sub-contracted work are highly present (Rosalind and Pratt, 2008; Hesmondhalgh, 2009; Ross, 2009). There are also long-term perceptions of high levels of precarious work within sectors like construction (bogus self-employment), agriculture and hospitality (seasonal work) and food processing (fixed-term work). These sectors are often dominated by multinational companies and large companies whose ultimate priority is to their shareholders.

The literature presents specific groups as more likely to be working in precarious conditions. The most frequently mentioned are young workers (Bradley and van Hoof, 2005; Kretsos, 2010; Pizzuti, 2009), women workers (Fudge and Owens, 2006; Jonsson and Nyberg, 2010; Scarponi, 2010; Sheen, 2010), agency workers (Elcioglu, 2010), older workers (D’Amours, 2010) and migrants (Bhalla and McCormick, 2009; Porthé et al., 2009). Thus the 2011-12 work programme of the European Sector Social Dialogue Committee on Temporary Agency focuses on women, migrants, low skilled and older people ‘as representing those who, in the temporary agency work sector, might be in a precarious situation’. The ‘most precarious’ category is undocumented migrants. Third country female migrants are also identified as in the same category.

Precarious work has been particularly associated with female employment and women remain over-represented among precarious workers, as the 2010 report to the European Parliament on Precarious women workers demonstrates (European Parliament, 2010).

A study by Oxfam International and the European Women’s Lobby (2011) documents evidence of precarious working conditions for women; of increasing discrimination in the labour market with a subsequent shift to informal work; of rising levels of poverty; of reduced access to services; and of rising levels of domestic violence, accompanied by cuts in vital support services. The economic crisis appears to be having a significant negative effect on the lives of women, not only in relation to the labour market, but also, crucially, beyond it.

Undocumented migrants tend to be perceived as most likely to be involved in precarious work (Bhalla and McCormick, 2009). Porthé et al. (2009) in their study of undocumented workers in four Spanish towns found that undocumented migrants perceived their work as including ‘high job instability; disempowerment due to lack of legal protection; high vulnerability exacerbated by their legal and immigrant status; perceived insufficient wages and lower wages than co-workers; limited social benefits and difficulty in exercising their rights; and finally, long hours and fast-paced work’.
Dorantes and Rica (2007) found differences in the employment assimilation of various immigrant groups with an occupational attainment gap between other non-EU15, African and Latino immigrants and their native counterparts, providing evidence of discrimination on the grounds of ethnic origin.

A migration history was the most common characteristic identified as associated with precarious work. Whether or not a migrant is precarious, is dependent on a variety of factors. Migrant workers can be in more stable situations, for example, where they are employed under work permits which provide specific legal guarantees. A migrant could be considered in a situation of precariousness when she/he was unable to return to country of origin. Otherwise the ‘choice’ to remain removed precarity. Some ‘elite’ migrants – those who were highly skilled and internationally mobile - were also not subject to precarity since they could mobilise their skills and resources to challenge precariousness.

Migrants are also more likely to be affected by unemployment, particularly as a consequence of the economic crisis. However, while migrants might not be able to rely on traditional networks of support, they could tap into networks ‘of those who had done it before’ and that they tended to be younger and better able to work to improve their situation. Migrants are often also located in major cities with associated high living costs.

3.1 Who are perceived as ‘migrants’

Migrants are not just as third country nationals from beyond the EU27. Migrants could be both EU and non-EU citizens and in terms of where and how they worked there was little differentiation between the two groups, other than in relation to where one group might have a legal right of residency and of work, while another did not. Thus not all third country nationals were perceived as at greater risk of precariousness than intra-EU migrants, but those without rights of residency and of work were recognised as particularly vulnerable. References were made to labour from Central and Eastern Europe by respondents from Germany, Ireland, the Netherlands, Spain and the UK and to foreigners more generally (Latvia, the Netherlands, Spain, and the UK).

Roma and travelling people as groups are also more likely to be in precarious work. This perception is usually associated with people without qualifications or who were low skilled and the result of their own specific attributes, rather than as the outcome of discrimination.

3.2 What are the drivers of precarious work for migrants?

The following drivers have been identified in relation to precarious work in the case of migrants:

- lack of knowledge of host country language;
- lack of awareness of rights;
- lack of skills; and
- the impact of legislation.

Both tight controls on immigration and on the issue of work permits have been associated as relevant in terms of promoting precarious work and the general absence of legislation on enforcement in relation to some terms and conditions. A requirement to renew work permits meant that individuals would accept any work, regardless of the conditions attached to it.

3.3 Degrees of precariousness
The strongest perceptions of precariousness are associated with informal or undeclared work, followed by bogus self-employment and then casual employment and zero hours contracts. There is a significant gap between the perceptions of these forms of employment and the remaining forms. Part-time work, for example, is very rarely viewed as in the ‘most precarious’ category.

3.4 Elements creating precarious work

3.4.1 Qualifications and precariousness

A lack of recognised or appropriate qualifications is considered as associated with precarious work. The absence of qualifications and particularly of education is supposed to be the reason why individuals experience precarity. Young people without work experience, migrants with low levels of skills, older workers with very basic levels of training, women who have been out of the labour market due to domestic responsibilities and, more generally, Roma people, are the main groups at risk.

3.4.2 Pay levels and precarious work

Low pay is generally included as a characteristic of precarious work. Precarious work is defined by Kolev (2003) as ‘low paid, low tenure jobs which do not pay social security contributions and offer little paid annual leave’.

3.4.3 Social protection and precariousness

O’Connor (2010) describes precarity as the absence of the three elements that characterise the traditionally conceived standard employment relationship: job security, income security and social protection. She suggests it is the combination of these elements that makes the problem of precariousness much wider than insecure employment alone.

3.4.4 Discrimination and precariousness

While, young workers, women, migrant and Third Country originating workers, are more likely to be found in precarity than other groups, discrimination is not so much perceived as a characteristic of precariousness.

4. CONCLUSIONS

...The empirical findings depict an uneven process of migrant adaptation to the rural labour markets. Precarity remains a central axis around which the employment of migrant labour is structured. Those migrants who came earlier have obtained legal status, show a comparatively higher occupational mobility, have obtained higher incomes and expanded social networks, and thus appear to be less precarious and more resilient to the local labor market fluctuations and the implications of crisis.

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