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### Beyond protection: towards democratizing work in the meat industry

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**Publication date**

2021

**Document Version**

Final published version

[Link to publication](#)

**Citation for published version (APA):**

Bogoeski, V. (2021). Beyond protection: towards democratizing work in the meat industry. Web publication or website, WSI. <https://www.wsi.de/en/30352.htm>

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Quelle: dpa

Vladimir Bogoeski, 04.02.2021

## BEYOND PROTECTION: TOWARDS DEMOCRATIZING WORK IN THE MEAT INDUSTRY



**The Occupational Safety and Health Control Act: a major step forward for better working conditions in the meat industry. The next step: the active involvement of all employees in trade union structures and co-determination.**

All energy has been by now rightly focused on passing the recent law reform that aims to end the business model, which has for decades sustained exploitative working conditions and uprooted structures of collective representation in the German meat industry. While the reform remains crucial, further steps should focus on revitalising the role of trade unions and other collective bodies of workers' representation and participation. This article elaborates why this is indispensable for a true reform of the German meat industry.

Since its beginning almost a year ago, the Covid-19 pandemic has in a short time revealed how the complex production systems behind the food we consume every day, operate under acutely unsustainable conditions, at cost of humans, animals and the environment as a whole. The topic of food production slid from the margins into the core of public

discourse, in particular as travel restrictions threatened to leave empty fields without the seasonal migrant workers and mass infection outbreaks hit meat factories around the world. In Germany, the latter turned out to be the hardest to ignore, at least from the point at which over 1500 workers from a single slaughterhouse of the Tönnies group tested positive for the virus in June this year. It did not take long to realise that the main reason behind the frequent infection outbreaks were the appalling working and living conditions of meat workers, most of them migrant workers from Europe's Eastern periphery (Romania and Bulgaria).

The infection outbreaks which continued to occur in slaughter houses and meat processing factories across the country, triggered an immediate response from the labour minister Hubertus Heil, which by August last year has resulted in a law proposal i.e. Arbeitsschutzkontrollgesetz: Law on monitoring workers' protection. After the reform almost failed due to a blockade by the CDU/CSU parliamentary group bringing the legislative procedure to a standstill, the new law has eventually been adopted and came into force on 01 January 2021. The law reform bans outsourcing of core tasks through subcontracting (immediately) and temporary agency work (from April 2021) – the established modus operandi of the industry – and aims at strengthening the monitoring and enforcement of worker rights and protection standards. This rightly tackles the main root causes for the existing structures of exploitation in the meat industry, namely the circumvention of labour standards and collective bargaining through outsourcing liability and responsibility for workers throughout opaque human supply chains. However, that is not where reforming the meat industry should end.

Now that the legislation guaranteeing stronger worker protection and enforcement standards is in place and shall be implemented – even though some concerns on its ambitions and effectiveness remain, the next steps should further tackle the structures of worker exploitation and subordination established in the industry. This might, however, require beforehand to re-imagine workers in the meat industry not as merely passive and vulnerable subjects who need to be cared for, but ones that could attain agency and capacity to act collectively. Although the chasm inside the government coalition that we witnessed during the parliamentary discussion on the recent law reform might suggest that further demands to improve the position of labour in the meat industry would remain politically foreclosed, such attitude prevents imaginaries that would further challenge the current structures in the industry, which are still highly unfavourable to workers.

Notwithstanding the various structural obstacles that migrant workers are facing, the next steps towards a more sustainable future for labour in the German meat industry will require a political and regulatory imaginary that goes beyond mere protection and builds on active participation of these workers in structures of collective representation and workplace governance. Therefore, further reform should aim at no less than democratizing work in the meat factory.

While protection and democracy at work are not fully separate, but rather deeply intertwined, the latter has received less attention in the discourse on the meat industry during the pandemic. Aside from the unacceptable working conditions and lacking protection, what rendered migrant meat workers a 'disposable resource' during the pandemic, was their systemic exclusion from not only collective organisation, but also from the governance processes and crucial decision making at their workplaces.

Despite the fact that Germany is one of the countries where the idea of industrial democracy and workers' participation in workplace governance (codetermination: Mitbestimmung) has been developed in theory and practice, over the last decades, the meat industry has become an enclave in which these ideas have remained foreign to workers, especially to those coming from Europe's Eastern periphery, regularly at the bottom of the subcontracting chain.

The industry's general hostility towards codetermination and collective bargaining on the one hand, and on the other hand the subcontracting model, which through a complex legal framework and business practices (including posting of workers and temporary agency work) has forged and sustained exploitative working conditions over the past decades, have also effectively disabled industrial and workplace democracy in the meat industry. The outsourcing models have been strategically used to exclude a large portion of the workforce from collective bargaining in the industry for decades. First by keeping workers employed by subcontractors outside of the coverage of collective agreements, and second, by structurally rendering workers difficult to reach for union organisers. The structural grounds for the latter include convoluted subcontracting chains, physical isolation of migrant workers in remote accommodation facilities, high financial dependency, persistent anti-union policies in subcontracting and main companies et cetera. In spite of some exceptions that emerged thanks to laudable efforts of trade unions (NGG) and migrant worker initiatives, work councils at the level of subcontractors were practically non-existent either. The subcontracting model also ensured that the majority of the most vulnerable workers remains out of reach for the equally scarce work councils at the large meat companies.

Hence, not only do workers lack collective representation and work councils to reach out to with daily issues of mistreatment or protection at work, but they remain entirely excluded from all decision making processes profoundly influencing their existence at the workplace and beyond.

Following from this, the subcontracting model of the German meat industry has not only led to a race to the bottom across Europe through the reliance on the said structures of worker exploitation, but has ultimately 'undemocratized' (ent-demokratisiert) the workplace across the whole industry. The exclusion of the majority of the workforce from structures of democratic representation and collective bargaining, has not only affected workers who are disadvantaged through their migrant worker status, but also significantly weakened the overall political power of both unions and (existing) work councils to effectively set and regulate labour and social objectives at the workplace and in general. Moreover, this has resulted in a classic core-periphery division within the workforce, inherent to the reality of the fissured workplace, yielding further difficulties for collective action and political leverage on the labour side.

Hence, the political difficulties that the present reform had to endure and the unsuccessful emergency appeals at national courts should not discourage nor foreclose further demands for improvement of the labour conditions in meat production. The focus on statutory protection of workers deprived of rights, standards and basic dignity at work is a good start. NGG's (The Food, Beverages and Catering Union) ambitions for a universally applicable collective agreement in the meat industry is equally another much needed improvement. However, a reform paving the road towards a true sustainable transformation of work in the industry would require re-imagining the 'disposable' meat worker not only as a subject deserving protection at the workplace, but as a subject with agency to seek collective decommodification of labour through actively participating in structures of representation and collective bargaining and workplace decision making. As the industry remains dependent on workers from Europe's Eastern periphery, who are now increasingly becoming direct employees of the main meat companies, these workers would need to find their way into the unions and work council structures, which would first have to be established.

Thus, the momentum created by the latest reform should be harnessed and the existing structures of intermediated exploitation should be further countered through revamping structures of representation and democratic workplace governance. Germany, with its long standing history of collective representation and codetermination, should be the first to set

an example of democratizing work and its currently most 'ignoble' industry would be a great place to start. Aside from the modest increase of control of basic protection standards such as working time registration, the controls promised by the recent reform should be equally used for monitoring essential collective rights such as the right of association, collective bargaining and the right to set up and be represented by a work council. The fact that the law reform puts an end to the intransparent subcontracting chains should ease unions' access to workers and better sustain the establishment of genuine work council structures of which migrant meat workers will become a part, able to impact workplace politics with their own views and experiences. Such developments could strike a new path toward higher decommodification of labour in the meat industry and only decommodified labour could later stand for a better treatment of the weakest - the animals killed and processed by this industry, ultimately remediating the environment as a whole and making a first step towards a real social and ecological transformation.

**The article in German language:** [Vom Arbeitsschutz zur Demokratisierung der Fleischwirtschaft](#)

**More on this topic:** Serife Erol, Thorsten Schulten: [RENEWING LABOUR RELATIONS IN THE GERMAN MEAT INDUSTRY. AN END TO 'ORGANISED IRRESPONSIBILITY'?](#) WSI Report 61e, 01/2021 (pdf)

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