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INTRODUCTION

Immigrants have contributed immensely to the Icelandic economy as well as to society at large over the years. More than 50,000 or, 15% of the population, are currently considered immigrants in Iceland. Most of us came to Iceland to work and, incidentally, that almost always means working for Icelandic bosses. Even while making up over 15% of the population, immigrant workers’ voices are all-too-rarely heard, and stories in the media about the exploitation of foreign workers are few and far between. In the stories that are published in the media, the focus is on the opinion of Icelandic union officials and the employers; the voices of the foreign workers themselves are seldom heard. This project is our first attempt to rectify this gap and to help other foreign workers regain their voices.

We have analyzed more than 50 stories entrusted to us by foreign workers, including a few described in newspaper articles, and now we share—in an anonymized way—the recurring themes of workers’ experiences in the following umbrella chapters: contract problems, volunteering, wage theft, and harassment. Each story was coded in terms of whether a particular theme was present (yes/no), and then according to how many and which of these themes most often intersected among the stories. As this is not quantitative research, we do not share absolute numbers, but this technique proved very useful in highlighting the major trends. Representative quotations were chosen and anonymized to present the workers’ own point of view of their experiences along with our synthesis of the most prevalent issues—the aforementioned major trends. In addition to our analysis, we have also added a few practical points of advice for any workers who might be dealing with abusive situations at their workplaces.

We faced various methodological difficulties. First, most workers would understandably only share their stories anonymously (via e-mail or social media messages). Because of that—and based on our theoretical grounding in supporting and empowering workers, rather than evaluating what they say—we checked neither any factual information in the stories nor their merit. We cannot and do not want to attempt to judge or evaluate the reliability of someone’s experience or their description thereof. Due to the sensitive nature of this work, the data was also not collected in a traditionally structured way (focus groups, interviews, etc.) The extent and content of each story varies greatly, with some respondents providing much more detail than others.

1 The newest available data record 55,354 first-generation immigrants in Iceland in 2020, not all people of foreign origin, however, will be included in such official statistics. Hagstofa Islands [Statistics Iceland]. “Ínflytjendur 15,2% ibúa landsins.” September 16, 2020. https://hagstofa.is/utgafur/frettasafn/mannfjoldi/mannfjoldi-eftir-bakgrunni-2020/
The events covered in the data appear to have taken place within the last four years (roughly from 2017 through 2020).

At the same time, while all the stories contain at least one element of exploitation or abuse (and most contain multiple such elements), it cannot be assumed that just because the author did not mention a specific kind of exploitation that it did not happen. Many workers have internalized and normalized xenophobia and labor exploitation (such as not receiving a contract, not knowing one's shifts in advance, not being paid overtime pay, etc.) to such an extent that they might not mention many things that others would clearly classify as abusive. Because of our limited resources, this research has been necessarily qualitative. We cannot claim to generalize our findings (even though the amount of collected data could be easily expanded in the future), but we have also clearly seen recurring themes among the stories, and we think they describe the main issues migrant workers in Iceland are facing very well.

This project is dedicated to all workers in Iceland—and especially migrants and workers of foreign origin—so that they can better access true information about conditions in the labor market, and—no less importantly, in our eyes—so that they can see at last that they are not alone in what they are going through. We hope the suggestions we offer for organizing within the workplace will be helpful. We also hope that Icelandic unions, institutions, and policymakers will see value in this data, too, and will use it to improve the workers’ conditions and the support they receive.

Starting by listening to the workers, we can work together on improving the working conditions for all workers in Iceland. An injury to one is an injury to all.
CHAPTER 1: CONTRACTS

BACKGROUND

1  The legal framework regarding employment contracts

An employment contract is a binding agreement between the employer and the employee specifying the agreed upon working conditions and compensation. This contract attributes rights and duties to each party. In Icelandic labour law, an employment contract can be either formal or informal, such as an e-mail or text message, and can even be formed orally. With or without a written employment contract, the relevant collective bargaining agreement within the trade union that pertains to the job in question applies. Employment terms stipulated in an employment contract that are poorer than those described in the relevant collective agreement are invalid.

The Icelandic Confederation of Labour (ASÍ) recommends written contracts, which must always include the following information:

1. Identities of the parties.
2. The place of work and domicile of the employer; where there is no fixed or main place of work, then the principle that the worker is employed at various places.
3. The title, grade, nature, or category of the work for which the worker is employed, or a brief specification or description of such work.
4. The commencement date of the contract or employment relationship.
5. In the case of temporary employment, the duration thereof.
6. Holiday entitlement and holiday allowance.
7. Length of the notice periods to be observed by the employer and the worker.
8. Monthly, bi-weekly, or weekly pay, other wage items, and the frequency of payment of the remuneration to which the worker is entitled.
9. Length of the worker’s normal working day or week.
11. The collective agreement governing the worker’s terms and conditions of work, and the relevant Trade Union.²

In Iceland, it is quite common that employees rent residential housing from their employer, especially in the countryside. In this case, the lease/rental agreement has to be separate from the employment contract. The rental agreement must include:

1. Amount of rent to be paid.
2. Description of the space to be rented.
3. Where and how the rent is paid.
4. Whether the rental agreement is temporary or indefinite.

The notice period for rental contracts is not the same as the notice period for employment contracts: it follows the Icelandic rental law. For temporary rental agreements, the notice period is three months, and for indefinite rental agreements, it is six months. There are only a few exceptions to this notice period. The notice period of rented housing only ends with the employment if the employee resigns, if they are fired due to illegal activity, or if their employment contract is for a fixed term.¹

COMMON CONTRACT PROBLEMS AMONG FOREIGN WORKERS

1 No employment contract

Many workers reported not receiving a written employment contract, even when they requested one. Some workplaces only provided an informal written agreement, without specifying wages and other working conditions. Workers also frequently reported not receiving payslips. We identified a worker being denied a written contract as the first sign of trouble at the workplace.

“They refused to give me a contract every time I was asking for it, they made me work more than 65 hours per week sometimes abusing me as a new worker because obviously if I said no I would lose my job or not finally get my contract.”

Some workers were not registered by their employer and were “working black” (i.e., working for cash, rather in paper format or directly deposited into a bank account) or not paying their union dues, pension fund contributions, or social insurance without being aware of it.

“He didn't make for us kennitala and we were not able to do it by our own cause we were 50 km from the closest city [name of the city] without a car and with almost no free time.”

2 Consequences of no employment contract

The workers described being unsure of their working conditions when no written contract was provided. There was a strong connection between having no employment contract and wage theft in the workers’ stories. The most common forms of wage theft described in the stories were being paid below minimum wage or not paying extra for overtime, evenings, weekends or “red-day” holidays (e.g. Christmas or Independence Day).

“...it was our first time in Iceland so we didn't know much about the working conditions. The owner didn't give as a normal contract we just get something like Agreement about the helping without any conditions, salary amount etc... It was paid much less than is the legal minimum, we didn't have any insurance and we were working 6 days per week almost all day (serving breakfast + housekeeping + serving dinner).”

“And the owner since 2017 that she was supposed to give them a new contract. And until now, nothing. They are being paid the lowest wage, and doing all like reception, housekeeping, breakfast, like 12 hours and being paid 8 or less. Or not being paid for the red days.”

“They didn't pay overtime hours to most of my colleagues and they were scared of asking for those because they were saying it’s a good job and only a few krones, it doesn't matter.”

In wage theft cases, not having a written contract made proving the workers' cases more difficult. The unions would typically convince them to settle for only a part of the money they were owed or refuse to get involved in the case at all.

“After contacting the owners, they only agree to pay me my read day saying that I wasn't supposed to be hired 100% on 2-2-3 shifts and that we cannot prove it because they never gave me a contract. I am still waiting on VR [the Store and Office Workers' Union] to let me know how the negotiations are going, they decided to contact their lawyers to try to solve the case.”
Employers pressured workers to perform work not provided for in their contracts in many different ways. Such practice constitutes a breach of contract.

Sometimes, workers were hired for one position, but worked in a different one. Other times, workers were assigned additional tasks outside of their job descriptions in their contracts. Foreign workers were typically singled out for tasks such as cleaning or trash removal, while their Icelandic counterparts worked strictly according to their contracts. Sometimes, these tasks were performed outside of their set working hours.

“Hired as a full time receptionist but was then asked to do 80% of housekeeping instead.”

“They don’t pay the right salary and let you do office work but only pay a workers salary”

“telling two Polish emoployes to go and clean the toilets ‘because you are Polish women and Polish women know how to clean the toilets”’

Workers also worked either more or fewer hours than specified in their contracts. This was especially true in the case of shift work. Workers were expected to work drastically more shifts than specified in their contracts during busy times, and shifts were radically reduced when business was slow. Shift changes were announced on short notice, such as a week or even a single day in advance.

“They change the schedule all the time. They don’t usually let you know, and you have to accept different places and work times ‘if you want to work there’. They never give any notice period for changing the schedules either, and cut shifts. I almost lost my job back in March when they wanted me to work much further away than I did, and with much fewer shifts than I was supposed to get, saying ‘well if you say no then we don’t have a job for you’.”

“…worked evening and weekend shifts and knew well that she was not allowed to work more than 40%, but she says her manager regularly pressured her to work more shifts. One can see on her paycheck from december that her shifts from October, November and December were added together. It says on the paycheck that she worked around 96 hours, which is almost double the 30% specified in her employment contract.” (…vann kvöld- og helgarvaktir og vissi vel að hún mätti ekki vinna meira en 40 prósent vinnu, en hún segir yfirman sínn hafa reglulega þrýst á hana að vinna fleiri vaktir en það. Sjá má á launaseðli hennar
HOUSING

1 Rent and housing conditions

None of the workers in these testimonies had a rental contract. Their rent was taken directly from their wages. Workers reported problems with rent, such as being overcharged for it or that the rent was paid in black.

The conditions of housing provided to workers varied greatly in their descriptions of it. Some were renting a room at their workplace and others were provided with repurposed commercial or industrial spaces with little concern about the livability or safety of the provided housing.

“I had my ugly room where dog have done some beauty as he didn’t have free access out and allso some death animals under my bed… some didnt produces nice smell.”

2 No notice period

All workers who were renting from their employer also lost their housing as soon as they were fired. The legal notice period for renting was never observed and the notice period for job termination was only observed occasionally. Workers reported being homeless from one day to the next: for many, this meant literally ending up on the street in an unfamiliar area, with no local social network and no access to a vehicle. With no formal rental contract and sometimes no evidence of the rent they paid, workers reported feeling insecure about their living situations as well as completely dependent on their employer, who was also their landlord.

“But in last 10 months they payed me only 3× and kicked me out of the house after I ended on emergency with antibiotics as they were asking me to work every day even when I had fever and obviously being not well”
CONCLUSION

Workers identified the lack of a written contract as a red flag. The employers took advantage of the resulting lack of transparency of working conditions. Wage theft, not working according to contract, and radical and sudden changes in working hours and shift schedules were all associated with a missing written contract. Repeatedly asking for a contract was interpreted by employers as being a troublesome employee and was met with excuses, bullying, and sometimes even firing.
CHAPTER 2: VOLUNTEERING

BACKGROUND

Volunteers come to Iceland either via volunteer or au pair organisations, such as the EVS (European Voluntary Service), SEEDS, Nínukot and Workaway, or by a private agreement with employers. Most volunteers work in return for food and accommodation, some receive a small compensation, \textit{au pairs} receive a stipend as it is more regulated than other forms of volunteering, and some volunteers even pay participation fees.

Volunteers come to Iceland for a short time, often one year or shorter. They are little integrated in Icelandic society, experience language barriers, and are often unaware of their rights. We did not receive many testimonies from volunteers: most of the reports regarding the situation of volunteers on the labor market were observations made by foreign wage employees at the same workplaces that also host volunteers or volunteers who transitioned to being paid staff. The short nature of their stays and their social isolation may have contributed to only a few volunteers sharing their experiences with us.

In Iceland, volunteer work is only supposed to be done in the context of non-profit and charity work, and is \textit{not} allowed for commercial purposes. As a statement from the Icelandic Confederation of Labour and Business Iceland put it:

“It is worth emphasizing that it goes against collective agreements and general principles on the labour market, for volunteers to replace employees in economic activities of companies. For these jobs, the provisions of collective agreements apply, cf. Article 1 of Act No. 55/1980 on Working Terms. Employees have carried out this work and will not be replaced by volunteers. Contracts with individual employees stipulating less favorable terms than those provided for in the collective agreements are invalid.”

\textsuperscript{4} Statement by the Icelandic Confederation of Labour (ASÍ) and Business Iceland, organization of Icelandic employers, (SA)—https://www.volunteering.is/volunteering
THE REALITY OF VOLUNTEERS IN ICELAND

1 Volunteers performing unpaid commercial labor, lack of contracts, inadequate food and housing

Despite the joint statement of the Icelandic Confederation of Labour and Business Iceland, volunteers coming to Iceland are found regularly working in commercial businesses. In their testimonies, volunteers reported working in positions intended for wage employees. Volunteers often work the same shifts and alongside wage employees. The volunteers, who were “employed” in the tourist and hospitality industry, often worked in return for food and accommodation. Au pairs reported working in the commercial business of the host family in addition to their child caring duties.

Many volunteers only had verbal agreements with the employer and often received no written contract or only after persistently asking for one. One person reported their physical contract being stolen from them.

“My contract disappeared from my room as well”

Both accommodation and food are often ill-defined in the work agreement and of inadequate quality. The accommodation usually is a room at the workplace itself. Food provided seldom covers more than breakfast.

“I had my ugly room where dog have done some beauty as [h]e didn’t have free access out and allso some death animals under my bed… some didn’t produce nice smell. And food for free (we eat food from freezer where they keep death birds from road kills).”

2 Long hours, housing insecurity, and isolation

Volunteers experienced pressure to work longer hours than agreed upon, to take extra shifts when there was a shortage of workers and, in one case, the volunteer was even pressured into working when sick.

The regulation on au pairs provided by the Directorate of Immigration dictates that an au pair may not “work in the host-family’s home for more than 30 hours per week or 5 hours per day.”

Au pairs worked much more than five hours per day as they had to fulfill their

5 https://utl.is/index.php/en/au-pair
child caring tasks in addition to unpaid work in the commercial business of the host family. Both \textit{au pairs} and volunteers who were living in their workplace were seen as always on the job by their employer.

“But in last 10 months they paid me only 3× and kicked me out of the house after I ended on emergency with antibiotics as they were asking me to work every day even when I had fever and obviously being not well.”

Being dependent on the employer for housing makes the volunteers extremely vulnerable to abuse and makes it hard for them to leave out of the possibly resulting consequence of homelessness. This problem is exacerbated when the workplace is in the countryside. Rural volunteers experienced being trapped at their workplace in a foreign country, with no social circle to rely on for support, and little knowledge of where to reach out to for help.

“They use or abuse Workaway volunteers so well that some left without notice or spent the nights in tears as they have nowhere else to go.”

3 Reporting

Homeless, with nowhere to go and little money, many volunteers leave Iceland when their situation becomes untenable. Very few report their cases to a union or any other institution. Even when volunteers have reported to a union, they cannot afford to stay in Iceland, nor are their visas extended for the drawn-out legal process. Most leave before the claim process is complete. In the contributed stories, unions were described as only processing wage claims while reports of psychological abuse were not followed up on with any due process.

\textbf{CONCLUSION}

Volunteers are an especially vulnerable group of workers due to their dependence on the employer for accommodation, their lack of sufficient wages to be able to escape a possibly exploitative workplace, and that their right to be in Iceland depends on their ongoing work. They are often socially isolated and have little knowledge of their rights or where to turn to for help. Their transient nature means exploitation is heavily underreported in this group. In the workers’ testimonies, the experiences from volunteers were mainly reported through other workers, who had witnessed abuses of volunteers at their workplace. This underlines the importance of educating workers to identify signs of exploitation of their fellow workers and training for how to assist each other.
CHAPTER 3: WAGE-THEFT

BACKGROUND

1 Definition

Wage-theft can take many shapes, and is often misrepresented, misidentified or mislabelled. Wage-theft is not only about not paying due salaries; it is also about paying them incorrectly.

In the Icelandic context, wage-theft translates most often as: wrongly counting hours, being late with payment, being put in the wrong wage category (meaning not taking into account education and/or experience), not paying properly evening/night/week-end/overtime/holiday rates, not paying sick days, not paying breaks or not having breaks, not paying into the holiday fund (orlof), not paying into the pension fund, not paying a trial shift (even if not hired), not paying union fees, not paying taxes, not giving legal notice time, delays in payments, and overall ignoring collective wage agreements.

Aspects of wage-theft are by far the major issues reported by workers in their testimonies. The most commonly reported types of wage-theft are first and foremost wrongly counted hours, wrongly paid hours (evenings/week-ends/holidays), partial sick days paid, and disregard for due notice time. More often than not, several aspects of reported wage-theft are at play at the same time, like in this testimony, where wage-theft occurs in the shape of partially paying worked hours and not paying properly holidays rates.

Another common aspect of wage-theft in our testimonies are unpaid trials. In Iceland, trials are to be paid, whether or not they lead to employment.

WHY IS WAGE-THEFT SO WIDESPREAD IN ICELAND?

1 Apparent incompetence: reality and dangers

Another aspect connected to wage-theft as reported in our testimonies are the repeated “miscalculations” on the payslips, often explained as a simple “mistake” by the employer’s accountant. The amount of apparent incompetence and/or carelessness from employers in providing a correct payslip every
month is overwhelming in our reports:

“They do pay their staff, but: 1. They do their best not to pay sick days (give wrong information, or say they are not supposed to—it has happened to many people there. I had a message from the manager that they can pay for the doctor but they would not pay the day—asked for it once in my whole employment period.) 2. They do their best to ‘forget’ about bad weather days when the place is closed when you were supposed to work. I got it paid three months later after having to remind them all the time.”

“They are being paid the lowest wage, and doing all like reception, housekeeping, breakfast, like 12 hours and being paid 8 or less. Or not being paid for the red days.”

However, these repeated “mistakes” seem to be always at the expense of the worker; not the employer. This means that if the “mistake” goes unnoticed by the employee, the employer won’t fix it. Therefore, labelling it as a “mistake” or “miscalculation” is misleading and incorrect. If a miscalculation is happening from time to time, and is fixed quickly, it is indeed a mistake. If miscalculations are happening routinely and/or to multiple employees and/or are not fixed quickly (or not fixed at all), this is no more a simple mistake. This is intentional, systematic wage-theft.

2 The “business is struggling” argument

Several testimonies reported that employers justified delays in payments or other forms of wage-theft by saying that their business was struggling and/or would be bankrupt if they followed the collective wage agreements:

“Throughout the months, the managers and owners lied to us that there was no money and that they had nothing to eat.”

A business struggling is the responsibility of the owners of the business and does not justify wage-theft. Using this as an excuse for wage theft qualifies in addition, as emotional manipulation. Moreover, as it appears in some of these testimonies, the employers have several sources of income at once, and what they may be struggling with is making enough profit from some of them. These kinds of arguments can lead easily to harassment, blackmail (see chapter 2 for more), and exploitation of workers in a vulnerable situation.
Preying on the vulnerability of the foreign workforce

This leads us to another aspect connected to repeated wage-theft in Iceland according to the testimonies: the vulnerable position of basic-wage foreign workers in Iceland. In these testimonies, many companies seem to prey on foreign workers, expecting that their lack of knowledge of the Icelandic system and/or Icelandic language will enable the employer to take advantage of them. Some companies also prey on the fact that many foreign workers accept poor working conditions and wages because it is still better than what they are used to in their home country.

“The manager told me face to face that they only hired foreigners because Icelanders were a pain in the ass and didn’t know how to work properly.”

It may even be for this specific reason that foreign workers are targeted and employed in the first place, because they would accept wage-theft due to a lack of knowledge and/or would be less aware of their rights than the local workforce:

“They didn’t pay overtime hours to most of my colleagues and they were scared of asking for those because they were saying it’s a good job and only a few krones, it doesn’t matter.”

Almost all reported testimonies happened in the private sector, most commonly in the tourism and hospitality industries (both hotels and restaurants), which often depend on foreign workers.

Intersection: isolation in the countryside

Another crucial layer at play in our testimonies is the isolation of foreign workers in the Icelandic countryside, where work, accommodation, and freedom of movement often go together. This repeatedly leads to abuse and distressing situations after wage-theft is exposed:

“It was our first time in Iceland so we didn’t know much about the working conditions. The owner didn’t give as a normal contract we just get something like Agreement about the helping without any conditions, salary amount etc. He didn’t made for us kennitala and we were not able to do it by our own cause we were 50 km from the closest city [name of the city] without a car and with almost no free time. It was paid much less than is the legal minimum, we didn’t have any insurance and we were working 6 days per week almost all day (serving breakfast + housekeeping + serving dinner).”
The testimonies show a strong connection between wage-theft and abuse/harassment, especially if employees ask for their correct wage to be paid:

“I can add to this, I have been physically threatened by the owner and had to fight for months for wage theft over there.”

5 The unions’ weak reactions

Several testimonies reported that they did seek the help of their union in cases of wage-theft. Sadly, many reported a weak reaction:

“After this I went to the union, but they did nothing because when you are getting laid off because of structural changes it’s a valid reason. I was too scared to tell them about the blackmail. In the end they said something along the lines this job is very low paid (I showed them my payslips), seems better for you to look for a better one”

“Unions closed my matter two times, after second time, I just gave up…”

There is often a clear gap between the workers’ situation and expectations, and the union’s ability to inform and support their members. The reports clearly show a general distrust of the unions, which leads foreign workers into a hopeless situation.

Several reasons can be brought forward explaining the reported weak reactions from the unions. First and foremost, there are no penalties for the employers if they do not pay their employees correctly. The worst that can happen to them is to have to pay the full amount due to the worker. In reality, the union often acts as a mediator and tries to reach a compromise with the employers about the money to be paid. Secondly, single cases of wage-theft are not that worthy for the union to take on. What often appears to be a lot of money for a basic wage worker is not that important in the unions’ perspective. In order to have leverage, unions need multiple cases in the same company, or very extreme cases of wage-theft (going on for years, for example).

THE ECONOMICAL AND EMOTIONAL TOLL OF WAGE-THEFT

Constantly asking for wages to be paid or paid correctly, repeated delays in payments and harassment at the workplace (which is often also the home in the countryside) has a massive toll on workers’ lives:
“I worked for them in 2018 and it was the worst 10 months of my entire life. Not paying for overtime, weekends, nightshifts and veikurs [sick days], mobbing…”

Many reported difficulties paying rent, fear of homelessness, a stressful work environment, traumatic responses to interactions with management, and overall hopelessness:

“Then when I ask about the sick days he says he will not pay me that he will close the shop and announce bankruptcy and I will get nothing, not even my salary. At this point I start crying and shaking, and I can't calm down but he just keeps threatening me until I agree to stop working as soon and I find a new job and to do it as fast as possible. […] I have been kind of traumatized by this experience and this is the first time I am telling the full story to anyone.”

“Shortly before Covid we were not paid salaries […] The bosses don’t care that some of the employees had no money left on the account to pay the rent and that’s it. The situation is quite unpleasant and depressing.”

CONCLUSION

As shown in these testimonies, workers of foreign origin and/or low-wage workers are highly at risk of experiencing wage-theft in Iceland. The most commonly reported forms of wage-theft are wrongly paid hours (evenings/week-ends/holidays rates), no or partially paid sick days, no paid trials, and disregard for due notice time. Wage-theft has a strong intersection with abuse and harassment, especially after discussing wage-issues with the employers, and has an enormous financial and emotional toll on foreign workers. Isolation in the countryside is also an aggravating factor in many cases. Overall, many companies are reportedly preying on foreign workers’ vulnerability. A final layer to wage-theft issues in Iceland is the weak reaction from unions to “small” cases of wage-theft, which does not meet individual workers’ expectations and leaves them in an even more hopeless situation.
CHAPTER 4: ABUSE AND HARASSMENT

BACKGROUND

At the workplace, and in society in general, we can understand abuse and harassment as tools that preserve the unequal position of less privileged people. There is a gap between labor law and its institutions, and the reality for low-wage workers. Low-wages, a lack of connections and social capital (such as a professional network, established community, or family relations) in Icelandic society, and economic insecurity contribute to making low-wage workers vulnerable to harassment and abuse. Employers are more likely to abuse and harass short-term and seasonal workers who are highly dependent on their jobs and relatively inflexible—and thus vulnerable—in their means of finding another job. The vulnerability is increased even more when a worker’s accommodation is connected to the work. Foreign workers frequently do not know the system of institutions that can support them, or simply do not trust in institutional support. Verbal, physical, and sexual violence is often downplayed by workers who are afraid to lose their job.

WORKERS’ EXPERIENCES

1. “If you say no than we don’t have a job for you”: precarious working conditions

Worker’s duties should be specified and corresponding to the job for which they are employed. “Elasticity” of duties is associated with precariousness. An expanding list of worker’s duties can be abusive when it is not commensurate with how a worker is being treated and paid. Being asked to do a job that is not in the contract, or is not in the job description, can be used to undermine workers and can be an element of bullying, particularly when the tasks are inappropriate, asked only of certain classes of workers (such as women or immigrants) or beyond (or below) a person’s skill level:

“[…] telling two Polish employees to go and clean the toilets ‘because you are Polish women and Polish women know how to clean the toilets’”

It is a form of abuse to be treated as if one is disposable. Low-wage workers who are being treated as easily replaceable are vulnerable to “flexibilization” of
work time. This often means unreliable work schedules, unplanned overtime, excessive hours and/or not being given shifts, overwork due to insufficient staffing and the workers having little or no say in their schedules or when they can have time off. These forms of time mismanagement have a detrimental impact on the worker’s overall mental health as they cannot fully relax when they are at home and they feel on edge and stressed while at work:

“They don’t usually let you know, and you have to accept different places and work times ‘if you want to work there’. They never give any notice period for changing the schedules either, and cut shifts. I almost lost my job back in March when they wanted me to work much further away than I did, and with much fewer shifts than I was supposed to get, saying ‘well if you say no then we don’t have a job for you’.”

“They made me cover shifts of everyone all the time without thinking that I would need days off, we had to cover from one shop to another because there were not enough workers in one location to make sure we could all enjoy your breaks […]”

The harmful workplace practices that have been described in this report are all forms of abuse. These include not recognizing workers’ value and keeping them on the minimum wage despite increasing their responsibilities, refusing or delaying signing a contract and providing misleading or manipulative contracts such as adding a note in the contract that workers should be ready to do additional tasks on demand.

“In the coming months a new trend emerged in how the hotel was run; alongside many jobs being cut, the remaining staff members were ordered to take on duties outside of their job descriptions. When the breakfast staff shift manager left the company the managers did not seem eager to recruit a new person into the role. ‘We asked who our next shift manager would be and were told we could take turns being the manager. A shift manager has a higher pay rate, but we were of course not offered that.’ Another member of staff describes the scenario. ‘We were exhausted and just about to close the breakfast room and start cleaning when she showed up ten minutes before closing with her family and they stayed there until half an hour after closing. We were absolutely forbidden from working overtime, but management still expected us to let them do what they wanted.’ Veterans say newer members of staff are often asked to read instructions and practice with the hotel’s software at home. ‘Reception staff are told to take an hour to go over the systems when at home, but they of course don’t get paid for that. Bar staff has also been asked to visit the other downtown bars in their free time to do a price comparison for the management.’”
Another frequently described form of emotional manipulation is making workers feel responsible for owners’ bad business decisions: examples were given where bosses overshare or lie about struggling with money, telling the workers that they are using their private money to pay the workers.

“Throughout the months, the managers and owners lied to us that there was no money and that they had nothing to eat.”

Another form of workplace abuse is the excessive surveillance of workers, creating an atmosphere of always being watched, such as an illegal use of CCTV cameras.

“It was extremely uncomfortable and he always made us keep the door open and I was always freezing in the shop, if I would close the door he would call me because he was watching us on the cameras and tell me to open the door.”

“He is all the time looking at the cameras and taking screenshots of the employees.”

Many workers shared stories about bullying they experienced at work. This can take the form of aggressive yelling or shouting, making negative comments about a person's appearance, lifestyle, family, or culture, spreading misinformation or malicious rumors and intentionally excluding, isolating, or marginalizing a person from normal work activities.

“…mobbing (I was working on a car rental agent position, my other Polish friend worked there as a booking agent on back office)—mobbing like telling two Polish employees to go and clean the toilets ‘because you are Polish women and Polish women know how to clean the toilets’ … going on a car wash in main office in Reykjavik to mock the cleaners, especially the black one, hard working, good man from Kenya.”

Workplace abuse also takes the form of denying workers their legal rights to resources. Workers shared stories with us about workplaces not providing proper workplace insurance coverage for injuries occurring at work and wages being illegally withheld to force a worker to remain longer than the legally mandated notice period.

“One day I decided to quit instead of fighting all the time, my notice period suppose to be 1 month, but according to my boss, it was 3 months. So he withheld my salary and said that he will pay it out only when I agree to stay at [the cafe] 3 months.”
The Regulation on measures against victimisation, sexual harassment, gender-based harassment, and violence in workplaces\textsuperscript{6} defines sexual harassment as any kind of sexual behavior having the purpose or effect of offending the dignity of the person affected by it, especially when this behavior creates circumstances that are threatening, hostile, degrading, humiliating or insulting for the person in question. The behavior can be verbal, symbolic and/or physical. The Icelandic Confederation of Labour lists basic laws for Icelandic workplaces on their webpage which defines sexual harassment as “sexual behavior that is unreasonable and/or insulting and against the will of those who are subjected to it, and which affects their self-esteem and is continued in spite of a clear indication that this behavior is unwelcome. Sexual harassment can be physical, [verbal] or symbolic. One event may be considered sexual harassment if it is serious.” Despite these working definitions, public disclosure of abuse, harassment and bullying is considered taboo. Workers describe a generalized disbelief that their workplace and the institutions in place to protect them will support them if they report abuse. For this reason, none of the workers who confided in us about these kinds of experiences wanted to be quoted in this report.

3 Incrementally worsening conditions normalizes abuse

Workers shared stories about agreeing to changes they didn’t want when their boss promised them they would improve their working conditions. Examples were given where workers agreed to work overtime or change where they were working (where there are multiple locations of the same company) in anticipation they would afterwards receive a contract.

Many workers shared that they were too busy or scared to talk about their working conditions with their coworkers. A common theme is that workers believe that ignoring “small inconveniences” will help them keep their job. Many workers reported agreeing to work without a contract and to follow non-standard working procedures because it has become the status quo. There were cases when mistreatment escalated after asking about changes in the schedule or trying to get more secure contracts.

Several workers described that they only realised the unfair treatment they had been subjected to a long time after changing jobs:

“In 2015 this man forced the PREGNANT WOMAN [to quit her job], she was

\textsuperscript{6} Regulation on measures against victimisation, sexual harassment, gender-based harassment and violence in workplaces, No. 1009/2015
that desperate that she went to work in [a market] and works there until this day, she said, compering to [the former employer], even the most difficult customers treat her like a princess.”

4 Seeking help escalates the problems

In many cases uncomfortable situations at the workplace escalated when employees asked for a contract, about their rights, for a rise in salary, or if their union fees were being correctly paid. A few stories pointed out the possibility that unions contacted their employers without the worker’s consent or explaining the grievance process.

“[…] threatens employees if they go to the union.”

“[…] kicking out people from the company because they were in unions.”

CONCLUSION

Abuse and harassment are very visible in the stories shared by the workers. Pressure, mistreatment and unpredictable behaviour of the managers are extremely common in low-paid jobs. In most of the cases, individuals decided to not report violations because of a lack of faith in mechanisms of support that the institutions could provide, unclear procedures of processing reported cases, fear of their private data not being properly protected, and a lack of trust in the local authorities. No stories were shared that described building support between workers by sharing information or seeking help among workmates. Each case was described as though the harms were done to an individual, but there is a commonly shared consciousness about the generality of the consequences: staff is changing very often at particular workplaces, people in power are recognized as being abusive towards multiple workers. Workers are often threatened or bribed to “stay silent” about mistreatment at the workplace. In particular with regards to bullying, abuse and harassment of workers who went to their unions were advised to change where they work, the unions were unprepared to protect workers in those cases. Rarely will a union and a worker exposed to abuse use their time, money and physical and mental health on an extended, years-long lawsuit.
CONCLUSION

We identified common narratives in the stories from foreign workers about their experiences in the Icelandic labor market. In the following chapter, we will describe the common threads, examine the structural reasons why foreign workers continue to experience these harms and give some practical advice to workers who find themselves in difficult situations like those described in this report.

A COMMON NARRATIVE

1 Red flags

Warnings from other workers

Some workplaces in the stories are known for exploiting foreign workers. A few have been in the news and some have been mentioned in Facebook groups and other forums for foreign workers in Iceland. Workers also hear warnings of workplaces through word of mouth from their friends and others. However, foreign workers in Iceland are often in a more precarious economic situation than their Icelandic counterparts and cannot afford to refuse jobs easily. It was common that workers did not heed warnings because they thought time had passed or management may have changed; they hoped for the best because taking or retaining a job at a recognized exploitative workplace seemed to be their best option at the time.

No contract

Not receiving a written contract was identified as a red flag by workers in the testimonies. Workplaces that did not provide contracts were often workplaces where workers were ill-informed about their rights regarding working conditions and pay. Wage theft was common for workers without a written contract, particularly with regards to overtime pay, pay for evening and weekend shifts, and holiday and sick pay. Additionally, they experienced changes in work percentage and working hours without notice. Overall, workers described working without a written contract as “constant uncertainty”.

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Workers described differences in agreed upon and actual pay, work percentage, and tasks as one of the first conflicts they experienced in a workplace. Sometimes workers were hired for one position—for example, as a receptionist—but mainly worked in a different position, such as housekeeping. Workers who were hired full-time were not given sufficient shifts, or workers who had part-time contracts were asked to work more than double the agreed upon hours. Promised wages were not paid, workers sometimes found out that their wages were less than agreed upon when they received their first paycheck. While many of these changes in working conditions were described as “mistakes” by employers, few were corrected.

“Mistakes”

When problems started to arise at workplaces, employers often classified them as “mistakes”. However, all of the “mistakes” found in the workers’ testimonies were to the disadvantage of the worker and the employer was reluctant to fix them. The “mistakes” were often found to simply be systematic wage theft, and when workers were insistent on the “mistakes” being corrected, the employer often escalated with bullying tactics and finally, termination.

2 Escalation from wage theft to bullying

Rampant wage theft

The stories have shown that workers of foreign origin and/or low-wage workers are highly at risk of experiencing a form of wage-theft in Iceland. The most commonly reported forms of wage-theft are wrongly paid hours (evenings/week-ends/holidays rates), no or partially paid sick days, unpaid trials, and disregard for due notice time. In a majority of the testimonies, several aspects of wage-theft were at play at the same time, showing that cases go beyond a “miscalculation” or “mistake” and are in reality systematic wage-theft.

The practice of wage-theft exploits the precarious position of foreign workers on the Icelandic labour market. Many lack knowledge of the Icelandic system, laws and rights. The status quo is often accepted as workers perceive their conditions in Iceland to be still better than what they are used to in their country of origin. Some employers were also said to use emotional manipulation to justify wage-theft, as for example that the business is struggling, and that they can’t afford to pay legal salaries.

However, even workers who are well informed of their rights find themselves
in a bad situation when asking for their correct salary to be paid. The unions’ answers are often weak, especially for “small” and/or “individual” cases of wage-theft, which leaves workers with little leverage or support when interacting with their boss.

A critical aggravating and escalating factor to wage-theft is the isolation of foreign workers in the countryside. Often, work and accommodation go together. When the situation escalates, workers find themselves losing both jobs and accommodation at the same time, often with no regard to the legal notice time.

Wage-theft leads to an important financial and emotional toll. Many workers reported difficulty affording rent, fear of eviction or homelessness, a daily stressful work environment, and traumatic responses in their interactions with management, all as a result of wage-theft. Overall, the reports show that wage-theft situations commonly escalate into harassment and bullying.

**Harassment/bullying as retribution**

According to the regulations within the institutions of Icelandic labor, harassment, sexual harassment, abuse, and bullying should be reported to the employer and/or the health and safety representative at the workplace. The next steps are ill-defined and vague and there is no particular responsibility for the union to help protect the worker in these cases. For example, the large union VR describes their responsibility for preventing bullying in the workplace as generating societal awareness through media campaigns and in providing victimised workers with information about their rights, but not in forcing the employer to provide a safe work environment such as by removing the bully or abuser from their powerful position. That means that the most familiar grievance process, where the worker brings their problems to the union to ask for institutional help and support, is not tailored to enable victims of bullying or abuse to remain safely in their jobs.

If the perpetrator of harassment or bullying is a supervisor of the victim, the most direct path for escaping violent working conditions is for the victim to change jobs. This is usually what is recommended when a worker seeks help from their union. Unfortunately, this is an option of last resort for many low-wage workers as it can be more secure to endure harassment at work than to risk unemployment and homelessness. Short-term workers, workers in isolated places, workers hired in precarious conditions, and migrant workers, are particularly vulnerable and resultantly willing to tolerate workplace abuse in the absence of external support. Harassment often escalates when it becomes known that a worker has consulted their union.
Collective agreements in the private sector allow for termination of employees without notice. From the workers’ testimonies, it is clear that employers remove workers who insist on their rights being respected in the workplace. Workers were fired for asking for written contracts, insisting on “mistakes” being corrected, going to the union for help, or simply appearing to be knowledgeable about their rights. In cases of shift work, workers have not been officially terminated but have simply been removed from shift schedules. The notice period was seldom observed. For workers who were also renting accommodations from their employers, the termination was doubly devastating as they not only lost their job, but also their housing, often finding themselves jobless and homeless overnight.

WHY DOES THE SYSTEM NOT PROTECT WORKERS FROM THESE ABUSES?

The testimonies show that breaches of foreign workers’ rights are widespread in the Icelandic labor market. There are systemic factors that enable the breaches that have been described in these stories.

1 Long legal processes with limited success

One reason for the widespread abuses foreign workers experience is a lack of consequences for employers. There are very few legal sanctions for breaches of workers’ rights; for example, there are no fines for wage theft. The worst case scenario for the employer is that they are forced to pay the worker the wages they are owed. At most, the worker can be paid the amount of wages they should have been paid, with no regard for all the financial consequences of not having received their rightful salary in good time (such as not being able to pay bills or rent or buy food). Most of the time, a worker suing for wages owed never gets their full compensation, as the burden of proof of hours worked and wages owed is on the worker. The legal process is long and drawn out, employers delay the cases and the labour courts and unions are overwhelmed with the sheer number of cases of wage theft. An average case of wage theft takes one to two years to be resolved. Unions often encourage workers to settle their cases for less than money owed in order to receive some money sooner and to avoid a long and costly court case. One solution to this would be the unions paying the workers their lost wages and engaging in the lawsuit to recover the money they paid to their union member. The worker
would then be supporting the union in the lawsuit. This would enable the worker to be able to pay for their living expenses and diminish the emotional toll on the worker who was stolen from.

In the testimonies, some workers expressed that they were unsatisfied with how their union handled their case. Many were frustrated with the long waiting times for cases to be processed and were disappointed that they never received their true wages but only a portion. Workers who had experienced bullying, harassment and similar abuses at the workplace described a reluctance of unions to get involved. Workers in some rural communities experienced union employees being reluctant to get involved with conflicts with certain employers due to personal connections which left the worker even more exposed to power abuses. Some workers attempted to file a complaint with their union or the Icelandic Confederation of Labour about how their union handled their case, but none of those who shared their story with us were successful in advancing such a complaint against their union. A possible solution to this would be the unions making the well-being of the worker who was harmed their primary priority. This can take many forms, but the unions should definitely be supporting workers who have been bullied and harassed in a more direct fashion, helping them to remain at their job if they wish to. The unions should be forcing the workplaces to change to be safe and harassment-free rather than encouraging the workers to change. The current policy leaves the workplace as potentially dangerous for future workers and compounds the emotional harm done to the worker who was victimised.

The current legal framework in Iceland encourages breaches of workers’ rights due to a lack of consequences. For this reason, breaches have become endemic. Though sanctions had been part of the government promises of the Quality of Life Collective Agreement from 2019, none have been implemented at the time of this writing. Therefore, implementation of sanctions should be one of the major demands of the negotiations for the next collective agreement.

2 At-will employment

As long as people can be fired for any reason at all, they will sometimes be fired for demanding their rights and they will sometimes be fired due to the prejudices of the employer. Currently, employers are quick to replace low-wage workers who are knowledgeable about their rights and willing to go to the union in case of violations. It is also simple for an employer to fire workers belonging to less-powerful classes of people despite anti-discrimination laws.

This has led to a situation where many workplaces are “lost” to the unions. Even though all employees are union members on paper, a culture of systematic
breaches of workers’ rights exist at the workplace, with any worker attempting to change this culture often quickly being removed. Firing workers in retribution for insisting on their rights also functions as a message to the remaining workers. Due to foreign workers’ more precarious situation on the Icelandic labour market and greater risk of unemployment, many are reluctant to report abuses to unions for fear of losing their job. We found that workers who came forward to us with their stories were reluctant to have their quotes used in this report, despite the anonymity, due to fear of retribution and a generalized fear of being exposed. The harms the workers have described have affected them deeply even years later.

An end of at-will employment should be a major goal of the unions if they want to be able to protect workers from targeted firings based on their knowledge or being part of a vulnerable class of people.

3 Know your rights campaigns

Most workers in the testimonies knew (at least some of) their rights. However, this knowledge was inadequate to protect them from abuse. We found that the lack of sanctions for breaches of workers’ rights and the practice of firing workers in retribution to be the two main factors for abuses in these cases. Emphasizing “know your rights” campaigns in a system which fails to protect these rights on an endemic level is little more than engaging in political theater. “Know your rights” campaigns are only one tool: unions should also focus on fighting for legal, structural changes that will protect workers and focus on educating workers on how to organize with their coworkers to enforce safer working conditions. The improvements within the workplace cannot only be externally imposed but must also be internally, collectively pushed for.

**ORGANIZING ADVICE**

1 Why organize?

The current legal framework encourages breaches of workers’ rights as was described above. Organizing and direct action at the workplace level are some of the original tools of unions to fight for workers’ rights. They have historically been successful when the legal system was unsupportive of workers and have brought to all of us the 8 hour work day, the end of child labor, voting rights, and unionizing rights to workers, amongst other things, often before unionizing was legally protected. Organizing and direct action are always a push for systemic changes, while legal cases operate within the established system. Below we offer some practical organizing advice. Our
hope is not only to empower foreign workers at their workplace and enable them to protect themselves and each other, but also to empower workers to push for systematic changes to society as a whole.

2  **Practical advice for workers**

In the last part of our report, we present practical ways of dealing with problems on the level of the shopfloor. This is not a full guide on organizing, but with these few examples of campaigns, we want to give a perspective on solutions that can be found even in the hardest situations. When finding ourselves in a marginalised position, we are facing a situation that we were not prepared for by the traditional education system. Not everybody is aware of or can access support from official institutions and misinformation circulates in foreign workers’ circles (sometimes distributed by employers), often making it harder to react or ask for help. As workers we are conscious of our disadvantage in access to time, money, and lawyers, in conflict with employers. However, it is not a solution to stay silent when our coworkers have a hard time at work, to continue working in unbearable conditions, or are underpaid. Below are some resources and possible tools of resolving particular conflicts at the workplace.

**Advice for individual workers**

**Do not talk to the boss alone.** Everybody feels vulnerable in confrontation with the administration, and it’s justified. Spontaneous meetings with bosses are not in the workers’ interests. You have a right to a notice of a meeting with your boss (when you are not sick, tired, sad, scared or angry). You have a right to come for a meeting with a trusted coworker, representative from the union (yes, call the union and ask who can come with you to a meeting with a boss) or a friend outside of your company (we can call the person who’s coming with us “a witness”, “a support person”, or “a note-maker”, for example). You have a right to know what is the matter of the scheduled meeting, i.e., what exactly is going to be discussed, so you can prepare for the meeting.

**Never sign any documents before consulting knowledgeable allies or supportive institutions.** Being under pressure, workers can be pushed to sign agreements that are to our disadvantage: we can agree to reduce our hours, change the schedule to be more inconvenient to us, be delegated to more dangerous conditions, or be forced to take more responsibilities. And we don’t need to do that: if an employer wants to change our working conditions (hours, payment, tasks) they need to announce it a calendar month before the changes can come into effect. You are not in a rush.
Always have evidence. It will be so easy for your boss to say “I don't remember us discussing any rise in your payment”, “We were talking about your promotion, but I wasn't thinking about this month”, it will be easy for them not to be accountable for threats or bullying if you won't collect the evidence of the agreements and happenings. On an everyday level, invest a bit of time to write a worker's diary. Check-in, check-out hours are legal evidence if there is anything wrong with your payslips. In case of some extra happenings, unsafe situations, or conflicts that you’ve noticed, record information about the company that you’ve learnt about: e.g. date, time, place, people involved, a short explanation. If you had any meeting or conversation with your boss that lead to any decision or conclusions, send them an email: “According to our last conversation, (date) (in your office/in the corridor/in the workers’ canteen), you’ve agreed that workers of our company be provided with extra masks and gloves, and that they will be distributed in worker’s areas every morning, starting from Monday (date).” Describing a situation this way, you will let your boss know that you’re listening to them carefully and that their words have consequences.

Organizing with your coworkers

Find your allies. Facing problems described and illustrated by examples from workers’ narratives in the previous chapters of this report, it’s easy to fall into thinking that we are alone in this trouble. Moreover, the boss will do a lot to make us feel this way. While you can use the above advice to help you collect evidence and file a grievance with your union, it does not address the power imbalance between a boss and a single worker, which employers take advantage of to target workers who use the above tactics for bullying or firing. Organizing as a group addresses this power imbalance and can give workers an advantage over their boss.

When you’re facing a problem at work, start talking with your coworkers, think about who you can trust, tell them about the issue, ask for advice, ask for support, build a network that will protect you and your coworkers before the situation escalates. Once you find a group of coworkers that you trust, you can meet them outside of work to discuss work issues and how to address them.

Share information (and your payslips). Employers are careful about what kind of information they give workers. They often rely on workers, especially foreign workers, to have little knowledge of their rights. They often neglect to mention the right to overtime pay, holiday pay, sick leave, breaks, notice on schedule changes and many other rights. You can share this information with each other. Comparing payslips often brings to light that the payslip “mistakes” are not mistakes at all and that you do not have to deal with them alone.
Workers asking collectively for their pay to get corrected are more likely to be successful and less likely to get fired in retribution than one lone worker. Unions are also more likely to prioritize cases involving a whole workplace.

**Do not talk to the boss alone (go as a group).** Bosses like to negotiate with workers one on one, as they can use the vulnerability of a single worker to their advantage. In this way, they can get workers to agree to reducing work hours, sudden shift schedule changes, increased responsibilities, and much more. Most of the time, workers at a workplace are opposed to the changes, yet no one dares to say no to the boss in one-on-one negotiations. And the one who does, often gets fired. Talk to each other when the boss tries to introduce changes at your workplace. Decide on your answer collectively and let your boss know via email or at a staff meeting. Your boss will try to get you to negotiate one-on-one, but you have a much stronger position if everyone at the workplace speaks as one voice. In fact, this realisation was what made workers organize and form unions in the first place.

**Be prepared for setbacks!** It’s extremely hard to organize the workplace that is “hot”, i.e., when there is already a conflict that is affecting people’s lives, worker’s rights are not respected and there is a division in the team. Do not give up! It’s always good to try to build workers’ solidarity. Act together and learn about the mechanisms in your workplace and in the labour market as a whole. Talking with a worker who is hostile can be a process of gaining an important ally. Organizing means redirecting peoples’ focus from conflicts and hurt to bettering everybody’s working conditions.

**Other advantages to organizing**

Organizing is the tool of the disadvantaged. Of course it’s important to use the external support from the institutions that are obliged to help us. But meanwhile, life is happening. Not many people are aware of the consequences of being laid off from the job, getting bad credentials, being afraid of an ex-employer’s influence on future job opportunities. Organizing is helping workers go through the heartbreak of losing a job, because it’s a chance to stand up for ourselves and find support in each other. It doesn’t cost money to talk with others; finding common problems and solutions together gives great results in the long-term. This is only a short introduction on organizing. If you want to start organizing at your workplace, feel free to contact us and we will be happy to share our knowledge, resources and solidarity! *Direct action gets the goods!*