

Mall of Shame – Pay your workers!

An Interview with Bogdan Droma

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Together with the Berlin chapter of the Free Workers' Union (*Freie ArbeiterInnen Union*, FAU), Bogdan Droma and his co-workers are still leading a campaign against one of Berlin's largest shopping malls, the Mall of Berlin at Leipziger Platz in Mitte. The protest started just after the mall's grand opening in the fall of 2014, and the case is still being fought in court (FAU Berlin 2015, 2016; B.Z. 2014). Their struggle is notable for publicising Germany's position as an exploiter of ›mobile‹ European workers. It also shows the role of established unions in suppressing labour demands.

The interview was filmed in Berlin in December 2014, three weeks after the Free Workers Union (FAU) started the Mall of Shame pickets in front of Berlin's most debated new shopping centre.¹ On the day of the interview, an asylum rights rally² took place right across from the picket and the labour activists joined in on it.

The story started in summer 2014 when the Romanian workers were hired by Metatec Fundus GmbH and Openmallmaster GmbH to work on the construction site of the Mall of Berlin. These two intermediary firms worked for investor Harald G. Huth (HGHI Holding GmbH) and general contractor Andreas Fettchenhauer (FCL GmbH). The Berlin tabloids are full of reports about lavish parties they organize – and fraud charges against them (B.Z. 2015). In October 2014, the publicly funded Office for Mobile Workers (*Büro für entsandte Beschäftigte*) of the German umbrella trade union DGB advised the workers to go to court, after they had complained about wage theft.

The DGB office also arranged a fraudulent deal and announced it as a success (›We help the victims day by day« (DGB 2015, translation E.G.)). The contractor offered

1 | The interview was conducted by Nadiye Ünsal and filmed by Leila Saadna on 6 December 2014 (see Saadna/Ünsal 2015). The introduction and the edited and shortened version of the interview below were produced by Emal Ghamsharick.

2 | For more information about the refugee protest see URL: www.oplatz.net.

the workers a tiny bribe to travel back home – if they signed a waiver, i.e. gave up their claim for missing wages. Those who refused were intimidated and starved out. By November 2014, the remaining protesters were sleeping in an unheated cargo container on their former construction site. As EU citizens, in theory they have rights to social benefits – but only if they provide proof of employment. This state-imposed embargo is why all of the workers had to leave Germany before the case could even go to court.

After the DGB failure, the workers connected with the grassroots union FAU in November 2014 and organized small-scale protest rallies outside of the mall throughout the winter of 2014/2015. Shoppers and the media reacted supportively, but little else happened. After months of protest, with no social benefits, the workers had to return to Romania.

Since then, the FAU's lawyer has been representing them in court. In June 2016, the cases against the bankrupt subcontractors were closed without a settlement. Under German law, the workers are now allowed to directly sue HGHI Holding GmbH. It remains to be seen if the small union can defeat the big investor.

Could you introduce yourself and tell us about your struggle?

My name is Bogdan Droma. I'm from Romania, and I'm a part of a group of migrant workers who worked at the Mall of Berlin. I worked there for more than four months. When I arrived, I was promised a work contract and a place to sleep. A lot of people came to work there.

We didn't get a work contract, we didn't get a sleeping place, we couldn't afford to pay for ourselves. We found the worst conditions. They are exploiting people there. Our money is in their pockets. But we stopped working without papers. When we started protesting, using the name of the company, they threatened us to stop. The biggest part of our group stopped protesting and left. Now, we are eight guys and still protesting day by day for more than one month. We started protesting to defend our basic human right: *I work for you, you should pay me*. We will not stop fighting against the exploitation, because what they do, and how they develop Berlin – it's based on exploitation.

I have a question for these guys who lead Berlin and this country: Do you like to have the feeling that you're developing this country on exploitation? If you see this video, please answer in public: What opinion do you have? Maybe it will come out that you have no power to stop exploitation. There may even be solidarity with the government, and people will understand you have no power to make the mafia stop exploiting people. In this case, we will come to support you, and we'll protest in the

name of the government in order for this company to stop exploiting people. We will be there for you. If you understand this message, please answer, because thousands of people work in this country and develop it, and you take all the advantages. And now you're a proud country: ›We are so big, we are so developed!‹ But you're hiding slavery and exploitation.

Please, if you have the power, stop it and pay the people. Give them a work contract, and stop that six-months law³, because you are blackmailing workers. If you don't find a job, or you work informally for six months, and nobody gives you a work contract, you are forced, as a refugee or immigrant, to work for less. You will go to any company to get a work contract. Would you like that? It's blackmail from the government, open blackmail. We can't accept that. We will fight for this right. It's our basic human right to work. What did we receive? Only promises. We are in 2014, and slavery finished a long time ago.

I want to thank the FAU, because they support us in this struggle. Without the FAU, we couldn't have gotten this far. We fought a lot without the FAU, but after we joined them, we received a place to sleep, we received some normal food, we received some love and support. And I think there is no other place if you need support for your struggle – only the FAU. If you go to DGB, if you go to ver.di, if you go to another place to defend your rights, you will find a nice lady there. She will support you with a lot of paperwork, she will support you with the advice: ›You can go to court‹. But that road to the court, it's so long and so hard. Without money, it's not so easy to fight for your rights. It's not so easy to stand outside in the cold and struggle to defend your human rights. And these guys from the biggest syndicate, can they understand what is in our hearts when we have a struggle? Paperwork is good, but it takes too much time. When we reached out to the FAU, they came with us, and they protested with us in the cold, shoulder to shoulder. That's the meaning of a syndicate, that's dedicated support to a struggle. This is how we can fight. The court is good, but it is the second part.

We will not stop to demand our dignity. I am a father, and I'm a son, and I'm a brother, and I'm a husband and I failed to accomplish my duties. I said that ten times, and I will say it until they stop. I failed to accomplish my duties, because I worked in

3 | He is referring to the rule that German authorities can stop benefit payments to EU citizens after six months of unemployment (if they have worked for less than a year). Furthermore, EU citizens receive no benefits at all for the first three months of their stay in Germany. To be entitled to the same unemployment benefits as German citizens, EU citizens must give proof of twelve months of official employment. This dependency on a work contract makes them severely vulnerable to fraudulent employers (see ZEIT Online 2015, 2016).

Berlin, and I cannot accept that. Please, come and show solidarity with this struggle. If you are from the government, if you are a syndicate, if you are normal people, if you are a worker, if you are Angela Merkel: Come and support human rights, because we lost our human rights in Berlin, in Deutschland.

And today you joined the demonstration of the refugee struggle in Berlin? What do you think about the demo, and why is it important for you to be with the refugees in the street?

I see the refugee struggle and the demo today, and I understand a small part of what's happening there. I don't have their life. I don't have their problems. I have my problems; they are easier to solve. What they have there, it's unimaginable to live in that way. Because I'm a human, and I have a heart, a normal heart, not a stone heart, I joined the group to support them. If you don't have a job, what happens next? You're exploited, because you don't want to leave the country, and you will work for less, for nothing. This country makes laws to exploit people, and in this way it will become a good and big country – full of exploitation. You like that? If you enjoy it, say it loud. Go make a public statement: ›Yeah, I like to exploit people, we are Deutschland, it's normal‹. Then we will understand you. But don't hide it, because people feel that, and if you push them and push them, they will go to demand their rights.

You know that story of the mouse? If it has no place to hide, the mouse will try to bite the cat. Now you, the government, you are that cat hunting the mouse. That mouse, it wants to defend himself. It's a human feeling. It's normal. Maybe you can break that hard stone, and not hide behind the laws. Just open your heart, and help the people to work. That's also a good way to develop this country. Don't force people to become your slaves. In the contract they will work part-time, a few hours a day, but in reality every day they will work ten to twelve hours for two, three Euros per hour. Are you comfortable with that? No employer will give you a job when you are a refugee or immigrant. Maybe for six months, and one week before the end of six months, they will give you a work contract: ›Yeah, I can give you the job, if you want to work for two Euros, you are welcome‹. If you have no interest in taking advantage of these people and their work, then change the laws, and give the people the right to normal, legal work.

Why does the government exploit especially immigrants and refugees?

Why they are exploited? For money. When you are caught in this struggle for making a lot of money, you have many rich friends, and you must be competitive. Who's

making more at the end of the year? For money, that's the reason. There is no other reason. You can't say we invaded your country. It's bullshit. If the government doesn't want to support illicit businesses, it should change the laws. It's my opinion as a European citizen and immigrant in this country.

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[transcript]