

Racism and Racial Discrimination in the Workplace: A comparison of workers' attitudes in a British and German car plant.

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Chapter 1: Introduction.

Research in Britain has consistently shown that members of ethnic minority groups are in a disadvantaged labour market position. Overall, members of ethnic minorities, which constitute 6.5 per cent of the British population, are disproportionately more likely to be unemployed than white workers. Data provided by the Labour Force Survey were used by the Trade Unions Congress (TUC, 1997) to illustrate that members of ethnic minorities were two and a half times more likely to be unemployed¹ than members of the white population. When broken down by gender and ethnic group, the research data showed that Afro-Caribbean, Pakistani and Bangladeshi males were over three times more likely to be unemployed than white males. Afro-Caribbean women were over two-and-a-half times more likely, and Pakistani and Bangladeshi women were four-and-a-half times more likely, to be unemployed than white females. Furthermore, there was a higher preponderance of ethnic minorities among the long-term unemployed.

As Lee and Wrench (1980) observe, members of ethnic minorities, despite holding the same rights as white British workers, have remained in a narrow range of occupations, are over-represented in low-paid and insecure jobs and are more likely to be found working anti-social hours in unhealthy or dangerous environments. Even workers from ethnic minorities who were born and educated in the UK are likely to be employed below their qualification level. This is reflected by data collected by Rice and Patel (1988) in the West Midlands, which indicated that white males' net earnings were substantially higher than both Asian (by 15.6 per cent) and Afro-Caribbean males (by 33.3 per cent). While the difference in female earnings was less marked, it was shown that Asian and Afro-Caribbean female workers carried out more shift and night work. These findings led Rice and Patel to conclude that while 'it is impossible to calculate in numerical terms the scale of low pay problems amongst black workers in the West Midlands...it can be stated categorically that they earn significantly less than their white counterparts and are far more likely to suffer from low pay' (1988:12). These findings are confirmed by recent research by the TUC, which claims that many new jobs taken by ethnic minority workers are part-time, temporary and low-paid (TUC, 1997). Using pay data collected by the British Labour Force Survey, the TUC estimated that gross hourly pay for full-time workers from ethnic minorities was almost 10 per cent less than the corresponding average for white full-time workers (TUC, 1995).

Although restricted occupational and locational factors along with education have been cited as playing a role in limiting the labour market opportunities of the ethnic minority population, such effects do not fully explain the disadvantages faced by the ethnic minority labour force. Instead, it has become accepted that members of ethnic minorities do face discrimination in the labour market. A study by Brown and Gay (1985) indicated that in every job category there was still substantial discrimination against ethnic minorities, with up to a third of all employers discriminating against Asian and Afro-Caribbean job applicants.

The situation of ethnic minorities in Britain mirrors that of ‘non-German’ foreign nationals in Germany, who constitute around 9 per cent of the population of the Federal Republic. In 1998, when unemployment rate stood at 10.5 per cent in Germany (and 9.8 per cent in western Germany), the unemployment rate for foreign nationals was 20.3 per cent. Furthermore, while all the main groups of foreign nationals had higher rates of unemployment than Germans, the unemployment rate amongst Turks was 22.7 per cent (Beauftragte der Bundesregierung für Ausländerfrage, 1999).

**Table 1: Occupational positions of foreign and German employees
in the German labour market 1990-1994 (in %)**

Position in Occupation	Foreign employees		German employees	
	1990	1994	1990	1994
Overall				
Unskilled workers	22	16	4	3
Semi-skilled workers	37	44	11	9
Skilled workers/foremen	27	22	19	17
Clerical workers	5	6	9	12
Executives/senior executives	5	6	37	39
Self-employed	5	6	10	10
Second generation				
Unskilled workers	13	7	4	2
Semi-skilled workers	29	27	9	4
Skilled workers/foremen	37	28	31	8
Clerical workers	13	20	16	16
Executives/senior executives	9	16	31	37
Self-employed	0	2	3	4
Women				
Unskilled workers	38	25	8	5
Semi-skilled workers	35	39	13	11
Skilled workers/foremen	9	5	5	4
Clerical workers	10	17	19	24
Executives/senior executives	7	11	43	41
Self-employed	2	3	7	9

Source: INFIS (1997:2)

Foreign nationals are also to be found in the lowest rung of the occupational hierarchy (table 1). This reflects, in part, the initial function of migrant labour (in Germany as in Britain) as one of meeting labour market shortages that had arisen as indigenous workers moved into the tertiary sector. However,

this distribution structure still tends to prevail today - despite all the changes in the various sectors of industry, despite partial naturalisation and (proclaimed) integration, despite the improved knowledge of the language and skills of the "second generation": foreign workers still work mainly in industry and, to a far greater extent than Germans work there as semi-skilled workers and foremen: below average numbers work in commerce, the banking and insurance sector and in the state sector. Within the processing industries, they work above all in jobs involving heavy physical work, dirt and noise...(INFIS, 1997).

Not surprisingly, given the concentration of foreign workers in Germany within unskilled, semi-skilled and skilled manufacturing occupations, they also experience lower pay than Germans, estimated at 76 per cent of average income for all foreign nationals and at 73 per cent for Turkish workers (Goldberg et al., 1995).

These data indicate the labour market disadvantages that ethnic minorities and foreign nationals face in Britain and Germany respectively, disadvantages that are replicated in other social spheres. The historical structural disadvantages that these groups experienced in the labour market have become reinforced by discriminatory practice; forms of 'racial' discrimination. Although racial discrimination in the labour market has been a recurrent theme in British and German industrial relations in recent years, it is important not to separate discriminatory practices from blatant forms of racism. In this respect, it is useful to refer to high-profile examples from both countries, which illustrate racism at work.

In Britain, the inquiry into the murder of Stephen Lawrence conducted by Sir William McPherson showed that institutional racism played a part in the flawed investigation by the Metropolitan Police Service of the murder, notably in the treatment of the Lawrence family and Dwayne Brooks, the surviving victim; in the failure of officers to recognise the murder as a 'racially motivated crime'; and in the lack of urgency and commitment in some areas of the investigation. The report emphasised that institutional racism was not limited to the Metropolitan Police Service and a consequence of the inquiry was the Race Relations (Amendment) Act 2000 which ended the exemption of public authorities and public sector from the 1976 Act and placed a positive duty on public authorities and public sector

organizations to promote racial equality in the provision of services and to improve equal opportunities in employment.

In addition to this, the issue of racism and discrimination in the private sector was raised following a series of racist incidents at the Ford car plant at Dagenham. Problems in the plant were first reported in 1996, when Ford was forced to pay compensation to four black workers whose faces they had 'whitened' in a promotional poster aimed at the Polish market, but subsequently used in Britain and, secondly, when seven Black and Asian workers at the Dagenham plant took the company to an industrial tribunal for alleged racism, backed by the Transport and General Workers Union (TGWU). The latter case related to the truck pool, where salaries were almost twice that of assembly workers, but the proportion of minority ethnic workers was 2-3 per cent, compared with 45 per cent across the plant. The union alleged that Ford had allowed the truck fleet to recruit on the basis of family ties. As a result of the case, 300 (white) truck drivers left the TGWU, joining the United Road Transport Union (URTU); a move which caused further division in the plant and led to the URTU being expelled from the TUC.

The problems of workplace racism resurfaced in October 1999, when a series of racist incidents culminated in wildcat strikes at the plant and calls for a strike ballot over 'systematic racism'. Action was only called off when corporation President, Jac Nasser, took personal control of the growing crisis over racism at Dagenham, flying from Detroit to sign a comprehensive agreement with the unions (Eironline, 1999). An example of the problems within the plant was provided by Beckett who reported:

Last Wednesday, an Asian shop steward, Jaswir Teja, was reportedly 'forcibly pushed' by a supervisor while talking to a fellow Asian worker about insults they had received. The Thursday before that, an industrial tribunal heard details of the Dagenham treatment endured by another Asian employee, Sukhjit Parma: 'Paki' scrawled on his pay packet, protective clothing refused while he was oil-spraying, confinement in a 'punishment cell', and graffiti snarling from a factory wall - left undisturbed for two weeks - that he would be murdered like 'nigger Lawrence'. Such barbarities, says Bill Morris, the general secretary of the Transport and General Workers' Union (TGWU), one of the main unions at Dagenham, are "the very tip of the iceberg" (The Guardian 6/10/99).

In Germany, high levels of unemployment, particularly in the eastern *Länder* also raised the spectre of racism amongst trade union members. A study conducted by the election poll institute [Infratest dimap](#)

in August 1998, indicated that about 11 per cent of all trade union members 'could imagine' voting for a political party of the extreme Right at the Federal election in September 1998 (in comparison with 7 per cent of all persons entitled to vote), with the percentage of potential voters for the extreme Right particularly high among young trade unionists aged between 18 and 24 years (32 per cent) and unemployed union members (20 per cent). These findings were a great concern to the German trade union movement, especially given the outcomes of a previous regional (*Land*) election in Saxony-Anhalt, where about 35 per cent of all young union members aged 18-24 had voted for the extreme right-wing *Deutsche Volksunion* (DVU) (Dammann, 1999).

The concerns of employers and trade unions at the growing support for extreme-right racist parties led in August 1998 to the *Deutscher Gewerkschaftsbund* (DGB) and the *Bundesvereinigung der deutschen Arbeitgeberverbände* (BDA) to issue a joint declaration, providing that the two organisations will share information on the threat of right-wing extremism and will promote initiatives for democracy and tolerance at regional and company level (Eironline, 2000a). Further action was taken by the Federal SPD-led government, which strengthened the role of works councils in integrating foreign workers into the workplace as part of the reform of the Works Constitution Act (*Betriebsverfassungsgesetz*) in June 2001. The reformed act obliges an employer to inform the works council and the workforce on the situation of foreign workers in the establishment on a regular basis, to jointly develop measures against xenophobia at the workplace with the works council and incorporate these measures in works agreements (*Betriebsvereinbarungen*). The Act now gives works councils the right to veto the employment of people with racist attitudes as well as to demand the dismissal of employees involved in racist activities at the workplace.

It is important to stress that by highlighting these recent high profile cases in the two countries the intention is not to portray racism and racial discrimination as either a recent or uncommon occurrence. Rather it is to highlight common responses by the state and labour market organisations to the problems of racism and racial discrimination. The response by the governments in both countries has been to address the issues of racism and racial discrimination in the workplace through legal regulation (in this case by amending the Race Relations and Works Constitution Acts); while employers and unions or works councils have sought to introduce (or in the case of Ford strengthen) policies and agreements aimed at addressing racism and racial discrimination.

This raises three important research issues relating to the effectiveness of legislation and equal opportunities policies in providing an adequate regulatory framework to deal with racism and racial discrimination. The first is whether equal opportunities policies, focusing upon procedural issues, address the real problems of racism and racial discrimination. As Noon and Hoque (2001:106) observe 'equal opportunities policies may be limited in their effect because they are ill-equipped to tackle problems of structural disadvantage'.

Secondly, there is the question of the implementation of equal opportunities policies. Do legislation and equal opportunities (or managing diversity) policies actually lead employers to tackle racism and racial discrimination at the workplace, or are equal opportunities policies developed simply to meet an employer's legal obligations? Thus, Noon and Hoque attempt to distinguish between workplaces paying lip-service to equal opportunities and those demonstrating a stronger commitment to equal opportunities policies to tackle racial discrimination. To qualify for the latter category a workplace must have a 'formal written policy on equal opportunities that specifically addresses equality of treatment or discrimination on the grounds of race..., employee records with ethnic origin specified must be kept, and there must be special procedures to encourage applications from members of ethnic minorities' (ibid; 108).

However, this distinction is rather unsatisfactory as a measure of policy effectiveness and implementation, since it does not address a third key issue, namely the day-to-day operation of the policy in the workplace. Equal opportunities policies, however robust on paper, can only be effective if they are broadly acceptable to managers and workers at the workplace and, as a result of this acceptance, enforceable.

In respect of 'acceptability', Wrench (1999) highlights a number of reasons why employers resist anti-discrimination measures. These include denying that there are problems or narrowly defining racism and racial discrimination as 'untypical behaviour exhibited by extremists'; believing there is equal treatment and that no special measures are required (again ignoring structural disadvantages and issues such as labour market segmentation); stating that problems are created by the 'cultural differences' of migrant or ethnic minority workers themselves; and arguing that policy measures would burden employers operating in competitive markets. Furthermore, Wrench (2001) also notes that where

employers have developed equal opportunities, one key element, provision of anti-discrimination training to the workforce, is frequently omitted. Thus, the potential problem that arises from the implementation of an equal opportunities policy is that action to tackle racism and racial discrimination, based upon changing the behaviour, if not the beliefs, of workers, is not undertaken.

In respect of enforcing equal opportunities policies, this raises issues about the role and effectiveness of trade unions (and other workplace representation bodies), notably the extent to which they have accepted the importance of tackling racism and racial discrimination at the workplace (not just in national policy statements); are in a position to influence the implementation and operation of equal opportunities policies (in terms of workplace presence and power); and can rely upon the support of members to challenge racist behaviour and discriminatory practices in the workplace.

It is this third theme, the acceptability and enforceability of equal opportunities policies, which has been neglected by current academic research into racism and racial discrimination in Britain. The main reason for this is that research in this area has become increasingly removed from the workplace. Although important workplace studies were undertaken which involved both qualitative and quantitative research inside firms (for example, Allen et al., 1977 and Phizacklea and Miles, 1980), the current research focus has shifted to analysing policy content and managerial activities such as monitoring and training (e.g. Wrench, 1996 and Virdee, 1997); analysing discriminatory recruitment practices (Jenkins, 1986; Noon, 1993; and Hoque and Noon, 1999); and, more recently, assessing 'strong' and 'weak' equal opportunities policies and the role of unions using econometric analysis (Noon and Hoque, 2001).

It may be the case that issues relating to research access have influenced the adoption of these methods (see chapter 3 below). However, while these approaches do provide a starting point for examining issues of racism and racial discrimination at the workplace, they do not provide a suitable method for investigating the issue of acceptability and enforcement. This contrasts with recent research undertaken in Germany, which has included case study research in the workplace to ascertain workers' attitudes, both German and foreign, to issues of inequality and the role of trade unions (e.g. Freyberg, 1994; Bentley, 1996; and Birsl et al., 1999).

The focus of this research project, therefore, has been influenced by recent German experience, drawing upon the case study of the Ford Cologne plant carried out by Birsl et al. (1999). By eliciting and comparing workers' attitudes to issues of racism and racial discrimination in Britain and Germany (based upon two case studies from the car industry), one central aim of the research has been to examine equal opportunities policies in respect of their acceptability and enforcement. Following on from this, a second research aim was to explore the role of trade unions and other workplace representation structures within this process. By focusing upon these issues, it was hoped that a contribution could be made to research into racism and racial discrimination and an important gap in the current literature could be addressed. For as de Beijl (1990, cited in Wrench and Solomos, 1993:160) has observed:

Unfortunately, little qualitative research has been carried out to explain the incidence of racial discrimination by accounting for the various motivations and interests of the respective actors in working life. As long as the reasons why, and the ways in which, people discriminate are not clearly defined, it will prove difficult to design effective means to tackle the underlying feelings of fear, prejudice and intolerance.

The report is structured as follows. Chapter 2 outlines issues relating to comparative research. This includes highlighting the different terminology used in Britain and Germany; examining the legal framework relating to racism and racial discrimination; and considering the representation of ethnic minority and foreign workers within trade unions and the influence of workplace representatives on equal opportunities policy. Chapter 3 highlights the theoretical and practical difficulties involved in constructing the research project, before providing a background to the car plants involved in the study, the research methodology and the survey sample. Chapter 4 reports the main findings of the project in terms of workers' attitudes to racism and racial discrimination, the significance of equal opportunity policies in the two plants and the position of the respective trade unions. The conclusions of the study are presented in chapter 5.

Chapter 2: Comparing Germany and Britain: three comparative research issues.

Before undertaking a comparison of racism and racial discrimination in Britain and Germany, it is necessary to consider some of the potential problems of comparison. Although it may be possible to identify similar trends in terms of structural disadvantage, pay inequalities, and labour market exclusion in both countries, it is also important to highlight historical, legal, and industrial relations differences between the two states, as well as to clarify definitions of racism and racial discrimination. For the purpose of this report, the aim is to illustrate the problems of comparison, rather than locate and analyse the developments in terms of the political economy of capitalism (for example see Phizacklea and Miles, 1980; Solomos et al., 1982 and Castles and Kosak, 1985), or provide detailed information on immigration and citizenship laws.

Firstly, it is important to stress the differences in the minority populations of Britain and Germany. Although migration into both states after the Second World War was the common solution to labour shortages, there are important distinctions to be made about Britain and Germany in terms of the countries of origin of the migrant workers. While immigration to Britain originated from predominantly English-speaking former colonial territories (notably from the Caribbean and the Indian subcontinent), migration to West Germany came primarily from Turkey and southern and eastern Europe.

The legal status of these migrants was also significantly different. The majority of those migrating to Britain, prior to the passing of the Commonwealth Immigration Act of 1962, were British citizens. Furthermore, citizenship rights are (generally) granted according to the place of birth, so following settlement in the UK, the children of these 'immigrants' were also British citizens. The 1991 Census indicated that about three-quarters of Britain's non-white population were British citizens. By contrast those migrating to Germany were classed as 'guest workers' (*Gastarbeiter*). As Hogwood (2000:127-8) observes, the German Citizenship Law of 1913, which remained in force until 1 January 2000, based German citizenship on blood lineage (*jus sanguinis* principle). As a result German law and policies have discouraged naturalisation for non-German foreign nationals, even though data indicate that by 1997 49.2 per cent of non-German foreign nationals (3,625,900) had lived for over 10 years in Germany and 30 per cent (2,209,800) for over 20 years (Beauftragte der Bundesregierung für Ausländerfrage, 1999).

These differences in the composition and legal status of the migrant populations that settled in Britain and Germany should not obscure the common reasons for migration into the two states, nor the similar patterns of discrimination these groups face. Nevertheless, they do provide difficulties when undertaking comparison. The focus of research into racism and racial discrimination in Britain has been upon the non-white population, (ignoring, to a large extent, discrimination against other ethnic and/or religious groups), while emphasis in Germany has been upon xenophobia and discrimination against non-German foreign nationals.

As Wrench (1999) notes, in Britain the terms ‘migrant’ and ‘immigrant’ are rarely used, and since the majority of the non-white population are full British citizens, it is incorrect to call them foreign. Instead, the terms ‘ethnic minorities’ or ‘black’ are used to categorise all non-white minorities. By contrast, in Germany the government does not recognise the term ‘ethnic minorities’ for ‘non-German’ foreign nationals, nor do populations of migrant origin define themselves as such. Instead official German usage is likely to use the term ‘foreigner’ (*Ausländer*), while many organisations from the migrant population refer to themselves as ‘immigrants’ (*Einwanderer*). Finally, as Wrench (ibid:3-4) observes:

Another contrast in terminology usage between the UK and Germany is the idiosyncratic British use of the word ‘race’ or ‘racial’ minorities. ‘Race’ is usually used in the UK as a social construct, with no correspondence to any biological reality. Many British writers prefer to use the term in inverted commas to emphasise this point. However, whereas in the UK and the US it is largely accepted that ‘races’ are a social construction and not a biological fact, this qualification would still not legitimate its use in Germany, where ‘race’ has a clear biological meaning and is therefore hardly ever used (except by self-confessed racists).

Notwithstanding these distinctions in the terminology used in the two countries, the terms ‘racism’ and ‘racial discrimination’ will be used in this report, as social constructs, to cover issues of racism, xenophobia and direct and indirect forms of discrimination. However, the distinction between ethnic minorities and ‘foreign’ workers will be maintained.

A second comparative issue that arises relates to legislation relating to racism and racial discrimination. Although there are a number of sources of anti-racism or anti-discrimination laws in both countries, it

is the legislation relating to the workplace that is particularly relevant for this study; namely the Race Relations Act in Britain and the German Work Constitution Act.

The Race Relations Act of 1976 replaced previous Acts which proved ineffective in tackling racial discrimination, extending the scope of the law against discrimination to employment, training, housing and the provision of goods, facilities, services and planning. In the field of employment, the Act renders it unlawful for one person to discriminate against another on the grounds of 'race'ⁱⁱ in respect of: determining who shall be offered employment; the terms of an offer; or the refusal or deliberate omission to offer employment; the terms of employment; access to opportunities for promotion, transfer or training, or any other benefits, facilities or services; and dismissal (EIRR, 1995). It gives individual victims a right of direct access to civil courts and Industrial Tribunals (now Employment Tribunals).

An important element of the Race Relations Act was that the legislation covered both direct and indirect forms of racial discrimination. 'Direct racial discrimination arises where a person treats another person less favourably on racial grounds than he treats, or would treat, someone else; and indirect racial discrimination consists of treatment which may be described equal in the formal sense as between different racial groups, but discriminatory in its effect on one particular racial group' (Virdee, 1997:2). The 1976 Act also permits positive action, enabling employers, training bodies or other organisations to take a range of measures to help members of racial groups who are under-represented in particular work to compete for that work on a more equal footing with others in the labour market. However, positive action does not include positive discrimination. For example, with additional training there must be no guarantee of a job for successful ethnic minority trainees. Wrench (1996) has observed, however, that while steps towards positive action can be effective, the evidence indicates that its application has been limited.

The 1976 Act also established an independent Commission for Racial Equality (CRE), a statutory body whose duties include: working towards the elimination of racial discrimination; promoting equality of opportunity and good relations between persons of different racial backgrounds; keeping the Act under review and making recommendations for amendments. The CRE can conduct formal investigations where it is believed that discrimination is taking place, issue non-discrimination notices, institute legal

proceedings in cases of persistent discrimination, take proceedings in respect of (both direct and indirect) discriminatory practices and assist with individual complaints.

One major problem identified with the 1976 Act relates to the fact that the burden of proof rests with the claimant when attempting to prove discrimination claims in the tribunal system. Since much discrimination is covert or indirect, being enshrined in institutional practices, it is particularly difficult for complainants to produce positive evidence of discrimination. An issue related to this is recording and monitoring data on ethnic origin by the employer, since such data could be used as evidence in race discrimination cases. The systematic recording of data on ethnic origin of employees and job applicants, and the monitoring of recruitment and selection and promotion data is recommended by the CRE in the 1984 *Code of Practice: For the elimination of racial discrimination and the promotion of equality of opportunity in employment* (hereafter Code of Practice). However, the Code of Practice is essentially an article of 'soft law' and there is no legal obligation upon employers to undertake recording and monitoring data on ethnic origin.

Although the CRE recommended in its review of the Race Relations Act in 1998 that the burden of proof should be shifted onto the employer (once a *prima facie* case is established) and that ethnic monitoring should be compulsory for all employers with over 250 employees, neither issues were adequately addressed by the Race Relations (Amendment) Act 2000. Yet, research has consistently identified the problems in establishing race discrimination claims. For example, an investigation carried out by the Labour Research Department (2002:14-16) indicated that although race discrimination claims had been rising faster than tribunal claims as a whole during the 1990s, it was much harder to obtain justice from the tribunal system for these claims. Race discrimination claims were more likely to be dismissed than claims under other jurisdictions; they were less likely to be settled between the parties after submission of a tribunal claim; and they had the least chance of winning at tribunals. For example, over the last 10 years only 31 per cent of race discrimination cases were won at tribunals compared to 44 per cent in sex discrimination cases. Between 2000 and 2001, only 16 per cent of race discrimination cases were successful compared to 28 per cent for sex discrimination and 43 per cent across all jurisdictions.

In Germany, although the Basic Law (Art 3. *Grundgesetz*), the European Community Agreement (Art 48(2) *EWG-Vertrag*) and the agreement outlining the relationship of the European Community and Turkey (Art 10(1) *Assoziationsratsbeschluss Nr. 1/80 EWG-Türkei*) provide legal sources of regulation in the field of equal treatment, the primary source of legal regulation in respect of discrimination has been the Works Constitution Act (1952, amended 1972, 1988, 2001). Paragraph 75 (1) of the Act expressly assigns to works councils the principle of equal treatment under constitutional law:

Employer and works council must ensure that all persons working in the establishment are treated in accordance with the principles of what is right and proper and, in particular, that no instances arise where persons are treated differently because of their origins, religion, nationality, political or trade union activities or views, or because of their gender.

Further, the works council also has a duty to promote the integration of foreign employees into the establishment and promote understanding between them and German employees (§80). The key issue in terms of preventing race discrimination is the extent to which a works council can, and is prepared to, use its participation rights to prevent discrimination. According to INFIS (1997:9) these include: information and codetermination rights which can be used to prevent discrimination in personnel policy in measures relating to individual personnel (§99); exercising codetermination rights in the cases of dismissals (§102); and using consultation and codetermination rights in regard of vocational training (§97) including the promotion of training, such as language training.

While these rights provide works councils with important rights and opportunities to address issues of discrimination, the weaknesses of this legal approach need to be considered. Firstly, the Act does not formally cover recruitment into the establishment, allowing an employer to actually discriminate openly in recruitment and selection processes without sanction, ‘even if applicants are more frequently rejected because of a lack of knowledge of the language or lack of specialised...skills’ (INFIS, 1997:9).

Secondly, there is no clear legal definition of what constitutes equal treatment and discrimination for foreign workers. Crucially, as Wrench (1996) observes, there is no legal distinction between direct and indirect forms of discrimination. Thus, as the INFIS report (1997:9) indicates, ‘the principle of equal treatment does not prevent companies from giving foreign employees dirty jobs which are hazardous to health, or from formulating the skills profiles for recruiting and dismissing workers in such a way that,

for technical or practical reasons, either foreign workers are not taken on or they are more rapidly dismissed.’

Thirdly, the lack of distinction between direct and indirect forms of discrimination is reflected by the emphasis on works council activity on combating racism and xenophobia. Indirect forms of racial discrimination against foreign workers are usually considered secondary order issues (see for example Zimmer, 2001). This is also reflected in the 2001 amendment to the Works Constitution Act. This amendment strengthens the role of the works council in fighting racism and xenophobia, notably granting the works council rights to veto the employment of people with racist attitudes and to demand the dismissal of workers involved in racist activities at the workplace. Nevertheless, there is a growing recognition that everyday forms of (indirect) discrimination are issues that need to be addressed within the workplace.

Discrimination at the workplace is only in exceptional cases conscious xenophobic activity. Rather...discrimination is a structural element of the everyday activity in the establishment, which is not consciously intended. The majority of foreign employees still take on the worse, unsafe jobs; are unemployed more often and for longer periods; are affected more often by accidents at work; and frequently are among the ‘losers’ in rationalisation plans. Workplace surveys refer to a ‘silent agreement’, a ‘secret consensus’, a ‘natural’ acceptance; they indicate a daily practice of discrimination beneath the more extreme forms, which is apparently not even perceived as such and often understood by the victims themselves as ‘normality’. Much more needs to be done in the fight against everyday, ‘normal’ discrimination in the workplace (Gewerkschaftliche Praxis, 2000:20).

Finally, it is important to note that the amended Works Constitution Act, by explicitly referring to the conclusion of works agreements (*Betriebsvereinbarungen*) on issues of racism and racial discrimination, formalises a process (promoted by trade unions such as the metalworkers’ union *IG Metall*), whereby anti-discrimination measures were increasingly established through negotiated works agreements. Instead of direct legislative intervention, the SPD-led Federal Government, in reforming the Works Constitution Act, has provided a legal framework to facilitate joint agreements against racism, xenophobia and discrimination at the workplace.

This brief overview of the main legislation in Britain and Germany relating to racism and discrimination at work highlights distinctions in legal regulation between the two countries; notably differences in the definition of racial discrimination and the relative importance of identifying and

tackling indirect discrimination. It is important to consider these differences when undertaking comparative research, since they help the researcher to develop meaningful comparative research questions and to evaluate and interpret comparative research findings.

However, it is also important to consider similarities in the legal frameworks of the two countries. Firstly, the perceived weaknesses and failings of legislation on race discrimination needs to be considered: in relation to the burden of proof, ethnic monitoring and unsatisfactory outcomes in the tribunal system in Britain; and in relation to recruitment and selection and the duties and rights of works councils (notably in cases of indirect discrimination) in Germany. Secondly, and returning to the theme developed in chapter 1, it is important to highlight that in both countries tackling racism and racial discrimination in the workplace is dependent upon the role of employers and workers' representatives. This is most noticeable in Germany where works agreements between works council and employer have been identified (and now legally recognised) as the main mechanism for developing equal opportunities policies. However, in Britain, the role of the employers, for example, in adopting and implementing the CRE Code of Practice, and the role of unions in negotiating equal opportunities policies and supporting claimants in internal grievance procedures and external tribunal cases are also central to tackling racism and racial discrimination.

The third comparative issue that needs to be considered, therefore, is the role of industrial relations actors and practices in facilitating, or hindering, measures to prevent racism and racial discrimination. Previous research into industrial relations actors and racism has focused to a large extent upon the position of trade unions and workplace representatives (for example, Miles and Phizacklea, 1978; Phizacklea and Miles, 1980 and 1987; Lee, 1987; Wrench, 1987; Keidel, 1993; Kühne et al., 1994; Öztürk, 1998). Typically these approaches tend to reflect the framework developed by Pennix and Roosblad (cited in Wrench, 1996; see also Martens, 1999), whereby trade union movements move through three stages of development in relation to immigrant labour.

The theoretical starting point for their research is provided by the 'three dilemmas' of trade union policies towards foreign migrant and ethnic minority workers. The first dilemma is whether trade unions should resist state immigration policies or co-operate with them to restrict the possible negative effects of immigration on their existing (indigenous) members. The second dilemma, once immigration

has taken place, is then whether unions include foreign migrant or ethnic minority workers within the trade union movement and accord them the same protection as existing members. Unions can advance equal treatment to promote social justice and prevent employers undermining members' conditions, although evidence suggests that union members who feel threatened by immigrant labour have not always accepted such policies (Martens, 1999). The third dilemma, which arises when foreign migrant and/or ethnic minority workers are members, is whether distinct policies and services should be established for foreign migrants and/or ethnic minorities within the workplace and within the unions.

Pennix and Roosblad argue that the first two dilemmas have been addressed by most European union movements. However, the third, that of equal or 'special' treatment for migrants and ethnic minorities, remains. The central question is how unions act to represent migrant or ethnic minority workers who are subject to discrimination that indigenous or white workers do not experience. A policy of equal treatment, where no additional provision is made to represent these workers will allow disadvantage and exploitation to continue. However, as Wrench (1996) notes, if a union does provide additional resources to represent issues specific to migrant or ethnic minority workers, this may cause resentment and even opposition from indigenous or white workers.

This body of research is particularly valuable in helping to explain the shameful racism that ethnic minority and foreign workers have experienced in both countriesⁱⁱⁱ and also to examine the problems organised labour had in developing policies to tackle racism and discrimination, notably policies which require a re-allocation of resources to ethnic minority (or foreign) workers (Wrench, 1987:183). The key issue to emerge from this debate is how unions deal with ethnic minority and foreign workers, both in terms of representation and the integration of measures to tackle racism and racial discrimination into trade union policy.

Table 2 highlights the significant differences between German and foreign workers within the workplace representation structures of the metalworking and textile industries in 1998. Foreign workers made up 11.9 per cent of the workforce and 11.5 per cent of *IG Metall's* membership in these two industries. Consequently, membership density for foreign workers in these industries (42.7 per cent) was only just below density for German workers (at 44.3 per cent), although the membership density of female foreign workers (39.7 per cent) was actually significantly higher than that of female German

workers (34.9 per cent). Similarly, within *IG Metall's* workplace delegate structure, the proportion of foreign *Vertrauensleute* (11.4 per cent) reflected both workforce and union composition.

Table 2. Representation of foreign workers in the metalworking and textile industries (1998)

	Male	%	Female	%	Total	%
Metalworking and textiles workers	2,583,132		678,160		3,261,292	
Foreign metalworking and textiles workers	314,263	12.2	74,985	11.1	389,248	11.9
IG Metall members (density)	1,206,742		236,914		1,443,656	
Foreign IG Metall members (density)	136,306	11.3	29,766	12.6	166,072	11.5
IG Metall membership density		46.7		34.9		44.3
Foreign IG Metall membership density		43.4		39.7		42.7
IG Metall <i>Vertrauensleute</i>	n/a		n/a		59,907	
Foreign IG Metall <i>Vertrauensleute</i>					6,829	11.4
Works Councillors	57,326		13,093		70,419	
Foreign Works Councillors	3,034	5.3	454	3.5	3,488	4.9
Works Council Deputy Chairpersons	9,387		2,007		11,394	
Foreign Works Council Deputy Chairpersons	352	3.8	37	1.8	389	3.4
Works Council Chairpersons	10,571		1,460		12,031	
Foreign Works Council Chairpersons	328	3.1	30	2.1	358	3.0

Sources: IG Metall (1998, 1999)

However, when representation upon works councils is considered, the proportion of foreign works councillors (4.9 per cent), works council deputy chairpersons (3.4 per cent) and works council chairpersons (3.0 per cent) were considerably below workforce and union composition. Further, the proportion of foreign female workers holding works council positions was even lower. While these figures refer to elected works councillors, it is important to note that in the 1998 works council elections in these industries 81.1 per cent of works councillors were members of *IG Metall* (IG Metall, 1998). More significantly, in most workplaces union representatives decide the 'union slate' for the election and can, therefore, influence the representation of foreign workers on that slate.

The under-representation of black and ethnic minority workers has also been identified as an issue within the British union movement. Data presented at the TUC Black Workers' Conference in 1998 indicated that black and ethnic minority workers are just as likely to be union members as other employees, with nearly 300,000 black workers in membership of a trade union or staff association (a density of 28 per cent). It is noticeable that black and ethnic minority women are more likely to be

union members (29 per cent) than female employees in general (28 per cent) although this probably reflects the higher proportion of black and ethnic minority workers in full-time jobs. However, black male employees are less likely to be in a union (27 per cent) than male employees in general (32 per cent) and also less likely to be in a union than black female employees. It should also be noted that ethnic origin and age also led to variations in membership density among black and ethnic minority workers (Eironline, 1998). Nevertheless, black and ethnic minority workers remain under-represented in trade union decision-making structures. According to a [Labour Research Department](#) survey conducted in 1998, black union representatives constitute only 4 per cent of the total, black women just 1 per cent. Under-representation is particularly acute among union full-time officials: only around 2 per cent of which are from black and ethnic minority groups (Labour Research Department, 1998).

The debate over improving representation of black and ethnic minority and/or foreign workers highlights the difficulties in providing ‘special’ arrangements. One example of this is unions using reserved seats or quotas to guarantee representation of black and ethnic minority and/or foreign workers. These representatives could be seen as role models for other black and ethnic minority and/or foreign workers. It has also been argued that black and ethnic minority and/or foreign representatives have been able to use their positions to tackle racism and discrimination at work. However, black and ethnic minority and/or foreign workers elected using these methods might be viewed - notably by white or ‘indigenous’ members - as token appointments, undermining their credibility with the membership.

As far as trade union policies aimed at tackling racism and racial discrimination are concerned, it is beyond the scope of this report either to examine the history or to attempt to classify current trade union policy in this area. Instead a brief overview of some significant developments during the period of the study is provided. In both Germany and Britain, the central trade union confederations, the DGB and TUC respectively, have taken an active role in dealing with issues of racism. They produced numerous publications for education and bargaining purposes and attempted to co-ordinate union activities. For example, the TUC organised two conferences aimed at influencing union policy on discrimination. The first conference^{iv} examined how issues affecting black and ethnic minority workers could be integrated into collective bargaining agendas, the second^v provided guidance and examples of ethnic monitoring of recruitment and selection, training and promotion policies. Similarly, the DGB held a two-day workshop^{vi} examining the role of trade unions in representing migrant workers in

precarious employment and a three-day conference examining racism in society and at work, and the role of trade unions in promoting tolerance.^{vii}

These initiatives taken by the central trade union confederations are also reflected in the activities of affiliated unions. A negotiator's guide drawn up by the TUC and the Labour Research Department highlighted how a number of trade unions had attempted to use collective bargaining to introduce racial equality policies covering recruitment, selection and promotion; training and recognition of overseas qualifications; performance appraisal; disciplinary and grievance procedures; leave arrangements; dress codes; cultural and religious practices; and health issues (LRD, 1998:28-44). In Germany, in response to the *Joint Declaration on the Prevention of Racial Discrimination and Xenophobia and the Promotion of Equal Treatment* by the European Social Partners in October 1995, *IG Metall* developed a Model Works Agreement (*Musterbetriebsvereinbarung*) 'Combating and Eliminating Discrimination against Foreign Workers and Promoting Equal Opportunities at Work' (IG Metall, 1996). The agreement provides a framework for works councils to negotiate at establishment level. It is significant because of the wide-ranging focus on equal treatment of foreign workers in areas of recruitment and selection, work allocation and changes in work organisation, access to apprenticeships, further training and educational opportunities, promotion and, where appropriate, the provision of company housing.

While these activities indicate policy developments within the British and German trade union movements, the impact of such initiatives in the workplace, as noted in the previous chapter, is difficult to ascertain. In this respect the characteristics of industrial relations structures and practices in the two countries need to be considered. Differences in the legal frameworks, trade union and employer organisation, collective bargaining levels, coverage and scope, and workplace representation structures can influence the capacity of unions to implement equal opportunities. Rimmer (1972) provides an early example of the significance of distinctive British industrial relations practices, identifying the impact of 'custom and practice' on racial conflict at the workplace in his study of foundry workers in the West Midlands. However, while comparative analysis of union policy needs to be recognised, there is a danger, by concentrating upon a detailed analysis of different industrial relations practices in the two countries, of ignoring the key issue of the power relationships between unions and employers.

The above analysis of anti-racism or anti-discrimination laws in Britain and Germany highlights the key role for workplace negotiation in addressing both racism and racial discrimination, but it is important to stress that the capacity for unions to negotiate is necessarily contingent upon workplace presence and bargaining strength.

The decline in the influence of British unions is well-documented, with, for example, Wrench and Virdee (1996) linking economic changes in workforce composition and the impact of legal and political assault of the Conservative government on trade union rights and functions to the problems unions have recruiting black members and implementing equal opportunities policies. Millward et al. (1999) confirm this decline. Analysis of the Workplace Industrial Relations Surveys (WIRS) of 1980, 1984 and 1990 as well as the 1998 Workplace Employee Relations Survey (WERS) indicates that union presence in workplaces has fallen from 73 per cent in the 1980 and 1984 surveys to 54 per cent in 1998. Furthermore, the union recognition for bargaining purposes has fallen from 65 per cent to 42 per cent of workplaces. Finally, collective bargaining coverage has fallen from 70 per cent in 1984 to 41 per cent in 1998.^{viii} Significantly, Cully et al. (1999:104) indicate that the scope (content) of negotiation is also narrow. In the case of equal opportunities policies, these are rarely subject to negotiation, even in workplaces where unions are recognised. They are usually introduced unilaterally by management, either following a consultation process or with no union involvement at all. While these data are overly reliant upon managers' views and are only able to provide, at best, an overview of workplace industrial relations in Britain, they do indicate that the opportunities for unions to tackle racism and racial discrimination are constrained by both collective bargaining coverage and scope.

It is also increasingly the case that the opportunities for German unions to tackle racism and racial discrimination are constrained. Recent research suggests that the coverage of collective agreements and joint regulation through works council has declined dramatically. According to Bellmann et al. (1998 cited in Hassel, 1999:487), in 1997 only 14.4 per cent of west German and 12.3 per cent of east German establishments were covered by a valid collective agreement and a works council, with 29.5 per cent of west German and 46.0 per cent of east German establishments having neither a works council nor a collective agreement. Crucially, Hassel (1999) provides data which indicates that, following the 1994 works council elections, 60.5 per cent of private-sector workplaces did not have works councils, covering 44.9 per cent of employees in private sector employment. These data indicate

the growing 'representation gap' and decline of joint regulation in Germany, which is particularly significant since, as noted above, works councils are legally responsible under the Works Constitution Act for tackling xenophobia and discrimination at the workplace.^{ix}

This chapter has outlined some of the theoretical problems in attempting to compare issues of racism and racial discrimination in Britain and Germany. It began by identifying important distinctions in both the terminology used and the different focus of research in the two countries, which reflected the different sources and legal status of the migrant worker population entering Britain and Germany in the post-war period. These distinctions are also important in helping to explain the different focus of legislation in both countries. Nevertheless, there are two important common features that need to be considered. Firstly, despite the existence of legislation relating to racism and racial discrimination in the workplace in both countries, the limitations and structure of these legal frameworks highlight the importance of workplace negotiations to implement and enforce policies to tackle racism and racial discrimination. Secondly, the role of trade unions in both countries in fulfilling this workplace role is limited by problems unions have experienced in representing black and/or foreign workers and by the decline in workplace presence and influence.

Chapter 3: Comparing two car plants: methodological issues.

The previous chapter examined some of the theoretical issues analogous with a comparative study of racism and racial discrimination at the workplace. However, it is also important to consider the practical and methodological problems associated with this research project. This chapter will outline the mixed methodology adopted by the researchers; highlight the problems experienced by the research team in undertaking fieldwork, notably the issue of access; provide background information on the two case study car plants where fieldwork was conducted; and examine the representativeness and comparability of the two samples created by the questionnaire survey.

In attempting to conduct research into the acceptance and enforcement of equal opportunities policies aimed at tackling racism and racial discrimination, the researchers intended undertaking fieldwork based upon the previous work of Birsl et al. (1999) at the Ford plant in Cologne. This was based upon a case study approach and a mixed methodology. The aim was to undertake fieldwork within car plants, conducting elite interviews with managerial and/or trade union officials and workplace representatives; an attitudinal survey of a workers in the plant and a subsequent set of group interviews with a sample of survey respondents. The aim of this mixed methodological approach was, therefore, to combine qualitative and quantitative research methods to obtain a greater understanding of the issues of racism and racial discrimination in the selected case studies and, in doing so, to triangulate different sources of data. For example, the group interviews could be used to check the validity of information supplied by managers and workers' representatives; to obtain qualitative information of the attitudes and experiences of the interviewees; and to help examine and interpret some of the findings of the quantitative questionnaire.

In Germany, access was quickly agreed at the Volkswagen van production plant in Hanover. This was arranged through contacting the works council chairperson at the plant and gaining the agreement of works council, *IG Metall* and the union committee of foreign workers in the plant to conduct the research. Crucially, although the Labour Director (*Arbeitsdirektor*) at the plant was informed and agreed to the research, the researchers were not dependent upon managerial support, since the works council, based upon the rights under the Works Constitution Act and the strength of *IG Metall* in the plant, were able to agree and facilitate access.

However, gaining access to car plants in Britain to carry out the planned fieldwork was extremely problematic. It is possible to identify five main reasons why access proved to be so difficult. Firstly, the issue of access has to be considered in the economic context. The timing of the project happened to coincide with a period of restructuring and crisis in the British car industry, notably in a number of plants originally identified by the researchers as potential case studies. These included the closure of Ford's Dagenham assembly plant; the crisis and eventual sale of Rover by BMW, focusing on the Longbridge plant in Birmingham; economic restructuring and redundancies at Goodyear (Wolverhampton) and Michelin (Stoke-on-Trent) tyre plants; and the proposed closure of the GM Vauxhall plant at Luton (for details see Eironline, 2000b).

Secondly, the issue of access has to be considered in the political context. The timing of the fieldwork also coincided with the publicity surrounding the problems of racism and racial discrimination at Dagenham in October 1999. Not surprisingly, attempts to gain access to Dagenham through Ford's management were unsuccessful, but significantly a number of Personnel Managers in other companies approached by the researchers were unwilling to participate in the survey for fear that the research would 'stir-up' racial tensions in the workplace. This highlights, as Jenkins (1987:145-6) observes, the difficulties of conducting research into the sensitive issues of racism and discrimination. Further, possible access opportunities were also jeopardised in several cases by threatened or actual strike action, notably at Peugeot (Coventry), Rover (Longbridge) following the sell-off, and Rolls-Royce and Bentley (Crewe), where managers were also concerned that permitting access would exacerbate industrial relations disputes.

The third, crucial issue in relation to Britain relates to the high degree of dependency on the goodwill of management in securing access. In attempting to carry out research in the workplace, access to workers, in contrast to Germany, depends almost completely on management. Approaches based upon support of trade unions proved to be problematic, not only because of their limited rights in the workplace but also because of the British union structure. In order to include a wide range of workers in the research (for example, by grade, occupation, gender and ethnic origin), the support and co-ordination of all unions represented in the plants were required. In practice, this meant developing strong relationships with at least three unions (prior to the MSF-AEEU merger) in each attempt to gain access.

A fourth issue, which complicated the issue of access, was related to the aim of including the views of workers from ethnic minorities in the research. This, in effect, meant that the researchers had to target car plants in areas with a relatively high proportion of ethnic minorities, such as the West Midlands, to try and ensure a representative sample of ethnic minority respondents to the questionnaire as well as in the group interviews. Initially, this meant excluding plants in areas with a relatively low concentration of ethnic minorities - for example, Toyota (Derbyshire), Michelin, and Rolls Royce and Bentley, though as the problem of access continued these were also approached. However, access was subsequently denied for other reasons.

Finally, a fifth consideration of the researchers related to the size of plant. Given the evidence which indicates that ethnic minority and foreign workers in Britain and Germany are frequently victims of labour segmentation, the initial intention of the researchers was to concentrate on larger production sites, so that labour segmentation, and how employers and workers' representatives address it, could be examined. As the British car industry is now characterised by smaller plant size, higher levels of outsourcing and greater dependency on suppliers than German plants, it was hoped that by securing access in a larger assembly plant this research theme could be addressed. However, unable to secure access to these sites in Britain, the researchers were forced to drop this issue.

The problem of securing access in Britain had a number of important implications for the comparative framework and methodology. In the first instance, this related to whether the proposed case study and mixed methodology approach should be persisted with in Britain, or whether it would be more appropriate to adopt a different method, for example, elite interviewing or postal questionnaires of union members. However, adopting a different research method in Britain would have seriously limited the comparability of the study, so it was decided to continue with attempts to gain access, even if this meant including car plants outside of areas with a relatively high proportion of ethnic minorities, as well as approaching component suppliers. Nevertheless, the delays in securing access did have implications for the comparative study, because it was necessary to begin the research in Germany, before access had been secured in Britain. One consequence of this was that it was difficult to construct an attitudinal survey, applicable to both case studies, when information was only available for the German plant. This raised questions about the piloting of the survey and created tensions between

standardising many of the questions across the two countries, whilst (subsequently) having to adapt the questionnaire to account for national and firm variation in Britain.

Finally, access was secured at the newly established BMW engine plant at Hams Hall, in North Warwickshire. The following section provides a background to the two cases studies.

Volkswagen Hanover.

At the time of the study the VW Hanover plant employed 15,238 workers producing vans for VW and Daimler Chrysler. Production is based on 'specialised diversified production' and the plant produces between 800 to 1,000 vehicles a day. The plant has its own foundry, which produces for the whole of VW, both within Europe (for example Audi, Seat and Bentley) and for VW plants in Brazil and Mexico. However, there are no press works in the plant, with the van bodies produced at Emden. A large degree of production is 'in-house' rather than outsourced and, since 1994, VW has delegated responsibility for buying, distribution, marketing, and research and development to each plant, resulting in up to 5,000 employees at the plant not being directly employed on production work. Production is based upon differing shift patters, with three rotating shifts operating in the foundry and three fixed shifts (two day, one night) in assembly, though a degree of flexibility is built into both systems. Production is based upon teamworking, with the organisation of work determined by the team members, with the *Meister(in)* ultimately responsible for the organisation and operation of the team.

In common with other VW sites, the plant is highly organised by *IG Metall*, with membership density of 97 per cent. At the time of the study, following the 1998 works council elections, 39 works councillors were elected on the *IG Metall* election slate, one belonged to the Christian Metalworkers union (CGM) and two were independent. All works councillors were released from their jobs to work full-time as councillors (a considerable improvement on the provisions in the Works Constitution Act). There are 850 union *Vertrauensleute* in the plant, who are given time off on a fortnightly basis to meet. Within the *Vertrauensleute* body is a group of foreign workers.

At the time of the study there were 2,396 foreign workers employed at VW Hanover, making up 15.7 per cent of the workforce. This compares with foreign settlement rates in Hanover of 14.9 per cent at the end of 1995 (Beauftragte der Bundesregierung für Ausländerfrage, 1999:30). Table 3 provides a

breakdown of the employment at the plant by nationality. By far the largest group of foreign workers is Turkish (providing over half of all foreign workers) with workers from Greece, Spain and former Yugoslavia forming the other main groups, reflecting the origins of migration into Germany.

However, it should be noted that foreign workers are highly concentrated in blue-collar jobs. While foreign workers constitute 17.8 per cent of the blue-collar workforce, only 1.3 per cent of white-collar jobs in the plant are held by foreign workers.

Table 3: Employment at VW-Hanover by nationality (March 2000)

	Blue-collar (Arbeiter)	White-collar (Angestellte)	Apprentices	Total	% All employees
Spanish	249	7	5	261	1.71
Greek	285	7	4	296	1.94
Italian	113	1	5	119	0.78
Portuguese	20	1	1	22	0.14
Turkish	1308	5	48	1361	8.93
Yugoslav	172	4	7	183	1.20
Croatian	21	4	0	25	0.16
Bosnian	1	0	0	1	0.01
Macedonian	5	0	0	5	0.03
Slovenian	2	0	0	2	0.01
'Other' foreign ¹	n/k	n/k	n/k	121	0.79
Total foreign (known)	2176	29	70	2396	15.72
German	10027	2210	605	12842	84.28
Total	12203	2239	675	15238	100.00
% Foreign Workers	17.83	1.30	10.37	15.72	-

Source: VW Hanover Betriebsrat

¹ No breakdown of the 121 'other' foreign nationals working at the plant was available (either by nationality or staff group). Therefore, calculations of the percentage of foreign workers by staff group (blue/white collar and apprentice) are incomplete and based only on the nationalities provided.

In July 1996 a works agreement (*Partnerschaftliches Verhalten am Arbeitsplatz*) covering the whole company was reached. The agreement focuses upon three main themes: sexual harassment, bullying at work and discrimination. Information provided to every VW employee about the agreement defines what is meant by each of the terms and providing examples of the forms that such activities can take. In addition, this information indicates the help available to those suffering sexual harassment, bullying and discrimination; outlines the recommended procedures to be followed; and indicates the disciplinary action that can be taken when a case is proven.

It is significant that the emphasis of the VW agreement is clearly upon open forms of discrimination and bullying. For example discrimination is defined as 'all utterances, actions and omissions, that ridicule, vilify or discriminate against people of different origins, skin colour, gender or religion. Even mockery over a different mentality and way of living is discrimination' (Volkswagen, 1997:32). There is no discussion of possible structural discrimination or indirect (unconscious) forms of discrimination. This contrasts with the *IG Metall* 'Model Agreement', outlined in the previous chapter, which identifies a wide-range of workplace issues where indirect discrimination may need to be tackled.

BMW Hams Hall.

BMW Hams Hall is an engine assembly plant that was officially opened in February 2001. BMW decided to build a new engine plant in 1996 and construction begun in 1997, when BMW still owned the Rover Group and the aim was to produce 400,000 engines annually for Rover and Land Rover. Following the sell-off of Rover, the decision was taken to divide up engine production between the Steyr plant in Austria (running at full capacity^x) and Hams Hall. Steyr would focus on diesel engines and Hams Hall would produce four-cylinder gasoline engines (Automotive News, 2001). In 2001, 60,000 engines were produced, compared to a proposed full annual capacity of 440,000 engines. Over 90 per cent of components (crank cases, cylinder heads and crank shafts) are sourced from other BMW plants. The production process in the machining area is over 90 per cent automated and 50 per cent automated in the main engine assembly hall. At the time of survey the plant employed 660 workers, working on a one-shift system. When operating at full capacity (by 2005) it was envisaged that between 1,100 and 1,500 workers would be employed on a two-shift system. Work organisation is theoretically team based. All 'associates' (the term used for employees) are assigned to a team with internal decision-making responsibility (task allocation and working time). The emphasis of teamworking is to develop functional flexibility. Production workers are expected to possess or develop multiple skills to carry out tasks within the team. The team 'selects' a team speaker to represent interests to management.

The initial 400 workers recruited to Hams Hall transferred from Rover's Longbridge and Solihull plants. 'This is due to the fact that when recruiting for the Hams Hall plant, BMW management firstly mounted recruitment drives at those operations which were then part of the BMW group' (EIRR,

2001:28). Only after this initial intake were jobs advertised externally, with BMW receiving 8,500 applications for the first 100 jobs advertised externally.

Following consultation with the workforce, it was decided to introduce an employee representation system based upon a 'plant council' rather than follow the arrangements at Rover, with a multi-union joint negotiating committee and the participation of full-time union officials in single-table bargaining. Once the model for a 15-person plant council (11 elected representatives and 4 senior managers) had been established, recognition negotiations began with three unions, the TGWU, AEEU and MSF. A final package on union recognition and procedures (involving the plant council) was put to a workplace ballot and accepted by over 90 per cent of those voting. At the time of the survey union density was estimated at 65 per cent. In subsequent elections to the plant council, 10 of the 11 elected representatives were trade union representatives. Two representatives from management grades were elected and one woman. A two-year pay agreement negotiated with the plant council and full-time union officials was agreed in November 2000.

No data were provided to the researchers on the composition of the workforce at Hams Hall. On the one hand this reflects the fact that no formal ethnic recording or monitoring was taking place in the plant. One personnel manager conceded that 'at the moment Personnel would probably struggle to supply data on staff promotion [and] ethnic minority background' (interview 14.06.01). Secondly, it is also possible that management were concerned about providing the researchers with this information. It is important to note in this respect, that one senior personnel manager stated clearly in an interview that he did not approve of such a survey of the plant and, had he been in the position, would not have granted access to the researchers. This highlights the sensitivity of the subject and reflects the concerns expressed by personnel managers at other sites.

However, if the ethnic minority population were to be representative of the local area, then, given the relatively high concentration of black and ethnic minorities in the West Midlands region (11.0 per cent); the considerably higher proportion of black and ethnic minorities in the nearby West Midlands Metropolitan county (21.6 per cent); the transfer of workers from Rover sites located in the West Midlands Metropolitan county; and a recruitment process which included targeting Solihull, Birmingham and Coventry, a significant number of black and ethnic minority employees at would be expected to work at Hams Hall.

In fact, a conflicting picture over the proportion of black and ethnic minorities in the plant emerged from interviews conducted in the plant. Among management representatives there was a general belief that the company's workforce profile reflected a good mix between white workers and ethnic minorities. Furthermore, it was stressed that the recruitment processes, because they focused purely on competences and capabilities, were non-discriminatory. Therefore, there was no real need to monitor statistics (such as ethnicity, gender and age). By contrast in the group interviews a different view was dominant. As one female interviewee remarked:

I've had people come from Germany and say, ... and this was a few months ago, so there were fewer people here...“where are all the Asian people”. [I know] we are not in Birmingham, we are in Warwickshire, but ... they know that Birmingham's got a big Asian community, and I mean it has also got a big West Indian, sort of black, whatever, community. And they were sitting there and they spotted it, and I hadn't really thought about it until that point. But they spotted the fact that, that it didn't reflect what their feeling of the local area was. ... And I looked at it then and thought yeah, ... we have got quite a few Asian people, but I don't think we've got representative number here. And I certainly think the West Indian, or black [representation] is worse (female manager, interview 16.08.01).

This view was supported by other employees attending that interview and was also reflected in other groups. For example, one former production worker from Solihull who transferred to Hams Hall noted that 'I may come in contact with one or two people from ethnic backgrounds at work, but it's one or two here, isn't it. There's no great deal' (male engineer, interview 9.08.01).

As far as equal opportunities policies were concerned, the plant was formally covered by the 'Red Book' procedures operated in Rover. At the time of the survey, it was argued by management that there had been insufficient time for management to revise equal opportunities policies; and that the priority had been agreeing grading and payment systems. As one manager claimed 'the old Rover agreement is sufficient for the time being. There is no need to speed things up' (interview 14.06.01). While developing equal opportunities policies was identified as an upcoming task by the senior personnel manager, there was no indication of the timescale envisaged. However, one of the senior managers represented on the plant council argued that the plant council would only play a consultative role in the development of these policies. 'It would be natural, right, and proper to involve the plant council in the equal opportunities set up and diversity policy. Not to negotiate, but to share and discuss, and take on their views' (interview 14.6.01).

The general perception among management was, however, that employees were unaware of the current policy. This was reflected in the group interviews, where there was a certain confusion as to whether policies were in existence or not. Reflecting the views of several interviewees, one engineer reported ‘I would suspect that there is an equal opportunities policy, knowing where we’ve come from, and knowing the business. But I have never seen it, so it is not been publicised very well’ (male engineer, interview 9.08.01).

The survey samples.

As noted above, the fieldwork undertaken by the research team was staggered as a result of problems with access in Britain. After initial interviews with works council representatives and foreign *Vertrauensleute* and piloting the survey questions at VW-Hanover, 1,000 questionnaires were sent out in May 2000. The questionnaires were distributed through the union – with some copies translated into Spanish and Turkish, with requests to try and ensure good responses from foreign and female workers. In total, 337 questionnaires were returned, representing a response rate of 33.7 per cent. Group interviews were then conducted in November and December 2000.

Table 4: Comparison of VW survey with workforce composition

	Blue-collar (Arbeiter)			White-collar (Angestellte)			Apprentices			Total		
	Plant		Survey	Plant		Survey	Plant		Survey	Plant		Survey
	%	n		%	n		%	n		%	n	
Foreign	17.8	48	20.3	1.8	7	17.5	10.4	6	10.7	15.7	61	18.4
German	82.2	188	79.7	98.7	33	82.5	89.6	50	89.3	84.3	271	81.6
Total	100.0	236	100.0	100.0	40	100.0	100.0	56	100.0	100.0	332	100.0

Table 4 indicates that the sample is broadly representative both in terms of occupation and foreign and German respondents. Response rates among foreign workers were slightly higher for blue-collar and apprentices, and noticeably higher for white collar workers, than in the plant’s workforce. Similarly, the sample included a larger proportion of apprentices than amongst the workforce, reflected in a lower response rate amongst blue-collar workers.

In Britain, initial discussions took place with managers at the BMW Hams Hall plant in December 2000, with a series of interviews with personnel held in early June 2001 to examine the structure of the

plants, industrial relations and equal opportunities issues, and to adapt the VW questionnaire to the employment situation in the plant (for example, grading structure and shift work patterns). The questionnaire was distributed to all 660 workers employed at the plant in June 2001. In total, 132 questionnaires were returned, representing a response rate of 20.0 per cent. Group interviews were then conducted in August 2001.

As neither data on the numbers of black and ethnic minority workers in the plant nor the grade mix at the time of the survey were made available, it is impossible to check the representativeness of the questionnaire sample. However, only 5 workers classified themselves as black or ethnic minority, representing only 3.8 per cent of the workforce.

Before analysing the results of the survey, it is important to highlight a number of important comparative issues arising out of the structure of the two samples (see Appendix 1). Firstly, it is noticeable that, overall, the workers in the BMW sample are older (notably in the 41-50 year old age group); concentrated more in middle management and clerical grades; more highly educated; and significantly better paid than the workers in the VW sample. This reflects the recruitment cycle at BMW with initial recruitment focusing upon managerial and clerical workers and experienced workers transferred from Rover sites. Several interviewees commented that the workforce at BMW was highly educated 'for a factory' (interviews 16.9.02). However, the sample structure may also reflect the difficulties that some shopfloor workers were reported to have experienced in completing the questionnaire, suggesting that the sample may be slightly skewed in favour of white-collar and managerial workers.

Secondly, the differences in the samples in terms of the proportion of foreign or black and ethnic minority workers are reflected in the religious orientation of workers in the two samples. While only one BMW respondent was Moslem and two were Sikhs (representing 2.3 per cent of the respondents), there were 46 Moslem respondents at VW (representing 13.6 per cent of the sample).

Finally, it is important to emphasise the different levels of union membership between the two samples. While 99.4 per cent of the VW sample were union members, only 51.5 per cent of the BMW sample were unionised. In the BMW sample, the response rate among union members is lower than the estimated density level of 65 per cent. This adds weight to the suggestion that the sample is skewed in

favour of white-collar workers, since membership data indicate that unions are usually more successful in organising blue-collar workers (Sneade, 2001)^{xi}.

This chapter has highlighted the problems experienced by the researchers in undertaking comparative fieldwork. The main problem of securing access to a British car plant can be related primarily to the economic problems facing the 'British-based' car industry and the difficulties researching racism and racial discrimination in the 'post-Dagenham' period. As a result, two 'unmatched' case studies were researched. Although the lack of data available to the researchers about the workforce at Hams Hall makes evaluating the representativeness of the sample difficult, particularly in respect of black and ethnic minority workers, issues of comparison arise as a result of the differences between the samples. For the purposes of this report, there has been no attempt to re-weight the samples (for example by occupation, age, education, citizenship or ethnic status, religion, union membership or remuneration). Nevertheless, the differences in the structure of the two samples do need to be considered when evaluating the survey results.

Chapter 4: Racism and racial discrimination: emerging themes.

The findings of the two surveys are reported in this chapter. The chapter is divided into five sections, reflecting the issue of racism and racial discrimination within the context of 'acceptance' and 'enforcement' outlined in the introduction. The first section examines whether the surveys provide evidence of structural discrimination. The second section considers the issue of racism and racial discrimination by reporting the experiences of foreign, or black and ethnic minority workers from the two samples. The third section then examines the attitudes of all workers to issues of racism and racial discrimination. The fourth section assesses the attitudes of respondents towards equal opportunities policies in this area. Finally, the attitudes to trade unions and works councils are considered in terms of the function they perform when problems arise and their representation of women and foreign or black and ethnic minority workers.

Evidence of structural discrimination and disadvantage.

There is little evidence of structural discrimination within either plant from the survey data. When foreign workers are compared to German workers in the VW-Hanover plant there appears to be no significant statistical differences^{xii} between the two groups in terms of occupation, grade, gross monthly income, shift-working patterns and position in their work team. However, there are statistically significant differences in relation to educational achievements (chi-square 0.01; significant at 10 per cent level) with German workers more likely to take time off for study purposes. German workers were also more likely to have unbroken unemployment than foreign workers, while foreign workers were more likely to have a second job (chi-square 0.01; significant at 10 per cent level).

Similarly, when the small sample of black and ethnic minority workers is compared to white workers in the BMW Hams Hall plant there appears to be no significant statistical differences between the two groups in terms of education, vocational training, occupation, grade, gross monthly income, shift-working patterns and position in their work team. However, white workers were more likely to have changed jobs as a result of a promotion opportunity than black and ethnic minority workers (chi-square 0.01; significant at 10 per cent level), though whether this can be related to discrimination is purely speculative.

It is important to emphasise that the data available from the survey are neither comprehensive nor exact measures of structural discrimination. The representativeness of the samples, for example, in terms of the location of the workforce in the plant (and potential arguments of labour market segmentation) is unknown, and it is highly problematic to try and derive structural discrimination from statistical analysis of rather small datasets. It is more appropriate, therefore, to analyse the surveys by examining the attitudes of the respondents to racism and racial discrimination.

The experience of racism and discrimination.

In both surveys, foreign or black and ethnic minority workers^{xiii} were asked to indicate the areas of their life in which they had experienced racism and racial discrimination. Table 5 reports the responses from the VW survey. The table highlights the high levels of discrimination that foreign workers perceive they have experienced. In all areas covered by the questions, over one-third of respondents had experienced discrimination either ‘often’ or ‘very often’. In most cases, over two-fifths had experienced discrimination either ‘often’ or ‘very often’. This included discrimination at the workplace.

Table 5: Foreign workers experiences of racism and discrimination (VW survey).

Have you personally experienced discrimination?	Very often (%)	Often (%)	Neither often nor rarely (%)	Rarely (%)	Never (%)	Total (n)
At school?	17.3	29.6	19.8	14.8	18.5	81
At college / during training?	12.5	22.5	20.0	20.0	25.0	80
At work?	16.3	26.1	17.4	20.7	19.6	92
While seeking accommodation?	28.7	19.5	16.1	12.6	23.0	87
From neighbours?	18.6	19.8	22.1	15.1	24.4	86
During leisure time?	22.1	22.1	14.0	15.1	26.7	86
When dealing with authorities?	25.9	18.5	21.0	12.3	22.2	81
From the police?	27.1	17.6	21.2	11.8	22.4	85

By contrast, in most cases the nine respondents to these questions in the BMW survey did not report that they had experienced discrimination ‘often’ or ‘very often’. Nevertheless, two respondents had often experienced discrimination at work and one during college or training.

In order to try and interpret what the respondents meant by discrimination, a further set of questions were asked, which related to the form and frequency of the discrimination they had experienced. Table 6 reports the findings for the VW survey. Around nine in ten respondents had experienced degrading comments, with over seven in ten experiencing them frequently. Similarly, almost four-fifths of respondents had faced ‘racist’ abuse, with over half experiencing this ‘often’ or ‘very often’. Although the threat of violence or actual violence against foreign workers were considerably lower, over one quarter were frequently threatened with violence, half had experienced some form of physical attack, and one in ten had experienced serious bodily harm ‘often’ or ‘very often’.

By contrast, none of the six respondents in the BMW survey reported that they experienced degrading comments, racist abuse, the threat of physical violence or actual violence ‘very often’. Nevertheless, with the exception of the threat of physical violence, one respondent had experienced each of these forms of racism ‘often’.

Table 6: The form and frequency of racism and discrimination faced by foreign workers (VW survey).

If you have experienced discrimination, what form did it take and how frequent has it been?	Very often (%)	Often (%)	Neither often nor rarely (%)	Rarely (%)	Never (%)	Total (n)
Degrading comments	28.1	43.8	11.2	6.7	10.1	89
Racist abuse	21.7	26.5	13.8	18.1	20.5	83
Threat of physical violence	10.7	17.3	12.0	20.0	40.0	75
Actual bodily harm	11.1	4.2	15.3	19.4	50.0	72
Serious bodily harm	6.9	4.2	5.6	9.7	73.6	72
Refused a job	13.9	13.9	12.7	16.5	43.0	79
Refused accommodation	28.0	15.9	13.4	8.5	34.1	82
Refused a college/training place	10.8	8.1	21.6	12.2	47.3	74
Refused entrance to a pub/club	37.3	22.9	8.4	6.0	25.3	83
Refused membership of an organisation	4.1	2.7	10.8	21.6	60.8	74

There is also substantial evidence of other forms of discrimination against foreign workers from the VW survey. Over three-fifths of respondents believed they were frequently refused entrance to a pub or club, over two-fifths were frequently refused accommodation and over one quarter frequently refused a job. Again, the situation of four respondents at BMW was markedly different. Although two

respondents believed they had ‘often’ been refused accommodation and one ‘very often’ refused membership of an organisation, there were no other cases of discrimination occurring frequently.

These initial findings suggest, therefore, that foreign workers at VW perceive that they have experienced considerable racism and racial discrimination both at work and in other areas of their lives. Due to the very small sample size it is hard to make comparisons with the BMW respondents. However, while the findings suggest that they have not faced racism and racial discrimination as often as respondents in the VW survey, it is important to stress that in all cases respondents had experienced some racism and/or discrimination.

Attitudes towards racism and discrimination.

In order to examine attitudes towards racism and racial discrimination, workers in both plants were asked a series of questions relating to political sympathies, ‘cultural’ practices and employment. Firstly, workers were asked to identify the political parties and organisations, with whose policies they most sympathised. In the VW survey, eighteen German workers (5.6 per cent of all respondents) indicated sympathies with the far-right *Republikaner* party, one respondent was active in a far-right group and six (1.8 per cent) expressed sympathy with far-right (skinhead or paramilitary) organisations. By contrast, seven respondents were active in anti-racist/fascist organisations and eighteen (5.6 per cent) sympathised with their aims. Similarly, at BMW eight white workers (6.7 per cent of all respondents) indicated sympathies with the far-right British National Party (BNP), and four (3.0 per cent) with neo-nazi groups. By comparison, two respondents were active in anti-racist/fascist organisations and thirty-two (24.4 per cent) expressed sympathies with their aims. Thus, although far-right sympathisers and activists were confined to a small minority in each plant, there nevertheless exists potential for racial tension in both workplaces.

Workers were also asked to answer a series of questions about the cultural practices of foreign or black and ethnic minority groups and the relationship between foreign and German, or black and ethnic minority and white British people respectively. The findings are reported in table 7. In terms of cultural practices, a similar proportion of German workers at VW (54.0 per cent) and workers at BMW (59.7 per cent) agreed^{xiv} that foreigners, or members of black and ethnic minorities should be able to keep their cultural practices in Germany and Britain respectively. However, over one quarter of German

workers at VW and one fifth of BMW respondents did not agree with this statement. These responses were significantly different from those of foreign workers at the VW plant, 85 per cent of whom believed that foreigners should be able to keep their cultural practices.

Table 7: Attitudes to cultural practices and relationships between indigenous/white and foreign/black and ethnic minority populations.

Plant	Question	Category	Agree %	No View %	Disagree %	Total (n)
VW***	Foreigners should be able to keep their cultural practices in Germany.	German	54.0	18.3	27.8	263
		Foreign	85.0	5.0	10.0	60
BMW	Members of ethnic minorities should be able to keep their cultural practices in Britain.	All	59.7	19.4	20.9	129
VW	It is understandable that Germans feel threatened by an increasing number of foreigners.	German	65.4	15.8	18.8	260
		Foreign	62.1	10.3	27.6	58
BMW	It is understandable that whites feel threatened by an increasing number of people from ethnic minorities.	All	73.1	10.0	16.9	130
VW***	If we want to improve the relationships between Germans and foreigners, we must do more to get to know one another and live closer together, so that we can learn from each other.	German	73.3	15.3	11.5	262
		Foreign	95.2	0.0	4.8	62
BMW	If we want to improve the relationships between whites and ethnic minorities, we must do more to get to know one another and live closer together, so that we can learn from each other.	All	69.0	17.1	14.0	129

*** Statistically significant at the 1% level (chi-square test).

Interestingly, all three groups agreed that it was understandable that indigenous groups would feel threatened by the increasing number of foreigners or ethnic minorities, with no significant differences between foreign and German workers at VW. Over two-thirds of BMW respondents and almost three-quarters of German VW respondents believed that more contact between foreigners or ethnic minorities and the indigenous population was needed. However, in both plants over one in ten respondents did not think this was appropriate (11.5 per cent at VW and 14.0 per cent at BMW). Again this contrasted with the responses of foreign workers at the VW plant who overwhelmingly (95.2 per cent) believed that greater integration would improve relationships.

Therefore, the findings suggest that there was a general acceptance of foreigners and ethnic minorities maintaining their cultural practices and a belief that greater integration would help build good relationships between these groups and the indigenous population. However, there was a minority of (indigenous) workers in both plants who did not think that this was acceptable. In order to assess the extent to which the views of these minorities might lead to racial tension in the workplace, a number of questions about working relationships were also included in the questionnaire. These are reported in table 8.

Almost nine-tenths of all workers at the VW and BMW plants agree that it does not matter whether your work colleague is German or foreign, or white or black (respectively). Nevertheless, the issue is more contentious when the question focuses upon a worker's line manager. Although there is hardly any change in either the BMW responses or those of foreign workers at VW, there is a significant decline in the number of German workers at VW prepared to accept a foreign line manager. Over three-quarters agreed that having a line manager who is foreign is not a problem, but 14.3 per cent of respondents disagreed with this statement.

Table 8: Attitudes to workplace relationships between indigenous/white and foreign/black and ethnic minority populations.

Plant	Question	Category	Agree %	NoView %	Disagree %	Total (n)
VW*	At work it does not bother me whether my colleagues are German or foreign. It is experience and ability that counts.	German	89.7	4.9	5.3	258
		Foreign	93.3	0.0	6.7	62
BMW	At work it does not bother me whether my colleagues are black or white. It is experience and ability that counts.	All	96.2	1.5	2.3	132
VW**	It does not matter to me whether my line manager is German or foreign.	German	76.7	8.9	14.3	258
		Foreign	91.9	1.6	6.5	62
BMW	It does not matter to me whether my line manager is black or white.	All	92.3	5.3	2.3	131
VW*	German or foreign workers have such different mentalities, that working together can lead to problems.	German	43.5	17.8	38.7	253
		Foreign	36.8	8.8	54.4	57
BMW	Black and white workers have such different mentalities, that working together can lead to problems.	All	10.7	15.3	74.0	132

** Statistically significant at the 5% level (chi-square test);

* Statistically significant at the 10% level (chi-square test).

Finally, there is a very mixed response to the question about ‘mentalities’ of German and foreign, and white and black or ethnic minority workers. While this is not an issue at all for almost three-quarters of BMW workers, over one third of foreign workers and two-fifths of German workers at VW believe that foreign workers and Germans have different mentalities. This distinction between the BMW and VW plant may reflect issues of language and nationality, since the main distinction between the black and ethnic minority populations in Britain and foreign workers in Germany is (in most cases) common language and nationality ties. However, the identification of distinct mentalities of foreign and German workers in the VW plant is perceived to be a potential cause of problematic working relationships.

In summary, the survey findings do provide limited evidence to suggest that racial tensions may exist in both plants. A small minority of workers in each plant are sympathetic to far-right racist parties and organisations; do not accept multi-cultural practices; do not agree that integrative measures will help build relationships between indigenous and foreign or black, and ethnic minority populations; and are unwilling to have foreign or black, and ethnic minority workers as colleagues or supervisors. Furthermore, in the VW plant there is a clear perception that foreign and German workers have different mentalities and in both plants there is widespread acceptance that immigration has led white, indigenous populations to feel threatened.

Attitudes towards equal opportunities issues and policies.

In addition to questions about the relationships between German and foreign, and white and ethnic minority workers in the two plants, the survey also sought to gain insights into the respondents’ views about equality of opportunity and potential labour market discrimination. Table 9 reports the responses to a series of questions that examined the extent to which the labour market is perceived to operate freely, according to an individual’s capabilities. Over two-thirds of the foreign and German workers in the VW sample agreed with the idea that German society was open and that an individual’s ability and education could determine labour market outcomes. Less than one-fifth of VW respondents disagreed. Although a majority of respondents in the BMW sample (57.4 per cent) also agreed with this statement, a significant minority (30.2 per cent) disagreed.

A similar set of results was found when respondents were asked to comment on the opportunities available to foreign workers, or black and ethnic minorities. Over three-fifths of German and over two-

thirds of foreign workers in the VW plant agreed with the claim that opportunities depended primarily on an individual's ability and education, though a over one fifth of respondents disagreed. While a majority (53.5 per cent) of BMW respondents also supported this claim, again there was a larger minority (29.9 per cent) that disagreed. Thus, a significant majority of foreign and German VW respondents did not perceive there to be structural or indirect discrimination in operation in the labour market. This contrasts slightly with the BMW survey where, although over half of the respondents perceived labour markets to be open, a significant minority of workers did not believe this to be the case.

Table 9: Attitudes to equal opportunities and labour market discrimination.

Plant	Question	Category	Agree %	No View %	Disagree %	Total (n)
VW	Today Germany is an open society, where each person's opportunities depend above all upon ability and education.	German	70.7	13.5	15.8	266
		Foreign	66.1	15.3	18.6	59
BMW	Today the UK is an open society, where each person's opportunities depend above all upon ability and education.	All	57.4	12.4	30.2	129
VW	The opportunities that foreigners have in our society depend above all on their personal abilities and performance.	German	61.9	14.6	23.5	260
		Foreign	69.0	10.3	20.7	58
BMW	The opportunities which ethnic minorities have in our society depend above all on their personal abilities and performance.	All	53.5	16.5	29.9	127
VW***	Today, foreign workers in Germany are not disadvantaged in their prospects for promotion. Therefore, they do not need additional support.	German	53.1	25.8	21.1	256
		Foreign	31.6	21.1	47.4	57
BMW	Today, black workers in Britain are not disadvantaged in their prospects for promotion. Therefore, they do not need additional support.	All	45.0	26.4	28.7	129

*** Statistically significant at the 1% level (chi-square test).

By contrast when workers were asked a more concrete question about promotion and racial discrimination, there was a significant shift in attitudes in the VW survey. Over half of German workers in the VW survey agreed that foreign workers were not disadvantaged when it came to promotion and almost one third of foreign workers also agreed with this statement. However, almost half the foreign workers surveyed (47.4 per cent) did not believe this to be true. In both surveys it is

worth noting that the proportion of German workers and workers in the BMW survey perceiving black workers not to be disadvantaged was lower than in other questions due to over one quarter of respondents having ‘no view’. This suggests a greater degree of uncertainty about evaluating discrimination in terms of promotion, an area of potential indirect discrimination.

While these responses provide an insight into general attitudes towards labour market discrimination, workers in both plants were also asked more precise questions about the role of equal opportunities policies at the workplace. Although workers at BMW Hams Hall were formally covered by the Rover procedures, it was perceived that very few workers would be aware of this. Therefore, it was decided to ascertain workers’ attitudes on the role of equal opportunities policies (reported in table 10). By contrast, in the VW survey (reported in table 11) questions focused explicitly upon the 1996 Works Agreement (*Partnerschaftliches Verhalten am Arbeitsplatz*).

Table 10: The role of equal opportunities policies (BMW survey).

Question	Agree %	No View %	Disagree %	Total (n)
In my opinion an agreement aimed at combating racial discrimination is superfluous because the provisions of the Race Relations Act are sufficient.	48.4	28.2	23.4	132
I believe that an agreement aimed at combating racial discrimination is necessary in this workplace.	26.2	24.6	49.2	126
In my opinion an agreement is unnecessary because there are no problems with racial discrimination in this firm.	55.2	27.2	17.6	125
I think combating discrimination is not enough. The unions should do more to actively promote equal opportunities by monitoring recruitment and promotion.	29.3	36.5	34.1	132
In my opinion, the unions should set targets to increase the proportion of ethnic minorities in higher grades.	8.7	33.3	57.9	126
I think if colleagues have problems with one another, they should not make official complaints, but preferably deal with it personally.	59.5	27.8	12.7	126
If I were affected by discrimination, I would not make an official complaint, because I would be afraid of the reaction of my colleagues and supervisor.	13.9	16.4	69.7	122

The key theme to emerge from the BMW survey is the perception that formal procedures are not required. Around half the respondents believe the provisions of the Race Relations Act to be sufficient;

do not perceive the need for a workplace agreement on racial discrimination; and believe that racial discrimination is not a problem within the firm. While perceptions about the role of unions in monitoring recruitment and promotion are rather mixed, only a small minority (8.7 per cent) of respondents felt that positive discrimination, through the use of targets, should be used. Furthermore, although over two-thirds of respondents claimed they would not be afraid of a negative reaction if they made a complaint, the dominant view (59.5 per cent) was that problems should be dealt with personally, rather than through official complaints.

While it is important to note these overall findings, it is equally important to emphasise that in each case there were a significant minority of workers who did not agree. Around one quarter of respondents did not believe the Race Relations Act was sufficient and thought there should be a specific workplace agreement, with 17.6 per cent believing that there were problems with racial discrimination in the workplace. Furthermore, just under one third of respondents believed there should be some form of monitoring of recruitment and promotion. Finally, around one in eight workers perceived the need for formal complaint procedures and the same proportion claimed that they would not make a formal complaint for fear of an adverse reaction from colleagues and supervisors.

Although the number of black and ethnic minority respondents is very small, it is nevertheless worth noting that none of the four black and ethnic minority respondents believed the Race Relations Act to be sufficient or contested the need for a workplace agreement. Two respondents did not accept that there was an absence of racial discrimination in the workplace and three believed that unions needed to do more to monitor, though only one perceived a need for specific targets.

The results from the BMW survey stand in stark contrast to those from the VW sample. The existence of the Works Agreement is known by over two-thirds of respondents and its contents are also known to a majority of workers. Significantly, the existence of racial discrimination in the plant is acknowledged by German and foreign workers. Furthermore, the agreement is widely supported by over four-fifths of all workers surveyed; it is perceived to be necessary in addition to existing legal provision; and respondents believe that the introduction of the agreement has made a positive contribution to tackling discrimination in the workplace. Moreover, over half the German and two-thirds of the foreign workers surveyed claim that they are encouraged by the agreement to defend themselves against discrimination.

Table 11: The role of Works Agreement *Partnerschaftliches Verhalten am Arbeitsplatz* (VW survey).

Question	Category	Agree %	No View %	Disagree %	Total (n)
I am not aware that such an agreement exists.	German	22.4	6.3	71.3	254
	Foreign	25.9	6.9	67.2	58
I am aware that such an agreement exists, but I do not know its content.	German	22.4	18.4	59.2	250
	Foreign	29.6	20.4	50.0	54
A Works Agreement on this issue is superfluous, because the regulations in the Basic Law and Works Constitution Act are sufficient.	German	12.4	20.8	66.8	250
	Foreign	17.9	16.1	66.1	56
In principle, the aims of the agreement are right.	German	82.0	10.0	8.0	250
	Foreign	80.7	8.8	10.5	57
In my opinion the agreement has contributed to something actively being done against the discrimination of foreign colleagues.	German	66.0	22.7	11.3	238
	Foreign	64.2	20.8	15.1	53
I think the agreement deals with the most important problems in the workplace.	German	59.3	30.9	9.9	243
	Foreign	66.7	16.7	16.7	54
In my opinion the agreement is superfluous because there is no discrimination against foreign workers in this plant.	German	7.3	20.9	71.8	234
	Foreign	13.2	15.1	71.7	53
In my view the agreement is too heavily oriented towards open forms of discrimination and not sufficiently to indirect discrimination.	German	37.2	41.8	20.9	239
	Foreign	42.3	40.4	17.3	52
I do not believe the agreement is adequate. The works council should negotiate an agreement which guarantees that disadvantaged groups are taken more into consideration in recruitment, promotion and training.	German	35.0	35.8	29.2	243
	Foreign	63.6	27.3	9.1	55
As a result of the agreement I feel more encouraged to defend myself against prejudiced and unfair treatment.	German	53.5	29.9	16.6	241
	Foreign	66.7	22.2	11.1	54
I think if colleagues have problems with one another, they should not make official complaints, but preferably deal with it personally.	German	42.2	34.8	23.0	244
	Foreign	71.9	12.3	15.8	57
If I were affected by prejudiced and unfair treatment, I would not make an official complaint, because I would be afraid of the reaction of my colleagues and supervisor.	German	11.6	16.5	71.9	242
	Foreign	19.6	17.9	62.5	56

Although, a large majority of German (71.9 per cent) and foreign (62.5 per cent) workers are not afraid of making a complaint for fear of an adverse reaction from colleagues and supervisors, almost one-fifth of foreign workers would be afraid of making such a complaint. Moreover, there is a significant difference between German and foreign workers' attitudes to official complaints. Only two-fifths of German workers believe that problems should be dealt with personally and not through official complaints and almost one-fifth disagree with this. However, a much higher proportion (71.9 per cent) of foreign workers believed that problems should be dealt with personally.

Finally, it is important to identify the perceived weaknesses of the Works Agreement. As noted above, the VW Agreement *Partnerschaftliches Verhalten am Arbeitsplatz* does not openly address indirect discrimination in contrast to *IG Metall's* 'Model Agreement'. It is interesting to observe, therefore, that the VW agreement is perceived by around four-fifths of German and foreign workers not to sufficiently address issues of indirect discrimination. Furthermore, almost two-thirds (63.6 per cent) of foreign workers do not believe that the Works Agreement adequately deals with discrimination in recruitment, promotion and training procedures, a view supported by over one third of German workers.

The analysis of responses to questions relating to equal opportunities policies appears contradictory. While a sizeable minority (around 30 per cent) of workers surveyed at the BMW plant recognised potential structural and indirect forms of discrimination operating in labour markets, there is little acceptance of the need for an equal opportunities policy to tackle racism and racial discrimination within the plant. At VW the opposite is true. A large proportion (around two-thirds) of German and foreign workers perceive that the operation of the labour market is not distorted by discrimination, yet there is widespread acceptance of the need to address recognised problems of racism and racial discrimination in the plant. This is reflected in the high levels of support for the works agreement that seeks to address (direct forms of) racial discrimination. One possible explanation for this apparent contradiction may lie with the levels of trade union organisation and influence in the respective workplaces and, crucially, the workers' perceptions of the role of the union and/or works council in the workplace.

The role of trade unions and workplace representatives.

A key distinguishing feature of the two plants is the level of union membership. In the case of the two samples, 99.4 per cent of respondents in the VW-Hanover plant are members of *IG Metall*, compared with a combined membership among the TGWU, MSF and AEEU of 51.5 per cent at BMW Hams Hall. Furthermore, the legally-enshrined participation rights that VW works councils possess, notably in ensuring equal treatment and integrating foreign workers, are considerably stronger than those enjoyed by the unions and the plant council at Hams Hall under the agreement on recognition and procedures. Indeed, *IG Metall*'s membership strength and control of works councils across VW have facilitated the negotiation of a company-wide work agreement covering issues of racial discrimination, in line with union policy. These factors, which as noted in chapter 2 contrast with declining representation levels across the German private sector, contribute to the effectiveness of the works council in implementing policies tackling racism and racial discrimination. By contrast, lower membership levels and weaker workplace representation structures make it harder for the unions recognised at Hams Hall to implement policies. In line with a general contraction of the scope of collective bargaining in Britain observed in chapter 2, Hams Hall management view equal opportunities as an issue for consultation rather than negotiation.

In an attempt to develop this theme, workers in the two plants were asked a series of questions related to solving work-related problems and the role of unions and workplace representatives in this process. The findings, reported in table 12, indicate a clear distinction in responses between the two plants. At the BMW Hams Hall plant almost nine-tenths of workers would try to resolve problems directly with their line managers, with little distinction between union and non-union members. Although around two-thirds of workers (both unionised and non-union) would seek to develop a plan with their colleagues before approaching the manager, only around two-thirds (64.1 per cent) of union members would approach their union if this direct approach failed, and only 1.6 per cent of union members would go directly to the union with their problem. In comparison, fewer workers at VW Hanover - over half the Germans and almost two-thirds of the foreigners - would go directly to their line manager. Over three-quarters of the German workers and almost nine-tenths of the foreign workers would go to the works council if they were unable to resolve the problem themselves and a significant number (one tenth of German workers and one quarter of foreign workers) would go directly to the works council.

These results indicate that workers at VW have a greater propensity than those at the BMW plant, including union members, to use collective representation to deal with work-related problems. This would support the argument that union organisation and stronger collective representation structures not only facilitate the implementation of equal opportunity policies but also their enforcement.

Table 12: The role of workplace representatives in resolving problems.

Plant	Question	Category	Agree %	No View %	Disagree %	Total (n)
VW**	I would always try to solve work problems directly with my supervisor/manager.	German	55.0	14.7	30.3	251
		Foreign	65.5	14.5	20.0	55
BMW		Union	92.3	4.6	3.0	65
		Non-Union	88.9	6.3	4.8	63
VW*	I would negotiate with my supervisor/ manager after developing a common strategy with colleagues.	German	55.7	17.6	26.6	255
		Foreign	69.7	10.7	19.7	56
BMW		Union	62.6	20.3	17.2	64
		Non-Union	63.4	13.5	23.1	52
VW	I would try to solve the problem myself at first, but if this did not work I would go to the works council/my trade union.	German	77.6	6.2	16.2	259
		Foreign	88.6	4.9	6.6	61
BMW***		Union	64.1	9.4	26.5	64
		Non-Union	15.4	3.8	80.8	52
VW*	I would go straight to the trade union/ works council.	German	10.7	12.4	76.8	241
		Foreign	25.0	9.6	65.4	52
BMW		Union	1.6	9.5	88.9	63
		Non-Union	2.0	4.0	94.0	50

*** Statistically significant at the 1% level (chi-square test);
 ** Statistically significant at the 5% level (chi-square test);
 * Statistically significant at the 10% level (chi-square test).

However, the results also highlight the willingness of foreign workers at VW to approach the works council to seek redress, despite a higher propensity than German workers to resolve problems in the first instance directly with the line manager and to develop strategy with colleagues.

While the levels of union membership and workplace representation rights help explain the capacity of the respective workers' representatives to implement and enforce policies aimed at tackling racism and

racial discrimination, the issue of the representation of foreign and ethnic minority workers still needs to be addressed. , Therefore, both surveys included questions which sought to ascertain workers' attitudes on representation of foreign and ethnic minority workers, as well as those of women (reported in table 13).

Firstly, there are significant differences in the respondents' evaluation of the role of the unions and works council in the two plants. While a large majority of Germans (71.3 per cent) and foreign workers (63.2 per cent) believe the union and works council at VW have actively encouraged the participation of women and foreigners within their structures, less than two-fifths of workers at BMW believed the unions there had encouraged participation among women and ethnic minorities.

Table 13: The representation of women and foreign and ethnic minority workers.

Plant	Question	Category	Agree %	No View %	Disagree %	Total (n)
VW	Many foreigners/ethnic minorities do not possess adequate language skills and/or knowledge to fulfil representative roles in the union/works council.	German	41.9	24.1	34.0	253
		Foreign	41.0	23.0	36.1	61
BMW		All	37.6	26.4	36.0	125
VW	Women and foreigners/ethnic minorities do not need to hold representative positions for their interests to be fully represented.	German	27.0	30.6	42.5	252
		Foreign	26.8	30.4	42.9	56
BMW		All	16.0	27.2	56.8	125
VW**	The experience of discrimination and racism from trade union members deters foreigners/ethnic minorities from being fully involved in the union.	German	15.9	23.9	60.2	251
		Foreign	33.3	29.8	36.8	57
BMW		All	19.5	48.8	31.7	123
VW	In this establishment the unions/works council have actively encouraged the participation of women and foreigners/ethnic minorities within their structures.	German	71.3	23.5	5.2	251
		Foreign	63.2	26.3	10.5	57
BMW		All	38.5	44.3	17.2	122
VW*	In order to improve the representation of women and foreigners/ethnic minorities within the representative structures of unions quotas are necessary.	German	21.7	35.7	42.6	249
		Foreign	40.0	40.0	20.0	55
BMW		All	20.5	36.9	42.6	122
VW	The use of quotas can undermine the authority and respect of elected women and foreigners/ethnic minority representatives amongst union members.	German	43.7	34.8	21.5	247
		Foreign	27.3	38.2	34.5	55
BMW		All	48.3	32.8	18.9	122

** Statistically significant at the 5% level (chi-square test);

* Statistically significant at the 10% level (chi-square test).

Secondly, the survey focused on two main issues that might explain why foreign or ethnic minority workers are not represented within workers' representation structures: the abilities of foreign and ethnic minority workers and the refusal of foreign and ethnic minority workers to participate due to experiences of racism within unions. In the first case, over two-fifths of German and foreign workers at VW doubt whether foreign workers have adequate language skills or experience to fulfil a representative function (though over one third of both groups do not believe this to be true). A similar proportion of workers at BMW (37.6 per cent) also questioned the adequacy of the language skill and the experience of ethnic minority workers. There may be some justification for the responses of VW workers, given that German will not be the mother tongue of many foreign workers and it could be argued that the juridification of German industrial relations requires a high level of specialist knowledge to fulfil (higher) representative functions. However, this would appear to be a less acceptable argument for BMW workers to use, as English is the mother tongue of a large majority of black and ethnic communities in Britain.

In the case of non-participation as a result of racism within trade unions, there is a significant difference in the responses of German and foreign workers at VW. While three-fifths of German workers do not believe that racism deters foreign workers from becoming fully involved in the union, the response among foreign workers is significantly different. One third of foreign workers do believe that the experience of racism has impacted negatively upon participation, though a slightly higher proportion (36.8 per cent) disagree. In the BMW study, just under one-fifth of respondents agree that racism within unions has had an impact on the participation of ethnic minorities and just under one third take the opposite view. However, almost half the respondents, predominantly non-union members, held no view.

In terms of participation, there was a relatively uniform response by German and foreign workers at the VW plant to the question of female and foreign worker representation. In both cases over two-fifths of respondents did not believe that the interests of women and foreign workers could be adequately represented if they did not hold representative functions. Nevertheless, over one quarter of both German and foreign workers did think that these interests could be represented independent of women and/or foreign workers holding representative positions. In the BMW survey, a larger proportion of respondents (56.8 per cent) believe that women and ethnic minority workers need to hold

representative positions. These findings suggest, on the one hand, a recognition of special interests among women, and foreign and/or ethnic minority workers, which need to find expression by these groups gaining representative status. On the other hand, it implicitly raises questions about the ability of existing trade unions and workplace representatives to adequately represent these interests. In this respect, it is important to note that one quarter of foreign workers at the VW plant perceive that their interests can be fully represented by German representatives.

However, while these findings may indicate the recognition among white and German workers of the need for more foreign and ethnic minority representatives, the issue of how to address this is contested. Over two-fifths of German workers at VW and BMW workers do not think that using quotas are necessary to improve the representation of women and foreign or ethnic minority workers, while one fifth of German VW and BMW respondents support quotas. This contrasts sharply with foreign workers at the VW plant where two-fifths support quotas (with one-fifth view them as unnecessary). This suggests that, despite recognition among foreign workers of the work undertaken by the union and works council to encourage the participation of female and foreign workers, foreign workers still perceive that it is difficult to gain representative positions. At the same time, it would appear that among both German workers at VW, as well as workers at Hams Hall, there is a belief that the use of quotas may lead to problems of legitimacy of representatives elected or appointed through this process.

Taken together, these results highlight the difficulty for trade unions in both countries in developing policies to address the under-representation of ethnic minority or foreign workers. Even though it is recognised that ethnic minority or foreign workers need to hold representative positions to articulate their interests^{xv}, there is still the problem that these workers face discrimination in election and appointment procedures which stops workers gaining these positions. However, attempts to use 'special' mechanisms - in this case quotas - to facilitate this process, are perceived to be problematic amongst indigenous or white workers, leaving representatives elected through quotas to be seen as 'token' office-holders.

This section has highlighted the importance of considering trade union presence and influence at the workplace in understanding the development of mechanisms to tackle racism and racial discrimination. There is a dialectical relationship between union organisation and influence and members' recognition

and use of collective representation, which, it is proposed, is associated with the acceptance, implementation and enforcement of union policy. The extent of this relationship helps to explain, therefore, the differences in the perception of the unions and workplace representatives between the two plants. Nevertheless, while this provides an explanation of policy development in each plant, it is important to note that the issue of under-representation of foreign and/or ethnic minority and female workers in representation structures remains problematic. The belief that these groups need to gain representation to hold office reflects the perceived lack of representation of their interests and the discrimination they have faced. However, among white and indigenous workers in the two plants, there are concerns about introducing special measures to facilitate that process, with issues of legitimacy for those gaining office through quotas, and questions raised about the ability of these workers to hold office.

Chapter 5: Conclusions.

The central aims of this research project were threefold. Firstly, the project sought to address the recent lack of workplace-focused research in Britain into racism and racial discrimination at work. Secondly, the project tried to extend research into racism and racial discrimination at work by adopting a comparative perspective, undertaking case study research in a British and German car plant. Thirdly, the project aimed to examine the role of trade unions and workplace representatives in influencing the formulation of equal opportunities policies, and crucially, in building support amongst workers for such policies and ensuring their enforcement.

As the report indicates this approach was not without problems. In theoretical terms, differences in the origins and legal status of foreign workers in Germany, and black and ethnic minority workers in the UK, not only raises problems with terminology, but also in defining what constitutes racism and racial discrimination in each country. Different legal frameworks and industrial relations practices further complicate attempts to compare Britain and Germany. However, in both cases, important similarities emerged, including the common function of migrant labour, the role for workplace negotiations over equal opportunities policies, and increasing problems with the coverage and scope of collective representation.

In practical terms, attempts to use a common methodology relied upon securing access to the workplace to undertake both a quantitative attitudinal survey and qualitative interviews. In Britain access proved to be extremely problematic for a number of different reasons as outlined in chapter 3. The result of these practical problems is apparent when the characteristics of the two case studies are examined. Although both case studies are from the same sector, differences in plant size, product, occupational structure, earnings and education, union organisation and, crucially, workforce composition and the employment of foreign and ethnic minority workers all contributed to what can be described as ‘unmatched’ case studies.

Despite these problems, the research highlights a number of outcomes that relate to the three main project aims. The survey findings do provide limited evidence to suggest that racial tensions may exist in both plants. Notwithstanding the differences between the two samples in terms of union organisation, workforce composition and education, and the status of equal opportunities policies, it is

important to note that the potential for racism and ethnic conflict exists in both plants, with a small minority of workers in both plants sympathetic to far-right organisations and unwilling to accept multicultural practices or to mix with foreign or black people inside and outside of work. Over two-fifths of foreign workers at VW stated that they frequently experienced racial discrimination at work, as did two of the nine BMW respondents.

Significantly, while the survey evidence suggests a large majority of workers at the VW plant recognised and accepted the need for policies aimed at tackling racism and racial discrimination, a clear majority of workers at the BMW plant had markedly different views on this issue. It is argued that one important reason for this difference in the workers' acceptance of equal opportunities policies relates to the different levels of union organisation and influence in the two plants. At the Hanover plant, as with Volkswagen as a whole, *IG Metall* has organised almost all the workforce and dominates the works council. This level of organisation is supplemented by the Works Constitution Act, which provides the works council with codetermination rights over equal opportunities and measures to integrate foreign workers. This framework was used by *IG Metall* to successfully pursue its policy of concluding works agreements on racism and racial discrimination. By contrast, unionisation at the BMW plant was significantly lower, and, as far as management were concerned, in the area of equal opportunities the plant council was only to act in a consultative capacity. At the time of the survey, it was clear that equal opportunities were not a central issue as far as the unions in the plant were concerned. Their initial focus was upon negotiating pay and grading structures, and they were not looking to use the plant council to implement policies tackling racism or racial discrimination.

While the opportunities available to the unions to implement policy may be explained by union organisation and bargaining opportunities, it is also important to note the differences in terms of enforcement and acceptance. An important finding from the surveys, therefore, was the extent to which workers were prepared to turn to their workplace representatives to deal with problems. Significantly, workers at VW were much more likely to look for collective representation when problems arose, while at BMW union and non-union members were more likely to look for individual solutions. The willingness of workers at VW to turn to their workplace representatives suggests a faith in the works councillors' ability to deal with issues, which, in turn, facilitates the enforcement of workers' rights.

It is argued therefore, that the dialectical relationship between union organisation and influence and members' recognition and use of collective representation, is key to explaining differences in the two plants between the acceptance, implementation and enforcement of equal opportunities policy. In this sense, *IG Metall* have been more successful in overcoming the 'third dilemma' identified by Pennix and Roosblad (cited in Wrench, 1996); namely the extent to which distinct policies should be established for foreign or ethnic minority workers, and whether such policies are acceptable to indigenous workers.

Nevertheless, it is important to note two further research findings that highlight the problems unions still face in tackling racism and racial discrimination. Firstly, despite the evidence of structural discrimination and indirect forms of discrimination (highlighted in chapter 1), most workers in both plants believe that the labour markets operate without discrimination, and most white and indigenous workers did not perceive there to be issues of discrimination associated with promotion. Even in the VW plant, it is important to note the narrow focus of the works agreement on open forms of racism and direct discrimination. Indirect discrimination is not adequately addressed in the agreement and foreign workers perceive this to be a failing.

Secondly, the under-representation of foreign and/or ethnic minority (and female workers) in representation structures remains problematic. The belief held among workers in both plants that these groups need to hold representative positions reflects the perceived lack of representation of their interests by unions and workplace representatives. However, among white and indigenous workers in the two plants, there are concerns about introducing special measures to facilitate that process. On the one hand, there is the issue of the legitimacy of workers becoming representatives through the application quotas; on the other hand, questions are also raised about the ability of these workers to hold office.

These two findings indicate the work that trade unions still need to undertake in tackling racism and racial discrimination at work and within their organisations. Nevertheless, these findings should not detract from the main conclusion of the report: namely that union presence and influence in the workplace are central to the implementation, enforcement and acceptance of equal opportunities policies.

Appendix: Comparison of the VW and BMW survey samples.

Gender	VW (Germany)		BMW (UK)	
	n	%	n	%
Male	279	82.8	107	81.1
Female	58	17.2	29	18.9
Total	337	100.0	132	100.0

Age	VW (Germany)		BMW (UK)	
	n	%	n	%
Under 21	48	14.3	0	0.00
21-30	74	22.0	30	22.7
31-40	118	35.1	44	33.3
41-50	60	17.9	40	30.3
51-60	35	10.4	18	13.6
Over 60	1	0.3	0	0.00
Total	336	100.0	132	100.0

Ethnicity/nationality	VW (Germany)		BMW (UK)	
	n	%	n	%
British or German	274	81.3	126	96.2
Ethnic Minority or Foreign	63	18.7	5	3.8
Total	337	100.0	131	100.0

Education (ISCED)	VW (Germany)		BMW (UK)	
	n	%	n	%
Did not attend school	5	1.5	Did not attend school	
Attended school but left without qualifications	11	3.3	Attended school but left without qualifications	4 3.4
2A Hauptschulabschluß	133	40.2		
3B/3C Realschulabschluß	147	43.4	GCSE/SCEs	34 28.6
3A Fachabitur / Abitur	23	6.9	A/AS levels	11 9.2
5B Hochschulabschluß			HNC, HND	38 31.9
5A Hochschulabschluß	12	3.6	Degree & above	32 26.9
Total	331	100.0		119 100.0

Occupation	VW (Germany)		BMW (UK)	
	n	%	n	%
Apprentice	56	16.9	18	14.3
Unskilled /semi- skilled blue collar worker	136	41.0	30	23.8
Skilled blue collar worker	100	30.1	21	15.9
Clerical worker	24	7.2	45	34.1
Middle Manager	16	4.8	12	9.1
Total	332	100.0	126	100.0

Union member	VW (Germany)		BMW (UK)	
	n	%	n	%
Yes	332	99.4	68	51.5
No	2	0.6	64	48.5
Total	334	100.0	132	100.0

Monthly Gross Pay	DM	VW (Germany)		£	BMW (UK)	
		n	%		n	%
	Up to 2000	50	16.3		0	0.0
	2001 to 3500	29	9.5		0	0.0
	3501 to 4500	44	14.4	851 to 1100	1	0.8
	4501 to 5500	102	33.3	1101 to 1400	1	0.8
	5501 to 6500	48	15.7	1401 to 1700	28	22.4
	Over 6500	33	10.8	1701 to 2000	22	17.6
	Na			Over 2000	73	58.4
Total		306	100.0		125	100.0

Religion	VW (Germany)		BMW (UK)	
	n	%	n	%
Catholic	55	16.3	20	15.2
Protestant	139	41.2	80	60.6
Moslem	46	13.6	1	0.8
Other	11	3.3	10	7.6
Sikh	n.a	-	2	1.5
Non-religious	79	23.4	19	14.4
Total	330	100.0	132	100.0

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Endnotes.

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- i Using the ILO classification of unemployment.
- ii When the act refers to discrimination in 'racial grounds' it means grounds of colour, race, nationality, ethnic or national origins, and a 'racial group' similarly means a group of persons defined by colour, race, nationality, ethnic or national origins. It is important to note that it does not matter whether a person subjected to discrimination is a member of the majority or minority racial group. Essentially this means that it is unlawful to discriminate against a white person, just as it is to discriminate against a black person (Wrench, 1996:25).
- iii Industrial disputes in Britain, such as the Coneygre Foundry strike in 1967-8, the Mansfield Hosiery Strike in 1972 or the Imperial Typewriters strike in 1973 (Wrench, 1987), and the revelations contained within Günter Wallraff's 'Ganz Unten' (1985) or the sacking of a works council at Hoechst for racism in 1984 (Taz. 14/7/84) in Germany, are just some of the many examples of racism and racial discrimination at the workplace.
- iv '*Race into the Mainstream*' - TUC Conference for Union Officers, 25 February 1999, Congress House, London.
- v '*Monitoring to Target: Improving Black and Ethnic Minority Representation at Work*' - TUC Conference, 6 December 1999, Congress House, London.
- vi '*Arbeitsmigranten und Flüchtlinge in prekären Beschäftigungsverhältnissen: Möglichkeiten der gewerkschaftlichen Ansprache und Einbeziehung*' DGB Workshop, 10-12 May 1999, Niederpöckung.
- vii '*Demokratie und Toleranz in Gesellschaft und Arbeitswelt*' DGB-Bundesvorstand, Abteilung Internationales, Referat Migration, 23-25 March 2000, Magdeburg.
- viii It should be noted here that the definition of collective bargaining coverage used by those researchers associated with WIRS and WERS is contested. Significantly, WERS 1998 data classifies those public sector workers covered by Pay Review Bodies as not covered by collective bargaining. This has been challenged, see for example Burchill (2000). His claim is that the Pay Review process should be considered as a form of collective bargaining, which would indicate a higher coverage level.
- ix It should be noted, that in addition to strengthening the role of the works council in relation to issues of xenophobia and discrimination the main elements of the 2001 reform of the Works Constitution Act was to facilitate the election of works councils and thus, address the decline in works council coverage.
- x Steyr was designed to produce 350,000 engines annually. In 2000, it produced 600,000 (Automotive News, 2001)
- xi According to data from the Labour Force Survey (autumn 2000), union density in Britain for managers and administrators stood at 19 per cent; for clerical and secretarial 24 per cent; for craft workers 31 per cent and for plant and machine operatives 37 per cent.
- xii Using chi-square tests. Where statistically significant differences were identified in the text are all these were relatively weak (chi-square 0.01; significant at 10 per cent level).
- xiii The question in both surveys asked respondents who identified themselves as foreign or from an ethnic minority to respond. In both cases the response also included workers who had not classified themselves as foreign citizens or members of black or ethnic minorities. In the case of VW, this could be foreign workers who have gained German citizenship and in Hams Hall, white workers who could consider themselves as minorities (for example Irish workers).

^{xiv} These questions used a five point Likart scale. For ease of presentation the strongly agree responses have been added to the agree responses to provide an aggregate agree figure, and the strongly disagree responses have been added to the disagree responses to provide a total aggregate figure. This has been repeated for other responses using this scale.

^{xv} It should be noted here that there are also issues of representation within and between ethnic minority groups and between workers of different nationalities that need to be addressed.