

EXPERIENCES OF LABOR EXPLOITATION

**Case study of some male migrant workers in Finnish facility
service industries**

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ABSTRACT

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The aim of this study is to describe the experiences of some male migrant workers who have encountered labor exploitation in their workplaces in Finnish facility industries, specifically in the cleaning companies. This study considered the various types of labor exploitations that migrant workers face in their workplaces. It equally look at the effects of labor exploitation on migrant workers, and suggested possible ways that migrant workers could make themselves less vulnerable to workplace exploitation .The Finnish employment legislations and the International convention on the Protection of the Right of Migrant Workers and Members of their Families were used as yardsticks to measure exploitation in the facility service industries.

Qualitative method of research was used in data collection and it was done through structured and unstructured personal interviews. A total of eight migrant workers who are currently working in the cleaning companies and who equally reside in cities of Helsinki, Vantaa and Järvenpää were interviewed.

The findings were divided into three parts. The first part of the finding uncovered the various kinds of exploitative practices the migrant face in their workplaces such as denial of various labor rights. The second part showed the personal feelings of the exploited persons in response to their experiences. And the third part of the finding showed the various negative effects that labor exploitation produces on the life of the exploited persons such as psychological, physiological, and emotional as well as health effects. The study was able to discover the reasons for migrant workers' vulnerability to labor exploitation and the actions that could be taken to reduce the vulnerability of migrant workers in their workplaces.

Keywords: migration, migrant workers, exploitation, well-being

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1. INTRODUCTION

Labor exploitation is a century long problem which dated back to the time of industrial revolution. This problem still exists in our own contemporary time and has taken different dimensions. Labor exploitation is not a problem that is peculiar to one country or region, but it happens in every country of the world. Anyone that is engaged in labor activity can fall victim to labor exploitation whether working in own country or abroad. However some group of persons is seen as more vulnerable to being exploited than others. One group that is more prone to exploitation worldwide is migrant workers or persons involved in labor activity in countries other than their own. That does not mean that people cannot face labor exploitation in their own countries.

Finland is one of the world's developed countries, and a recent destination for migrants. For its economic advancement and social welfare system, Finland attracts some migrants from different parts of the world, who have come to work on permanent, temporary, or seasonal basis. Finland as country is not immune to labor exploitation of foreign workers, just as no country in the world is free from this social/economic phenomenon.

There have been some reports and stories of workplace malpractices melted on foreign workers which was published in some Finnish newspapers, for example the Helsinki Sanomat. Equally, there have been some research studies on the bad working conditions of some foreign persons working in Finland, made by some Finnish authors mostly in Finnish Language. These instances are proves that some employers in Finland are taking advantage of the foreigners working in their companies.

The interest of this research study is not to point accusing fingers on some employers, or to tarnish the image of a sector of Finnish labor market; rather the aim is to use the experiences of some male migrant to found out the kinds of labor exploitations that exist in Finnish facility industries, precisely cleaning companies. It equally wants to found out how these malpractices take place and their negative effects on the general well being of the victims.

Finally, this research work will present its findings by analyzing the data collected from interviewees, together with literatures that dealt on the subject matter, and legal

documents that upholds the rights of workers, especially the Finnish national labor laws and the international convention on the rights of migrant workers.

1.1. Background

Labor exploitation till date is still an invisible problem in Finland, even though there have been some ongoing discussions on immigrants working conditions and Finnish labor market. I use the word invisible because labor exploitation as a social phenomenon has not generated the kind of discussions other social problems have generated both in the media and in the academic research in Finland. When vulnerable groups are discussed in Finland, migrant workers are not counted among them as it is done other industrialized countries such as United Kingdom and United States of America. The reasons might be because Finland is still a recent destination for labor migrants, and the migrants' number in Finnish labor market is still insignificant when compared to other big European countries. According to the current population statistics immigrants in Finland constitute just 5% of the overall population of the country, and their numbers in the Finnish general labor market is still among the smallest in the whole of European Union.

However, there have been some notable cases of exploitation in Finnish service sector as contained in some media reports and some research studies in Finland. For instance Uusimaa regional labor inspectorate revealed that many foreign workers in the restaurant sector were paid below normal wages; working hour, working time records and occupational health services were other abnormalities found by inspectors ((Uudenmaan työsuojelupiiri 1.9.2009).

Secondly, the Service Union United (PAM) which is the trade union that represents service sector employees revealed that they had received daily phone calls and requests for help from migrant workers who are felt cheated in their work places. One-fifth of the civil cases PAM were handling in 2008 concerned immigrant members of the union, even though they make only 1.5 percent of the overall union members (PAM-lehti 28.3.2008.) Jokinen et al (2009) reported on two case of sexual exploitation which came out during their interviews of exploitation victims in cleaning companies. In the first case, the employee's boss wanted to force himself on female migrant employee, while in the second case another employer offered his female immigrant employee an apartment and demanded for sexual services from her.

Equally, there been some past research studies relating to migrant persons, their families and work life. But as I have mentioned earlier, majority of them were done in Finnish language which is the first official language of Finland. Among the few studies done in English was the thesis research made by Kotzschmar Sisko, a Masters Degree student of University of Oulu, titled 'Exploring the Human Side of Labor Migration: Labor Migrant Families' Well-being and Adaptation to Oulu. Sisko's thesis made mention of the working conditions of immigrant persons and the effect that the work encounters have on their family life. The thesis study didn't go far in detailing exploitative experiences of migrant workers rather it discussed the general living and working conditions of migrants and their adaptation to Finnish life in Oulu district of Finland. Secondly, Jokinen, Ollus and Aroma's research on 'Trafficking for Forced Labor and Labor Exploitation in Finland, Poland and Estonia, is a research that detailed the trafficking for labor and labor exploitation as it happens in the three above mentioned countries. This book is a rich source for my thesis.

Nevertheless, this research work will be one of the first to make investigation into the experiences of migrants or immigrants who are working in facility service companies which is a part of service sector labor market in Finland. The investigation will be based on their work place experience vis a vis their rights and well being at work place. Statistics available showed the service companies are the biggest employers of migrants in the secondary labor sector. Though the problem under discussion might be a national or wide spread phenomenon in terms of number of regions or cities where it occurs, but this research work will limit itself to the area known as pääkaupunkiseutu (Helsinki capital region or Greater Helsinki metropolitan area). According to the region's map, this area covers more than 10 municipalities that make up Greater Helsinki metropolitan area. In specific terms, the research will collect data from Helsinki, Vantaa and Järvenpää municipalities. The main reason for selecting this region is because it has the most urban cities where high percentage of immigrants reside, and equally it is a home to many companies or work places where immigrant persons work. Secondly, the cities mentioned are the areas that I will have easy access and cooperation of immigrants as regards to data collection. Last but not the least, the migrant persons meant in this research work is the male migrant persons. It is not my original intention to bring gender divide into this research study. But I choose male migrant persons because it is easier for people of same gender to trust each when sensitive topics are discussed. Secondly, there are more immigrant males than immigrant females in cleaning

companies in the Helsinki area. My selection for interviewees was based on networking, and it was not possible at the time of data collection to find a willing female interviewee.

1.2. Aim and objectives

The aim of this research work is to look into the phenomenon of the exploitation of foreign workers in Finland, to investigate and determine the types of workplace exploitation immigrants encounter in some of the facility service companies in the areas mentioned above, to discuss its effects on the well-being of the affected immigrants, and finally to make a recommendation on how immigrant persons working in Finland can be best protected from exploitative practices.

My main objective for this academic research is to lead a discussion and to shed light on this social problem, which is invisible but real and has big effects on the well-being of some immigrants in Finland. As earlier said, there have been some reports and research studies on the working conditions of immigrants in Finland by Finnish authors, but this research study will be one of the first done by an immigrant person.

Finally, as a future social service provider, one of my duties is to create a space for the people at the margin to voice out their life challenges. This thesis will provide a platform for affected persons to discuss their experiences. Being an immigrant and equally a victim of exploitation in facility service companies, I am convinced that my personal experience will assist me to understand and analyze data from the other victims. I believe that breaking the silence on this issue will help to improve the well-being of all workers in Finland whether they are Finns or foreigners.

1.3. Research question

The thesis will endeavor to cover these three questions in its research

- a) What kinds of exploitative practices do immigrants working in cleaning companies encounter?
- b) What kind of negative effects do these experiences produce in their lives?
- c) How can immigrants protect themselves from being vulnerable to exploitation?

The research work will seek to answer these questions through literature reviews and through the analysis of data collected from interviewees who had encountered or who are still encountering exploitation in their work places.

2. EXPLICATION OF KEY CONCEPTS

2.1. Migration

A migrant worker cannot be properly defined without referring to the connoting concepts such as migration, immigration and emigration. Historically, movement from one place to another for different reasons has been an action associated to man and animal from time immemorial. This is one of the basic survival techniques of the both species based on reason and instinct.

Nevertheless, migration has been identified as part of human growth and developmental process (ILO 2004, 138) which has both push and pulls factors. And most often the push and pulls factors of migration are related to economic reasons or quest for better life. (Bauer & Zimmermann 1998; Schoorl 1998, 103). There are other factors such as the need to avert threats to life cause by human pressure, demographic pressure and environmental degradation (King & Schneider, 1991). There are about 214 million migrant persons around the global which accounts for the 3.1 % of world population (UN DESA, 2008). Statistics showed that Europe has the largest number of immigrants, with a towering number of 70.6 million people in 2005. North America has over 45.1 million immigrants, followed by Asia which has 25.3 million. (The International Organization for Migration, 2008). However, the percentage of migrants varies from country to country. For instance, in 2010 Qatar recorded highest number of migrants (87%) while in the same period Indonesia recorded the lowest number of migrants (0.1%) (UN DESA, 2008)

In the recent times, migration has become a sensitive and controversial issue in both national and international politics. It is an issue that provokes a lot of debates especially in the most advanced democracies. Each country, region or organization defines migration in a way that it suits their interests.

However, this thesis will adopt the common definitions that have gained international acceptance. The United Nations Educational, Scientific and Cultural Organization (UNESCO) defined migration as moving into the boundary of a political or

administrative unit for a certain minimum period of time. It involves the movement of refugees, displaced persons, uprooted people as well as economic migrants. Internal migration refers to a move from one area (a province, district or municipality) to another within one country. International migration is a territorial relocation of people between nation-states. Two forms of relocation can be excluded from this broad definition: first, a territorial movement which does not lead to any change in ties of social membership and therefore remains largely inconsequential both for the individual and for the society at the points of origin and destination, such as tourism; second, a relocation in which the individuals or the groups concerned are purely passive objects rather than active agents of the movement, such as organized transfer of refugees from states of origins to a safe haven (UNESCO).

Even though this definition seemed to cover most aspects of migration, however, it omitted certain groups who are equally considered as migrants or immigrants in certain countries. For instance in Finland, foreign students and those granted residence permit based on family reunion are regarded as immigrants (Tanner, 2011). The same is also applicable in the UK and Republic of Ireland, where oversea students who are involved in part time work are considered migrant workers (Robbie 2006, 18)

Immigration and emigration are the two major aspects in migration. Etymologically, both terms originated from the Latin roots immigrare “to go into” and emigrare “to move”. Immigration is an act of coming into and settling into a new country permanently or temporarily from one’s own country. And emigration means an act of leaving one’s home land or country to reside permanently or temporary in another country. The major difference between the two is that immigration considers movement from perspective of one’s new home, while emigration considers movement from the perspective of one’s origin. In both dimensions migration can be voluntary or involuntary. Involuntary migration means that one is forced out from his home of origin or being forced to leave in a country other than his own. Three known group in this category are refugees, asylum seekers and victims of human trafficking. Whereas voluntary migration means that an individual settles in a new country or leave his or her own country of origin on voluntary purposes. This can be subdivided into two aspects namely labor migration and non labor migration.

2.2. Labor Migration

There is no universally accepted definition of labor migration, but ordinarily it is seen as an inter-border movement for employment purpose in a country other than one's own (IOM, 2008). However, exception could be made on country like China where labor migration takes place within the country from rural villages to urban cities. There are two connoting concepts in labor migration such as "labor migrants" and "economic migrants". The term labor migrant could be applied only to movements for the job purposes, whereas economic migrants in narrow sense includes only movement for the purpose of employment, and in broader sense it includes persons moving to other country to carry out other kinds of economic activities, for instance investors and business travelers (IOM, 2008).

2.3. Non Labor Migration

Non labor migration is the movement to or the settlement in another country with purposes other than labor activities. The following are examples of non labor migration; studies, family reunion, returnees to former countries of origin, diplomatic mission, refugees and asylum seekers. However, this term non labor migration does not mean that the following categories of people mentioned above cannot engage in labor activities except diplomats and members of their families who work for home countries in foreign nations. For instance, in some western countries such as US, UK and Finland, students are allowed to engage in limited economic activities. As I pointed out earlier, students who are engaged in part time work in the UK are considered as migrant workers even though their migration purpose is for education (Robbie 2006, 18). Furthermore, the US J-1 visas program offers students from oversea countries the opportunity to migrate to the US and engage in employment activity for a short duration of time. One of the reasons for the program is to use students to fill in seasonal tourism jobs. A total of 150,000 oversea students were granted J-1 visas in 2008. This program helped businesses to save about 8% from taxes and social security (Goodwin, 2011).

In Finland students can engage in work activities five hours a day and 25 hours a week during the school period, while they can do unrestricted number of hours of work during long summer breaks and short winter breaks (Finnish Immigration service). Finally, refugees and those who came to Finland on family reunion can engage in an unrestricted labor activity just as those who migrated on labor purposes.

2.4. Migrant worker

Though the term migrant worker looks simple and self explanatory, but there is no general consensus on the concept of migrant worker. Immigration policies of different countries are one of the stumbling blocks to finding a common definition. However, many countries and international organizations accepted the definition provided by the UN except for the countries in EU bloc and few western industrialized countries. From the list of countries that adopted the UN definition and those that do not, there is a clear dichotomy between sending countries (Migrants' countries of origin) and receiving countries (migrants' destination countries).

At this juncture, it is imperative to look at some of the definitions of migrant workers. The first definition is what this study termed as the universal definition, because it was done by the United Nation and accepted by many countries that had signed and rectified the UN Convention on migrants' rights and members of their families.

Article 2 (1) of the convention defines a migrant worker as “a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.”(ICRM W,1990)

Article 4 detailed which persons constitute the members of the migrant worker's family as “persons married to migrant workers or having with them a relationship that, according to applicable law, produces effects equivalent to marriage, as well as their dependent children and other dependent persons who are recognized as members of the family by applicable legislation or applicable bilateral or multilateral agreements between the States concerned.”(IC RM W, 1990)

Furthermore, the article 5 (a) stipulates that migrant workers are considered to be documented or in a regular situation “if they are authorized to enter, to stay and to engage in a remunerated activity in the State of employment pursuant to the law of that State and to international agreements to which that State is a party”. Otherwise, 5(b) they are considered to be non-documented or in an irregular situation. (I C RMW, 1990)

However, Article 3 stated some categories of migrants who cannot be covered by the convention namely; (a) Persons sent or employed by international organizations and agencies or persons sent or employed by a State outside its territory to perform official

functions, whose admission and status are regulated by general international law or by specific international agreements or conventions;(b) Persons sent or employed by a State or on its behalf outside its territory who participate in development programs and other co-operation programs, whose admission and status are regulated by agreement with the State of employment and who, in accordance with that agreement, are not considered migrant workers;(c) Persons taking up residence in a State different from their State of origin as investors;(d) Refugees and stateless persons, unless such application is provided for in the relevant national legislation of, or international instruments in force for, the State Party concerned;(e) Students and trainees;(f) Seafarers and workers on an offshore installation who have not been admitted to take up residence and engage in a remunerated activity in the State of employment. (IC R M W, 1990)

Furthermore, some prominent industrialized nations equally have their own definitions of migrant worker which are based on their migration laws. For instance, the U.S. Department of Health and Human Services identifies a migrant as “an individual whose principal employment is in agriculture on a seasonal basis, who has been employed within the last 24 months, and who establishes for the purpose of such employment a temporary abode”(U.S DHHS).

UK labor force defined a migrant worker as “someone who works but has foreign citizenship and a foreign-born worker is anyone born outside of the UK, including British citizens. (Dynamics of Migrant Labor Project UK)

Finally, it is important to note that Finland does not have a definition or a separate immigration status for migrant workers; rather it treats all non Finnish citizen workers as immigrants or foreign nationals working in Finland. However, Finland does acknowledge seasonal workers such as Berry pickers from Eastern Europe and South-east Asia.

2.5. Categories of migrant workers

The major three are categories of the migrant workers according to the International Labor Organization (ILO, 1949) are;

- i) **Skilled Workers.** These are educated or highly trained professionals who leave their home country to work in another country in special area of work. Most skilled workers are invited by oversea companies or go through state recruiting

programs. Examples of this type of workers are expatriates from US, EU and Asian countries who are employed by the Finnish telecommunication giant Nokia Finland.

- ii) Unskilled Workers. These are workers who do not have specialized qualifications to undertake professional overseas jobs. This group is used in low paid jobs such as domestic workers, agricultural workers, and other jobs that do not require academic qualification. Foreign students, unskilled migrants, asylum seekers and refugees are mainly the people found in this category. Service facility companies in Finland which form the center of this research work employ mainly unskilled migrant workers.
- iii) Seasonal Workers. This is a group of workers who are employed on seasonal basis in a foreign country, and who return to their home countries at the end of the seasonal work. Every summer time Finland receives some farm berry pickers from Eastern Europe and Asian countries who return to their countries at the end of berry harvest.

2.6. Exploitation

Exploitation is a term which has social, political and economic connotations, but in this research study, it will be treated as social phenomenon. Tormey (2008) defined exploitation as taking undue advantage of another, or making gain on individual or group of persons without giving them what is due for them. It equally involves a situation where the exploiter gains and the exploited lose (Tormey 1974, 207-08).

For Goodin (1988) exploitation of persons involves ill attitudes that infringe on the ethical laws of protecting the susceptible (Goodin 1988, 147). His definition could be seen as referring to the conditions of migrant workers who are seen as vulnerable to exploitation and abuses in their host countries. Furthermore, Goodin (1988) equally argued that exploitation occurs when one party is seen as privileged while other is seen as vulnerable. The former takes undue advantage of the vulnerability of the latter (Goodin 1988, 147).

However, labor exploitation can be defined as the denial of the exclusive employment rights of migrant workers as stipulated by national labor laws and guidelines. It equally means maltreatments, physical abuse, sexual abuse and psychological torture of workers by their employers (International Labor Organization). Nevertheless, the UN

International Convention on protection of the Rights of migrant workers and their families identified exploitative practices as the calculative attempts to deny the basic human rights and employment rights of migrant workers (ICRMW, 1990).

2.7. Types of exploitative labor

Forced labor: According to Article 2 (1) of the ILO's Forced Labor Convention of 1930, force labor is defined as "all work or service which is the exacted from any person under threat of penalty for which he or she offered involuntarily." Force labor is one of the major forms of exploitations, it happens when employers or owners of labor take advantage of gaps in legislation to exploit vulnerable workers (world vision, 2009). It is considered to be elusive because it is not easily identified by authorities unless the victims report the case themselves. Globally, 12.3 million people are trapped in forced labor (ILO, 2009). Force labor is also expanded to include deception or false promises about types and terms of work, and withholding or non-payment of salaries (Directorate General ILO, 2005).

Bonded labor: occurs when a person has to work to pay back an inherited debt, or when a debt is incurred as part of the terms of employment. It sometimes happened when the worker agreed to provide labor in exchange for a loan, but later develops into bondage as the employer adds more and more "debt" to the bargain (World vision, 2009) , and makes it impossible for the worker to pay the debt and regard his freedom.

Slavery: is when someone's will and life course is controlled and determine by another, when reward of labor and sacrifices are deprived from a person (HREA- Human Right Education Associates). That is to say that slavery deprives a person of his basic human rights and human dignity. Furthermore, article 1 (1) of the Slavery Convention of 1926 defines slavery as "the status or condition of a person over whom any or all the powers attaching to the right of ownership are exercised." (Slavery Convention, 1926) The article 2 (1) of the ILO Convention (No.29) on Forced and Compulsory Labor, defines slavery to include "...all work or service which is exacted from a person under the threat of penalty and for which the person involved has not offered himself voluntarily."(ILO Convention No. 29, 1930)

Finally, Bales (2009) argued that people are forcefully enslaved and held against their wishes for the aim of exploitation. According to him, slavery is not a thing of the past as

people generally believe; rather it is still perpetuated in environment where poverty, social conditions and gullibility can be exploited. Last but not the least, 27 million people are thought to live under slavery conditions all over the world today and majority among them are migrants (ILO, 2003)

Human Trafficking and Sexual exploitation : Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (UNODC, 2004). Human trafficking is explicitly considered as a crime against humanity. It embodies other forms of exploitation which include labour exploitations

2.8. Well-being

The concept of wellbeing is very wide and can relate to many conditions for different reasons (Paim 1995, 297-309). It could be applied to areas such as economic, material, social, psychological and other areas that affects people's lives. The variety of areas that well being covers provide the reasons for different methods used in measuring well being. Veenhoveen (2004) suggested that the term wellbeing explains that something is in a good state (Veenhoveen, 2004). There are two approaches in wellbeing namely eudaimonic approach and hedonic approach. The eudaimonic approach covers resources such as income and wealth or things that individuals could achieve with social, economic and material resources at their disposal. While hedonic approach centered on subjective experience of pleasure or satisfaction (King, 2008). In the post-modern time, researchers have evolved certain objective indicators to measure wellbeing. Prince and Price (2001) believed that the indicators are based on the hypothesis that well-being depended on the needs that are seen as basic to people which experts can identify (Prince and Prince, 2001). It is important to note that wellbeing is equally determined by subjective factors.

Subjective wellbeing is a sum total of a person's feeling about himself or herself in relation to life satisfaction. Ryan and Deci (2001) defined subjective well-being as when an individual experiences life satisfaction- the presence of a positive mood and the absence of a negative mood (Ryan and Deci, 2001). Subjective well-being places emphasis on mood of individual persons. This means that anything that causes disruption in a person's positive mood or feeling of satisfaction could be say to work against the person's well-being. There are many factors that could lead to disruption of a person's sense of well-being which it includes stress caused by abuse, dehumanization, maltreatment and exploitation. Employment relationship is one of the elements that could positively or negatively affects a person's wellbeing. Work experience could lead to either happiness or sadness. There are equally some dimensions of well-being which includes physical, spiritual, and social / interpersonal, as well as emotional, mental, environmental, occupational and economic dimensions of well-being. Anything that affects one of the above dimensions of human well-being could disrupt on person's mood and life satisfaction.

3. METHODOLOGY

This chapter explains the methodology and processes applied in obtaining data on which to advance this research. Methodology is systematic process that streamlines data collection and makes analysis simple for the researcher. It helps the researcher to understand opportunities and limitation of his study vis a vis the reality of his research and other studies. It aims to provide the researcher with proper instruments to conduct research: theories, methods and analysis, and finally involved the guidelines on the proper usage of the instrument (Tuomi & Sarajärvi 2009, 12-13) Since the aim of this research is to present the experiences of migrants workers in Finnish facility sector, who have encountered exploitation in their workplaces, I believe that qualitative method of research will be the best way to let target group speak for themselves .My reason for choosing qualitative method of obtaining data is because labor exploitation is a social phenomenon experiences by people, applying phenomenological approach will create a free space for the affected persons to narrate their own experiences in their own words (Husserl, 1936/ 1970). The phenomenologists are of the view that a researcher using qualitative methods could gain access to the research subjects' meanings through their experiences (Cohen, Manion, & Morrison 2007, 22).

3.1. Personal Interview

Personal interview is the research tools chosen for this research study. The reason is because personal interview will provide the interviewees the opportunity to narrate their own life experiences in their own words. Maso (1987) defined interview as a type of communication where one person (interviewer) reserve the duty of asking questions relating to actions, thoughts, approach, and understanding in relation to social occurrences, to an individual or more persons (Participants or interviewee) who provides answers to the questions asked (Maso 1987,63). Subsequently, Boeije (2010) explains that interviews make it possible for researchers to study social life through the view points, experiences and personal expressions of those passing through it (Boeije, 2010). I consider interview as a raw material for all the research on social realities, especially those bordering on human encounters and everyday experiences, without which research findings will be nothing but mere assumptions and speculations, and which in effect may lead to false results

Furthermore, Weiss (1994) distinguished between three categories of interviews namely; unstructured interview also known as free interview or in-depth interview, semi-structured interview and structured interview also know as standardized interview. Unstructured interview is fashioned to bring forth the real account of the respondent's personal encounter, while in semi-structured interviews interviewer applied both close ended and open ended questions (Weiss, 1994).

However in my research study, personal interview was used rather than group interview. My reason for choosing personal interview was to give each interviewee the opportunity to reflect on own experiences and to present them from personal perspective with own expression (Gubrium and Holstein 2001, 6). Secondly I synchronized structured and unstructured interviews in obtaining data from my interviewees. Unstructured questions were asked to allow the interviewees to give the interviewees the opportunity to narrate their experiences without undue control and interruption. Semi-structured questions were equally asked to help the interviewees to stick to the topic points when they tend to divert to areas not needed in the research study.

3.2. Research Process

Ten persons were selected for the interview since I wanted to get a broad view of the research topic. The interviewees were contacted through networking. Only eight of the

contacted persons agreed to be interviewed. The other two dropped out for the fear that their employers might read the research later and recognized their stories. All the interviewees were immigrant male persons. As I mentioned earlier I did not have any gender preference for interview, but the interviewees were all males for the reason I gave in chapter 8. The interviewees came from regions of Africa, Middle East and South East Asia. All the respondents were residents of greater Helsinki region. Four of the respondents were married while the other four were unmarried. Two of the married interviewees live with their family here in Finland, while the other two have their families in their home countries. All the eight persons work with cleaning companies in the cities of Helsinki, Vantaa and Järvenpää. Five of them have had more 3 years working experiences in the cleaning companies. Five have worked or is currently working with more than one cleaning companies. All the eight respondents are currently working with Finnish owned and managed company, while seven among them had worked for immigrant owned or managed companies in the past years.

The timing and venue of the interviews were chosen by the interviewees themselves in order to make it easy for them to participate. Digital recorder was used to keep record of the conversations in order to help me remember everything said when I am doing transcribing. Heritage (1984: 238) was of the view that the method of recording and transcribing of interviews provide the following advantages in research processes:

- a) Assists the natural limitations of human memories and of the perceptive meaning that the researchers may places on respondents' expressions.
- b) Give an opportunity for meticulous assessment of people's views;
- c) Allows for a crosscheck of respondents feedbacks.
- d) Create openness and provide opportunity for a public study of data by thereby giving room for a secondary analysis.
- e) Helps to vindicate researchers from the accusation of influencing the analysis with their values or prejudices
- f) Creates the opportunity for the data to be use in new researches (Heritage 1984, 238).

Finally, it is important to note that consent of the interviewees were sort before the digital recorder could be used during the interviews. Interviewees were assured of the safety and confidentiality of their information. Last but not the least, according to the timer of my digital recorder, the longest interview lasted 1 hour 29 minutes while the shortest interview lasted 40 minutes. The transcribing of the interviews from the digital

recorders took 6 days to be completed. A total of 18 pages of A4 size papers were made from the transcription of the 8 interviews.

3.3. Data analysis

I identify data analysis as the core of every qualitative social research, because it is a careful scientific examination of the subject matter of any research work. Before going further, it is important to understand what analysis is all about. Jorgensen (1989, 107) defines analysis as splitting, setting apart or breaking of scientific data into small bits. After the points are broken into small sizes, the researcher arranges them according to types, classes, sequences processes, patterns or wholes. The reason for this system is to build or remake the information to make more meaning (Jorgensen, 1989, 107).

Whereas Bogdan and Biklen, (1992) defined data analysis as a technique of methodologically examining interview feedbacks, field notes and other research items gathered to help a researcher to understand them and be able to present them to others. Analysis includes working with research information, arranging them, splitting them into small parts, blending them, looking out for differences, noting then important lessons and making decision what others should learn from the process. (Bogdan and Biklen 1992,153)

Data analysis is a very important aspect of all research studies, and a careful consideration is needed when choosing an analytic tool. I adopted phenomenological analytic method which helped me to break down the data. I equally did the following; bracketing and phenomenological reduction, mark out important meanings, put meanings together to form themes, recapitulating all the interviews, validating and modifying them and bring out general and individual points from the interviews (Hycner, 1999).

The bracketing was done by listening to all the interviews and reading the transcripts made from them, mapping out similarities and differences in the personal experiences of each interviewee in regards to labor exploitation in their working life. Moreover, pulling the similarities and differences together helped me to understand the important themes in exploitation of migrant workers working in facility service companies, and the pattern of occurrences of this social phenomenon. The experiences were split into parts and arranged under different themes. The process of arranging the data into themes is known as thematizing. Hirjärvi & Hurme (2010) define thematizing as the process of

collecting together characteristics which occur several times in the interviews. The understanding is that pre-planned themes will be extracted from the interviews. It is the researcher who finally makes the theme based on his or her interpretation of the data (Hirsjärvi & Hurme 2010: 173.)

3.4. Reliability and Validity of study

Golafshani (2003) defines reliability as the level of coherence to which final findings of a research can be replicated using the same methodology. In terms of reliability, I banked on the fact that I made concrete efforts to analyze the true experiences of the migrant workers who agreed to be interviewed on the subject matter of labor exploitation. Literature reviews from books and articles as well as web sources were synchronized with the data collected from interviews in order to arrive at the findings and conclusion. I am convinced that if the same method is applied over and over again that the same result will be achieved. The fact that I am an immigrant who found himself in similar situations with the interviewees might pose a serious concern regarding neutrality and unbiased findings and conclusions, but as Munhall and Chenail (2008, 32) put it, a researcher can actually benefit from thorough translation, because it often required him to confront the concepts to be studied with his own experience and as a result widen his understanding of the concept and of his experience (Munhall & Chenail 2008, 32). It does not mean that a researcher will take side or allow his experience of same phenomenon to obstruct his objectivity or to influence his findings. Rather, I see my past own experience as a tool to help me to have a thorough empirical understanding of the subject matter. Morse and Richards (2002: 215) cautioned researchers not to resolve their grievances through qualitative research (Morse & Richards 2002, 215). Nevertheless, Silverman (2008) defined validity as another word for truth (Silverman 2008, 210). In order to ensure validity of the data, the interviews were recorded and transcribed, and the transcribed copies were sent to interviewees for crosschecking.

3.5. Ethics and Limitation

Ethical observance is very crucial in any qualitative research. It is the duty of every researcher to ensure that ethical issues are observed during and after the data collection. The first research code of ethics to be taken serious during research is the rule of confidentiality and protection of the identity of the interviewees. Research code of

ethics demands that individuals who are subjects of research or source of research information for the analysis should not be exposed to dangers or risks for the sake of the research. Every risk that goes beyond normal daily experience must be explained to the researched persons. The protection of the respondent's identity must be guaranteed. (Ethik-Kodex 1993, 1 B5). This part was fulfilled during my data collections; the issue of confidentiality was raised to the interviewees before and after the interviews. I guaranteed the interviewees, that their information will be only be used for this research purpose, and that their identities and personal information will not be disclosed to a second party. I put this guarantee in practice by advising the respondents to use pseudo names in describing themselves and their companies during the interviews. I equally assured them that the interview records and its transcripts will be destroyed after the data analysis.

Finally, it is important to point out here that this research study does not answer all the questions that arise from labor exploitation of migrant workers in Finland. Brewer and Hunter (2006) explained that skepticism plays a reasonable and major part in every research (Brewer & Hunter 2006, 25). I acknowledge that every research findings in any field of study is always a subject of debate and scrutiny. The outcome of this research is a product of the interviews made for this research study. Though the same problem might be happening in other sectors where immigrants work in Finland, the scope of this research is only limited to conditions of migrant workers working in Finnish cleaning companies.

4. AN OVERVIEW OF EXPLOITATION

I have to say at this juncture, that it is very difficult to discuss or analyze the concept of exploitation without reference to the founder of the concept. I said this because all the literatures I have read which explain the meaning and concept of exploitation made reference to Karl Marx's first work on exploitation. Not mentioning his work or his name in this research as advised by my teachers can mean same thing as doing a research work on human evolution and omitting Charles Darwin who was the father and founder of the human evolution theory. My teachers were of the view that Marxism is a polarized topic in Finland due to historical and political reasons. And for that reason there is a notion among the teachers that having Karl Marx in this thesis research study will make it too political and offensive to some people who might have different

political opinions. However, I want to guarantee here that this work has nothing to do with Marxist political ideology. My concentration is on what happens to some group of people in their workplaces. And for the reason of the concerns raised by my teachers, Karl Marx's notion of exploitation will not be overtly discussed in this research study. But I want to categorically state that this covert restriction is going to have a constraining impact in my analysis of exploitation as a phenomenon.

Nevertheless, in this thesis study I identify exploitation not as a political trend, but as a phenomenon which has four dimensions namely; social, moral, psychological and economical dimensions. I wish to state here that I am not trying to deny the political dimension of exploitation which might occur at the macro or institutional level. But as I said earlier, my focus is on the micro or organizational level.

4.1. Dimensions of micro or organizational level exploitation

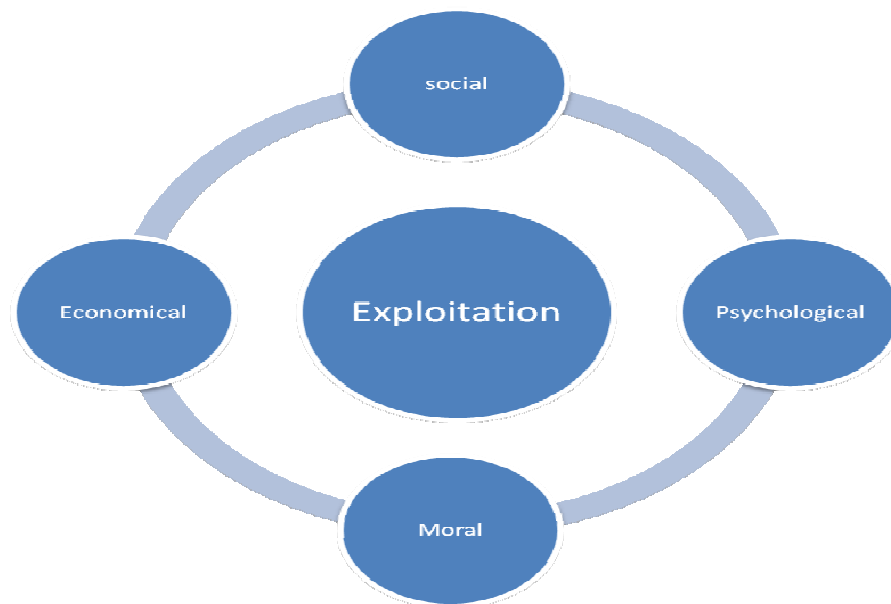


Figure 1. Shows the four dimensions of exploitation

4.1.1. Social dimension

Exploitation has always been seen and defined as a social occurrence that happens in human society. It is a sociological trend because it happens in the human society and in

the course of man to man interaction. First and foremost, the concept of phenomenon can first be found in the philosophical works of the classical Greek philosophers, especially in the Aristotelian metaphysics which divided reality into 'noumena' (unseen) and 'phenomena' (seen). Martin Heidegger defined phenomenon in his famous work *Being and Time* (*Sein und Zeit*), as 'that which presents itself to us'. This means that phenomenon could be seen as something which can be perceived by human senses. My aim is not to go into philosophical enquiry rather, to present a rationalistic background understanding of phenomenon as a concept. In a layman's language, phenomenon can be understood as perceivable things which could be felt by human beings. This includes events, experiences and behaviors. Markey (1925-26) sees social phenomenon as the totality of actions which affects or can be affected by living organisms that can interact with each other (Markey, 1925-26). The term 'organisms' opens up the concept to include the interaction of other living things. However, most authors strictly apply the definition of social phenomenon to only human interaction.

Personally, I see exploitation as actions or set of behaviors which occur in the course of human interaction. These actions or set of behaviors can be seen as social phenomenon, firstly because they happen in human interactions, and secondly because the interactions produce effects and reactions. Effects and reactions could be positive or negative. They are positive when all the parties benefit from the interaction, and they are negative when one party benefits and the other do not benefit. From the side of the disadvantaged partner, the events taking place in the social interaction could be summarized as negative social phenomenon. The events could also be seen as negative phenomenon when the outcome of the social interaction produces adverse effects on one person or group of persons in the society.

Finally, when an employer and employee enter into contractual relationship, both of them are into social interaction involving economic transaction. There are norms and law guiding this transaction. When the action or inaction of one party affects the other party, the outcome can be seen as negative social phenomenon. This means that when employer neglect the labor laws and decide to take undue advantage of the employee – be it native or foreign worker, the action of the employer can be seen as a negative social phenomenon which will lead to negative social impacts on the employee such as psychological, physiological, economical, sociological or health problems.

4.1.2. Economical dimension

The first academic work on exploitation was done in the context of economic relationship between the owners of labor (employers) and laborers (employees). Since then the definition of exploitation cannot be done without reference to economic relationship. Though my aim is neither to take side nor to go into economic and political debate, but I wish to say that the first discussion on exploitation was an apparent attack on the capitalist economic and political ideology by the opponents. Exploitation has often been discussed as the byproduct of capitalism. The capitalists in responds to the attack on their system have maintained that there is no exploitation as long as the employers make gains and equally pay to the workers what they agreed. Some of them equally differentiated between harmful exploitation and unharmed exploitation. Kymlicka (1989) was of the view that capitalist social relation is unfair not only in appropriating surplus labor but in using people as means, taking undue advantage of them for their own good (Kymlicka, 1989). But it is good to note here that there is no system in the world which has not taken advantage of the vulnerable in society. Exploitation happens in the capitalists' economies of the West, in the communist economy of China, in the socialist economy of Venezuela and in the feudal systems of some of the Middle East and African countries.

However, my aim is not to support one ideology against another, but my position is that any of the economical or political 'ISM' that uses people as means to gain economic prosperity, or attached inhuman treatment in their dealings, such system is a vehicle of exploitation and social injustice. Furthermore, the concept of exploitation has equally been expanded to include other malpractices and abusive actions such as human trafficking, child labor, child and women trafficking for prostitution and slavery. The just mentioned practices provide economic prosperity for the perpetrators, while at the same time the victims' well-beings are adversely affected.

4.1.3. Moral dimension

The moral dimension looks at the moral justification behind exploitation. Goodin (1988) conceived exploitation of human beings as bad actions that contravene the moral norm of protecting the vulnerable (Goodin 1988, 147). This definition highlights the moral burden placed on the shoulders of the exploiters. Scanlon (2008) questions the

wrongfulness of exploitation if it happens with the consent and permissibility of the exploited (Scanlon, 2008). However, the issue of human rights comes into play in the moral dimension of exploitation. Having a person's consent to take undue advantage of him, does it justify the action? What about the human right of the person?

In most of their documents and international conventions, the ILO and the UN have made concerted efforts to pair labor rights with the basic human rights. For instance the Convention on the Protection of the Rights of Migrant Workers and member of their families made a lot of emphasis on the human rights of the migrant workers, which is considered inseparable from their labor rights. Compa (2003) described worker's right as human rights (Compa, 2003). The reason is because the Universal Declaration on Human Rights contained sections which dealt on the labor right of every individual.

Furthermore, Gross (2006) quoted Emily Spieler to have defined human right as various moral rights which people have in common because they are humans and not because the rights are bestowed on them by law or by contractual agreement.... violation of human right can take place when an employer deliberately or intentionally exposes workers to actions which are preventable, predictable and serious hazard (Gross, 2006). That is to say that violating labor right of an individual means same thing as violating his basic human rights.

4.1.4. Psychological dimension

Psychological dimension of exploitation entails looking at the cause and effects of exploitation from the psychological point of view. First and foremost, what influences the behaviors of the exploiters which made them to indulge in exploitation of other people? Are they doing it for just economic gain or to boost their personal ego? What are the motives of the employers who commit violence and harassment against their employees? I believe that there are psychological reasons why some people exploit others, since exploitation can be express through human behaviors. Just as actions of the pedophiles, the human traffickers, the substance abusers, and other people who indulge in other malpractices could be explained from the psychological point of view, the actions of exploitative employers could also be explained as behavioral disorder which can equally be diagnosed through psychological means. For instance, it is possible that an exploitative employer might have been a past victim of labor exploitation who wants

to take revenge on others. Secondly people might decide to indulge in labor exploitation just to show dominion over others.

4.2. Factors that drive exploitation

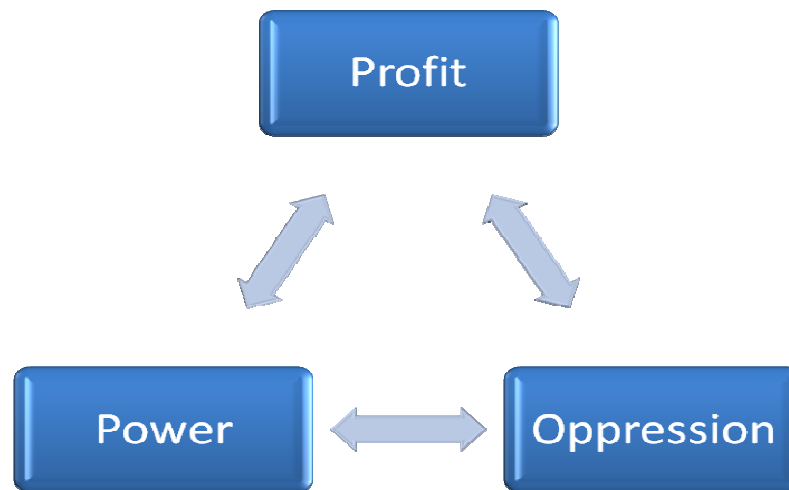


Figure 2. Shows the factors that drive exploitation

4.2.1. Exploitation as a means of maximizing profit

From the earliest works concerning exploitation, it has been viewed as an appropriation of the means of production to maximized profit. In all forms of exploitation, profit making has always been the main reason. Holmstrom (1977) conceived exploitation as necessarily involving profits of some kind to the exploiter. She depicted exploitation as a zero-sum game because the exploiter gains what the exploited loses (Holmstrom, 1977). Profit making is identified as one of the main motive behind exploitation of vulnerable workers by some employers. It is also a pull and push factors for people engaged in human trafficking which is also a form of labor exploitation. When employers purposefully withhold or cut the salaries and wages of the workers, or when the employers refuse to pay for holidays, extra work allowances and other worker's entitlements, the migrant workers loses some money which they are rightful owners, while the employers make gains by unjustly holding unto these entitlements as part of

their companies' profits. A practical example is that during my data gathering, I was confidentially told by a former cleaning company supervisor (Palvelumies) that the company he worked for rewards any supervisor who is able to cut cost by making workers to do more work in less working hours. This is done by using fewer workers to accomplish more tasks. Two workers can be given work meant for five workers. In this kind of situation, the company gains while the workers earn less salary than the quantity of work they do.

4.2.2. Exploitation as a means to show power

Wright (2005) described exploitation as a problem linked to domination, a social situation where a person's life is directed and controlled by another (Wright, 2005). This means that exploitation happens when there is unequal power between the exploiter and the exploited. Wertheimer (1999) considers exploitation as a wrongful human behavior that put strain on human morality (Wertheimer, 1999). From its origin exploitation has always been seen as an action that happens between unequal parties, where one party dictates and the other obeys.

Often the owners of labor feel that they have overreaching influence or power over their workers. They overtly or covertly subjugate them by using excessive control over their lives and by tampering with their rights. Some bullying employers are often moved by their controlling influence to harass and intimate their employees even when there is no reason for their actions. A good example is an employer of a migrant worker who refuses to pay his monthly salary and at same time confiscate his national passport.

4.2.3. Exploitation as means of perpetuating oppression

Exploitation could be a means of perpetuating oppression of the vulnerable. I understand oppression as a system that employs subjugation, exclusion and exploitation. Prilleltensky and Gonick (1996) defined oppression as "a condition of unequal power relations typified by domination, subordination, and resistance, in which the dominating persons or groups exert control by limiting access to material resources and by putting fear in the oppressed persons" (Prilleltensky and Gonick 1996, 129). This means that the oppressed persons have lesser power than their oppressors, and are not in control of the affairs of their lives. Oppression thrived where there are structural inequalities and where resources are scarce.

However, an oppressive employer might decide to exert his overwhelming power to oppress the employee, especially when the employee is not in a position to defend himself. Oppression can happen in form of maltreatment, harassment, constant bullying, psychological punishments, restrictions and denial of the rewards of labor.

5. UNDERSTANDING CLEANING COMPANIES IN FINLAND

A thorough search has shown that not much had been written or researched about the cleaning companies in Finland. The existing information regarding this sector is in Finnish language. However, from the scanty information available, cleaning companies can be describe as companies that provide cleaning services to public institutions, private incorporations and business, and personal homes.

According to the EFCI's survey of 18 European countries, Finland has a total of 3099 cleaning companies in the year 2003. Under same period a total of 36,000 persons were employed by these companies at an average of 12 employees per a company. The sector made a turnover of 940 million Euro (European Federation of Cleaning Industries). In Finland, cleaning service is one of the five branches of facility management service. Global Facility Management which is a global umbrella body for facility management incorporations defines facility management as the management activities that provide services to firms and other establishments, and more precisely to clients of built environment, by providing amenities and support services (Global Facility Management). However, the facility management in Finland is involved in the following services; cleaning services, support services, property services, catering services and security services. The focus of this research study is on cleaning companies which provide cleaning services within the facility management business. Furthermore, information from the employment office and Finnish immigration board, which are two national departments that keeps records on migrant workers, showed that cleaning companies are one of the biggest employers of unskilled immigrants in Finland. One of the reasons is the sectors' less emphasis on language skills which is a major factor that hinders immigrants from getting choice jobs. It is estimated that more than 200 cleaning companies are operating within and around Greater Helsinki Area. These companies are engaged in contractual work with public institutions and private businesses such as; state and municipal offices, companies and industries, super

markets, hospitals, schools, hotels and restaurants, private homes and hiring services. These companies employed workers on permanent and temporary basis, and put them to work as cleaners, waiters, dish washers and homes service maids in the premises of their customers with whom they have made contracts to provide cleaning services. This research work identifies two categories of cleaning companies operating in Helsinki area and beyond. The division is based on ownership and management of the companies

5.1. Categories of cleaning companies

According to the research findings, there are two categories of cleaning companies in Finland.

i) Main stream cleaning companies. These are the big facility management companies which offer cleaning services. They are big both in capital base and in man power. In this category workers are recruited and employed directly by the main cleaning companies. The work contracts are usually permanent, temporary or fix term depending on the terms of contract agreement between the employers and the employees. The companies in this category have stricter recruitment rules. Jobs are often offered basis of knowledge of the Finnish language, expertise and experience. Finnish citizens and other Europeans citizens are more likely to be employed in these companies than immigrants of non European background. Employees of these main companies receive full employment rights and privileges as stipulated by labor laws. These companies are mainly owned by Finnish citizens.

Finally main stream companies usually have its head office in the major cities, and maintain small offices in small cities and districts. Each unit is headed by a unit team leader (Palvelupäällikkö) and assisted by one or more supervisors (Pavelumies). The unit team leaders can act on behalf of employers in his or her unit, meaning that they can hire and equally terminate workers contracts. They go after contracts on behalf of the company, and they equally have the responsibility to provide quality services to the company's customers in their unit area. The unit leader and the supervisor are the people that make most decisions on migrant workers. In the main stream cleaning companies there are hierarchy of bosses. The big bosses hold posts in the head offices, while the small bosses hold posts in the unit offices. The companies have team of

external supervisors from the head office who routinely visit the work places in each unit to ensure that the units provide quality services to company's customers.

ii) Sub-contracting cleaning companies. Sub-contracting cleaning companies are small cleaning companies that enter into sub contract work agreement with the main-stream cleaning companies, to provide cleaning service to their customers. It means that the main-stream companies sublet their contracts to small companies which in turn provide workers and materials for the cleaning job at the work site. The sub-contracting cleaning companies are usually owned and managed by an individual or individuals, who employ workers to work for them within the duration of the sub-contract agreement. In some cases sub-contracting companies are owned by immigrant person or persons. These companies cannot make permanent contracts for its worker.

Employment contract is tailored according to the time frame of the sub-contract. In Finland, sub-contracting cleaning companies mostly offer jobs to immigrants who are not opportune to get employed into the main stream companies due to language barrier and other factors. The companies in this category is characterized by job insecurity, low wages, lack of safety measures, lack of basic workers rights, and undue pressure from employers and their customers. The working condition here makes abuse and exploitation highly possible.

6. FINNISH LABOR LEGISLATION

Since the focus of this research is on labor exploitation in the cleaning sector of Finland, it is commendable to briefly look into Finnish labor legislations in order to see and understand the legal rights and privileges that the law bestows on workers when they enter into work relationship with employers. Before going further, I want to point out that the labor law of Finland does not discriminate between citizens and non citizens. It treats everybody equal irrespective of the individual's nationality. The law covers and protects all the regular workers in Finland, natives and foreigners alike as long as the employment relationship takes place within the Finnish territory. The Finnish labor legislation consists of laws that regular employment relationship between an employer and an employee. The Labor legislation is divided into Acts, and each Act is devoted to a particular area or aspect of the employment relationship. The following are some of the most important Acts that regulate the employment relationship in Finland.

6.1. Employment Contract Act

Employment Contract Act (55/2011) is the latest reformed version of this Act. The Employment Contract Act enters into effect as a legal relationship when work is performed for an employer under his or her supervision, and when an employee receives remuneration for work done. Employment work contract is the regal bond or covenant between employer and employee. The highlights of this act are the decrees on the following;

- i. entering into an employment contract
- ii. the responsibilities of the employer and employee
- iii. the prohibition of discrimination (both in the employment relationship and
- iv. the recruitment process)
- v. the determination of the minimum terms of employment
- vi. the employee's right to family leave
- vii. laying off an employee
- viii. terminating the contract of employment
- ix. the liability for indemnity
- x. contracts of employment of international nature and (Employment Contracts Act 2001)

6.2. The collective Agreement Act (436/1946)

This act contains the central principles of collective bargaining. The two important functions of this act is that firstly, it provides guarantees and determines employees' benefits, and secondly it contains the obligations to maintain industrial peace at work place. The Collective Agreement takes place between employer's trade union and employee's union. The trade unions are the associations responsible for the protection of the interest of the both parties to ensure equity and fairness. It is the work of the bargaining parties to agree on the conditions of the employment contract and employer-employee relationship. The collective agreement becomes binding by consent and endorsement of an employer and an employee. The collective agreement details the workers' rights, privileges and obligation, including penalties for defaulting. It equally explains employer's rights, privileges and obligations toward the employees. Majority of contracts in Finland involves collective agreement. (Employment Contracts Act 2001)

6.3. Non-Discrimination Act (21/2004) and prohibitions of discrimination

The purpose of this act in Finnish labor law is to guarantee equal treatment of all employment-seekers and employees, and discourage discrimination at the work place. The right to equal and non-discriminatory treatment is one of the basic rights of every worker or prospective worker in Finland. This act requires employers to treat all the employees equally in all ramifications. It applies to recruitment, working conditions, promotion in the career, education and the conditions of enterprising and support for work activities. Discrimination arising from age, ethnic or country of origin, language, religion, belief, opinion, health status, disability, sexual orientation and other personal characteristics, is outlawed by this Act. The act also stipulates penalty for offenders and compensation for the offended. Discrimination in employment relationship carries a maximum amount of 15,000 euro, of which a court can award more amounts depending on the seriousness of the case (www.stm.fi).

6.4. The working Hours Act (605/ 1996)

This act is applicable to employees of industries, civil services, municipality officials, federations of the municipalities and other public sectors. It stipulates that regular working hours may be based on 8-hour working day or 40-hour working week. The working hour is included in the collective agreement contract. There is a provision for private negotiation between the employer and the employee on the working hour based on certain condition, it should not exceed 52 weeks duration. Under this provision a worker can do 80 hours in two weeks or 120 hours in three weeks. Furthermore, the Act has provisions concerning overtime. Over time is defines as a work that exceeds number of hours allowed by law as regular working hours. It could be done either per day or per week. Daily overtime is done when a person exceed 8 hours during a 24 hours period or exceed regular 40 hours a week. 250 hours is the maximum an employer can allow in a year. Finally, overtime is remunerated with additional, higher pay: for the first two daily hours of overtime normal pay is increased by 50% and for the following hours by 100 %. Weekly over-time hours are increased by 50 %. The 12 first overtime hours of a two-week period and the 18 first hours of a three-week period are increased by 50 % and the following hours with double pay. Section 18 of this act states that employee's consent must be sought when the need for overtime arises, unless additional work has been part of the contract agreement, while section 33 of the act states that work done on Sunday

should be calculated as twice the regular working hour. (Työsuojeluhallinto- Occupational safety and Health Administration; Ministry of Labor, 2005)

6.5. The Annual Holiday Act (162/ 2005)

This is the act that specifies the length of annual leave, holiday payment and the granting of annual leave. The Annual Holiday Act is depends on the principle of earning, meaning that the holiday is earned by working during the holiday credit year starting from April 1st previous year to 31st of March of the new year. This Act is applied with certain regulations, for instance people who work for a minimum of 14 days in all the months are within the 14 day rule, while people who work for 35-hours in at least one of the months are within the 35 hours rule. 2 or 2.5 working annual leave are earned each month depending on the duration of employment. Every worker who has worked for over 12 months is entitled to paid annual holiday which should be calculated according to the employee's working hours per month. The following is calculated as working hours or days within a full holiday credit month; annual leave, sick leave, maternity or paternity leave, days of temporary child-care leave, study leave and days of layoffs as contained in the Act.(Työsuojeluhallinto- Occupational safety and Health Administration, Ministry of Labor – www.mol.fi)

6.6. Occupational and Safety Act (738/2002)

This Act provides legal backing for the improvement of work environment and working conditions in order to protect and sustain the workers' ability to exercise their contracted duties. The aim is to forestall and prevent work related accidents , occupational diseases and other dangers cause by work or work environment to the employees well being . This Act mandates the employers to take into consideration the well being of the workers while evaluating, planning and implementing measure relating to work place. It is the employers' duty to provide the health and safety instruction and guideline, while the employees are obliged to follow the instructions for their own safety. (Työsuojeluhallinto- Occupational safety and Health Administration; Ministry of Labor, 2005)

7. OTHER WORKERS PREROGATIVE IN FINLAND

This covers other important rights that form part of general privileges of workers in Finland which are not explicitly mentioned in the Acts, but can be found from other sources such as trade unions documents and from Occupational Safety and Health Administration.

7.1. Accident insurance

A foreign person working for a Finnish employer in Finland must be provided with compulsory accident insurance. The insurance should cover accidents that occur at work place or accidents that occur on the process of coming to work.

7.2. Paid holiday Allowance

The following Finnish public holidays are paid holidays:

New Year's Day (1 January) ,Epiphany (6 January) ,Good Friday .Easter Monday
1 May ,Ascension Day ,Midsummer's Eve ,Midsummer Day ,Finnish Independence Day (6 December) , Christmas Eve, Christmas Day, and Boxing Day (24, 25, and 26 December). All the work duties performed on the above mentioned holidays shall be compensated with additional payment according to collective agreement. (Palvelulojen Ammattiliito)

7.3. Evening and Night Bonuses

According to PAM (Palvelulojen Ammattiliito) which is the trade union for most service industries including cleaning companies , the following are allowances for evening and night work. The evening work bonus from (18:00 – 24:00) is 1.00 €/h, while the night work bonus from (24:00 – 06:00) is 1.95 €/h (PAM)

7.4. Extortionate work discrimination in Finland (Penal Code 47 3 a § (302/2004)

This penal code was introduced in Finland in the year 2004 after disclosure of the exploitation of Chinese stone workers in Finland. The crime of extortionate work discrimination can be interpreted as circumstances where the workers receive remuneration below the minimum wage, and where the condition of work is below

standard. Furthermore, this criminal act could as well include the same ground as work discrimination (Penal Code 47 3 §). The work discrimination ground include race, nationality or ethnic origin, nationality, color, language, sex, age, family status, sexual preference or state of health, religion, political opinion, political or industrial activity or a comparable circumstance (ibid.). The crime of extortionate work discrimination is also applied in the case where foreign workers' ignorance has been exploited by employers (HE 151/2003, 1). In order to determine that this crime exist in a company, comparison could be made in relation to other workers in the same company or in the other companies, or compared to general standards (Nuutila & Melander 2008,1278–1279).

8. INTERNATIONAL PERSPECTIVES ON THE PROTECTION OF MIGRANT WORKERS

The problem of migrant workers is not one country problem; rather it is global problem that occur in all countries of the world. For almost a century migrant workers had been identified as vulnerable persons who need national and international protections. The United Nations (UN) and the International Labor Organization (ILO) have been at the forefront of labor rights legislations and the protection of the human right of migrant workers for nearly a century. A good number of their conventions are especially centered on the rights of migrant workers. The following ILO conventions namely; Convention on Migration for Employment (C97, 1949) and the Migrant Workers (Supplementary Provisions) Convention (C143, 1975), are the conventions that directly advocate for migrant workers. Convention C97 advocated for the protection of the labor rights of legally resident migrants or immigrants, while Convention C143 promotes the protection of the basic human rights of all migrant workers.

However, the UN International Convention on the Protection of the Right of Migrant Workers and members of their families (ICRWM) is the only overarching international mechanism that specifically addressed both the human rights and labor rights of the migrant workers. From my perspective, ICRWM provides the best international legal framework for the protection of migrant workers globally. The opponents of this convention accused it of encroaching into their national immigrant policies and making their boundaries porous to the future illegal economic migrants. European Union in general and Finland in particular is yet to sign and rectify this convention. For the

purpose of this research work, I will mention only some parts of the convention that specifically cover migrants' labor rights.

The article 2-6 of the convention covered and defined the terms : "migrant worker", "frontier worker", "seasonal worker", "seafarer", "worker on an offshore installation", "itinerant worker", "projected worker", "specified employment worker", "self employed worker", "members of the family", "documented migrant worker", "non documented migrant worker", "State of origin", "State of employment", and "State of transit". The convention does not apply to staffs of international organizations, state representatives, investors, some refugees and stateless persons, students and trainees. In the article 7 states that member states (or State Parties) should ensure that all migrant workers are not discriminated against for the reasons of sex, race, color, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status. The Article 11 state that migrant workers shall be free from slavery, servitude, or forced labor. The Article 25 states that migrant workers shall enjoy same treatment with nationals in respect to salary and wages. The Article 54 states that migrant workers shall enjoy equality of treatment with nationals in respect to protection against dismissal, unemployment benefits, public programs to combat unemployment, and access to alternative employment. In the case of breach of contract, migrant workers have the right to address case to competent authorities. Finally Article 70 states that countries shall take measures as favorable as those applied to nationals to ensure that working and living conditions of migrant workers and members of their families in a regular situation are in keeping with the standards of fitness, safety, health and principles of human dignity. (Human Rights Project of the Urban Justice Center)

8.1. The UN advocacy and the obstacles towards rectification of ICRWM

Since the year 2003 till date, the past and present UN Secretary Generals have use the occasion of International Migration Day which fall on 18th of December every year, to promote the cause of migrant workers rights and to call on world countries to support and protect migrant workers in their countries by signing and rectifying the two decades old ICRWM. The following is the instances when UN Secretary Generals advocated

for migrant workers, while calling on all the countries to adopt and include ICRWM in their national policies for the well-being of migrant workers.

In 2003, Kofi Annan, the then UN secretary general, reminded the world that migrants faced hardship in their new countries and that they still remain vulnerable to exploitations and abuse at the hand of dishonest traffickers, smugglers and employers. And he concluded that the best way to ensure the protection of the right of migrant workers and their families is by signing and rectifying the ICRWM, because the Convention provides for its ratifying countries the obligation to respect the core human rights and fundamental freedoms of migrant workers in their host countries. It is a vital effort to combat exploitation of migrant workers and members of their families. (Kofi Annan- UN, 2003) He made similar calls in 2004, 2005 and 2006.

Mr. Ban Ki Moon, the present UN Secretary, made similar calls in 2008, 2009 and 2010. He often used the occasion of the World Migration Day to remind the world about the conditions of migrant workers, and equally solicit for countries of the world to become parties to ICRWM, which he described as the most comprehensive international framework on the issue of migrant workers rights. He urged the world community to save migrants from exploitation and accord them respect as members of the human family whose rights must be protected like everyone else.

In 2010 address to the world, the UN chief said that migrant may face harsh living conditions, discrimination and low numeration in their host countries and members of their family can face economic and emotional problems that might expose them to the danger of human trafficking, child labor and violence. He renewed the calls for countries that have not signed and rectified the convention to do so in the interest of justice for migrant workers. (Ban Ki Moon- UN 2010)

However, the calls from the past and present UN chiefs for all the countries to accept and give national supports by signing and rectifying the ICRWM have not been heeded by some countries, especially the big western nation, including the 27 EU in which Finland is a member.

9. RESEARCH FINDINGS

In this chapter I will present the results of the interview analysis. The results will be itemized according to the themes made during the analysis of the transcribed interview

data. The findings were divided into three parts namely practical experiences, feelings and effects. The first part is divided into themes according to the malpractices or exploitations that migrant interviews experienced in their work places. The second part explains the impression that the interviewees had about their employment condition. The third part details different types of negative effects that the interviewees had encountered because of the abuse and exploitation they encountered in their work places.

9.1. Practical experiences of the interviewees

The practical experiences mean some of the exploitative experiences that the interviewees encountered in their workplaces. These include certain abnormal behaviors from employers which goes contrary to employment good practices as contained in the labor laws and the employment acts.

9.1.1. Faulty or no working contracts

A working contract is an oral or written covenant between an employer and employee, which specify the provisions and conditions, under which a prospective employee agrees to perform certain work duties given by an employer in return for a mutually agreed remuneration. The contract agreement contains the employee's duties together with his rights and privileges, and as same time it specifies the obligations of the employer towards the employees. In Finland a working contract which is often in written form is a binding agreement between employer and employee which confirm them as reliable contract parties. The Finnish employment act states that the following information must be included as the terms of employment in a contract namely, the date of commencement of the work , the duration of the employment contract and the justification for a fixed-term employment relationship, the trial period, the place where the work is to be performed, the employee's principle duties, the grounds for the determination of pay or other remuneration, and the pay period, the regular working hours, the manner of determining annual holiday and the period of notice, and the collective agreement applicable to the work (Ministry of Employment and the Economy). The working contract in Finland is a legal document which is drawn in

accordance to the collective bargaining. It protects both the employer and employee from unwarranted behaviors from each the contract party.

However, in the case of some of the interviewees, due process was not followed in their own case as regards to work contracts. Some of them were employed without working contracts. And some were given contracts which did not specify the terms of agreement, and which did not show their rights and privileges such as numeration, holidays, allowances and safety matters. The absence of a working contract can give employers room to withhold some of benefits of the employees as stipulated by the employment contract Act 2001/2006. For instance, one of the interviewee made the following revelations, "I have work three years for the same company but my contract is still the same. My employer has not written another contract for me after the first contract she gave me when I first started had expired after the 3 months trial period, each time I asked her for a new contract, she stopped from working for sometime (interviewee D). Similar claims were made by four of the interviewee during the interview, even one of them reported that he was fired from work because he asked his employer to give him a working contract so that he could use it to support his working permit application. However, making an employee to work on a sub-standard working contract or not given working contract at all is described as a form of economic control of the employee by the employer (ILO 2008, 19; Jokinen et al, 2011). This behavior equally contravenes the stipulations of the contract employment law of Finland. Article 25 (1) of ICRWM (1990) states that migrant workers shall enjoy equal treatments that applied to citizens of their host countries in respect to employment agreement and numeration.(ICRWM,1990). The conclusion is that presenting a sub-standard working contract or not giving a working contract at all could be considered as the breach of migrant workers labor rights. Furthermore, not having a normal working contract as stipulated in the employment act and as agreed in the collective agreement makes it easier for an employee to lose his employment rights and privileges, since most of the workers' privileges depend on the status of their employment contracts. For instance, things such as length of trial period, salary increase, number of days for annual holidays and job security, are all depend on the nature of the contract agreement between the employer and employee. When an employer intentionally refuse to follow the stipulations as contain in labor and collective agreement in the case of migrant worker, that employer is taking undue advantaged of the migrant worker involve. This takes us back to the

definition of exploitation which is seen as taken undue advantage of another, especially someone in a vulnerable position (Wertheimer, 1999: 11). Finally, without an employment contract, a worker may not be in advantage position to take legal action against an unjust employer.

9.1.2. More task and less working hour

This is a situation where employers assigned more work duties to employees and give them insufficient working time to accomplish the assigned tasks. That is to say that the amount of work assigned to the employee is not equal to the working hour allotted to the task. A clear example could be that a cleaner is asked to clean 10 offices in 2 hours whereas it takes 40 minutes to clean one office and get it ready for use. That mean that the cleaner is forced to do in 2 hours a work he or she could do in 4 hours or more. This is one of the general problems faced by migrant workers in the cleaning companies in Finland. All the eight persons interviewed by me agreed that they are currently experiencing or had experienced this problem in the past. This is a clever way some employers of migrant workers in the cleaning companies have devised to exploit them, by giving them more work to do in lesser amount of hours. Even though this type of exploitative behavior was not overtly defined in the Finnish working hour Act, but the offence is covered under Finnish extortionate work discrimination crime. The crime of extortionate applied to a situation where a worker is paid low salary than other employees in same companies or when an employer demands inappropriate working hours from an employee (HE151/2003, 17).

Some of the interviewees complained that most cleaning companies they have worked for or are still with working for gave them more tasks to do in fewer hours. One of the interviewees said “When I was working for a cleaning company owned by a foreigner, he gave me 5 hours work to do in 3 hours, and even now that I am working for a big Finnish cleaning company, they also give me too many things to do in little hours, every time they are adding something new to the job, but my hours is still the same” (Interviewee A).

However, Brun and González (2009) made allusion to the fact that cleaning companies are in constant pressures from clients, and competition from other cleaning companies. They are forced to provide quality but cheaper services to their client in other to retain their clients, and most often at the detriment of the cleaners’ rights, health and well-

being (Brun & González 2009). Furthermore, European Federation of Cleaning Industries (EFICI) described cleaning as a work sector that is very competitive, and the competition arises due to subcontracting. Subcontracting allow companies to outsource their cleaning activities to cleaning companies in an attempt to cut cost. The cleaning companies are pushed to a corner where they must provide quality work for the customers, provide working materials and pay their workers. In order to maintain the three and equally make profit, these cleaning companies shift the pressure to migrant workers who do not have bargaining power, by insisting that more task must be accomplished in a specified little amount of time, while the work quality must be of high standard (EFICI, 2000).

9.1.3. Unpaid Extra working hours and allowances

From the interviewees' stories this is described as a situation where an employee is mandated to do extra work or to work on hours of the day and days of the week outside normal working times. The Finnish labor has specifications and instructions about extra works and its compensation by the employers. The detail information on extra work hour, overtime and public holiday compensation can be seen in pages that explained the labor legislation in this research study. Furthermore, it is the legal obligation of the employer to pay all the extra time and overtime work done by the employee as stipulated in the labor law and in the collective agreements made by the trade unions. This include any work done outside the normal agreed working time, evening time work, night time work, weekend work, as well as public holiday work (Työsuojeluhallinto- Occupational safety and Health Administration; Ministry of Labor, 2005). However, some of the interviewees reported that they were asked to do extra work or to work on non working days after which they are not paid as stated by the labor law. One of the interviewees said "My boss told me that he would not be paying me per hour salary, rather he will be paying me a fixed amount money every month end. Even though my job stretches into the night, the night allowance was not paid. I worked from Monday to Sunday and even on public holidays, but my payment was still the same, no double payment for Sunday and public holiday work" (Interviewee F). Jokinen et al (2011) explained that in some cases of labor exploitation, it is so common that the bosses do not pay evening, night, Saturday and Sunday allowances, as well as overtime allowance and holiday payment which are stated in various collective agreement (Jokinen et al 2011, 91).

Nevertheless, in a situation where an employer purposefully refuses to pay the work allowances to an employee because the individual is a foreigner who might be ignorant of his employment rights pertaining to holidays and allowances, or who might not have the will power to demand for his rights, can be taken as exploitation. Goodin sees exploitation as an unjust action that infringes on the moral norms that protect the vulnerable (Goodin, 1988). In the same vein, article 25 (1a) of the ICRMW (1990) states that migrant workers should enjoy the following employment rights in regards to remuneration as citizens of their host countries, namely overtime, hours of work, holiday pay and other rights listed in the section (1a) of the article 25.

9.1.4. Unpaid annual Holidays

Paid annual holiday is the prerogative of every employed worker irrespective of the type and place of work. Chandler (2003) stated that every employee irrespective of the nature of his employment is entitled to a minimum of 4 weeks paid annual holiday (Chandler 2003,358). Annual holiday time is a period that workers take days off from work to have rest. Employees decide how they want to spend their holidays. For instance, workers use the holiday time to spend time with their families, to visit friends or places. It is equally a time to replenish energies lost during the work period. However, labor law in many countries states that the employer should pay the employee for the annual holiday. In Finland, the Annual Holiday Act explicitly spells out the modality through which paid holiday could be earned. According to the Act, annual holiday is earned by working within a holiday credit year (Annual Holiday Act). Annual holidays could be earned depending on the 14 days rule or 35-hour rule. Furthermore, the law acknowledges that every worker who has worked for 12 months in a company must have a paid annual holiday in the next working year. The law equally states that those who work on temporary or fixed-term contracts are entitled to paid holiday. There are two periods of paid holidays which fall during winter and summer of every year.

However, one of the interviewees made the following revelations regarding his work experience. "In the former which is owned by an immigrant person, I worked for a complete two years without summer and winter holidays, and on the third year my employer feared that the authorities would find out, he paid me holiday money and asked me

to withdraw the holiday money and give back to him after one hour” (Interviewee A). This means that some employers purposefully refuse to play by the rule by withholding holiday allowance from their foreign employees. Probably the employers are aware the foreign employees may not be aware the holiday rules, or may be afraid to insist on being paid for holiday. Susan McPhee the policy head of Citizen Advice Scotland (CAS), said in a BBC Scotland documentary dubbed ‘Low Pay Nation’ that many employers are refusing to pay minimum wages as stipulated by law, evidence showed that young people and migrant workers were the most affected. She concluded that information at their disposal showed that many affected workers were ignorant of their rights, or lacked the courage to press for them (McPhee, 2011). The points raised by McPhee is similar to the conditions of some migrant workers working in the Finnish cleaning companies as shown in the interview data. Jokinen et al (2011) explained that problems concerning numeration, holidays and allowances are widespread abuses and exploitation that migrant workers encounter in Finland (Jokinen et al 2011, 91)

9.1.5. Favoritism and task discrimination

The online Oxford dictionary defined favoritism as a situation where preferential treatment is given to a person or group at the expense of others. While task discrimination is a term I use to describe a situation where in a company or workplace certain persons or group of persons are given work task which are less cumbersome than others by employers or supervisors, for certain reasons which may include gender, age or nationality. Some scholars believed that most often the jobs that are given to migrants are the jobs that the citizens of the country rejected, especially the unskilled jobs. Workplace discrimination is a practice in which the easy tasks and more working hours are given to the citizens, while difficult tasks and lesser working hours are given to an immigrant person in the same workplace. It also includes reducing the amount of working time allotted to a particular task when a job is taken from a citizen and given to an immigrant. The ILO reports showed that in some countries migrants are often discriminated in employment sectors even when they are more qualified or have more expertise than the host country’s citizens (ILO, 2004).

Workplace discrimination can happen in different ways, and may include favoritism and task discrimination. Describing their encounters in their workplaces, all the

interviewees reported that they had witnessed preferential treatments being given to certain fellow employees, who happened to be native citizens. In narrating the situation one of the interviewees said, “Believe me, if you are a foreigner you have big problems, but if you are a Finnish person you do not have problem at all. The Finnish people, they give them easy job, they give them too much time to do the job, but if you are a foreigner, they exploit you because you need this job” (Interviewee A). Another interviewee who had similar experience said, “One day my boss asked me to cover for a Finnish co-worker who was going for her one month annual leave. I was told to learn how task before she commenced her holiday. My boss told me already that the working hour for that job is 4 hours. As the lady was showing me all the places she cleaned, I discovered that the work volume was very big. The building has over 30 offices and long corridors. There were so many places to clean, dust, vacuum, mop and drive cleaning machine. I asked the lady how she managed to cope with the work in 4 hours; she quickly told me that working hour was 7 hours and not 4 hours. When I told her that our boss asked me to do same work in 4 hours, she was very surprise. Till this day, I still wonder why my boss did that to me, what is different between me and the Finnish lady except that I came from another country. I did that particular work for 26 working days. A total of 78 hours were stolen from my salary when you multiple the 3 hours that my boss took away from the job working hour by 26 working days, I lost 663 Euro because of that” (interviewee F). Nevertheless, this particular ill behavior at workplace is not peculiar to cleaning companies in Finland, it has happens also in other parts of the world.

Kreb (2009) reported that some group of Vietnamese migrant workers in Czech Republic faced discrimination in wages and in working conditions at their work places. Equally, there are some reports of workplace discrimination in some countries in Europe as well as South- Africa, Singapore, Canada, China, the Middle East and other countries not mentioned here. It is pertinent to point out here that Non- Discrimination Act of 2004 prohibits any form of discrimination in all the work places in Finland. Employers are charged to uphold equality of all employees in their companies irrespective of their personal circumstances. Article 6 of the ICRWM stated that no workers should be discriminated against based on language, ethnicity, and nationality etc. Any proven act of discrimination in Finnish empowerment sector carries the penalty

of 15,000 euro and more fine could be awarded depending on the gravity of the offence committed.

9.1.6. Workplace Bullying

There is no generally accepted definition of workplace bullying but some terms have been used to describe the phenomenon (Vartia , 2003,8). For instance, words such mob, mobbing, work place harassment, non sexual harassment, psychological harassment, victimization, psychological terror, scape-goating and petty tyranny have been used by some authors to describe workplace bullying. Other terms such as abusive behavior, or emotional abuse, workplace trauma and work place aggression have equally being used to express workplace bullying in certain countries (Vartia 2003, 8). For the purpose of this study, I will use the definitions that best explain the experiences narrated by the interviewees during data collection. Brodsky (1976) defined workplace bullying as recurring and continual practice by which an individual distressed discomfoted, annoyed or provoked others. It is an action that constantly irritate, stress, put fear into, threaten or cause annoyance to other people (Brodsky, 1976).

The European definitions of bullying emphasized the imbalance of power between the victim of bullying and the person committing the act (Vartia 2003, 8). From the Finnish context, workplace bullying is defined as a circumstance in which one or more persons face constant and recurring negative attitudes from work superiors or work colleagues , while the person or persons feels vulnerable (Vartia 2003, 10). The negative attitudes include manipulation of the victim's reputation, the victim's job performance, the victim's communication with other employees, the victim's social life and physical assaults (Leymann ,1990). The following behaviors are identified as the common forms of workplace bullying in most workplaces; slander, gossip, rumors, social isolation, denial of information, manipulating working tasks, persistent criticism of a person's work and efforts to find fault , insinuation about a person's state of mind as well as offensive remarks. Others include personal insults, threat of violence, intimidation behaviors, verbal abuse, shouting and spontaneous anger (Vartia, 2003a; Hoel and Cooper, 2000). Bullying is a form of psychologically exploitation which is often use by employers to keep the employees subservient. John Lawrence Hill is quoted to have described exploitation as a psychological rather economic and social concept, because what matters in exploitation is the state of mind of the exploited (Haynes, 2008).

Bullying creates both external and internal reactions and it can lead to serious consequences for the bullied.

However, the interview data contained some instances of workplace bullying experienced by the interviewees. One of the interviewees who had encountered bullying said, “I want to state categorically that I have been yelled at by my boss over a discussion concerning my incomplete salary. My boss used a swear word at me ‘What the fuck is your problem’. Honestly, I will never forget that day in my life. As a student of social services, I was taught that in Finland one cannot yell at a child even if he or she does something wrong. I know that it is wrong to use swear words, but my employer had no qualms swearing at me over an issue she was wrong. If a child can have a right in Finland, why wouldn’t an immigrant adult? I felt very bad and it was demoralizing. And I understand that once you are immigrant person working in cleaning companies Finnish employers will try to ridicule you, demoralize you, and insult you to keep you off balance” (Interviewee B). Workplace bullying could be in form of verbal abuse or insult as the first interviewee mentioned in his story, it could also happen as a threat or psychological torture as another interviewee revealed in his story. “My employer expresses his anger at me by hitting his mobile phones on the floor when he gets mad at me. Since I started to work for him, he has broken at least five phones just to make me feel his anger (Interviewee E)

Finally, I wish to point out here that workplace bullying is a general problem that workers face in their working lives irrespective of whether they are working in their own country or abroad, but the effects of workplace bullying could be worst when one works in a nation other than his own. Migrant workers are most vulnerable to workplace bullying because of the following reasons; ignorance of host country’s laws, ignorance of host country’s working culture, ignorance of company rules and regulations, and cultural differences between the migrant worker and the employer. Vartia (2003) believes that workplace bullying can lead to health and social problems such as depression, low self esteem, anxiety and psychosomatic, post-traumatic stress disorder, musculoskeletal health complaints, work absenteeism, resignation and even suicide (Vartia, 2003)

9.2. Personal feelings of the interviewees on their experiences

During the data collection process, the interviewees while narrating their stories equally expressed their feelings regarding their past and present experiences of exploitation in their workplaces. As I have earlier mentioned, exploitation is a phenomenon that has psychological dimension both as cause and effect of exploitation on human being. John Lawrence Hill quoted in Hynes (2008) argued that the state of mind is what matters in more in exploitation (Hynes, 2008). It is a known fact that a person's state of mind impacts positively or negative on his feelings. This second part of the finding will look at the state of mind of interviewees as contained in their stories.

9.2.1. Work Apathy

I chose to define work apathy as a situation where an employee loses interest in his or her work for certain reasons. In most cases workplace encounters can lead to work apathy. Among the things which could make an employee to lose interest in his or her job is abuse and bullying from employers and co-workers in a work place. Commenting on workplace sexual harassment which is one of the workplace exploitation, Conte (2000) explained that harassment has the capability of affecting an individual's work performance or work place more threatening, unfriendly and unpleasant for him (Conte, 2000). For the migrant workers who had encountered exploitation in their workplace, the option of quitting from the work might appeared risky for them, what they normally do is that they continue with same job but with grudges. They usually do not find satisfaction anymore in their work, which may lead to poor quality service on the side of the migrant workers. This also increases the risk of further abuse from their employers because of poor quality of work.

There are instances of work apathy among the respondents. For instances the following expressions were made by one of the interviewees. "You know I have worked in cleaning company for a long time, cleaning companies are not good, and if you are a foreigner you cannot be happy. I don't like this job believe me, I am not happy, I hate cleaning job and of course it is not a good job. No foreigner is happy doing this job. But that is only job we can find in Finland" (Interviewee A). Another interviewee said, "My feeling is not good about this job, I wish I have alternative, I want to take some steps but this is Finland, I have to recognize that" (Interviewee C). It is important to

note that work apathy can lead to further misunderstanding and conflict between employer and employee. And in the case of migrant workers it might lead to the suspension or termination of their working contract without due process as contained in the employment legislation.

9.2.2. Sense of vulnerability

When some people faced a certain overwhelming problems repeatedly or witnessed other people in their group go through same problems over and over again, there is always feeling of helplessness. People are often humbled by daily life problems that they accept the situation as part of their daily existence and something which they cannot change. During the interview I discovered that most of the interviewees believed that being an immigrant is enough reason to be exploited. They accepted this belief to be a norm which should not be challenged. Some of them believe that the system has made it easy for employers to cheat their foreign workers and go unpunished. There is also lack of trust in application of labor laws and lack of confidence in the authorities of the host countries. Some of the interviewees expressed the feeling that the laws are there only to protect the citizens and that the authorities act fast when citizens are victimized. Some expressed doubt on the ability of the police and the labor union to take up their matters and get justice for them since they are foreigners. This notion was echoed during the interview. For instance, one of the interviewee said “Even when you talk to the authorities about your situation, most often they are very reluctant to act because you are immigrant, I have complained to the employees’ representative in my company about my problem with my unit boss, but he is too reluctant to do anything, I guess because I am an immigrant. The problem is that the authorities do not get in contact with the immigrants in the workplaces, they do not check on their working conditions. The authorities trusted so much in their people, a Finn does not lie but it is only an immigrant that lies. (Interviewee B). Commenting on the immigrant’s attitude toward reporting their exploitation cases to the authorities, Jokinen et al (2011) argued that some migrant workers fail to report their cases because they felt that the authorities cannot act in their favor especially when a respected member of the society is involved, and secondly because of the length time it takes police to conclude their investigation (Jokinen et al, 2011)

9.3. General effects of exploitation on the lives of the migrant workers

I stated in the beginning of this thesis study that one of the things that I will like to find out is the effects of exploitation on the lives of the migrant workers who had experienced them. These effects could be psychological, physiological or social effects. Well-being has earlier been explained as the sum total of a person's life satisfaction. Well-being equally has dimensions and any threat to each of these dimensions could rupture good life feelings. Each of the effects will be discussed in separate paragraph.

9.3.1. Work stress

Work stress is both a psychological, physiological and behavioral symptom found in people who have encountered negative work experiences in their work places. The free online medical dictionary defines stress in humans as results from interactions between persons and their environment that are perceived as straining or exceeding human adaptive capacities and affecting human well-being (The free online medical dictionary). Furthermore, Seaworld (2012) viewed psychological stress as a condition of nervousness produced when events and responsibilities go beyond individuals' capability. Physiological stress is seen as the rate of constrain on the body. Holistically, definition of stress indicates that it is a very difficult phenomenon which affects the entire human system and involved a lot of factors some of which have not been uncovered by researchers (Seaworld, 2012). However, I do not intend to go deeper into the concepts of work stress. But some authors are of the view that work stress could lead to psychological, physiological and behavioral problems. Psychological strain could produce the negative effects such as depression, anxiety and burnout. Physiological strain could equally produce the following reactions; coronary heart or artery disease, twitching of muscles, sweating and perspiration, high blood pressure, and general itches and pain in different part of the body. And finally, behavioral strain could lead to alcoholic addition, misused of substances and bodily harm (Barling, Kelloway, and Frone, 2005). Job absenteeism and work apathy are equally linked to work stress. Work stress could equally produce emotional reactions in the workers such as anger, aggression and violence.

For migrant workers, coping with work stress might be very difficult since they are dealing with other issues which borders on their status as migrants. In the data analysis, I uncovered some evidences of work stress in the interviewees personal life stories . One of the interviewees said, “I do not like my work, it makes me sad all the times, and sometimes I feel like expressing my anger violently. I have too much stress in my work and I cannot sleep long hours because of stress, I sleep only 4 hours a day and it affects my mood” (Interviewee A). The second interviewee reported on his experience as follows, “I know that my work experiences have affected my social life, it has affected my mental and my emotional state, sometimes I feel that I am reduced to nothing in my work place. I have lots of psychologically effects because of my work. One day I went to bank and yelled at somebody for little issue, I later I realized that my action was a transferred aggression to an innocent person” (Interviewee B). The third interviewee corroborated the points made by the previous interviewees by saying, “In my country I did not know what is depression, I knew the meaning of depression here in Finland, and it is a pity that I am now declared a patient of mild depression by my medical doctor. I can only sleep when I take sleeping pills. Sometimes the pills would not work, meaning I am going to keep awake all the night. I am a sad person and it affects everything I do. Even my people back home have noticed that I am a changed person. Often I resort to alcohol and other forms of pleasure just to raise my mood. The genesis of this problem is my work and my boss” (Interviewee F).

Finally it is good to note here that most times migrant workers suffered the effects of their working conditions without help. Sometimes the experiences might lead to serious illness or sickness which can even lead to fatal consequences.

9.3.2. Work related Injuries

Wolff (1995) explains that work injuries could be ordinarily explained as bodily harm sustain as a result of work activity or in the course of carrying out job duties. When an injury is found to be as result of employment, it is known as work related injury (Wolff, 1995). The employees work-relating injuries could be as result of the ignorance of health and safety measures by the injured employees, employers negligent on safety matters, employees’ carelessness while using dangerous tools or chemicals, unsafe

working environment and negligent of monitoring safety agency officers to enforce compliance of safety measures. The Finnish labor legislation considers health and safety of employees very serious, and that is why it enacted the Occupational and Safety Act of 2002. The aim of the act is to protect employees from work related accidents, occupational diseases and other dangers arising from work. The Act stipulates that safety measures must be taken into account when planning and constructing a workplace. It is the exclusive duty of the employers to provide safety measure for the employee.

However, this is not always the case especially when immigrants are involved. Some of the interviewees mentioned the lack of health and safety knowledge as one of their problems, which led to minor accidents and injuries. One of the interviewees said, “My Company gave us safety seminars but it was not comprehensive, they just told us what to do when there is fire outbreak, but there are other health and safety issues which we were not told” (Interviewee D). Another interviewee said, “One day a corrosive chemical entered my eyes and I did not know what to do, the instruction on what to do when someone has body contact with the chemical was in Finnish. I just used ordinary water to wash my eyes, but I was not sure I did the right thing. There are many chemicals we inhale everyday during work, some of my friends are having breathing problems, stomach problems, body burnt, and tissue reaction in their palms due to contact with dangerous chemicals. Our employers do not care about our safety. A friend of mine had hand injuries caused by germs as a result of using one hand glove for a long period of time” (Interviewee F).

Jokinen et al (2011) argued that migrant workers are more likely to have work related accidents than the native citizens for a number of reasons which includes ignorance, negligence, carelessness and oversight by safety officials (Jokinen et al, 2011).

9.3.3. Problem with family life

Very often the negative experiences encountered in work places could affect many things in a person’s life including relationship and family life. Greenhaus and Beutell (1985) believe that work and family can affects each other in both positive and negative ways (Greenhaus and Beutell, 1985). There are always risks of spill over between the two. In the case of migrant workers, there is a reasonable possibility that the impact of

exploitation on them is equally felt by their family members. In his 2010 International Family Day address, the current UN Secretary General, Mr Ban Ki Moon, made allusion to the impact the conditions of migrant workers could have on their family. He named economic hardship and emotional challenges as possible problems that migrant workers families could face (International Family Day, 2010). However, three of the interviewees who have families agreed that their working conditions are having or have had effects on their families. The effects include transferred aggression to spouse and children, less time with family due to working shifts, economic constraints when salaries are delayed or not paid complete, problematic relationship with spouse, and inability to visit family members at home country, as result of the refusal of annual holiday by their employers. One of the married migrant worker said “It has been two years since I left my wife at home; I feel her pain each time we speak on phone. I am afraid she might be frustrated one day and make bad decision. I need money and holiday to go home and see her, and I need good and suitable job to bring her to come and live with me here in Finland” (Interviewee A). Another interviewee experiencing same problem said, “Each time I have bad day at work, I speak harsh words to my wife during our phone discussion, though I feel regret afterwards. My daughter is now five years old, we have not seen each other for the first time since she was born, and she only knows me by my voice and pictures. I have been unlucky to work for bad companies since I came to Finland, I need to go home and see my wife and daughter but I need money too” (Interview H).

9.3.4. Problem with study life

In Finland international students are allowed to work a minimum of 5 hours a day and 25 hours a week. Most international students in Finland take on part time jobs as a way of supporting themselves financially while they are still in school. Many of them are employed on permanent basis while some others are employed on temporary and fixed term basis. Cleaning companies and other facility management enterprises are the biggest employers of international students. Many companies in facility services use international students to fill up the employee needs in their companies. In Finland foreign students are considered part of the immigrant community even though their main reasons for living coming to Finland is for study purposes. However, international student working in the cleaning companies formed part of the migrant workers in that

service sector, and their experiences are not different from that of other foreigner workers. What it means that if they become victims of workplace exploitation as other foreign workers, their lives will be affected including their study lives.

Two of the interviewees were former university students while two others are currently studying at the higher institutions. Their stories also reveal the impact negative work experiences in facility service companies had or are on having in their studies. One of the student part time foreign workers said, "My work experience put me in a very big psychological problem which affected my school performance. I often sleep in the class because of my state of mind" (Interviewee B). Another interviewee who was once a student said "It affected my study negatively because my boss use to give me extra work in the morning even though he knew I was a student , I often miss the first lessons and class assignments. The result of this was that I had problem with some of my teachers who thought I was not a serious student, and the worst was that I spent extra one year in school because of missed assignments"(Interviewee D).

Combining work with study is already a stressing factor; working beyond a certain number of hours will affect the academic performances of a student (Perna & Dubois, 2010). Work stress caused by abusive treatment or labor exploitation could as well adversely affect the life of an immigrant part time working students, including their academic performance in school. There is a possibility that it might lead to dropout and delay in graduation.

10. SOME FACTORS THAT MAKE MIGRANT WORKERS VULNERABLE IN FINLAND

There is a consensus that migrant workers are one of the vulnerable groups in the world. Migrant workers were first recognized as vulnerable group by ILO convention of 1949. Since then successive ILO and UN documents have listed migrant workers as group whose condition call for urgent attention and assistance. While the world has adopted serious measures in addressing the problems of other vulnerable groups like children, women, people with disability, etc. Attempts to address the issue of migrant workers often end in political and social debates or regional disagreements.

Both the ILO and the UN agreed that going outside one's own territorial border for economic reasons or other purpose carries the risk of exploitation, abuse and sometimes violence against the persons involve. I identified the following as some factors that might expose migrant workers to exploitation in foreign countries namely ; language barrier, ignorance of own rights, ignorance of labor, unfamiliarity with of legal system of the host country, alien culture, fear of reprisal from the employer, fear of backlash by the authorities of the host country, previous exploitative and traumatic experience in own country, lack of social network, unwillingness of the host authorities to investigate reported cases, failure of authorities to set up task force to monitor the well being of workers in their work places.

10.1. Language Barrier

Language barrier is the inability of a foreign to speak, understand or write the language of his host country. This is not peculiar to migrants in Finland, rather globally the inability of the migrant workers to understand the spoken and written languages of the host countries are one of the things that expose them to exploitation and abuse by employers (De Varennes, 2003; Jokinen et al, 2011). In Finland for instance, language is the first challenge that migrants face when they arrived from their home countries or from other destinations. Finnish language is known as one of the difficult languages in the world, most migrants might overcome this challenge of language barrier for many years to come. The more they are unable to access employment information and be able to read legal documents pertaining to their rights, the more they are exposed to cheats and exploitation, irrespective of number of years they have worked in a company or spent in Finland. This point was corroborated during the interviews. All the eight interviewees agreed that knowing the language and being able access information will not only protect them from exploitation, it will equally enhance their chances of getting other good jobs when they resign from the an exploitative workplace.

10.2. Ignorance of employees' rights and law legislation

Ignorance plays a big part in the vulnerability of migrant workers to exploitation. It is common place that people moving to a new country do not usually know the laws of the land, or what rights they have in such a country. In the case of migrant workers, very

often they are ignorant of labor regulations of their host countries, which contain their own rights in workplaces. A migrant worker can work in a particular country for many years without knowing his employments rights and privileges, except for the ones explained to him by his employer or supervisors. Often not all the companies or employers explain workers rights and privileges to them. Sometimes employers deliberately refuse to explain the rights and privileges of workers to them in order to exploit the workers. All the interviewees agreed that their ignorance of the workers' rights and privileges accorded to them by Finnish legislation was part of the reasons why they were being exploited by the employers. Some of the employers who indulge in exploiting migrant workers know that the migrants do not know the law, and will not realized that they have been cheated or exploited. Some of the interviewees said that it took them some time to understand that they were being denied certain rights by their bosses. Two of the interviewees confirmed that it took them more than one year months to know that they suppose earn extra for working at night, on weekends and on public holidays. This means that for the period of one they were being denied important rights which they are not aware of. Jokinen et al (2011) agreed that ignorance is one of the big problems that migrant workers face in their work place (Jokinen et al, 2011).

10.3. Fear of retribution from the employers

Fear of retribution is the fearful feelings that there will be repercussion or some sort of revenge from the employers when a migrant worker demands for his rights, or confront his employers or report the matter to the authorities. All the interviewees expressed this kind of concern. There is a notion among them that any attempt to challenge their employers or their supervisors might result in termination of their jobs. The sentence "I am afraid I might lose my job" was made by four of the interviewees". Some of the migrant workers believed that reporting their labor exploitation to the authorities might jeopardize their position in the company and expose them to risk of unemployment.

10.4. Oversight of the authorities to the plight of migrant workers

This means that the authorities are not paying attention or not doing enough to protect the well-beings of migrant workers in their domain. All the interviewees agreed that one of the reasons why they were being exploited by their employers was because they are being neglected and forgotten by the authorities who should ensure that workplace good

practices are followed in all companies that employed migrant persons in Finland. Migrant workers are one of the minority groups in Finland, and it is easy for their problems to escape the attention of the responsible authorities. Jokinen et al (2011) reported that there are only four municipal workplace invigilators in the whole of Helsinki municipality and it might take them a long time to cover all the workplaces in Helsinki, even when they visit companies their interest is to check on tax compliance and not on the well-being of workers (Jokinen et al,2011).

11. CONCLUSION

As I said in the beginning of this study that exploitation of migrant workers in Finland is an invisible phenomenon which affects the victims adversely internally and externally. I have been able to demonstrate that this social phenomenon is real through the experiences of the migrants who work in the Finnish services sector. Being an immigrant myself who have encountered labor exploitation in the past, I believe that migrant workers should not wait for the authorities to come and discover their problems; rather they should tell their problems with their own mouth in their own words. This research has fulfilled its aim by providing a platform for the voiceless migrant workers to voice out their experiences in cleaning companies. Another achievement of this research work is that it has open an opportunity for organizations that are interested in immigrant work to extend their services to these exploited workers who are passing through psychological, physiological and social crises due to the traumatic encounters they made while working for abusive, exploitative and manipulative employers.

Finally, I believe that this research work will encourage other researchers do further investigation into working conditions of migrant workers in other sectors such as construction sector , agricultural sector, domestic work sector, and other unskilled labors sectors where migrant might be exposed to abuse and exploitation. It is my conviction that this research study will go a long way to expose the problem of exploitation as experienced by migrants. Finally, I wish to state here that it is not all migrants working in service sectors that are being exploited, and not all the employers of migrant workers in Finnish cleaning companies take advantage of their foreign employers. However, there is need to establish a mechanism through which the

authorities could track employers who break the law taking advantage of their workers who migrated from other countries.

12. DISCUSSION / RECOMMENDATION

I want to use this chapter to discuss my personal thought on the issue of exploitation migrant workers in Finland, and this will equally include some suggestions of migrant workers who were interviewed during the data collection process. I want to use this opportunity to dispel some possible doubts which might arise as regards my objectivity and impartiality in presenting the facts of exploitation migrant workers in Finland, for the reason that I am both a migrant person and a victim of exploitation in the Finnish facility service company. As earlier said, I still maintain that my position as a migrant and past victim of exploitation did not affect the facts of the research, rather my position offered me the pragmatic understanding of what it means to be an exploited immigrant. My work was to present experiences of victims of exploitation as they were told. I must add here that the life of migrant workers in Finland is not characterized by abuse, harassment and negative behaviors from the employers, rather there are also positive gains and advantages which migrant workers receive as employees in Finland. These include government insurance coverage, yearly tax returns, government assistance in obtaining bank loans and pension just to mention but a few. It is important to note that some Finnish employers treat migrants as fair as their Finnish counterparts. But as the topic suggest, my interest is on those who have or are encountering workplace difficulties as result of being migrant workers or immigrant employees. The interviewees and I believe that the following suggestion can help an immigrant person to be safe at work and reduces the rate of exploitation in the cleaning companies.

12.1. Knowledge of host country's national language

Not knowing the national language of a host country put migrants in a vulnerable situation. All the interviewees believe that one of the major reasons why immigrants encounter problems in the working places is because of their inability to communicate in Finnish language. There is a general consensus that when an immigrant knows spoken and written Finnish language, it may reduce the chance of being exploited and also increases the chance of changing to new jobs when the former is no longer

convenient. I share same opinion with them because personally I discovered that not know the language was one of the reasons why many immigrants encountered exploitation.

12.2. Knowledge of the labor legislations

Knowing the Finnish labor legislations put a migrant worker in advantage position in the workplace. The interviewees all agreed that ignorance of law is a big disadvantage for any migrant worker. Some bad employers take advantage of it to the detriment of a foreign worker. I share the position of the interviewees that it is important for an immigrant working in Finland to endeavor to know his rights as contained in the labor legislations. Belonging to the trade union is also one way of protecting oneself from exploitation.

12.3. Increase monitoring of Workplaces

There is a consensus by the interviewees that monthly supervision of workplaces by the labor supervisors can go a long in curtailing exploitation, and it will equally improve and protect the well being of migrant workers in their work places. Each city should have workplace monitors, whose work is not only to check on tax defaulters, but also to examine the working conditions of migrant persons and the safety of the workplace.

12.4. Migrant workers information center

This is my personal opinion. I am of the view that every big city that host large number of migrants should have an information center where migrants who intend to seek employment will go and receive information in many languages such as English, French, Spanish, Chinese, German and Russian. The users of the centre should be provided with information on Finnish working culture, employees' rights, different labor acts, trade unions and authorities to inform when exploitation is encountered. The centre should also include legal advice and services for exploited workers

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