



**The European Dilemma:  
Institutional Patterns and Politics of 'Racial' Discrimination**

**Workpackage 4:  
Institutional Patterns of Discrimination:  
Case Studies Working Notes4  
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**INTRODUCTION:  
INSTITUTIONAL AND CULTURAL  
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This manuscript consists largely of a compilation of coded selections from the case studies in each country of four workplaces, 4 labor market mediators, and 2 schools. It is divided up according to the object of study: private and public workplaces, labor market mediating agencies, school, etc. For each case study, we present selections from the country reports with respect to factors and mechanisms which can be identified in the interview materials. The mechanisms were introduced in Report 1. For each case study, we distinguish structural bases of discrimination, institutional agentic discrimination, the use of stereotypes, expressions of preferences, etc.

## **CHAPTER I PRIVATE WORKPLACES**

### **1 Introduction: General Characterization**

Language requirements – certain levels of language competence -- are common expectations in private companies in all of the countries. In Germany, in particular, these kind of demands seem to be stronger and less questioned than in other countries.

There are many instances across all of our countries, where employers or labor market mediators show a reluctance to employ immigrants. But the patterns are not completely negative. Under conditions where employers consider Immigrant employees as a resource, they are sought out: (1) they are hard-working and/or they work for less; (2) they are exotic for or appealing to customers; (3) or many customers or clients are immigrants themselves (in some sectors or geographic areas); (4) they have particular sought-after technical skills or knowledge. Swedish and Polish multinational companies show a particular openness toward foreigners with informant knowledge. And even emphasize the importance of a good command of English rather than of the domestic language.

Stereotyping is reported in most of the studies, although in some contexts or situations, it appears relatively harmless (although possibly annoying to immigrants subject to it. At the same times, employers are for the most very careful when it comes to expressing stereotypes based on ethnicity or culture. However, one finds in Germany, Cyprus, and Italy substantial stereotyping. In countries such as England, France, and Sweden, there is an established norm of political correctness, which dampens expressions of stereotypes.

## 2 Key Institutional Mechanisms of Differentiation and Discrimination

### 2.1 Norms of Language, Appearance, and Behavior

#### Germany

A typical restriction in Germany that, at least to some extent, works to the disadvantage of migrants are language requirements. On one hand, there is often a demand for almost perfect language knowledge, and, on the other hand, there are no language courses available for people working in lower-level positions. This legal restriction also explains why migrants are underrepresented in higher positions. But even legislation greatly disadvantages migrants, namely the priority law; i.e. employers should favour native applicants before those with immigrant background.

...a minimum of German language skills are required. But if migrants' German is not good enough to communicate with or to understand the supervisor, the personnel management will choose someone else who has a better command of German. As the head of personnel (medium-sized company 2) reported, there were migrants with insufficient German failing to get a job. She says: It is important that they [migrants] to some extent have a good command of German, that is sometimes difficult but important [...] they have to be instructed, they have to read postings which are important, should know the accident prevention regulation and, as I said already, they should know our quality standards. And this, of course, is sometimes difficult but we try to hire people who have relatively good command of German." The reason for such high demands, is the high number of applicants (in the context of high unemployment) that allows companies to recruit employees with necessary language skills.

Procedures for recruiting qualified and unqualified persons in each firm differ in two points. First, the personnel management puts more emphasis on language competence if they want to hire a qualified applicant for a leading position. Applicants should have good German speaking and writing skills. This is important as these positions require a good communicative competence. Secondly, job interviews last longer and include more tests if a qualified person is to be recruited. Unqualified applicants should only be willing to work and be able to understand directives and instructions.

In Augsburg, German language courses are available for higher positions only. Segregation processes **within** the workforce were not reported for companies in Leipzig, as they were in Augsburg.

Workers of the larger company also said that migrants are underrepresented at higher levels of the hierarchy.

Announcing job openings can work to the disadvantage of those migrants without a work permit. It is due to the priority law [Vorrangsprinzip] that public job agencies have to look for similarly qualified Germans before a migrant or an asylum seeker obtains a work permit or, if he/she has a work right, a job mediated. For this reason, the medium-sized company 2 has the difficulty that their employed asylum seekers have to reapply for an extension of their work

permits. When they apply for a renewal of their residence permit, while they wait for the answer, they lose their work permit/jobs and once they receive a positive answer, they have to apply for the work permit/job again. Even though the employer knows that only asylum seekers will take the jobs, the vacancies in the incoming goods department have to be announced at the public job agency. This causes extra work for the company as many Germans apply but often refuse to work or terminate their employment in the incoming goods department after a few days. For this reason, willing asylum seekers get their chance to work.

Specific impediments to migrants' careers have been described above. As one manager suspected, wearing a headscarf is a barrier to one's career.

### **Austria**

The IPs agreed that physical appearance is always a crucial factor regardless of other skills and/or education of an applicant. For instance, it has been regularly reported that it is very difficult for medical-doctors with African background to get any position at Austrian hospitals.

Also the issue of wearing head scarves (women) or wearing a beard (men) is problematic when applying for a job in Austria. This predominantly concerns the so-called front-desk jobs.

### **Sweden**

In Sweden, language competence is understood as a factor affecting one's possibility to fit in.

Further, lacking language knowledge could make an obstacle for many job seekers with immigrant background.

"The vice shop manager and the key union representative claim that lack of language knowledge could work as an obstacle for immigrants. The key union representative says: "I mean, most often it becomes like... if you do not have a full command of the language, so it surely is difficult to make a career too. It definitely is difficult to get an employment, but it is even more difficult to make a career... yes it is." (p. 85)

"The personnel manager, the vice shop manager, and the key union representative say that lack of language knowledge can work to the disadvantage of immigrant applicants. So says the vice shop manager: "It is so that we sometimes get applications that... they do not have a complete command of the Swedish language. And that is very important." Even the personnel manager and the key union representative emphasise that one should be able to communicate with the customers." (p. 91)

(+/-) "The quality management supervisor agrees at this point, and adds that there is a demand of good knowledge in English for new employees: "Language is important. Language and language knowledge, it is the base for communication ability, and communication is nearby a and o when it comes to do a quality-directed activity. Sometimes we do demand some language knowledge. I guess it has happened that we have sought personnel with... very skillful in the French language, for example. --- English is very important. English is our mother tongue. --- Yes, in the most announcements we put in such a demand, that one should be able to communicate in English." None of the leaders have heard of persons with immigrant background who have not been recruited because of lack of language knowledge." (p. 108)

## France

Language requirement plays a central role even in France. But at the same time, the employers deny that appearance or ethnicity would disadvantage migrant job seekers. Even when it comes to opportunities for further training no negative factors have been reported.

The respondents explained that ethnicity was not a factor affecting a person's recruitment in a negative way. On the contrary, it was unanimously stressed that multiculturalism, here understood as cultural diversity, was an asset for the store – even if employees of migrant origin were not clearly privileged. WPR1, the store manager, gave an interpretation of the high rate of people of migrant origin following this argument. She explained that since the store was located in Paris, which she finds a “multicultural city”, she found it normal to reflect this state of affairs in her store. She stressed out that her outlet was exceptional in this regard: she was proud to announce that hers was probably the only MFC coffee place with such diversity among workers. However, she added that the management of such diversity requires good managing skills, which she had not found in previous assistants, who treated the employees as if she despised them.

## France

In a large multinational company, we find a regulation that could be seen as working to the disadvantage of migrants belonging to religious minorities such as Muslims. All workers in this private company are expected to wear a similar working uniform.

At the same time, appearance is not a major aspect of the recruitment decision is that all employees at this company, from the clerk up to the store director, wear a corporate uniform. Therefore, the possibilities to stand out because of one's style of clothing are limited. This is what WPR7 explained, when he was asked whether he had any veiled female co-workers: “[Religious affiliation] should remain in the private sphere, one should be able to adapt. I have never seen a veiled person at MSC, we all wear a uniform, even the director. There is some freedom. Here we are a public place, there are clients. One is allowed to be oneself. The self should remain at home”. What we can deduce from this rather confused excerpt is that for employees sharing the corporate ideology, there is a tension between the values of equality and discipline expressed by the uniform on the one hand, and the corporate dogma that one should reach one's own objectives successfully, on the other hand. The result clearly reproduces the content of the contemporary French debate on veiled women invading the public sphere.

Language competence is mandatory and it was said to play a rather crucial role in recruitment. The respondents did not mention the obvious necessity that salespersons should be able to help customers: this is probably because the case did not occur in their experience that a person who did not speak good French applied for a job at MSC.

No differences were mentioned by the respondents between the training opportunities offered to employees. All newcomers receive the same training program preparing them for specific work and security procedures used at MSC, and this training serves as a way to integrate newcomers within the company. Further training is de facto limited to employees staying for a longer period of time in the company, since professional training aiming at the acquisition of

new skills – either for a given position or in prevision of further progression within the company – is reserved for employees who spent at least three years at the same position.

The decision to pursue some further training is the result of a negotiation between the employee and his/her supervisor : it is made during the annual or semi-annual evaluation interviews during which individual results are assessed and new goals designed. Therefore, the variable of the opportunities offered to a given employees was not easily envisioned by the respondents. A wide array of professional training is available at MSC and no institutionalized procedure prevent any category of employee from joining it, as long as the such decision was made conjointly by the employee and his/her supervisor.

Especially mathematics, but also foreign languages, history, geography and sciences. Immigrants fare generally worse as compared to native pupils because most of them belong to low-educated and modest families.

What they mentioned, however, was another aspect of language competence, which is the ability to interact with the co-workers. Language was identified as a key tool to express one's personality and especially the traits which are valorized by the company, such as motivation: "It is important to be able to speak well during a recruitment interview, to explain one's motives, to exchange." (WPR1) Since such quality as openness, quickness and good will were said to be paramount, the applicant's language competence must allow the adequate expression of such qualities.

It is noticeable at MSC, such as in other private companies (see Paris Private Sector report n°1) that foreign accents were not considered to be a problem, but a mark of exoticism: "We have an Italian colleague, we all love to hear him speaking." (WPR1)

No such factors were mentioned by respondents. In fact, most interviewees stressed out factors that operate to the advantage of those with a migrant background: they are available and flexible because they need the job to survive, and their cultural differences – materialized by their "exotic" physical appearances and accents make them more "interesting" for a company such as MFC. One striking feature was that foreign employees shared this representation of themselves as exotic counterparts to the imported products, and even complained that this asset was not more efficiently used by the management of the company. When no specific skills or experience are needed, we can here hypothesize that ethnicity and cultural difference are being put forward as distinctive features by the employees with a migrant origin themselves, and that they expect it to be treated as a source for added value.

B1r+, B2+ "exoticism is valued in some sectors"

They all seem to be fine with this requirement, however WPR4 added that recruitment processes were "very informal. People know what they want. In some companies, it is good thing if you are exotic."

Some applicants turn to MFC because they know of someone who already works there – this is how three Colombians were employed at the counter at the time when the interviews were made. In such cases, mutual trust can exist which can make it easier for foreigners to overcome the legal difficulties of obtaining a work visa. For instance, WPR2 did not have a work permit at the time when she started working at the store, a few weeks before the

interview: she explained to the store manager that the paperwork was in progress, and the latter gave her some delay before officially signing the work contract.

Employees are required to possess enough language competence in French to be able to understand the wishes of the customers and to explain to them the content and characteristics of the products on display. A foreign accent is not considered to be a problem, the interviewees say, since it appears as “exotic”.

Language competence is mandatory and it was said to play a rather crucial role in recruitment. The respondents did not mention the obvious necessity that salespersons should be able to help customers: this is probably because the case did not occur in their experience that a person who did not speak good French applied for a job at MSC.

The respondents explained that ethnicity was not a factor affecting a person’s recruitment in a negative way. On the contrary, it was unanimously stressed that multiculturalism, here understood as cultural diversity, was an asset for the store – even if employees of migrant origin were not clearly privileged. WPR1, the store manager, gave an interpretation of the high rate of people of migrant origin following this argument. She explained that since the store was located in Paris, which she finds a “multicultural city”, she found it normal to reflect this state of affairs in her store. She stressed out that her outlet was exceptional in this regard: she was proud to announce that hers was probably the only MFC coffee place with such diversity among workers. However, she added that the management of such diversity requires good managing skills, which she had not found in previous assistants, who treated the employees as if she despised them.

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### **England**

Even language competence and other types of social competence are named in the British example.

Leaders: All interviewees suggested that language was very important for employees to be able to communicate with customers over the phone in a clear and concise manner. When asked if there were any types of work in the organization that didn’t necessitate high levels of English language competence, all three leaders suggested that there were not.

Leaders: All of the IPs emphasise general ‘social capital’ type competences including, but not limited to, language skills, a general experience and knowledge of the working environment be it office or factory, and a generally ‘professional outlook’ (LPR 2).

### **Poland**

*In both Poland and Sweden in multinational companies, English appears to be considered more important than the domestic language:*

leaders: Language is important on some positions, especially where the employees meet Polish clients. It is not considered to be important in others. Furthermore, it is necessary to stress that most of the strategic clients are also international companies or with foreign capital, and their top managements are often expats as well. Therefore, the company is English-speaking, and this is the primary language competence which is considered.

If you're a true informant, and your informantise is so rare that a client will forget about the language issue, to the extent that you can only communicate with certain people, you may not be efficient because you're getting things translated wrong, then that is not a big problem. But if I could hire somebody in Poland who is Polish, who will probably have more opportunities to develop a better relationship because of the culture, and [I] hire somebody who coming from, pick a country, Spain, who speaks a bit of English and Spanish and bring him to Poland...-- I'll tell you, I had the same problem in the CEE, like we have a mobility program in Eastern Europe, and is it easy to send... like Slovak [sic: Slavic] languages—there's a lot of countries that are purely Slovak languages, but... if I send you to Croatia which is a Slovak language, are you going to be as efficient as you are here working in Poland? Unless I invest a lot of training in language, you'll probably pick up fairly quickly the basics, you'll be able to communicate, but for you to walk in and... take up a 20-page document, read it, then write a 20-page document in Croatian...

Does it always say 'Polish Mandatory'? From a language side, probably not. However, the same as: if I hire a Polish person who has very good English or very good French or very good German, it's a big plus; if I hire an expat who has Polish it's a very big plus also because then I don't have to worry about communication.

Employees: They agree with what the employers say. Because we're international companies, I still can manage with English, but because I'm on junior level, I have to know Polish. So that was kind of a requirement of the company, to learn Polish, on my level.

## **2.2 Legal Restrictions**

### **Germany**

Announcing job openings can work to the disadvantage of those migrants without a work permit. It is due to the priority law [*Vorrangsprinzip*] that public job agencies have to look for similarly qualified Germans before a migrant or an asylum seeker obtains a work permit or, if he/she has a work right, a job mediated. For this reason, the medium-sized company 2 has the difficulty that their employed asylum seekers have to reapply for an extension of their work permits. When they apply for a renewal of their residence permit, while they wait for the answer, they lose their work permit/jobs and once they receive a positive answer, they have to apply for the work permit/job again. Even though the employer knows that only asylum seekers will take the jobs, the vacancies in the incoming goods department have to be announced at the public job agency. This causes extra work for the company as many Germans apply but often refuse to work or terminate their employment in the incoming goods department after a few days. For this reason, willing asylum seekers do get their chance to work.

### **Poland**

Some of the problems immigrants meet at the Polish labour market could be defined as belonging to the legal structure.

The limitations are, for instance, the lack of flexibility of employment for immigrants in Poland. They have right to work in this company, but not in Poland. The process of obtaining work permits and hiring a foreigner in Poland is the main barrier to the migrants careers.

*Further, there is a tendency, or possibly a legal structure that makes it possible for illegal immigrants can find work on the market:*

The unofficial estimates are describing the number of immigrants working on the Market as few thousand. There are no official numbers. Those, who we spoke to said that it is a decent (maybe 50?) percents of all people working on the market. They are mainly Russians, Englandrainians, Armenians and Vietnamese. Many people working there are illegal immigrants.

It is common for immigrants to start their own business because it is so difficult for immigrants in the Polish labour market:

All of them run their own businesses. Once, because that is the easier way for them to obtain work permits this way, second, that they either could not find a job in Polish companies, or were so strongly convinced that it would be impossible to find such a job, that they started their own businesses.

Some of them used to work for Polish companies before. They complain about the procedures they and their employers had to go through in order to obtain a work permit for them. Working on their own they do not feel discrimination, the procedures are simpler, the same like for Poles. They do not feel that they are discriminated anyhow in this respect. The only obstacle is that most of them, in spite of long term stay in Poland have to renew their work permits every year.

Generally, however that is not the problem of openness or closeness which makes the employment difficult, but it is a high cost and difficulties related to legal procedure of immigrants' employment. Besides, the difficult condition of Polish economy results in a situation when a few new workplaces are created. And this makes looking for work difficult both for immigrants and native Poles. (p 82)

### **Germany**

The private companies in Germany favour native job seekers. The procedures are maybe not directly discriminating, but there are two points that make it more difficult for migrants to get employment, namely the language requirement and the so called priority law. On the other hand, the internal recruitment procedures seem to go properly when looking at the possibilities for natives and migrants.

Additionally, most of these migrants migrated just recently so that their lack of sufficient language skills impedes obtaining a qualified position. Thus, many migrants are hired for unskilled work where education and work experience are not necessary. This is confirmed by the university professor (see informants' report/Leipzig) who says that migrants from Eastern Europe have difficulties to find work in positions corresponding to their qualification. He says: "The interesting point is that I want to make concerns the Eastern Europeans. The interesting point here is that the gross of disadvantages grows if one considers the education and it is definitely, one sees they have high education, but they are unable to convert it [into jobs] on the German labour market."

## Italy

All the IPs say that the most closed sectors are in the public sector ones because migrants have not the recognized legal status: in Italy you can take part in public competition only if you are an Italian or a EU citizen. Therefore migrants ,even third or fourth generation, are excluded from schools, universities, public administration, health services. The only exceptions are project cooperation jobs as cultural mediators or in services directly aimed at migrants, where they are requested **as migrants** to work for the Health Authority, the la Prefecture, the Council, schools or in for other private firms such as transport. These are regular jobs but always temporary ones and the contract is not directly signed by the administration or the firm involved in the job, but through a cooperative or an association of the non-profit sector, mostly Italian agencies who directly receive the contract. This practice, says an IP ,leads to always having the same known migrants, who act as go-between with other migrants. All the IPs say that the most open sector is that requiring unskilled workers: that is in 80 % of the cases the black market<sup>1</sup>. You can draw an ideal line that divides the town of Naples, where the most open sectors are the unskilled tertiary and personal services, and the province where migrants work mainly in the agricultural or construction sectors. One of the IP says that for a few years migrants have also been employed in the shoe-making sector – which is one of strongest sector in Naples and province – where highly toxic components are used and which Italians do not want to experience anymore. Therefore the employment of foreign migrants seems to be the only solution to ensuring that these types of activities with high manpower and low technology survive on the Italian territory. At the moment, however, some ethnic businesses are developing – usually self-employed activities among the Chinese community, but also of African arts and craft etc. These types of activities are promoted also by the Region which organizes training courses for small enterprises, particularly in the crafts sector even though not exclusively.

However, one of the IPs adds that migrants with a degree who want to continue studying in Italy can enrol at university.

## Austria

According to the informants, job announcements which actively discriminate against certain groups of people have been reduced in light of the recent legal regulations (cf. Antidiskriminierungsgesetz/Gleichbehandlungsgesetz). However, an indirect or unconscious discrimination still exists. Certain jobs are still announced for natives only, but in terms of announcements, discrimination would occur more likely in, e.g., housing announcements.

In this context, it has to be mentioned that nationality preference is officially not a pattern of discrimination. An announcement, for instance, can say that only people from specific countries can be recruited.

IBK/3A/1 states that he only recruits and employs people with “Befreiungsschein” (BS, a permanent residence and work permit, cf. our WP1 report for details) as he had negative experiences with people holding other types of permits in the past. He also claims that people

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<sup>1</sup> The Campania region after the implementation of the Bossi-Fini Law, saw the highest rate of illegal migrants being legalized in Italy: 173migrants every 100 workers

without BS are liable to changing jobs and taking them up only for the purpose of prolonging their residence permit. If faced with a choice between two candidates of equal qualifications (a native Austrian and a person of foreign origin, the latter holding the BS) he would still choose an Austrian (yet did not want to give reasons why).

As the general manager of the company says, there is no problem whatsoever with employing someone with BS, yet if the company receives an offer from AMS of a skilful person not holding a relevant permit, the company would be ready and willing to apply for a work permit to relevant institutions (there is actually already a set of employees in the company with the refugee status who required a lot of help). As the general manager also emphasises, even if he would sometimes want to employ some more foreigners, the number of foreign employees without work permit is limited by official state-quota and those cannot be exceeded (unlike in the rural areas where seasonal regulations – i.e. quota free permits – are given).

### **2.3 Biases in Judging Experience and Certification**

#### **ENGLAND**

*Even judging applications and working experience can discriminate against migrants. In following British example we can read how applicants with British working experience go before those without.*

A company leader (LPR1, the Human Resources Manager) stated: ‘We judge every applicant on his or her merits’, ‘but in general we will be looking at past customer service or sales experience, qualifications, and general background when we are looking at an application’. When suggested that work experience in the ENGLAND would be valued more than some elsewhere, she conceded ‘the [type of industry] is quite specific in Britain, so perhaps if someone had experience with [a competitor] we would value that more than experience in a foreign country in a different industry’.

Employees interviewed all suggested that experience in a comparable British (or even ‘English’) company would be valued more so than similar experience in a different country.

Leaders: LPR 1 said that ‘it can be difficult to know the worth of an overseas qualification... with degrees it’s not so difficult, but other types of qualifications can be difficult to judge’.

#### **Italy**

Every IP, says that, without any doubt, the lack of linguistic competence, not legally recognising degrees and diplomas, the lack of specific training of technical informants, play an important role in the difficulties that migrants face in finding jobs. Furthermore the laws on citizenship in Italy prevent migrant becoming citizens and therefore precludes them the access to state jobs, only available to Italians.

#### **Austria**

IPs admit that very harsh regulations concerning nostrifications of foreign diplomas and certificates are responsible for many problems which migrant applicants need to face. Well-

trained and well-educated migrants are very often forced to re-take some of the courses they have already finished in their countries of origin: “They actually have to attend the same courses which they have already finish in their home country, they have to pay for these courses and – what I regard as most problematic – most of the people do not pass the Austrian examinations because of lacks in German language skills. The result is that they become taxi drivers, warehouseman, etc.” (VIE/2/1).

IBK/3A/2 states that recommendations and references do act to the advantage of an applicant, References are usually checked with previous employers etc., with such a practice being applied to both foreigners and Austrians

IBK/3A/2 says that recommendations and references are very important as ‘guest-business’ is a small business and it is ever more difficult to find good employees – therefore personal communication with other companies (e.g. previously employing a person in question) is relevant and very welcome.

Native candidates tend to have all relevant certificates and other documents required in the selection/appointment procedures. Migrant applicants and employees tend to have deficiencies in certificates and/or other proofs of their qualifications.

work experiences gained in Austria are more decisive than experiences from the applicant’s country of origin. Again, recruitment in this sector is not a matter of “doing someone a favour but of getting well skilled people who meet the official requirements”. (IBK/3A-1/1).

## **2.4 Biased Procedures**

Procedures such as standard operating procedures for dealing with particular problems or cases may be biased, intentionally or not, against migrants.

### **Germany**

Both multinational companies have similar procedures for internal recruitment. They use their intranet or the internal newspaper to promote positions in their organization. Vacant positions in these companies are primarily offered to their employees before an external applicant is recruited. Thus, this internal recruitment procedures operate to the advantage of those people who are already employed. Disadvantages of those with migrant background have not been reported.

This finding corresponds with findings by Hohn & Windolf (1984). They write that in times of high unemployment, enterprises change their recruitment procedures. Under such conditions they change from external to internal recruitment. Internal recruitment is based on social networks and on the membership in labour unions. Such internal procedures exclude external applicants.

### **Sweden**

Swedish private companies have a type of language requirement. In addition to this, both formal and informal requirement, there is a common understanding among the employers that migrants do not know how to write a CV. On the other hand, there are cases where a good knowledge of English is regarded as even more important than knowledge of Swedish.

The key union representative reports that immigrants often do not know how to write their CV:s. This is how he puts it: “They (immigrants) have no idea about, if one says it like this, how to write a CV. Most people (that is, Swedes) often know what it is, but they do not know what it is, or what they should write, they write “hi my name is Josef or something...” They do not know how to write it. --- Often when one says CV they dare not come back. --- Because they do not know about, they maybe are not sure, and may think that it is difficult.” Further union representative claims that writing a CV has become more important now than before, because it is more difficult to get job today. “ (p. 91)

### **France**

In the private companies in France a common procedure is to announce internally in the first place. Also, the fact that one does not recruit according to diplomas could disadvantage migrant job seekers.

Job openings are first announced internally. They are posted on a billboard in the store and are also announced by supervisors to their teams. However, the respondents could not identify any factor in this way of announcement operating to the advantage or disadvantage of employees with a migrant background.

The posting of job openings within the store implies that customers can also find out about them and therefore send in their applications. This very localized way of spreading the information about job openings may have an effect upon the number of applications coming from people with immigrant background, depending on the location of the store. The interviews were conducted in a store in the western part of the Ile-de-France where the customers are expected to be wealthier and less likely to be migrants themselves.

Even though internal recruitment is the primary channel through which applicants are contacted, some leaders explained that for some specific recruitment purposes, the help of recruitment agencies was required, along with the activation of networks.

However, the interviewees later explained that the relative importance of qualification in obtaining a job and progressing within the company was rather low: “We do not recruit according to diplomas”, WPR4 said. Both leaders and employees shared the same representation of the company as a place where diplomas are not the primary aspect envisioned to recruit someone. The corporate policy, they claimed, is to recruit new employees for lower level positions, then to have them progress up to management positions.

### **England**

The British private companies tend to be very careful and politically correct. Although, there are several examples of procedures that could disadvantage migrant job seekers, for instance the stress on appearance, because one is afraid of reactions from clients. Also, it was told that employers sometimes have to use a sort of shorthand when going through the application forms.

Leaders: LPR1 went into considerable detail about recruitment procedure, which she said was mindful of anti-discrimination legislation at every stage. She felt that the advertising,

interview, and subsequent appointment procedure did nothing to discriminate against migrants at any stage of the process.

Leaders: IPs say that appearance is very important for recruitment, especially for positions in which people will have contact with customers. Appearance in this regard is taken to mean neat and tidy clothes, short hair etc and IPs were explicit that they were not referring to the colour of skin or the ethnic background of applicants.

Leaders: The Human Resource Manager suggested that yes, those on interview panels and in the Human Resources Department do use a kind of shorthand when looking through application forms, but was categorical that this process did not disadvantage migrants in any way. ‘Of course when we get a CV or an application form your eyes are drawn to certain things: previous experience, qualifications, can they write well.. you can get a ‘feel’ for an applicant pretty quickly’ (LPR 1).

## **Poland**

The Stadium<sup>2</sup> is a known enterprise and finding a job there is just a question of person’s will. The immigrants of various background usually look for job in their ‘ethnic’ sectors, so immigrant background rather does not work in their disadvantage.

The multinational company stresses that they have a very formal way of recruiting employees, with tests and so on:

Company leader: The recruitment process starts every year in January/February with job fairs in the largest profound universities. It also includes various concourses and advertisements in major newspapers. The candidates have to fill the application form available on line. After selection of the applications, they are invited to various tests – language (English), numeration and psychological ones. At the next stage the candidates are interviewed by the heads of departments incl. HR department and afterwards by partners.

The recruitment procedures are standard for all international locations of this company and they are describes as such: we have a global performance management system called LILOG, and we have standard competencies, we have competencies for different levels. We have standard competencies written, we have standard procedures for evaluating people, and developing skills and job descriptions. So we’re very standardized. (...) So the criteria that we use for hiring is the standard that we use in Poland, is the standard one we use in England. Our recruitment program, the exams that we do for recruiting people locally, for example in Poland, we use exams—mathematical exams, language exams, our approach to recruiting is the same here as in the England, as in France, as in Germany and so on. It’s tailored for local culture, but it’s the same method [everywhere].

The respondents emphasized that by recruiting new staff they do not look at person’s immigration background, but on qualifications. They base their judgment on objective criteria of the recruitment and irrelevance of peoples origin and background. (p.75)

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<sup>2</sup> Short note on StadiumXXXXXX

They complain that it is difficult for them finding foreigners who especially want to come and work in Poland.

## **2.5 Direct Discrimination on the Part of Institutional Agents (gate-keeping)**

This is the notion of key roles or positions in institutional arrangements, the occupants of which may make discretionary decisions or take such actions: fate control over life chances. As indicated earlier, such positions are found in all institutions, although the degree of discretion (particularly "arbitrary" discretion) varies, that is, the degree of circumscription varies.

### **Germany**

Most of the gatekeepers in German private companies are natives. This is a fact that disadvantage migrants, because the decision makers most often primarily employ natives.

In two of the companies (medium-sized company 1 and medium-sized company 3) one has to expect that key persons foremost try to employ Germans. Thus, the personnel office employee of the Medium-sized company 3 reports: "My former boss, in particular, avoided hiring migrants, definitely. Even Turkish people who have parents which came as guest workers. Thus, he would not take a single migrant because in his opinion Germans should primarily obtain work."

There is one important reason why most employees with migrant background face limited career opportunities. This reason has to do with their low status. Most migrants work in unskilled jobs and get only further education if it is needed. Decisions are made by group leaders and the personnel office.

Leadership IPs in the bigger company did not make it explicit if stereotypes are taken into consideration for personnel decisions. Arguably, this is well conceivably, especially when taking into account that all IPs said in general it is important whether one fits into the team. One of the managers (2) first wanted to refer to qualifications when elaborating on this, but then admitted that nationality is also a factor, albeit only one of many. But she did not elaborate on this and did not connect explicitly sentiments among the co-workers to the hiring decisions.

### **France**

*In one of the French companies it is reported that stereotypes used by gatekeepers play an important role.*

However, it can be deduced from other answers that the stereotypes of store managers play a key role here, since they are situated in such a position that they can act as gatekeepers for the company. The store manager's and the store director's personalities will here be described as crucial factors to explain how much cultural diversity can be found in a given outlet. The emphasis put upon the multiculturalism displayed in this Parisian outlet leads us to believe that not many store managers and directors are as willing as these ones to encourage diversity in their teams. In fact, the outlet located in the suburbs of Lyon, which had been described by

WPR5 as having recruitment problems because of high rate of second-generation migrants living nearby, did not possess such a diverse team.

## **2.6 Derived or Indirect Discrimination**

**(for instance, employers take into account the reactions of clients or employees, that is, making for a type of “collective gatekeeping”)**

Here we find gatekeepers making their determination whether or not to recruit an immigrant on the basis of what they believe or perceive about the reactions of clients or employees.

### **Germany**

*Reactions of clients play a significant role in Germany. Both lacking knowledge of German (at least in speech) and appearance can make a barrier to applicants with migrant background. A common explanation is that clients do not want to come in contact with people who cannot speak German fluently, or that they are afraid of people who wear ethnic clothes.*

The IP also said, it might occur that some clients might act somewhat condescending if they hear a migrant employee’s accent. Such resentments may be refuted if the employee satisfies them with good work. He also said: „with customers, there is certainly one or another that says, don’t you have one that speaks German perfectly, yes, well, then of course I have to say, yeah, then please go to France and work there (unintelligible), I ask the question, how would it be if you were living there (unintelligible) and then mostly nothing is replied.“ Such things are not being considered during the recruitment process, he said.

It is mainly denied that other employees influence who is recruited. Only the workers’ council of the multinational company 2 as an authority reports that according to the internal rules an employee who is to advance to a leading position is judged by other employees. This should influence who advances to the leading position.

The IP from the temporary employment agency (see labour market report), pointed out that career opportunities depend on the customer company.

+

Apart from the multinational company 1, it is not reported that customers’ reactions are important or even have affected recruitment procedures. The head of personnel of the medium-sized company 2, in particular, says this is caused by the distance between customers and their employees: customers are far away, thus, the management pays more attention to quality and cleanness than to the ethnic background of their employees. Multinational company 1 says that they are recruiting people in order to satisfy their clients. According to their world wide contacts and connections, it seems to be important that they employ people with different cultural competences to communicate with foreign clients. Therefore they hired an Indian man who is used to the German as well as to the Asian culture.

Like in many other interviews, the headscarf came up in this respect: Speaking about career impediments, one of the managers (1) of the bigger company described: “I think it would be an impediment if a woman wore a headscarf, I think so, well that is something where I don’t, that is something where I suspect [...] we have female colleagues in the salary department who wear a headscarf, that is no issue, but I think, when it comes to making career, I think, I don’t think that that would be a good criterion, that this would prejudice [...] but I believe too, I think too, also when someone works in the sales department or has to do a lot with customers, I can imagine, that appearance there is decisive of course.” For the workers’ council representative, the headscarf is mainly an issue among the workers themselves. She

also pointed out, however, that hardly anyone among the permanently employed workers wears a headscarf.

In the medium-size company, this issue was touched upon in the guise of migrant superiors. This may be sometimes problematic, the IP admitted. He gave the example of one of his employees: „Well yes, that is certainly sometimes a bit difficult, but if you look at what are our prime criteria, namely having leadership qualities – he has to have much knowledge, simply has to have a wide-ranging knowledge – and if you apply these criteria, then he is in a position and also able and actually predestined to fulfill such a position und we have one case, we made someone the head of a department und from time to time he certainly faces some strange remarks, but if he can prove that he’s right [unintelligible] who can rebut that.”

The head of the medium-size company also remained somewhat vague on this. He found it to be somewhat difficult sometimes to promote a migrant into a supervisor’s position because of reactions among the peers. On the other hand he gave an example of a migrant that he had recently promoted into such a position.

### **Sweden**

*No negative examples are found in the Swedish private companies. Instead, leaders in the multinational company claim that migrant workers have an positive impact on the image of the company. On the other hand, the other Swedish company have met problems with Danish customers’ attitude against migrants, but not in Sweden.*

(+) ” In general, the leaders say there is an open attitude in their organisation, when it comes to recruitment of immigrants. The vice shop manager says they do not see any differences between migrant job seekers and native job seekers: “One does not make any difference actually, girls, boys, nationality, background on the whole actually... It is just positive because we have customers who come from different cultures, then that should reflect our employees too.” Even the personnel manager agrees that the employees should be of different backgrounds, so that it corresponds to the diversity in the society. She also tells that they have had cooperation with the labour market mediator office in a diversity project. Unfortunately, this project failed because of lack economic resources. Right now, she adds, they participate in an ESS-project called “Sports unite”.” (p. 79)

“The personnel manager claims that in Sweden they have never heard that customers would react to some types of employees. But when the company started a new shop in Denmark they recruited employees with turban, and there it was a lot of complains from the customers.” (p. 82)

(+) “None of the employees think immigrants have more difficulties in fitting into the workgroup. This is how the project leader puts it: “We have, as I said, many immigrants. --- And they sit and have coffee breaks (fikar), and laugh with us... And I think it is an advantage with Sweden when compared to many other countries, that one has a coffee break. ---“ (p. 99)

### **France**

*More than reactions of customers or other employees, fitting into the workgroup plays an important role in France.*

The interviewees explained that the integration of a new recruit is a very important aspect for a successful recruitment, since the group-based values are valorized and applicants evaluated on the basis of their will to fit in the teams. They described the institutional integration seminars, which length varies according to the modalities of the recruitment from a one-hour presentation for summer employees up to a two-week tutorial for promoted employees who join new teams.

However, integration clearly appears to be a weak point of recruitment processes: it is the responsibility of the newcomer to fit, instead of the one of the group to help him/her integrate. The variable of ethnicity is explicitly not taken into account during the integration of employees with a migrant background.

The leaders answered very clearly that if interactions between employees with immigrant background and racist customers should occur, the employees should immediately call their supervisors and let them handle the situation. It was widely explained that no such behavior should be tolerated.

Some respondents noticed that such situations were not likely to occur with equal probability in all stores: those located in posh areas are more likely, they say, to confront employees to such situations. One respondent implied that recruitment may take this aspect into account with regard to the recruitment of employees with immigrant background. He pleaded for a non-conflictive way of handling such situation, with another, native-looking, employee coming to help the problematic customer. Such way of handling conflict with racist customers was not shared by all the respondents: for instance, WPR3, who expressed strong anti-racist feelings, explained that as the supervisor for the central cash register, she would handle such situation with little consideration for the feelings of the customer.

The stories which were told of abuse coming from customers and directed against the employees all stressed how much the management was careful of not letting the staff be insulted, and how much power the clerks had against indelicate customers. One should note, however, that tales of abusive or strange customers are very common among employees working at the counter, and that they tend to emphasize their power in telling them.

Although she did not equate migrants with problematic employees, a noticeable feature of the discourse of WPR4 was how much she linked the policies in favor of ethnic diversity to positive discrimination in favor of handicapped people or people generally excluded from the labor market. She mentioned repeatedly that such recruitments, which she performed voluntarily for the sake of diversity within the teams, were in many cases problematic and led to a failure, which she found discouraging. We do not have any information regarding the turnover rate of employees with a migrant background, as opposed to the one of native employees. If it turns out to be higher, employees with a migrant background may be disadvantaged with regard to professional training.

All respondents stressed out that the integration of a newcomer in the team was essential for it to function efficiently. They link this aspect to the stressful nature of the job, since it may involve dealing with difficult customers and operate very quickly in a limited space at the counter.

However, procedures for the harmonious integration of a new member in the team, although necessary, are sometimes not enforced: “(Integration) should be important. It does not always

happen to be that way. For instance I was not offered to participate to the training. Anyway, the cultural shock is always interesting” (WPR4). She meant by that the shock of entering a corporate universe unknown to her more than diversity-related problematics.

Second, if co-workers have no say in the initial decision to hire someone, they can influence the one to let the newcomer stay in the team after the term of the probation period. Interviewees explained that the store manager would listen to the complaints of experienced members of the team if the newcomer proved being difficult to work with.

On the contrary, some stories were told of insulting customers who had been banned from the store because of how poorly they treated the staff : WPR5 explained how the store director backed his decision to ban a regular customer from the store because of his sexist comments and behavior towards the staff and other customers.

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## **ENGLAND**

As in France, fitting in is important in Britain. On the other hand, nothing is said about whether it is more difficult to migrants to fit in than it is for natives.

Leaders: All three of the leaders in this organization suggested that it was absolutely central that new recruits ‘fit in’ with the existing staff group. The Factory Supervisor suggested ‘it can be difficult if someone comes in who doesn’t really get on with everyone else’, a view that was echoed by the other interviewees. Although the interviewees were reluctant to identify migrant status as something that would make fitting in difficult, they did acknowledge that it would be easier for someone who was local to the area, and who had a Liverpool accent, to fit in, especially in the factory.

Employees: While LPR 4 suggests that ‘fitting in’ is really important, and especially in an open-plan office such as theirs. She believes you can tell very quickly whether someone will fit in or not. This contrasts with LPR 6’s argument, that ‘fitting in’ is not so important, and that it is more important that people should be competent and get on with their work; as long as they can work as part of team he suggests this is adequate integration.

### **Poland**

*Fitting into the workgroup is an important factor for recruitment also in the Polish case:*

Leaders: Both owners say that fitting to the group is very important. They stress, that they work as partners rather than on a boss-worker relation, although, as one of the owners was laughing, “They still call me boss”. The ‘boss’ emphasized that they work rather on a friendship basis.

*Even in the multinational company fitting in is important:*

If you look at a scorecard for us, depending on your level, you probably get about 50, 55% of your score...based on combination of experience and qualification. And you’ll probably get

about 20-25% that will be really based on more soft skills, how you interact with people, so on and so on, which is very important. And then the other proportion will be basically allocated to how well you'll fit in from a cultural point of view.

*In this workplace it is also to the advancement with foreign language skills:*

leaders: As it was already stated the nationality and cultural background have an influence on person's position. I.e. "We work for our clients, so strategically, if we think there's value in having a German person on a German client—and there is, that's why we have a German desk, we have a French desk, we have a Japanese desk. ....The issue comes back to, first of all, culture, and so on and so on."

### **Germany**

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It is generally denied that other employees influence who is recruited. Only the workers' council of the multinational company 2 as an authority reports that according to the internal rules an employee who is to advance to a leading position is judged by other employees. This should influence who advances to the leading position.

The IP from the temporary employment agency (see labour market chapter), pointed out that career opportunities depend on expectations of the customer company.

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our prime criteria, namely having leadership qualities – he has to have much knowledge, simply has to have a wide-ranging knowledge – and if you apply these criteria, then he is in a position and also able and actually predestined to fulfill such a position and we have one case, we made someone the head of a department and from time to time he certainly faces some strange remarks, but if he can prove that he's right [unintelligible] who can rebut that.”

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### **Poland**

Also in Poland are immigrant considered to the advance because their customer also are immigrants:

Leaders: Both owners say, that they prefer even other Vietnamese, because their clients are mostly Vietnamese and it is easier for them if the workers speak Vietnamese. Although, they employ also Poles.

Leaders: Owners admit, that sometimes language skills are very important. But they need Vietnamese –speaking people to contact with their Vietnamese suppliers and clients.

Thail You know what, Poles are stronger. Really. But in some cases I have to hire a Vietnamese, i.e. for contacts with Vietnamese clients. Especially for contacts. First of all, because not all my clients speak Polish, and some prefer to take supplies only from Vietnamese. So I have to hire Vietnamese. But generally, no difference, no difference. Also, It is difficult for Poles to go to Vietnam and/or China for supplies.

Employees: All of workers speak some Polish, not always very good. The language competence is not so important. Polish workers said that they cannot speak to clients sometimes, because their clients do not speak Polish, and they do not speak Vietnamese.

Even the multinational company says it is to the advantage if an employee has immigrant background, because they have client contacts with other countries.

Also, worth to mention, is the fact that during such recruitment there are specifications considering nationality or immigrant background. This results from the nationality of the strategic clients. Generally French prefer to work with French, Germans, to less extent but also had rather cooperate with their countrymen. These preferences are hard to be defined, but they are more than just a fondness... From this point of view, it is well justified that the company tries to come up to its clients' expectations. In consequence, immigrants often face better in comparison to native candidates who applying for top positions.

employees: they do not see any preferences for immigrants, or any discrimination against them in the recruitment process. However, most of them admit that access to the top posts is easier for foreigners. They are being attracted mostly with the immediate promotion and – unconfirmed by the leaders – with the higher remuneration.

Also, in Germany interview persons at one of our case studies indicated that recruitment was not biased, because they did not have to worry about customer reactions. The head of personnel of the medium-sized company 2, in particular, says this is because the distance between customers and their employees: customers is great (in other words, there is not a problem of direct contact and possibly negative reactions). Thus, the management pays more attention to quality and cleanness than to the ethnic background of their employees. Multinational company 1 says that they are recruiting people in order to satisfy their clients. According to their world wide contacts and connections, it seems to be important that they employ people with different cultural competences to communicate with foreign clients. Therefore they hired an Indian man who is accustomed to German as well as to Asian culture. This is in contrast to multinational company 1, which reported that customers' reactions are important and even have affected recruitment procedures.

## **2.7 Statistical Discrimination**

INSERT

**2.8 Normalization Processes (this involves expressions of normality such as “we follow laws,” “we have standard operating procedures,” “everyone is doing this.”**

### **Germany**

In Germany, the priority law is used as a kind of “excuse”. Because of this governmental legislation, the employers claim, they have to put German applicants before the migrant ones. Another kind of explanation to why one does not employ migrants can be found in Britain where one of the leaders says that one does not come in contact with immigrant job seekers.

The employee of the personnel office in the multinational company 1 as an authority says that she can do nothing against the priority law [Vorrangsprinzip] used by the employment offices. She says that she is tied to the law that hinders migrants from entering the labour market if

there is a similarly qualified German employee. In general, this attitude is an important factor that works to the disadvantage of migrants.

Thus, appearance is not important at all. None of our interviewees in the private companies refer to good reasons why appearance should be important for recruitment. They rather emphasise that character is more important than skin colour. As the personnel office employee of a multinational company 1 says: “For me, it simply counts that we are all humans [...] they [migrants] could be green.” The next sentence, however, perhaps carries an implicit racist offence: The same person also says twice in her interview at different points: “Migrants are also human beings” and „Also migrants are human beings.” Two prominent German linguists, Siegfried Jäger and Franz Januschek (1992), interpreted a statement of the German president who in 1991 said: “Migrants are human beings like us” as seemingly directed against violently and openly xenophobic people but in fact racist because it implies that it depends on the speaker whether or not migrants are human beings. Finally they say this statement shows that the German president is part of a racist discourse in Germany<sup>3</sup>. Similarly it could be said of the personnel office employee of the multinational company 1 that she is not free of this racist discourse.

## ENGLAND

Leaders: It is interesting to note that all three interviewees in management positions felt that there was little they could do to attract more workers with a migrant background. The Human Resources Manager was typical in this regard, and she suggested ‘I certainly think we get too few applications. Maybe that’s down to where we are [located in North Liverpool, an area with a very small migrant population] but I do think it would be better to have different types of people working here’ (LPR 2).

Leaders: Across the organization (circa 220) it was estimated that there were about 12 migrants.

Leaders: The consensus was that there was no discrimination against anyone in the organization on any grounds at all. However, there was a great deal of conceptual confusion surrounding the distinction between migrants and members of black and minority ethnic groups. Workers who were black British or British Asians were frequently referred to part of a discussion about migrants, although further questioning revealed that they were born in Liverpool.

Employees: The factory worker, who was French, suggested that he had never faced discrimination as such, but that he was often subject to ‘teasing’ due to his background: ‘especially if there is a football match or something like that... people will make jokes about French or something – it is not really spiteful or nasty, but it does get a bit repetitive after 100 times’.

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<sup>3</sup> See Jäger, S.; Januschek, F. (1992): Einleitung: „Der Diskurs des Rassismus“ In: Jäger, S.; Januschek, F. (Hrsg.): *Der Diskurs des Rassismus. Ergebnisse des DISS-Kolloquiums November 1991*. Hannover.

### 3. Stereotypes (prejudices, preferences (tastes), expressions of ranking and stigmatization)

#### Germany

*Plenty of stereotypes are reported in Germany. At least three kinds of stereotypes and prejudices can be identified; those based on ethnicity, those based on language, and those based on religion. No significant differences can be noticed between the two cities.*

Stereotypes, as our interviewees say, do not play any role. For example, employee 1 (multinational company 1) means that women with headscarves are no problem. For him, education weighs more. He says: “Well it certainly plays a role but let’s be honest, it is more problematic for (unintelligible), for me qualifications are more important. It wouldn’t be no, zero problem [...] if somebody [...] ran around here with a headscarf, would have no problem with it.”

Our interviewees disagree about stereotypes and prejudice about those with migrant background in their companies. Some interviewees deny any prejudice and another group says that there are latent stereotypes about migrants in their company. But they also say that such stereotypes do not come to the fore. According to the head of personnel in the medium-sized company 2: „There is certainly prejudice among some people, yah, but it isn’t discussed openly or said openly. There is certainly prejudice but generally speaking we have a nice atmosphere, calm, and nobody states xenophobic slogans or so.”

However, it is also said by the employee of the medium-sized company 1: “You will not be able to get people to give up their nationalism.” This remark shows at least that a migrant has to expect prejudices in these companies.

Employees of the bigger company also hardly expressed any criticism. One of them only said, that after September 11, Iraqi job-seekers were not accepted anymore. Existing contracts were let run out. Today only some permanently employed Iraqis have remained, according to this IP. Similar examples did not figure in the interviews with Leipzig companies.

But from the description provided by workers, it seems that such issues can be settled relatively easily. A skilled worker with a migrant background described the reactions of native German co-workers as sober. People would just say: “can’t you speak German?” Stark exclamations rarely occur. Another issue was that instructions are not sufficiently understood. Another IP said: „yes there are some that feel, yes, well, they harp at each and everything, they are so stubborn and egoist that they say I want that only German is being spoken and I simply say to myself, well, if I become personally fed up with it, I’ll say something, ‘Hey it’s going on my nerves now’, or, right, I believe that really isn’t so easy, that varies between different people, I don’t have a problem with it.” A skilled worker (2) said, that sometimes migrants with language problems pretend to understand instructions but later it turns out that they have not.

Also the ever-recurring headscarf seemed to be less of a problem when talked about by the employees. A skilled worker (1) used to supervise an assembly line that had the image of a headscarf line. He said that some of the women who wore headscarves, they did not talk Turkish to one another but perfect German since they had grown up in Germany. They performed very well on the job. The IP said that it was only a single case: “some people, I don’t know, perhaps don’t accept the whole thing, they don’t understand, why, why they wear a head scarf, those were also very pretty ladies, ravishing beauties, they have just worn head, why do they wear headscarves, I say, well, that is a matter of faith and if you don’t like it you don’t need to do it, somehow, I guess people didn’t understand it.”

One of the managers (2) of the bigger company gave an example of open racism. Some German temporary workers had harassed migrant co-workers. The co-operation with that temporary employment agency was cancelled in reaction to this. The IP found it important to make clear and demonstrate that such behaviour is not tolerated in the company. In her own words: “This issue [of xenophobia] was tangible for us here once, we had co-operated with a temporary employment agency which came from eastern Germany and unfortunately there were some xenophobic workers employed there, who were also sent to us and there was some trouble and harassment, we have terminated the co-operation with that agency abruptly and I think it is important to make make a point there, that we do not tolerate things like that under any circumstances or accept it, no way, and I am glad that this has happened only once [...] I don’t deceive myself, there are sure some who who can’t deal with foreign colleagues and who are surely somewhat xenophobic, I’m convinced of that, but it isn’t shown openly [...] we wouldn’t tolerate such open xenophobia, everybody knows that here.“

Language problems and unwillingness to integrate are certainly the chief concerns directed at migrant workers. Migrant office workers, in contrast, are mostly seen as unproblematic. All three leadership IPs in the bigger company have described that migrant workers tend to speak their vernacular at the work place and that this leads to tensions with their native-German peers. This has led to labels among the workers such as the “headscarf line”, pertaining to predominantly Turkish assembly lines. The “Turk-mafia”, another such label, refers to the alleged tendency of Turks to stick together, to help each other and to know exactly what their rights and duties are. It also refers to networks of kinship among the migrant workforce. This has also reverberated during the elections for the workers’ council where it had been said that Turks only vote for Turks. Fears are that Turks might support only the causes of other Turks and not of the native Germans.

A skilled worker (1) pointed out: “If two are put on a scale, one tends to take the German rather than the foreigner, views can be diverse, can say the foreigner is perhaps hysterical, emotional and maybe wants to leave Germany some day, that is difficult to decide, the German is simply a German, is a compatriot.”

A German co-worker exclaimed condescendingly: “What do you want with your Turk-holiday.”

Two workers found the proportion of migrant workers too high. One of them had a migrant background, the other did not. The former, who was low qualified, did not find anything that would be better, were there more German colleagues but was otherwise critical of her native German colleagues as she found them cold and arrogant. The other (skilled) IP related her answer to the problems that migrant employment implies in her view, such as language

problems and separatist tendencies. One IP, an unskilled worker without a migrant background gets along with everybody.

### **France**

*In France, the employers often tend to deny the use of stereotypes and prejudices. Instead of directly used stereotypes, the French tend to describe migrants as exotic, which could be understood as stigmatizing.*

All interviewees were very clear that no prejudice could be found against employees with immigrant background. However, the foreign respondents shared the opinion that some stereotypes existed around the notion of “exoticism” but could not agree on how they operate. They thought that their being Colombian was a factor which may be considered an advantage in the company, but at the same time complained, for some of them, that this aspect was not emphasized enough – in other words, that they were being treated the same way than other employees without this aspect being officially put forward by the managers.

As we saw previously, WPR5 mentioned explicitly a point which appeared repeatedly in the interviews: overt foreign accents are considered to be cute and interesting, a sign of diversity; but they are so only insofar as other accents are banned – namely the accent and language use of people of migrant origin coming from the suburbs, which is mocked and stigmatized and generally considered to be improper in a store of good standing. Foreign applicants from Colombia will here be preferred to French citizens with a second-generation migrant background, if it is understood as belonging to the underclass.

### **ENGLAND**

*No direct discrimination or use of stereotypes is reported in Britain. However, it is common that native workers see black British or British Asians as migrants, even though they are born in the ENGLAND. Also, jokes are made about different nationalities.*

Leaders: The consensus was that there was no discrimination against anyone in the organization on any grounds at all. However, there was a great deal of conceptual confusion surrounding the distinction between migrants and members of black and minority ethnic groups. Workers who were black British or British Asians were frequently referred to part of a discussion about migrants, although further questioning revealed that they were born in Liverpool.

Employees: The factory worker, who was French, suggested that he had never faced discrimination as such, but that he was often subject to ‘teasing’ due to his background: ‘especially if there is a football match or something like that... people will make jokes about French or something – it is not really spiteful or nasty, but it does get a bit repetitive after 100 times’.

### **Poland**

The stereotypes that might be used depend on what country the immigrant come from. Some countries are seen as positive and others negative and this, of course, affects the immigrants possibilities on the labour market.

Moreover, by using the services of international company they often seem to expect foreign specialists. The fact that I’m Greek, I am speaking [Polish] as I am speaking, often with a

strong accent, etc. result that I am warmer received. [...] In Poland people will welcome you differently if they have positive association to your homeland. If you are from the western country, it is inculcated, it is an element of Polish culture that you are a man of worth.

Especially Russians are affected of stereotypes of their group.

Most of them are white, not distinguishable from native Poles, and the rest say they did not meet any problems because of their not-native- Polish appearance. Some Russian speaking immigrants complain, however, that they are being distrusted and stereotyped as members of Russian Mafia, or so on. Some people fear to make business with them for this reason. (p.85)

### **Rank Ordering (hierarchization) of immigrant groups**

#### **Germany**

*Hierarchization among different immigrant groups exist in Germany. For instance, Americans, and immigrants from Nordic countries often have a high status on the workplace, and even within the workgroup.*

Interestingly, language problems seem to be less problematic at the higher levels of the hierarchy: “[it seems] to me who thinks totally globally, internationally, thinks openly, with such people it is totally beautiful to work together such are the people from northern countries, Finland, Denmark, Sweden, well they, with them it is totally open co-working, very open-minded, they, there are some that have difficulties, particularly when it comes to learning German, with the Northerners, I say, this is no issue, they learn German within the shortest period of time and when they don’t speak it yet one communicates with hands and feet or somehow in English, that works, but it is all all open and relaxed, a very pleasant co-working.” (manager 2) **For such positions** there are sometimes **also language courses available to new colleagues.**

For the workers sector, several IPs have reported that many migrants are connected through kinship relations. This may reflect both the predominance of migrants in this sector as well as its general openness to migrants. This pattern does not extend to higher level of the company hierarchy, however. Migrants in those sectors of the company tend to be Western migrants, such as Americans, British or Finns, for instance. Asked about network recruitment, one of the managers (2) distinguished the workers from the employees. As for the former, the IP had a suspicion but did not know for sure that networks play a role. In contrast, for the employees sector, the IP was aware of networks being significant for recruitment.

#### **France**

*Even in France some examples of hierachization can be found. But other than in Germany, here it seems to be the French accent of migrant workers. It plays a role where one comes from; some accents have a higher status than some others.*

As we saw previously, WPR5 mentioned explicitly a point which appeared repeatedly in the interviews: overt foreign accents are considered to be cute and interesting, a sign of diversity; but they are so only insofar as other accents are banned – namely the accent and language use of people of migrant origin coming from the suburbs, which is mocked and stigmatized and generally considered to be improper in a store of good standing. Foreign applicants from Colombia will here be preferred to French citizens with a second-generation migrant background, if it is understood as belonging to the underclass.

**Poland**

*Some immigrant groups are very welcome to work in the Polish multinational company:*

They would hire more if there were any more interested—they claim. too little. I.e. i could hire at this moment at least 5 expats – Brits, Germans and an American.

**4. Spill-Other Mechanisms**

(where discrimination in one sector, for instance education, promotes discrimination in other sectors. Failure in or exclusion from secondary or higher education affects job opportunities. Having an address in ghetto areas is likely to make it difficult to get a regular job).

**Sweden**

*There are some examples for sort of spillover discrimination. In Sweden, for instance, migrant pupils tend to have more difficult to get a training place than natives. This depends to an great extend on that many workplaces take trainees through personal contacts.*

”The shop manager means that immigrants have more difficulties to get practical training in the organisation when they go to school: “Because I think that there are many who have difficult to get experience. So they maybe should.... yes they end up in a concurrent situation with a Swede... an ordinary Swede then maybe... who have got, who has very easy to maybe get a practical training place, this practical training when they go to school. I think it is easier for Swedes than for immigrants... I think so. --- And trainees come often through personal contacts, we usually do not take in a trainee from some school who calls us, and says hi I would like to do my practice.” (p. 91)

## 5. Other Mechanisms

Here we put an emphasis on resources and access to resources, which of course may directly or indirectly be affected by earlier discrimination. Examples are access to networks of recruitment, special training, job experience and other human capital factors; potential human capital by virtue of access to education, assistance (that is, entailing spillover discrimination).

### 5.1 Human and social capital factors

#### Poland

*The same company tells that they need of foreigners with special knowledge*

At the very beginning of the company's activity, it was developing basing on the foreign informants and their know how. In the course of the operation and expanding accompanied by appropriate changes taking place in the education system and the sphere of job culture, the professionals became to be available on the local market. In consequence, the market regulated the number of expats employed in the company.

*Following quotation from one interview explains it in details:*

The company X is an international company, so, I'll give you an example. There's less expats now, actually very few, but several years ago when they had less experienced people within X Poland, uh, Polish people, we had 50, 55 expats, out of maybe 400, or 450. But the strategy was to use expats to transfer knowledge, and develop the staff. Now there's... I'm guessing, but I don't think there's 12 expats out of 600. But we do have people on what we call transfers, so we have some foreigners. And we do promote Polish people— people in Poland - to go abroad. And currently we probably have, and I don't know, I'm guessing right now, but maybe between twelve and fifteen people that are on international assignments now. And here locally we have maybe yeah the equivalent, 12 and 15 people that are on international assignments in Poland. And, that's part of our mentality at the company, we have ... a program called mobility, which means that you're mobile within the company so if you're our professional in Poland, you should be able to do the same work in another country. Also we have international training, and so on.

“I think it's typical to the extent we do it from a business point of view. We try to hire the best people, and most of new hires are from universities in Poland, but sometimes we hire people with specific experience that we may not be able to find in Poland.”

The employers describe it as universal for all employees (see also answer 11):

Basic requirements... everyone is a university graduate. Most people, depending on the department would have a professional designation... if this is experienced person you'd have to be a chartered accountant, either from Poland, from ENGLAND, from Canada from Australia whatever, you'd have to have experience in a big four firm, or an international firm; you'd have to have certain specific skills, like industry knowledge or so on that we'd be looking for, and if I do that in audit; then if I go in tax it'd be the same: you'd have a lawyer or a tax consultant from somewhere in the world, you have certain experience in large companies, in specific type of transactions, so on and so on.

employees: In the opinion of most of employees there are such differences. As one of the interviewees stated – what should be emphasized of immigrant background – there must be such differences in remuneration. [Why?] And how do you imagine it? What can you offer to such foreigner to come to the country on Vistula river, apart from the fact that the economy here is developing rapidly? These are not the Hawaii islands.

## 5.2 Network Contacts

### Germany

In Germany, there are differences between natives and migrants when it comes to access to networks. In some cases appearance play a crucial role, for instance if an applicant wears a veil. On the other hand, no differences in getting opportunities available for further trainings.

In contrast, the employee of the medium-sized company 1 asserts that his company is relatively close to the recruitment of migrants because working in a niche branch such as their firm requires specialized welders and metal workers. From the perspective of the personnel office employee of the medium-sized company 3, her firm is also relatively close to migrants and Germans. According to her the recruitment of migrants is hindered by the fact that the firm already employs beyond its capacity.

When the medium-sized company 2 is in need of employees, then it hires people who are recommended by employees. The personnel department operates without any knowledge about these recommended people but if those new employees fail, they will be replaced by others. There are enough applicants waiting for work.

Both qualified employee IPs in the bigger company (with and without immigrant background) have confirmed information about kinship networks. One of the workers had some additional information about network recruitment: A worker with a migrant background, found that migrants face considerable career barriers. He concluded this from the fact that there are hardly any migrant people on higher levels of the company hierarchy. He related this to migrants not having the right connections as opposed to their native-German colleagues: “[if] one is a foreigner and does not have any connections, then one is out of favour, well, say, one needs a good circuit of acquaintances, and the best thing would be if you were German too, unfortunately, yes, it is like that [...] because in the upper leadership circles I can’t see a single foreigner [...] I guess, that sounds really hard, but they do say somehow, I take a German, that is they hardly let any foreigner into their circuit, there are only Germans there, they hardly let someone in, they just want to stay among themselves in their circuit.”

## Sweden

*Personal contacts are often very important in Sweden. In one of the private companies the employers said it works to advantage of an applicant if he/she already has a personal contact with someone inside the organisation.*

“ However, the shop manager does not agree with the other leaders. He tells that this could be the case: “Yes I think so. It is the same there, it is also the personal contacts... If one would find someone whom one knows that is very capable through some other person... or that one thinks is very capable, to be exact, because you never... So, of course, one easily takes that person because one finds quick solution to a big problem.” Further he tells that the persons that work at his workplace often have Swedish contact networks.” (p. 94)

“On the other hand, the other three chiefs claim that personal knowledge of a job applicant is quite an important factor in recruitment. “Yes, sure it is like that. It always is an advantage if one knows someone in the company, it always is like that, to be able to... then you get another impression. I mean, a photo and a paper tell one thing, but words do also tell a lot of things so that it... so that one could have some priority, absolutely.” The shop manager tells how it usually goes: “ It is the same, if one needs to employ someone, one may ask, do you have someone you can recommend? Yes I have a relative, cousin, yes. So he comes to an interview and then he is great. Then it is a bit like so that it will affect (falla tillbaka på) him, if he did not recommend a good person then one will not go and ask him next time --- It is also about that, then one will have an extra safety”. Further he says that at this workplace the employees often have Swedish contact networks. However he believes that if immigrants that already work in the company can help other immigrants to get an employment there: “There is one section of the city (with many immigrants) that works as a very splendid example. A guy who were sikh started to work there, I think it was four or five years ago. I think there are three or four persons (with immigrant background) there. He has come into the company (har fått in en fot), and then he has recruited, and that has worked well and then there has come more (immigrants).” (p. 94)

## France

The wishes of other employees influence the recruitment process in several ways: firstly, the applicant may already know someone from the team, in which case it is easier to get a recruitment interview. This is what happened for WPR2, who applied for a job at MFC since she happened to be friends with two people who were already working there as waitresses – all of them are Colombian. Therefore, sharing not only the same cultural background, but also the same social circle as some employees can facilitate the obtaining of a job.

Personal knowledge of a job applicant was mentioned as a plus for applicants, as we saw previously with the cases of the three Colombian waitresses: after WPR3 got a job as a clerk at the counter, she spread the word about the working conditions – it is also usual that friends of the staff come to visit them as customers in the store. Therefore one can notice a pretty large Colombian community not only among staff members, but also among customers. However, due to the high turnover rate, personal contacts are only one way of becoming acquainted with the company, and recruitments are made outside the social circle of the members of the staff, through job announcements.

No formal announcement of job openings – for instance, through classified – is made. Applicants generally spontaneously give their CV at the counter. Therefore, they are people

who are already familiar with the store before they apply for the job, generally as customers. A small and loose community of friends of the members of the staff and regular customers will then constitute a social circle in which new employees can be picked out – for instance, the new Korean clerk used to work for a store selling luxury teas nearby the store, and was a customer there and a friend to some of the employees before joining the company. When he became unsatisfied with the work conditions imposed by his previous employer, he was directly hired by the store manager who was already well acquainted with him from his previous visits and found him agreeable and well-behaved. This situation tends to make it easier from people of the same geographic origin as the employees to join the team.

### **ENGLAND**

*Also in Britain personal contacts play advantage job seekers. Both internal recommendations and references are regarded as positive factors.*

Leaders: Yes, internal recommendations and references do advantage an applicant, although potential employees are still interviewed. This applies to both British and migrant applicants.

Employees: The employees also thought that being employed elsewhere in the company put applicants in an advantageous position relative to external applications.

### **Poland**

*Network recruitment is a common recruitment procedure even in Poland. In this workplace, a Vietnamese restaurant, this kind of network recruitment works to the advantage to those with Vietnamese background:*

Leaders: There is no specific procedure or recruitment. The employers look for employees through their friends and acquaintances. The last person they hired was a cuisine of the other worker. They have tried to look for workers through press-announcements, but they did not succeed finding a right candidate. One they found cheated them and then they look for workers only through their own contacts.

Employees: The employers agreed that Vietnamese are privileged, because they speak Vietnamese.

The workers did not complain. They emphasized the informal nature of the employment procedures: “ My cuisine was working here and he, the boss, was looking for someone. Cuisine said he knew someone and that’s how I got hired.”

### **Poland**

Appearance, origin or even legal status in Poland are not playing any role in the recruitment process, although people of the same origin tend to work together, and it is easier i.e. for an Indian person to be hired by another Indian, than by somebody else.

## 6. Conclusions

The discriminating mechanisms concern, among other things, judgments about competence, for instance, demands for language competence appears to be very common. In some countries such as Germany, these demands apply even to people who would be employed in rather menial jobs. Appearance also plays a role in some cases. No private employer referred to skin colour as a barrier for job applicants, although from other data, it is well-known that it is a factor in discrimination in Europe. Most employers are politically correct. On the other hand, ethnic clothes are seen as a barrier, as in France or Germany.

Even legislation can work as a discriminating mechanism. For example in Germany, the priority law that puts native job seekers before those with migrant background disadvantages of course migrant applicants. Ability to fit in to the workplace or work-team seems to be a universal expectation.

## CHAPTER II PUBLIC EMPLOYERS

### 1. Introduction: General Characterization

Public sector employment tends to be highly regulated. This may work to the advantage or disadvantage (or both) of those with immigrant background. But there is also considerable differences among our countries in terms of "we" and "them" as manifested in, for instance, citizenship paradigms.

### 2. Key Institutional Mechanisms of Differentiation and Discrimination

#### 2.1 Norms of Language, Appearance, and Behavior

(the reports indicate that in many instances, these appear arbitrary and irrelevant for the task or job at hand).

#### Germany

##### C1n (s. 126)

The two managers pointed to language problems and lacking qualifications as the central limitations. In particular this tends to bar them from positions in the administration, that is office jobs, but also from positions as highly skilled workers.

##### C1n

There are factors which work to the disadvantage of migrants, such as, language competence, for positions which require communication competence or special skills. This public company employs most migrants in unskilled positions. In these positions migrants should be able to speak German so that they can understand instructions and are able to communicate with clients.

#### France

##### C1r (2)

Language competence is an essential part of the evaluation of applicants, respondents say. They must have full command of both (literary) Arabic and French, plus any ancient languages they might need for their research.

##### C1r, C7+ (2)

French students with a migrant background, she explained, were in the worst situation of all: their language competences both in Arabic and in French are not sufficient to meet the academic standards. Their choice of studying Arabic literature, when not for religious reasons – for instance, it can be considered an extra quality for Muslim brides-to-be to have an undergraduate degree in Arabic – is usually made by default, because they assume that they will then turn the handicap of being from a migrant background into an asset. The interviewee was very clear that the choice of studying Arabic literature at an undergraduate level is usually made by students whose application were turned down at other departments.

## **Austria**

Migrant applicants do have numerous deficiencies (in education, skills, language skills) which make them very often disregarded in the selection procedures. Further, there are administrative barriers which have to be overcome. For instance, according to an agreement between Turkey and the European Union, Turkish people only get access to the free labour market after four years living in Austria.

Deficiencies in German language skills constitute a significant barrier in employment. Even though most people of the 2<sup>nd</sup> and 3<sup>rd</sup> generation are raised “bilingual”, their language competences are insufficient in both their mother tongue and in German. “One can call it ‘double-semi-analphabetism’ what probably is the worst thing that could happen.” (VIE/2/1).

Generally, the IPS observed that language competence of immigrants is the most crucial factor in terms of job placements. Those who are well educated but can not speak German properly are not regarded as qualified for their trained job in Austria.

### *Socio-cultural competence*

Demonstration (or established confidence) that those with immigrant background candidating for jobs or job promotion are reliable, can be trusted to be committed to (or at least compliant with) key norms of the host society, for instance, social workers not accepting arranged marriage; or, no support of mistreatment of women or children.

Note that in France, there appears to be a belief in the educational system (especially for professionals) indoctrinating (inculcating) the appropriate values. “Citizenship” also seems to work this way. But it is not all encompassing. Because there are frequently enough statements about “2<sup>nd</sup> generation” people who are problematic.

Appearance and behavior (including the production of CVs). The role of labor market mediators in France in preparing candidates (also, employers aware that this goes on!).

### *Technical Competence*

Germany and France (as well as Sweden to some extent) trusting their own educational systems, and distrustful of foreign systems when it comes to professional training. For less qualified jobs, “experience” counts but the problems of documenting experience. Once experience accumulated in the country, then career opportunities may open up.

## **Sweden**

“The school psychologist said he knows there are differences in pay scales between psychologist with immigrant background and native psychologists. “ (p. 28)

### Technical competence

*Teachers with immigrant background, who have their degrees from outside of Sweden, manage worse when seeking job than those with a Swedish degree as the following quotation shows.*

## Sweden

“The other problem has to do with the immigrant teacher’s education, and their lack of insight in the Swedish school system. The school principal thinks immigrant teachers with engineer education from their home countries, who have done a one-year complement teacher’s education in Sweden, are not considered to have enough knowledge of how the school system works in Sweden: “And sometimes there has been teachers with engineer education from the former Soviet and from Russia. And then they have been one year in Sweden to get this educational competence. But they still do lack this deep understanding for the Swedish school system; how teachers function in relation to pupils, what kind of relation we have. Not this authoritarian, as it may have been there ---“ (p. 38)

## A2i

”Even the school counselors thinks there is an interest. It is, he says, positive if the teachers have knowledge of many languages. But he also adds that teachers with immigrant background often have some problems in fitting in the school milieu because their lack of language competence: “The problem is that these teachers often have a lack of language knowledge. They have a formal eligibility but their language competence is insufficient both written and when they send in their applications and when they call and ask if we are interested. Unfortunately it is like that --- And the teachers (with immigrant background) are met by distrust both from pupils and parents.” (p. 28)

## 2.2 Legal restrictions.

France, Germany, Austria, and Cyprus require that public employees be citizens. In Sweden, this also appears to be found in the law but is not enforced (check). Check on Italy, Poland, and England.

## Germany

### C1n (s. 119)

Especially higher positions in public organizations like this, but also lower ones, are occupied by civil servants. This status, however, requires German citizenship.

### C1p (s. 120)

positions in what is called “advanced” services.... require a degree from a university of applied administrative sciences [Fachhochschule]. Such positions are occupied by civil servants which in turn requires German citizenship.

Moreover, we have to remark that migrants in Germany are not allowed to work until they have the status of an accepted alien. Asylum seekers in Saxony are allowed to take up a job after one year of legal stay in Germany, but only under the conditions of the *Vorrangsprinzip* which entails an hierarchy of applicants for a job and puts asylum seekers in the last position: „To say it directly: In fact, they have no chance“, as job mediator 2 says.

## Austria

Of course, the access to the public sector is limited to people with immigrant background because the main pre-condition for recruitment is the Austrian citizenship. In this context the IPs mentioned that – what probably can be regarded as typical for Western-European countries – only professional sportsmen, scientists, artists, etc. meet no barriers in the public sector. These people receive Austrian citizenship immediately (sometimes even a double-citizenship, generally inexistent in Austria).

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## **Cyprus**

The municipal administrator said, *“it is very important. According to the law the people working for the municipal the candidate should speak Greek and have Cyprus citizenship. Therefore immigrants cannot work for the municipal because they are not Cypriot citizens and secondly if a person finished high school at his/ her country, it means that they don’t speak the Greek language and therefore it would be very difficult for them find a job in the government.”*

The municipal administrator argued that as long as an immigrant does not hold the Cyprus citizenship he cannot claim an employment position. If he manages to obtain the citizenship status then he will be able to follow the procedure of exams leading to possible employment (similar to France).

“Another difference is that immigrants cannot work for the public sector. But the problem is not primarily that of ‘gate-keepers’ but a *systemic* one. One informant was particularly critical of the general situation as regards the employment of migrant workers, which is the result of what he called a ‘closed society’.

We lack laws and procedures. We are very closed society. Whoever comes in this country, especially third country nationals, are treated like animals. We don’t pay them, we abuse them and they don’t complain. The outcome is that they will never have a normal career..

## **Sweden**

Another form is demand of Swedish citizenship. But on the whole, one of the informants claims that job announcements have become less discriminating during the last years. It has to do with the new legislation that does not accept such kind of announcements. The employers have also become more careful when it comes to distinguish immigrants from natives in announcements. Though, the demand for perfect knowledge in Swedish still occurs. Another kind of indirect discrimination concerns the demand for “social competence” that is to say; the immigrants must “fit in”.

## **France**

C1n

No such category as “immigrant” officially exists in the public sector, because it is illegal to categorize people according to ethnicity. Therefore, the only – and major – difference occurring is the one between French citizens and foreigners. French citizenship is required to pass the exams allowing one to become a civil servant, and therefore later to receive the training to pursue a further career. Some training programs are explicitly aimed at foreigners: they intend to validate competencies acquired abroad according to the French educational system.

C1n (2)

Administrations have been rated (BY WHOM) “above average” or “average” for the recruitment of French people of migrant origin. One should however remain aware of the fact that since these civil servants must be French, it took some effort to get the interviewees to even think in terms of “migrant origin”, since they all shared the representation that people cease to be categorized ethnically once they acquire the French nationality.

C1r+. C1n

Avicenne was described to be very open to the recruitment of employees with a migrant background. WPU3 stated that more than half of the personnel she manages – i.e. nurses and healthcare assistants – are of migrant origin. Almost all of them are second-generation migrants: about 20 immigrants work in Avicenne as nurses – an explanation to this situation is the fact that it is mandatory to acquire the French citizenship to postulate for a civil servant position.

## 2.3 Biases in Judging Experience and Certification

### France

C1n, C2

It turned out that the respondents disagreed on this topic. Although all of them answered yes to this question, this answer did not lead to the same conclusions according to them. One first level of interpretation is that the hospital has sufficient competence to judge foreign education insofar as it does not intend to hire people who were trained abroad – some professions such as doctors or nurses require that the applicants possess a French diploma to be legally allowed to work as such in France. WPU3 was very clear in supporting this interpretation, when she explained that the discrepancies in scientific level were too high between developing countries and France to hire foreign doctors without a French diploma.

### France

C1n, C1r

The key feature here is whether a foreign diploma is acknowledged in France or not: we can observe here the same increasing differentiation occurring between immigrants of European origin and other immigrants as was noticed in WP1. European degrees are now beginning to be transferable in France, which is not the case for non-European ones (WPU3 mentioned Maghreban medicine diplomas as being of inferior level compared to French ones)

C1n

All interviewees emphasized the specificities attached to the profession of care taker which they understand to be ruled by a set of shared values. They do not put the stress upon the national community when they define the boundaries of this group, because these universal

values define a transnational community of meaning (see the report on Lyon Public Organization for a discussion of nearly the same situation in an academic setting). However, since they consider that studying in France is an essential way of conveying and transmitting these values to the young, they show much defiance toward people trained abroad – i.e. foreigners.

### Cyprus

A ‘foreign’ worker may only apply for positions of limited time length for which G/C workers refuse to work since they refer exclusively to seasonal job-opportunities of low-paid and by and large unskilled status. The administrator and the employees expressed their lack of knowledge in matters concerning ‘foreign’ workers. They are only aware of some Turkish-Cypriots who worked occasionally in low skill temporary occupations- since the municipality is monopolised by Greek-Cypriot employees. The inexperience of working with such groups may create a kind of secluded and rather sterile work environments, which meant that the absence of immigrants, ethnic minorities and Turkish-Cypriot as colleagues *prevented* the interviewees from expressing opinions of experiences they never had and therefore they cannot speak of discrimination in their *daily* work or work place, but not at an inter-personal level (where they may joke and use stereotypes as a matter of routine).

When it comes to the interviews conducted in the police headquarters immediately one can recognise the loaded discriminatory tone in the language of the police administrator. He immediately, before even the interview begun, said with a raised voice “ *don’t ask me about Turkish-Cypriots* ” and then when referring to the recruitment of immigrant workers he added “ *Immigrants? Forget it* ”. Furthermore, there have been several contradictory responses by the administrator; despite the fact that Turkish-Cypriots and immigrants are excluded from employment in the Police force, he argued that the adjustment of a newcomer depends upon character and that many minorities refuse to adjust to the Cypriot society’s norms since they have a different culture value system. Furthermore he added, “ *Ethnic minorities; they don’t want fit. As for Turkish-Cypriots let them out. Maronites and Armenians have already assimilated.* ” The interesting element in this quote is that there is a complete neglect in referring to the laws prohibiting the entrance of immigrant members to the public work-place and at the same time a displacement of responsibility of the inability to adjust to factors bearing the ethnic element. This prejudiced language reveals a scape-goating predisposition; in other words there is a remedy for fitting-in and this is prescribed in the full assimilation within the value system of the Cypriot society. Any deviation from the prescription is due to a vague deficiency rested upon the members of the vulnerable group themselves.

Finally, another indication of prejudice arising from the police interviews is connected to comments referring to the ethnic minorities as being over-represented as employees in the work force. The administrator argued that generally, minorities working in the police are not only represented according to the proportion in the population (Armenians and Maronites), but ‘ *are more than enough* ’ and he added about their career opportunities: “ *What I can say, is that Armenian and Maronites have priority* ”. There is of course a contradiction in this argument. Firstly, there has been the notion that recruitment and promotion in the police force occurs through the evaluation of certain fixed criteria and therefore discrimination cannot take place since Greek-Cypriots and minority groups have to possess this set of evaluation indicators. However, the comment made by the administrator indicates ill-feeling, with undertones a reverse discrimination argument, that somehow ‘Greek-Cypriots are victims’ since minorities have preferential advantages in recruitment and promotion. The underlying subtle discrimination and prejudiced disposition can be traced to the perception of a

democracy working for the benefit of the majority, i.e. the G/C. At the same time despite the fact that ethnic minorities have equal rights as G/C and have assimilated into the mainstream culture they are still identified as the other, or the outsiders that ‘*invade and steal*’ opportunities that should be reserved for ‘*we the majority*’.

## France

### C1r (2)

However, one should note that to be able to apply for a position in a French university, not all doctoral diplomas enjoy the same reputation: most applicants would need to have a “*thèse*”, the French Ph.D., which means that they would need to have been through long years of graduate studies as a foreign student in France. Therefore, if no pattern of discrimination can be found for the recruitment of academics, it is because a tough selection happened earlier in the course of their studies – this was emphasized by WPU5, who mentioned the situation of extreme poverty which some students suffer, particularly those of migrant origin.

One first level of interpretation is that the hospital has sufficient competence to judge foreign education insofar as it does not intend to hire people who were trained abroad – some professions such as doctors or nurses require that the applicants possess a French diploma to be legally allowed to work as such in France. WPU3 was very clear in supporting this interpretation, when she explained that the discrepancies in scientific level were too high between developing countries and France to hire foreign doctors without a French diploma.

## Germany

Public job mediators usually cooperate with migrants. Thus, one IP (job mediator 3) reports about highly qualified job-seekers with migrant background who are forced to do unskilled work. This situation is caused by the German system of title-(non-)recognition. If their education is not accepted in Germany, they can only work as unskilled employees. “Then they have some problems to say: fine, then I will work as an unskilled what would be theoretically possible.” (job mediator 3) Those migrants have to participate in further training in Germany to up-date their competences. Otherwise it is difficult to mediate them as skilled workers. It is intended that, for example, the Resettlers obtain further education if needed. But it is hard to be selected for such a training because the German government has shortened training times in general.

Another problem occurs with the degree called “*Diplom*”, as its implications are different in different countries. In some countries a student gets a diploma after only one year of instruction. In Germany a *Diplom* is the first university degree. Given this situation, the public job agencies offer, for example, courses for nurses with migrant background but usually there are more interested people than places in the course.

## Sweden

In general, it appears to be important for the employers to have employees who have Swedish education. Foreign degrees are considered to be difficult to translate to Swedish. “The employers seek employees who are like one self”, claims one informant from Västerås.

It seems to be quite common that qualified immigrants get low-status jobs. The main reason is most likely that the Swedish labour market system favours Swedish education. Often the immigrants do not get their degrees translated, which make it difficult to them to get jobs that correspond to their education. “It happens. Foreign education is not seen as adequate, and many of these educated immigrants do not have the energy to complement their education.”

(Informant, Västerås) The immigrants' background is decisive: "But it depends a lot which country you come from." (Informant, Västerås)

IMPORTANCE OF  
EXAMINATIONS,  
INTYG, OTHER  
"PAPERS" etc.

Problems if immigrants  
only have examinations,  
intyg, papers from other  
countries, especially non-  
European countries.

## 2.4 Biased and Unbiased Procedures.

### Germany

Informal norms that operates to the disadvantage of immigrants: For instance, under (current) conditions of high unemployment – give the job to Germans "who need it" even if the immigrant is more qualified. This type of "operation" might be more difficult in France or England, where there is more "external regulation" and apparent accountability.

### France

France seems to have – and many take pride in this – highly standardized and competitive examinations and other procedures for recruitment as well as advancement.

### C1p+(2)

Promotions are possible when there are job openings at the appropriate level. Recruitment patterns are then similar to those of newcomers. People at top management levels locally have nearly no power upon these aspects which are standardized by administrative rules common to all universities.

### C1p+(2)

No patterns were identified by respondents which would operate to the advantage or the disadvantage of employees with immigrant background in this regard. One should note, however, that a huge majority of people with a permanent position are French citizens: once immigrants have passed the main obstacle of citizenship, no other patterns operate at their disadvantage at this institutional level.

### C1p+

There are two distinct procedures for promotion in a public hospital. The first one is the external competitive exams open to everyone, based on the possession of a diploma. The second one is the internal competitive exam open only to people who have already been employed for three years at the same position within the bigger institution of the AP-HP. It is said to be slightly less difficult than the external channel. No difference can be noticed between both procedures with regard to the share of employees with a migrant background who choose them. When asked, the respondents did not identify any difference between native employees and people with a migrant background in terms of educational background.

#### C1p+

Training was said to be open to all categories of employees. However, exams are not open similarly for employees working as civil servants and others. The latter must pass the external competitive exams, which were described by the respondents to be more difficult, when people who are already part of the organization as civil servants can climb the hierarchical levels using the internal channels.

#### C1p+, C2+ (2)<sup>4</sup>

The academic sector has been described as both very competitive and not discriminatory. It is one of the few exceptions in the public sector in France in which foreigners can get the same positions as French citizens.

#### C1p+, C2+ (2)<sup>5</sup>

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#### C1p+ (2)

No differences were identified regarding the treatment of applications coming from candidates with migrant background. All interviewees explained that the same legal rules apply for all applicants – since recruiters have no choice but to abide by them – and that they must follow then the same procedures, granted that they can legally become civil servants.

#### C1p+(2)

Job opening announcements are highly standardized and regulated for positions in the public sector – namely, positions other than temporary contracts as research assistant to a specific project. Job opening announcements are made on the Internet and through billposting in the department. Therefore information is available to all potential applicants the same way.

#### C1p+(2)

All potential applicants learn about job openings the same way if they are aware of the functioning of administrative procedures. However, some job openings were described as being directly tailored for a specific candidate who the local commission has decided beforehand to recruit. There is no indication however that this pattern would work to the advantage or disadvantage of people with a migrant background.

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<sup>4</sup> (2) indicates the public employer in Lyon

<sup>5</sup> (2) indicates the public employer in Lyon

C1p+

A possible explanation to this is the fact that they operate in an organizational environment where nearly everyone is a statutory civil servant, therefore has the French nationality and passed the same competitive exams.

## **Germany**

C1p (s. 118)

Recruitment of personnel

There are no tests to assess language skills. Instead they are judged in job interviews mostly.

C1p (s. 120)

Different procedures for recruiting qualified and unqualified persons.

The recruitment procedures outlined above are different for higher positions. This affects positions in what is called the “advanced” services. These positions require a degree from a university of applied administrative sciences [Fachhochschule]. Such positions are occupied by civil servants which in turn requires German citizenship.

## **France**

Yes but recruitment is national and anonymous – except for short-time teachers.

## **Austria**

### ***criteria or procedures that operate to the disadvantage of job-seekers with immigrant backgrounds***

Migrant applicants do have numerous deficiencies (in education, skills, language skills) which make them very often disregarded in the selection procedures. Further, there are administrative barriers which have to be overcome. For instance, according to an agreement between Turkey and the European Union, Turkish people only get access to the free labour market after living four years in Austria.

## **2.5 Direct Discrimination on the Part of Institutional Agents**

In public workplaces, (as in private workplaces), gatekeeper roles are played by key people in personnel offices, possibly together with the top administrator who determines some (or much) of the policy and rules of recruitment and promotion. In the public sector, these freedoms are typically more circumscribed than in the private sector. But the private sector is highly constrained by anti-discrimination legislation and also the threat of civil actions, etc – this is a more powerful constraint than any we may observe in Germany, Austria, or even Sweden.

## **France**

C2i (+,-)(2)

Recruitment at the GREMMO, like recruitment for academic position, is a collegial decision. Although key participants – such as the director – can possibly act as gatekeepers, the wishes of some colleagues are systematically taken into account in the recruitment processes, thus making for a collective gate-keeper.

### **Germany**

Some informants mentioned managers of firms and government offices as ‘gate keepers’.

One informant (Trade Union) described who are key persons and how they influence mechanisms of recruitment processes. According to this informant gate keepers are heads of department, managers, heads of personnel and work councils. However, these key persons differ in their functions. Thus, if a firm wants to hire a new employee for a certain position, the head of department and the manager of the enterprise will judge the competences of applicants. These two key people finally decide which applicant fulfills the necessary qualifications and who will be hired. In contrast to these gate keepers, heads of personnel and work councils function more or less as observers as far as they overlook the recruitment procedures. They are there to insist on certain measurements and requirements according to the Works Council Constitution Act.

There is a scope for administrative discretion. As one informant (asylum seeker hostel) reports the fate of migrants often depends on officials’ sympathy. Their attitude is described as: “if someone is cheeky then I do my work according to the rules, and if someone is very nice then sometimes I lean over backwards.”

Most informants also say that key persons in firms or government offices who can hinder or help migrants in obtaining jobs are the same persons who can limit or support career opportunities in a workplace.

(Augsburg) Gatekeepers are the labour office as being in charge of issuing work permits, HR-departments or company owners, the direct supervisors and the head of a given department. Also worker’s councils are of relevance in this respect. Few migrants have been known to work in such positions. They are most likely to be found in worker’s councils.

Active discrimination against migrants on the labour market occurs most often with respect to positions that involve customer contact. This is most disadvantageous for dark skinned people or Muslim women wearing headscarves. Co-workers have a negative impact on migrant employment predominantly when issues of hierarchy are involved, that is if a potential migrant employee were to have the authority to supervise other employees. On behalf of the labour office, which is in charge of issuing work permits, uses the priority law as the main discriminatory device. According to this rule, priority is to be given to German and equivalent job-seekers over migrants.

Labour unions were not found to be opposed to migrant employees, according to the informants. Workers’ councils have been said to be in a position to sometimes exert positive influence on migrant employment.

### **Austria**

Most informants “suppose” – but cannot “prove” – that there are persons in different Austrian organisations and companies who function as “gatekeepers” - and who define their functions very loosely. Their assessments are probably not based on an official prerogatives, as much as

on the private knowledge. People make different experiences, subsequently have different stereotypes and judge accordingly – this is some kind of unconscious process going on in any kind of recruitment.

Also personnel of a company may have a “gate-keeping” role in so far as that they can “boycott” a personnel managers’ recruitment decision (to employ a migrant). There are also statements like “We cannot recruit Turkish people and people from former Yugoslavia because they cannot cope with each other very well” – therefore –people from only one group are desired, if at all. (VIE/1/3).

Finally, some informants say that, in Austria, employment/human-resources offices definitely function as “gatekeepers”. Yet, informants have been unable to report on the mechanisms used by these offices/departments.

### **Sweden**

The informants in Stockholm say there are such gatekeepers of both forms. For the most it seems to be those in managerial position, heads of personal administration, and key union representatives who have most contact with the employees. But even ordinary employees who have worked within the organisation for a long time, and whom the other employees respect, can have a great influence. “I think that some persons on the workplace strongly guard the cultural homogeneity. They react to critical incidents, and they control, they demand better orderliness and transfer the former culture to the new employees. These persons think they must have all information first. It even can be key union representatives who behave in this way.” (Informant, Stockholm) Sometimes it can be a question of “kindness”; if the foreign employees get too much help, they can easily be forced into closed positions, i.e. they are not to be allowed to make decisions by on their own.

**The informants in Västerås** indicate that there are gatekeepers – “and mostly these key persons have more informal power. One could say that everything functions in a very informal way.” (Informant, Västerås)

In the organisations there are people who are engaged with some questions, for instance integration, and these people are important. Some of them can be immigrants themselves. But they may not have enough influence to bring about significance change without support from a higher level.

Further, one of the informants claims that the labour market mediators also have a lot of power, and can be regarded as gatekeepers.

The public mediator thinks that there are such key persons, but that she only has been in contact with key persons who facilitate immigrants getting into the labour market. Further she tells that she has met employers who have taken an active interest in immigrant matters. According to her such key persons could, for instance be supervisors .

### **Cyprus**

(4) Indications of bias among gatekeepers and “definers of the situation.”

Clearly there is a great deal of bias coming out of ‘gatekeepers’: the absence or the not so understood importance of ‘political correctness’ allows us to ‘benefit’ from the ‘candour’ and

naivety of persons in public office and authority. Hence we find persons freely admitting what they believe, many times this is clearly directly discriminating against migrant and other ethnic groups.

## **2.6 Derived or Indirect Discrimination (for instance, employers take into account the reactions of clients or employees, that is, making for a type of “collective gatekeeping”)**

This operates through a mechanism of employers taking employees and/or clients into account (or being pressured by them or both). This may all be mistaken, but the mechanism is clear enough. It may be based on little. But the employer does not wish to take risks in this perspective.

Examples are found in France, Germany, Sweden. Also, England where reference is made to the importance of “staff” being accepted by “locals” (it is also associated with “local knowledge” which is another “knowledge category” (of a good number) which may be important for an immigrant obtaining a job.

**Note that in areas where there are many people of immigrant background, for instance as clients, the same process of discrimination may pressure public service office to positive recruitment.**

The case of the Muslim hospital in Paris. Social service offices in Sweden, etc.

(+) Austria (as in France): The sector of public transportation is regarded as fairly open to people with immigrant background, as companies need to react to diversity of their clients. The employment of immigrants reflects a group of regular customers (i.e. many with immigrant background). The IPs mentioned that in some more secluded regions in Tyrol they have almost no native customers anymore because people prefer flexibility and tend to use their cars more frequently. “Non-natives, especially those living in these marginal areas, generally can not afford a car and therefore are dependent on public transportation. It’s part of the company’s services to employ immigrants.” (IBK/3B-1/1). Actually, all these considerations do work to the advantage of those with immigrant background.

## **2.7 Statistical discrimination.**

Decision-makers make blanket statements about the characteristics of entire categories of immigrants. Although their knowledge or experience is based on a few instances. This may also be considered one of the cornerstones of risk-adverse behavior

## **2.8 Normalization Processes**

### 3. Stereotypes

Widespread in all of our reports.

General: deviation from the "ethnic ideal". This is clearest in Germany, but also shows up in Sweden. Still, there are frequent enough comments that immigrants are harder working, accept lower pay, and poorer conditions (even in Germany; but this is counterpointed by extremely harsh statements about Turks, Poles, Vietnam, Africans, etc. etc.. Often enough they are found in marginal sectors and workplaces.

In France, often there is an acceptance of "immigrants", but not 2nd generation (who have citizenship).

#### Rank ordering of immigrant groups (hierarchical differentiation)

##### France

C1r, C7+ (2)

French students with a migrant background, she explained, were in the worst situation of all: their language competences both in Arabic and in French are not sufficient to meet the academic standards. Their choice of studying Arabic literature, when not for religious reasons – for instance, it can be considered an extra quality for Muslim brides-to-be to have an undergraduate degree in Arabic – is usually made by default, because they assume that they will then turn the handicap of being from a migrant background into an asset. The interviewee was very clear that the choice of studying Arabic literature at an undergraduate level is usually made by students whose application were turned down at other departments.

### 4. Spill-over Discrimination

### 5. Other Mechanisms

Our research has found some structural forms (purely institutional and procedural) as well as institutional agentic discrimination (combined with cognitive-normative components). Other mechanisms which we have investigated:

#### 5.1 Human and Social Capital Factors

- (1) lack of language and socio-cultural knowledge as well as other **general** skills expected (or demanded) for many positions.

### **Austria**

Of course, for some professions, it is generally very difficult to get adequate positions in Austria, as is the case with e.g. lawyers: “A Bosnian lawyer studied Bosnian law. It’s very difficult to get proper nostrifications for certificates and without doing some practical training at an Austrian court - no Austrian lawyer will recruit you.” (VIE/2/1).

IPs admit that very harsh regulations concerning nostrifications of foreign diplomas and certificates are responsible for many problems which migrant applicants need to face. Well-trained and well-educated migrants are very often forced to re-take some of the courses they have already finished in their countries of origin: “They actually have to attend the same courses which they have already finish in their home country, they have to pay for these courses and – what I regard as most problematic – most of the people do not pass the Austrian examinations because of lacks in German language skills. The result is that they become taxi drivers, warehouseman, etc.” (VIE/2/1).

### **Sweden**

(school as a public employer)

In general, the informants think that there are more teachers with immigrant background who do not have an adequate teachers’ degree, when compared to native Swedes. One could guess that this has to do with the problems of validation of foreign degrees. When looking at the answers we got from informant interviews, this might be a result of the school system; foreign school education cannot be compared with the Swedish one. There seems to be a common thought among the teachers that schools in foreign countries have a more authoritative climate than the Swedish school, and therefore it is difficult for immigrant teachers to understand the policy of the Swedish school system.

#### *Sweden*

”Even the school counselors thinks there is an interest in recruiting immigrant teachers. It is, he says, positive if the teachers have knowledge of many languages. But he also adds that teachers with immigrant background often have some problems in fitting in the school milieu because their lack of language competence: “The problem is that these teachers often have a lack of language knowledge. They have a formal eligibility but their language competence is insufficient both written and when they send in their applications and when they call and ask if we are interested. Unfortunately it is like that --- And the teachers (with immigrant background) are met by distrust both from pupils and parents.” (p. 28)

(2) Technical or job qualifying skills, whether highly qualified positions as physicians, nurses, social workers, or more craft and occupational skills

Exclusion on this basis.

Difficulties of getting education, training and experience from other countries – particularly outside Europe – recognized.

**5.2 Access to networks.** In some cases, reports that once a job is gotten, it helps with moving on, under some conditions. The role of French labor market mediators in overcoming some of the social capital deficiencies

## CHAPTER III LABOR MARKET MEDIATORS

### 1. Introduction: General Characteristics

### 2. Key Institutional Mechanisms of Differentiation and Discrimination

#### 2.1 Norms of Language, Appearance, and Behavior

##### Sweden

One of private labor market mediators does not think there are any such criteria or procedures, but sometimes, he admits, the demand of language competence can make it more difficult for immigrant job-seekers to get an employment: “No, I do not think so. --- In that case it handles about language. It handled about quality and competence; the competence that handles about language”. But he also says that they can steer the procedures, and try to make the employers see that immigrant job-seekers can have the same qualifications as natives. At his working place they do not make any difference between immigrants and natives, he claims.

The public mediator thinks that one of the most common stereotypes among employers that can affect immigrants, is the thought that one should have a perfect command of the Swedish language to be able to work in certain positions. Further she claims that the will among employers to recruit persons who are alike themselves, could be seen as a stereotype.

#### NORMS OF COMPETENCE

(D1n, D1r – language competence and socio-cultural competence should be placed here)

#### SWEDEN

” In general, the public mediator thinks that the employers want to meet applicants who have fresh and clean clothes. Further she believes it can vary between different cultures what kinds of clothes one should wear in an interview: “I think it varies between different cultures how one dress up in an interview, I guess. And I think I have had applicants who have said that it is very, very important to dress... where I come from, I mean, to have a nice suit and so on. But it is not always sure that when you come to a warehouse company, the same guy comes to show respect and wears a suit. And there we have this kind of difference in clothes... culture, for instance, that can be very... And that it is difficult for persons who have an immigrant background.” She also believes that some employers would not accept job seekers wearing a veil or a turban.” (Swe, p. 116)

“However, when they present the candidates to the employers, she believes that the social competence becomes very decisive. But she does not think that this works to the disadvantage of immigrants, even though she admits that it depends on what kinds of experiences the employers have had about immigrants.

Also the public mediator thinks that social competence plays a significant role in the recruitment. But she is critical to the term social competence: “And then that one is the right person, now I laugh, because this with social competence is completely... For the first, I do not know actually what it means, to be honest... but... but. But I think this almost can be used against a person, because one can always claim, well yes, this was the wrong guy or the wrong girl (laughs), and, my gosh, how should I know what the wrong guy or the wrong girl actually means. I think this is such a subtle things.” Further she thinks that this could be an obstacle for job seekers with immigrant background, because if an employer does not want to employ an immigrant, he/she can always claim that this was the wrong person.” (Swe, p. 117)

” The most significant factor, she means, is the language competence.” (Swe, p. 115)

“The public mediator considers that there are tendencies that show that immigrants more often than natives are employed in part-time or short-time jobs. She also claims that immigrants who do not have full command of the Swedish language, and those who have lower education, are the ones who tend to lose their jobs first in times of bad economy: “When the business cycle becomes tougher, then it is those who are the first ones to fall away (*faller bort*). Those who are weakest (*sämst rustade*) when it comes to education, often the language also plays a role, those who have most limited knowledge in Swedish, and maybe not so much work experience... It is often those who first maybe lose their jobs or stay and work hourly, some hours here, and some hours there.” (Swe, p. 118)

“The public mediator believes language knowledge has become more important. He thinks it has to do with the structures in the labour market; nearly every job today is communicative: “In general, I think, the demand of language competence has increased, both for natives and for foreigners. --- It is very important. All occupations are more or less communicative. And the workplaces have had a tendency during recent times to work in some kind of group or team process or... And then there is the demand that you should function in this team without any kind of misunderstandings. The language demand has become very important --- But it is the same for both natives and immigrants. There is no specific demand that says that you should have a knowledge of Swedish on some level, but you should manage to communicate within a group.” (Swe, p. 129)

## GERMANY

“Similar to Leipzig, the private job mediator was looking for job-seekers that are characterized by flexibility and reliability. He described that his workers have to be able to switch tasks, workplaces and shifts readily within a client company. Also they should be willing to change to a different client company quickly, even though that may involve up to 1.5 hours commuting. Meeting this high standard of flexibility may be difficult to achieve for another reason. Some client companies pay incentives for good work. Such incentives may not be available anymore when one is sent to a different company with a different policy in this respect. The IP found that migrants fare just as badly when it comes to flexibility as their native German colleagues. As for reliability, for instance, showing up in time, migrants actually fare a bit better in his experience (Ger).

Most IPs agree that language competence is very important as it is necessary to understand instructions and directives. It is said by job mediator 2 that one’s chances on the labour market are almost zero if one has not any German language skills. If one speaks at least a little

German, one may find a job in the cleaning sector but “Basic language skills and a bit of communication skills must be there, otherwise it wouldn’t work.” (Ger)

Job mediators also ask for a good command of German. Language skills, in particular, are seen as a problem because employees should understand directives and instructions given by supervisors. From the point of view of the job mediator 1: „It’s a problem that many people who live here have bad German language skills. Sometimes they have to work in companies with machines which are very noisy and it is essential that they understand instructions quickly so they can do proper work. It’s a serious problem.” (Ger)

As in Leipzig, language competence is clearly very important in the view of both IPs in Augsburg. At the temporary employment agency, the language test is the main hurdle for migrant job seekers. Also the labour mediation office representative referred to language. For her, **language is a pivotal factor to explain disadvantages of migrants on the labour market**. However, she also argued that such language problems are mainly concentrated in the first generation of guest-workers and do not persist in subsequent generations. The assumption of a lack of language skills, however, is falsely generalized beyond the first generation by some employers, according to the labour office representative.

The labour office has only limited possibilities of counteracting language problems among migrants. As mentioned above, there are application-filling courses that also focus on language skills. Obviously, this is very limited in extent. Actual language courses are available under the third code of welfare law (SGB III), but only the Resettlers and “contingent refugees” (in Leipzig another group of refugees was also named) are entitled to such courses. A different paragraph regulates general work-related training financed by the labour office. This option can be used by civil servants to finance language courses for other migrants. Whether or not this option is made use of, is up to the discretion of the respective civil servant. The labour office representative assumed that there is a tendency towards this as migrants are increasingly recognized as a target group of the labour office, taking account of their increased unemployment. Before 1 January 2004 there was also a program focusing on youth unemployment. Under this program there was a component specifically addressing language deficits among migrant youths. When the program ended, nothing came to fill in the gap nor can the just mentioned work-related training do that. (Ger)

## FRANCE

The respondents explained that the main reason why the unemployment rate of immigrants is higher than the one of natives is the maladjustment between their qualifications and the needs of employers. “*There is a shortage of qualified people*” LB2 stated about the construction sector, which is one of the most open to the placement of migrants.

### France

We can here hypothesize that a segmentation of the labor market occurs according to the relative importance given to appearance: migrants would be directed towards sectors where it is less important than other characteristics or skills, therefore making it more obvious that “good presentation” in fact means “native looking”.

All respondents stressed out the fact that language competence was a pre-requisite for employment, however various mechanisms operate here. In the construction sector, temp workers are expected by employers to be immigrants so only a limited and instrumental command of French is required. In other sectors the situation is the opposite, the other

respondents say: their perception of the labor market is that language competence plays a major part in placement.

In less severe cases when immigrants are not part of the underprivileged, language competence is considered to be a pre-requisite for placement by labor market mediators, except in very specific sectors – such as construction, as we mentioned before. In such sectors, a good command of the French language is considered to be less important than the sheer capacity to understand orders and communicate with co-workers.

## ENGLAND

Clearly migrants will be disadvantaged by the ethnocentric interpretations of qualifications mentioned by a number of our IPs in different contexts. For example, LLMM1 suggested that professional ‘on-the-job’ training was key for those applying to do qualified manual labour ‘[i]f someone has a trade, has done an apprenticeship, then you know what you’re getting’. However, the very idea of apprenticeships for some trades is specific to Britain, and disadvantages migrant applicants who may have gained qualifications worth at least the equivalent of such training certificates before arriving in England. One of the interviewees actually suggested it was ‘difficult’ to assess the relative worth of degree and other qualifications from non-English institutions: ‘If an applicant has a degree from Oxford then you know for a fact that it makes them better qualified than someone with a degree from Liverpool Hope [University]. It’s not always so clear with overseas degrees’ (LLMM1).

The suggestion here was that migrant applicants, while judged on the same criteria as ‘native’ applicants in terms of the database, may be disadvantaged due to a lack of knowledge of, for example, certain English specific software packages used by many call centres as well as the other problems identified in this report relating to English language skills and the difficulties inherent in translating some non-English qualifications to the British context.

As is also suggested elsewhere in this report, English language skills were identified as absolutely key for those seeking work in England. Both IPs also pointed out that the majority of vacancies that they handle are in the service sector and generally entail a large degree of customer interaction, meaning that employers are often reluctant to employ an applicant with (perceived) poor English language skills. However, as pointed out by MLMM1 ‘often though it can be things like an accent: it’s nothing to do with the actual quality of the language. I think that is a big barrier’.

‘Language is absolutely vital to most jobs we handle here: it’s mostly service [sector] jobs so people will need to take phonecalls from customers, deal with other branches around the country, and generally be able to handle a lot of admin [administration]’, explained LLMM2. *Interviewees both identified general competences/social capital as important in this regard. While it is difficult to specify the exact skills and knowledge that will facilitate a successful application, a number of things such as educational qualifications gained at ENGLAND institutions, appearance, language competence, knowledge of local networks etc were all identified as key factors.*

Both interviewees focused on the **example of service organizations who use the employment agency to appoint temporary workers on their behalf. Often the vacant positions are in the service industry (especially call centres) and necessitate temporary workers to be familiar with the general telephone/ICT operating systems used by many company.** The huge volume

of calls handled by such companies means that ‘on-the-job’ training is very common; LLMM2 suggested that resultantly anyone without a good understanding of the English language and the general call centre environment, would not be able to take up such a position.

As is also suggested elsewhere in this report, English language skills were identified as absolutely key for those seeking work in England. Both IPs also pointed out that the majority of vacancies that they handle are in the service sector and generally entail a large degree of customer interaction, meaning that employers are often reluctant to employ an applicant with (perceived) poor English language skills. However, as pointed out by MLMM1 ‘often though it can be things like an accent: it’s nothing to do with the actual quality of the language. I think that is a big barrier’.

### England

Both Liverpool respondents felt that appearance was key when attempting to secure a position in the English labour market. As one interviewee said in relation to another question: ‘if there is one thing more important for migrants wanting a job than language competence then it is the way someone appears at interview’ (LLMM1). Appearance was identified as one of *the* key factors in a successful application, but also as one area in which discrimination was frequently operative [as one of the WP4 informants suggested ‘I know for a fact that if I went into an interview in the hajib then nine times out of ten it will have a very, very negative effect on my chances’].

Both interviewees agreed that appearance is an important factor regardless of any other qualities an applicant may possess. While obviously factors relating to appearance do not feature on the database they are crucial in interview situations. MLMM2 recounted an incident in which an applicant, who was well-qualified for the post she was sent to interview for, was turned down (this is apparently quite unusual for service-sector jobs). Although he could not prove it MLMM2 felt that the fact that the applicant was wearing the hajib had gone against her in the interview.

### POLAND

Language competence is essential in recruitment, all of the interviewees agree. It is both in the interest of the given employer and the given employee if the latter knows Polish fluently. The interviewees could not imagine a situation when the recruited person is not able to understand properly the instructions given by a boss or a supervisor. Since such a situation may lead to damage to either of the sides of the contract, themselves would not advise hiring someone who did not know Polish. The same criterion and justification applies to recruiting for positions in management: the command of Polish is vital to build trust and respect at work, according to the employment agents. At the same time, the command of English is taken almost for granted with the exception of those applicants who apply for low status jobs and unqualified work. The knowledge of other languages, both European and non-European was required in specific cases, e.g. when the job involved commercial relations with Russia, Russian – speaking candidates were sought. In such cases, immigrants, native speakers were definitely preferred to native Poles. Apart from that, specific skills might be defined by the potential employer in his job offer.

(+) The comparison between native candidates and immigrants did not make sense in their opinion due to the rarity of the latter type of applicants. Two of the employment agents said

that immigrants fared obviously better if they were a native speaker of a language that was in demand or had other specific features that were appreciated by the potential employer, for instance when they knew some ethnic cuisine.

#### SWEDEN

(case of creative, pragmatic solution to the dress/appearance problem)

“The public mediator believes this is possible. But, he says, you often can solve these kinds of problems, as was the case with an example he names: “A woman who had educated herself as a bus driver, and who absolutely wanted to wear a veil when she drove bus. And then, the bus company said no, you are not allowed to wear a veil when you drive bus, and that is a risk for the safety in traffic. Because they claimed that the veil limited the field of vision. --- And then there was a clever person who came up with (and said)... But cannot we have a veil in colour, that agrees with the costume or the suit that the bus driver is supposed to wear, and that is a bit smaller so the field of vision does not get limited. Yes, a bloody brilliant solution.” (Swe, p. 135)

## 2.2 LEGAL RESTRICTIONS

#### SWEDEN

“The private mediator thinks that the biggest problem in Sweden is the unsuccessful integration of asylum seekers: “Mechanisms... I think the integration in this country is totally worthless, totally worthless. One does not take... I mean the system from the day they come here that does not take into account (tar inte vara på) their enthusiasm, and their joy, but they are forced to wait... I mean, it is wrong from the beginning. --- One is not allowed to work, one is not allowed to study, one is not allowed to do anything, I mean, what a waist of time.” Further she says that the Swedish language is the key to get a good job in Sweden, and therefore newly arrives immigrants should have the opportunity to learn Swedish.” (Swe, p. 120)

#### GERMANY

In fact, our IPs name several criteria and procedures that operate to the **disadvantage of job-seekers with migrant background**. Most of them (Job mediator 2 and 4, Manager of a temporary employment agency) say that the **priority law for Germans** [*Vorrangsprinzip*] hinders migrants from obtaining a work permit. The same IPs also agree that this regulation is legitimate as it protects Germans and the German labour market. According to the job mediator 2 this law helps „try to restrict aberrations [alternatively: tumor excesses] a bit because foreign employees are after all always willing to work under essentially worse conditions than Germans.“ (Ger)

Moreover, we have to remark that migrants in Germany are not allowed to work until they have the status of an accepted alien. Asylum seekers in Saxony are allowed to take up a job after one year of legal stay in Germany, but only under the conditions of the *Vorrangsprinzip* which entails an hierarchy of applicants for a job and puts asylum seekers in the last position: „To say it directly: In fact, they have no chance“, as job mediator 2 says. (Ger)

### **Sectors with the greatest barriers to recruitment of migrants**

Our Leipzig IPs distinguish between three sectors. The first sector comprises all jobs and positions of blue- and white-collar workers. According to job mediator 4, migrants hardly

obtain any jobs in these sectors because there are many unemployed skilled people in Eastern Germany waiting for a job. This together with the priority law [*Vorrangsprinzip*] that privileges Germans. Natives and migrants with a work permit are much more likely to get a job in this sector.

However, there are two further sectors which are open to people with migrant background (job mediator 2, job mediator 4). On the one hand, highly qualified migrants who are specialists (i.e. cooks, IT-programmer, physicians) will obtain work if there is no German with similar qualifications available. On the other hand, migrants find jobs in areas with low pay (i.e. the cleaning sector or the building sector). The latter sectors often provide hard work and payment under tariff. IPs in the informant report Leipzig also confirm this fact (see informant report Leipzig). (Ger)

### *Migrants in marginal or deviant sectors*

However, the fact that migrants are forced to work in such areas can be explained by **legal regulations**. On the one hand, it is forbidden for asylum seekers to work. On the other hand, the law that jobs are given primarily to Germans also hinders migrants from obtaining more conventional work. (Ger)

### **Criteria or procedures that operate to the disadvantage of job seekers with migrant backgrounds?**

As for the public labour office, the main mechanism that hinders migrant job seekers is the so-called **priority law**. According to this law, the labour office can only grant work permits when a certain job cannot be offered to a German or equivalent job-seeker (e.g. EU-citizen). The labour office has **to try for four weeks** to find someone comparable before a work permit can be granted to the migrant with a (recent, less secure) work permit [Arbeitsgenehmigung]. **There is also a better kind of work permit, the so-called right to work [Arbeitsberechtigung]. Migrants with this kind of work right are exempt from the priority law. But the right to work is tied to a number of conditions, most notably at least 5 years of legal employment or 6 years of legal residence.** In effect the priority law tends to affect negatively more recent migrants. The priority law has also an indirect effect as employers are likely to be unwilling to wait for a potential employee for three months with uncertain results, although some employers may take on the risk of going ahead and employing someone illegally, as the representative of that labour office conjectures.

There is only limited scope for discretion when work permits are granted. This depends on how intensively a suitable German candidate is looked for by the labour office in connection with what kind of job seeker will presumably be or not be accepted by the employer. Responsible civil servants may, for instance, consider whether or not an employer will accept any other candidate. A Chinese restaurant may not accept anyone but a Chinese cook. Jobs as kitchen aides, however, can presumably be done by anyone.

One of the informants (former union activist) also reported that his former employer at one point really wanted one specific migrant candidate but had trouble with the work permit. He threatened he would never again accept a job seeker from the labour mediation office. Problems with the work permit were instantly resolved. Other examples pertain to seasonal work, e.g. asparagus harvest. Germans have proven unwilling to endure this type of hard work. Employers have had very good experience with Polish workers and are now unwilling to accept anybody else. The labour mediation office has tried to place other job seekers there

but has largely failed because of the employers' resistance. "Schrobenhausen, that area, that is an asparagus area, they have traditionally had their Polish workers. And they don't want others, and they don't take any others, they are totally stubborn, [...] oh, we have tried it with people from [eastern Germany], horrible, but that didn't get us anywhere, because these people, for one thing, I don't know, four- thirty or five o'clock in the morning, when they start working, are not on the field because they are not mobile enough, on the other hand, they mostly give up after two days because the work is too hard for them, and they don't want to bend down the entire morning, and the Poles they just do it, because during asparagus season they can earn there what they don't earn in Poland in one year." One strategy for employers to circumvent the priority law, according to our IP, would be to formulate the text of the opening in a way that will make it seem highly unlikely to find a fitting, native German job seeker. Another example in this respect is the fast food gastronomy like McDonald's. According to our IP, working conditions make this work rather unattractive so that hardly any Germans are willing to work there. As a consequence, such restaurants rely to a great deal on migrant workers. Bad working conditions notwithstanding, the different company cultures show that migrants need not be stuck in low positions. As our IP pointed out, at McDonald's also an Afghan can become a manager since whoever proves him-/herself will be promoted.

As for the private job-mediator, the language test seems to be the main hurdle for migrant job seekers (see above). He also mentioned on the side that even Germans might find it difficult sometimes to simply understand the subject matter of the tasks in that test.

Taken together, between priority law and language skills, the same barriers to migrant employment turned up in Augsburg as they did in Leipzig (Ger).

The priority law, as described above, is also a severe impediment to migrant employment as it directly bars many migrants from the labour market but also as it discourages employers from hiring migrants. This can be related to information from Leipzig, where employers are said to anticipate difficulties and delays in the recruitment process because work and residence permits have to be controlled and may have to be (re-)applied for (Ger).

## FRANCE

One should distinguish here between new comers who received their degree from foreign institutions – the same goes for work experience – and second-generation migrants or foreigners who were educated in France. The first category experiments difficulties in getting their diplomas recognized in France (see the report on Paris Public Organization). The second one has valid diplomas, but for a major part in sectors where competition is very high among job seekers, or in ailing sectors.

In the public sector, the main barrier against the entrance of migrants is the requirement to possess the French nationality. Qualification is another one since employment in the public sector is subject to the passing of competitive exams. The economic conjuncture was also mentioned here, as well as some specific requirements for security agents – such as having a clean police record (the same is true for working as a school teacher).

*"90% of all temp workers I work with are immigrants – provided that they have valid papers."*

## 2.3 Biases in Judging Experience and Certification

Sweden

“Another explanation could be the one we talked about before, that you actually do not have any good tool to value the competence they bring with them... Because my experience is that this... experience and competence is something that steers to a great extent. And if we cannot assess the competence an immigrant has from his/her home country in a way objective enough, then, of course, it becomes very difficult in the recruiting process.” (Swe, p. 133)

### Germany

Thus, one IP (job mediator 3) reports about highly qualified job-seekers with migrant background who are forced to do **unskilled work. This situation is caused by the German system of title-(non-)recognition.** If their education is not accepted in Germany, they can only work as unskilled employees. “Then they have some problems to say: fine, then I will work as an unskilled which would be theoretically possible.” (job mediator 3) Those migrants would have to participate in further training in Germany to up-date their competences. Otherwise it is difficult to mediate them as skilled workers. It is intended that, for example, the Resettlers obtain further education if needed. But it is hard to be selected for such a training because the German government has shortened training times in general.

Another problem occurs with the degree called “*Diplom*”, as its implications are different in different countries. In some countries a student gets a diploma after only one year of instruction. In Germany a *Diplom* is the first university degree. Given this situation, the public job agencies offer, for example, courses for nurses with migrant background but usually there are more interested people than places in the course. (Ger)

As in Leipzig, the issue of **title-(non-)recognition** has come up as well. As titles fail to be recognized in many cases, migrants are then forced to work in positions below their qualifications. More details on title-(non-)recognition are presented below under question 19 (Ger).

To some degree, the first hurdle also has to do with recognition of qualifications in Germany both legally and in practice. As she described it, title recognition may partly be a political decision: “Those who have the status of **Resettlers [...]** **their titles are usually recognized and equated [with German titles]**, but I have seen a case where a Jewish migrant who had studied at the same university as his Resettler colleague did not obtain the recognition [...] as I said those are partly political decisions.” (our emphasis) She did not know, however, what exactly underpins these decisions (Ger).

### England

#### A2i

Although those working in the education system all commented on the desirability of having teachers representative of the migrant communities, there was the suggestion that it was very difficult for this to happen in practice. Problems in transferring qualifications, mentioned elsewhere in the report, compounded issues of exclusion in this regard.

### France

LB2 as the director of a temp agency put things in a different perspective: competence in the construction work temp sector is judged mainly on the basis of experience, which is materialized by the work certificate delivered by previous employers to the job-seeker. This causes problems only in the case when this certificate was delivered by a foreign institution: “*When the job certificate has been delivered in Tunis, I cannot call the employer and ask for*

*his opinion*". This situation does not operate as a reason for refusing a candidate but those in it will not be the first ones to be hired through the temp agency.

## 2.4 BIASED AND UNBIASED PROCEDURES

### Sweden

The public mediator (1) claims that it is difficult to say if there are certain procedures that work to the disadvantage of immigrants. However, she is convinced about that immigrant job seekers are being discriminated against. According to her, the demand of perfect language knowledge could be regarded as discrimination, at least in some cases. She also tells that many of their job seekers do not know how to write their CVs, that is, they do not write in their CVs all their qualifications, for instance their language knowledge. The other public mediator, who works with work place introduction, tells that the absence of a well written CV can work to the disadvantage of immigrant job seekers: "As I see it, the most visible for us and our job seekers is how important the application forms are, that they are written in a good Swedish, and that they look nice, and that one has everything with him/her. And that is something we constantly have to work with our applicants. That their CVs do not look too good ... It is a bit ... one does not quite understand, I mean our applicants do not understand how important it is with a well written CV. --- I think that many recruiters look very much, no, this one we throw away, it does not say anything." The same mediator also tells that they try to advise their applicants how to write a CV." (Swe, p. 115-116)

"Further she tells, that immigrant job seekers do not write in their CVs about their working experience from their home countries: "It is very, very common, I mean when I look, somebody has written a list of qualifications, and then I say, but gosh, what did you do between these years, there is nothing there. Yes, but then I worked in Iraq. They have not mentioned it, because it is not in Sweden. --- I think it is a bit symptomatic, why do they not do so, because maybe one can feel that it would not be judged equally. And that is terrible." (Swe, p. 123)

"The public mediator believes some procedures might be "unjust" for immigrant job-seekers. He says that some employers let the job-seekers do some tests that usually are modelled on a Western way of thinking: "It might be that... well, for example a talent-test or something like that... They often are modelled from a point of view of a Western way to think and function... and they often demand a pretty good language knowledge, and often these tests are edified in a form of a statement where you can answer yes or no and sometimes it can be statements that are constructed by some kind of opposite condition (*motsatsförhållande*) --- In this way these kinds of processes can be... maybe not discriminating but any way misleading for this person who do not have the same conditions to do it." (Swe, p. 128)

"The public mediator believes there can be types of announcement that are discriminating against immigrants. But, he says, it has become better because of the more stringent law of discrimination. He also tells that all announcement they publish must be reviewed first, so that every part can be sure that the announcement is not discriminating against immigrants." (Swe, p. 134)

### GERMANY

#### *Screening of job-seekers.*

In general, all job-seeker screenings are based on similar criteria for Germans and for migrants. The job mediators do not distinguish between natives and migrants. **This can work to the disadvantage of migrants since all tests or interviews are conducted in German and require qualifications equivalent to the German standard. There are no alternative screening schemes like tests or interviews in English.** (Ger)

The employee of personnel development department reports that her job agency uses a selection procedure requiring filling in a form for two hours on the internet – the form is all-German. **This procedure privileges all native speakers or at least those speaking and writing German fluently.** (Ger)

Our job mediators 1 and 2 mediate mainly unskilled jobs where no qualifications are needed. For the head of a job agency official certificates do not seem to play an important role: „If I look for someone who is suitable for the work, then it should be **irrelevant whether he has a degree or that he can do it.**” In his opinion, formal qualifications do not guarantee the technical skills of the applicant. As he says, it is a German characteristic that a piece of paper is needed to legitimate one’s skills and abilities. As mentioned above, there seems to be a sort of **German arrogance directed towards titles and degrees of migrants.** „In the end, if one can work with machines and is skilled, then it should be irrelevant whether or not he has a degree as a skilled worker.“

### **Part-time and short-term work**

...being able to work part-time only may be a particular disadvantage for migrants as the labour office representative described: “Let’s take a Turkish woman, who can work only part-time in the morning, doesn’t speak decent German and is wearing a headscarf. It is a pointless venture to mediate her. You can forget that, nobody will buy her from me, not in the present state of the economy anyway.” (Ger)

However, another problem occurs with the readiness of job mediators to arrange for the employment of migrants. Job mediators often avoid mediating migrants because they **anticipate difficulties and delays in the recruitment process.** It is said by the head of a job agency that applicants with migrant background cause more work as one has to check the duration of their work permit, their residence permit, and their passport. Passports, in particular, seem to be problematic as it is difficult to scrutinize their date of expiration. This is due to the foreign language which is used in foreign passports. (Ger)

***Discriminatory forms of recruitment?*** Most IPs name several forms of announcement (i.e. internet, newspapers, blackboards) but only one IP (job mediator 2) reports about announcements (daily job offers) that distinguish between migrants and natives. These announcements **ask for native speakers even though it is not necessary for the particular jobs.** In such cases he sometimes (if he knows the job seeker and also knows about his reliability) tries to convince employers to lower their requirements. His advocacy, as he explains, always works to the advantage of the migrant.

The employee of a personnel development department, however, says about their assessment that it works to the disadvantage of migrants. The applicants are selected via a **two hour**

**online test exclusively in German.** If people have little command of German then it is almost impossible to succeed. (Ger)

### **Screening of jobseekers.**

Applications are usually not in writing, applicants come directly to him instead. During the interview he checks CVs and references from employers for incongruities and conducts a test with the applicant which is obligatory, except for office jobs. This test aims at assessing the manual abilities of the applicant, as work tasks will involve handling many small parts. Other aspects are dealing with figures, coping with stress and German language skills. These tests are conducted on demand of the customer company and should ensure that the customer does not reject workers. After the test was introduced, rejections dropped from 10 to 3 percent. Other than sufficient language skills, the customer does not pose any requirements that are related to nationality. The IP stated that in most cases he can see quickly if an applicant speaks German sufficiently, for instance, if someone has problems articulating him- or herself or is accompanied by a spouse or a child as an interpreter. Such cases, however, are relatively rare. The actual language test comes down to understanding lists and documents similar to those that are used at the workplace. Ten to twenty percent fail on this test. The IP pointed out that also native Germans may have problems comprehending the test. Sometimes applicants are still rejected by the customer on the grounds of insufficient language competences, even if they pass the test, but they are very, very few (5 in 1000 in the last year). Other criteria for selecting applicants are flexibility, reliability and also age (for reasons of dexterity). Comparing migrants with native Germans he finds that migrants fare a bit better regarding reliability and about the same on the other criteria.

The public labour office seems generally less strict when screening job seekers. The procedure involves creating a profile of the job seeker, which is fed into a database. The profile is done by analysing formal qualifications and work experience in the past. When a job opening comes in, job seekers with matching profiles are informed about this and can apply for the job. According to the IP no special criteria apply. (Ger)

For people with language problems there are also application-filling courses. They aim at preparing participants for applying for any kind of job and, in the case of migrants, comprise specific language instructions alongside general information e.g. about work contracts, labour law etc. The labour office representative made a point that she gives those courses only to people who seem motivated to her. With that strategy, she said, the courses bring decent results.(Ger)

### **Layoffs of employees.**

... considering the broader context of his client company, **temp workers are certainly the first to go. As it is shown in the report on that company, the proportion of such migrants is somewhat higher among temp workers.** (Ger)

### ***Forms of discriminatory recruitment.***

(+) The private job mediator is mainly approached for new jobs by the job seekers themselves. A lot seems to work through word-to-mouth recommendation. There are also incentives for employees who find new co-workers for the company. **Given the high percentage of migrants among the employees, this does not seem to be a disadvantage for migrants.**

The public labour office representative pointed to differences in the use of media between migrants and native Germans. The main German media, including the local and regional newspapers, are largely not read by migrants in her view. These are important venues for job recruitment however. (see also informant interviews) (Ger)

## FRANCE

Applications by people with a migrant background are more difficult to handle than those of natives, LB2 explained: it is easier to evaluate the experience of people who have already worked in France.

(+) LB1, LB3 and LB4 - public labor market mediators dealing with a wide array of sectors – all answered that the main way to judge competence is the possession of a French diploma acknowledged by the administration. For LB1, training programs offered at the Local Mission lead to a state-approved diploma which is the only appropriate way to evaluate competence. This position has a twofold series of consequences: on the one hand, public labor market mediator will emphasize that a normative and institutionalized way of evaluation is a guarantee for a fair judgment, i.e. one that does not take any such variable as ethnicity, gender, social class..., into account.

All respondents confirmed that a high proportion of immigrants worked with short-term contracts, which explains why they may be first to go in cases of layoffs. However, it should be noted that people with a migrant background also tend to work more in sectors where such short-term contracts are the norm: LB2 mentioned construction work as an ideal type for such situations, since it is considered to be normal that the duration of the work contract should be that of the building site.

People working within dispositives of aided employment tend to be underprivileged people with an immigrant background, or people perceived as such – see for instance in WP2 the discussion between highly qualified second-generation migrants who expressed their bitterness to be assigned this role of the person who needs aid. LB3 explained that one major task for mediators trying to improve the employment of immigrants was to help them get out of the sector of aided employment. One characteristic of this sector of aided employment is that it is “*accompanied*”, i.e. that there are regular contacts between the employer and the public institution administrating the program. This feature can be considered by some respondents to be an asset for unqualified people of migrant origin with no experience, since it reduces the risks involved for employers in the signature of a regular work contract by allowing the possibility to put an end to the contract if the results are not satisfactory. However, LB1 explained that this accompaniment should be a light one: too many contacts between a counselor and an employer could work to the disadvantage of the new employee because this does not match with usual corporate procedures. We can see here that there are few means by which labor market mediators can assess the future career of an applicant once they have been hired by a company: they share the opinion that the employer should keep his/her discretionary power in this regard.

## ENGLAND

Both interviewees suggested that generally most companies operate a ‘**last in first out policy**’ – in other words those who have been there the shortest get ‘laid off’ or made redundant. Indeed, the very reason many companies employ ‘temps’ is because they do not have to make

any long term financial commitment – such as redundancy payments, pension provision, etc to what is essentially a transient workforce.

Many companies apparently operate on a ‘last in, first out’ policy, which would disadvantage temporary/casual workers employed through agencies.

LLMM2 suggested that the nature of the agencies role meant that some aspects of the hiring procedure were necessarily outside their control: ‘an issue with regard to hiring is that even if we recommend someone, a person further down the line can block them by... finding a problem with the CV, or with the interview or something like that’.

## POLAND

Only, the interviewee working for the NGO emphasized that job descriptions are sometimes so obscure that job seekers who do not know Polish very well are not able to decipher the requirements and *traps* inherent in such type of job offers.

## 2.5 DIRECT DISCRIMINATION ON THE PART OF INSTITUTIONAL AGENTS (gatekeeper roles)

### Germany

Two IPs (job mediator 1, job mediator 4) assert that their organizations are below average in relation to most others in terms of openness. The reason why is that eastern Germany compared to western Germany has enough work-willing unemployed people. Thus, job mediator 1 says: “We would make life more complicated. **The German part [of the unemployed] is so big here that we say: ok, we only hire Germans.**” (Ger)

For people with language problems there are also application-filling courses. They aim at preparing participants for applying for any kind of job and, in the case of migrants, comprise specific language instructions alongside general information e.g. about work contracts, labour law etc. The labour office representative made a point that she gives those courses only to people who seem motivated to her. With that strategy, she said, the courses bring decent results.(Ger)

Also Germany (employers as gatekeepers)

These announcements **ask for native speakers even though it is not necessary for the particular jobs.**

### Germany

IPs could not provide any information specific to gatekeepers regarding fairness. Both state that they make no difference between migrants and non-migrants. The example of **McDonald’s**, where in the words of the labour office representative **even an Afghan can become a manager**, implies that in many companies (with different, less pragmatic company cultures) this would not be an option. The private job mediator argued that **many leaders of worker teams are migrants** and concludes that in this situation migrants may have opportunities that are at least equal. However, migrants grow increasingly sparse the higher up in the hierarchy. As for himself as a gatekeeper, he denied making a difference between migrants and non-migrants. He also does not know of any such practice either in his own or in other companies. The workers’ council, in his description, exercises control rights pertaining

to career and layoff decisions. As for layoffs the only differences pertain to qualifications and age. Lower qualified workers run greater risks of being affected by layoffs. However, the percentage of migrants is equal at all levels of qualifications (60%), he states. Regarding age, he tries to give elderly workers a bit more protection where it is possible. A negative attitude towards migrants could not be afforded in his business, he said. This may be, because he depends on finding blue- and white-collar workers that satisfy the client company. As an HR-manager from that company pointed out, this may at times be difficult because the labour market holds only a limited satisfying workforce. There are peak periods, where the labour market for manufacturing tasks is exhausted. With native Germans being represented on this segment of the labour market to a limited degree only, reliance on migrant workers is simply necessary and a xenophobic image would harm the business. (Ger)

## SWEDEN

### Sweden

”The public mediator claims that the employers in general say that personal chemistry plays a significant role. Further she tells that employers often can ignore the fact that the applicant has lack of some qualities, if only he/she has the “right personality”. She also thinks that this could affect job seekers with immigrant background: “Yes I think so. I think this has to do with the codes we talked about earlier, these invisible... or this unsaid that... That my experience from job seeker activities, the more deep ones that I have had, It has been important to be able to... many have asked me these questions. I was in an interview... I spoke with a woman who told me that in her culture it was not common that one had direct eye contact with a man. And she says to me that if I look, or if I look down, she does that because she feels that it is right for her, but she felt that the employer got a bad feeling about it. --- Then one can discuss how one should do, maybe one could look between the eyes, maybe one does not have to. --- Of course it can cause some confusion sometimes or how one express oneself.” (Swe, p. 114)

## FRANCE

(+) Personnel representatives act as facilitators for the recruitment of immigrants, LB1 explained: in fact, educational programs aimed at young people, often of migrant origin, to facilitate their integration in the job market include training about legal issues in corporate settings. Young applicants are being taught how to read carefully a work contract, where to go when a conflict arises: the counselor is here the primary referent, but in order to gain more autonomy towards the Mission, they are told to turn to labor union representative for help.

However, trade unions follow their own agenda, LB2 stressed: they do not support temporary work and therefore are of little help for the numerous migrants employed in this sector.

(+) The Local Mission for instance aims at helping people who did not obtain a degree in their educational branch or whose educational choices were imposed and who therefore want to re-orient their careers.

(+) LB1 explained that different sorts of guidance could be provided to job seekers : “*simple guidance*” is aimed at qualified people with good language capacities, “*complete guidance*” at people who will need help in a number of domains if they are to enter the labor market outside the field of aided employment. He also mentioned that some legal skills were taught to job seekers so that they read their working contracts carefully: training programs include

explaining to them where to find resources in this matter – the trade unions were here described as useful partners to help newcomers harmoniously blending with the corporate worlds.

Secondly, of all respondents, LB2 is the only one who does not operate in the labor market as a whole, but in a specialized area where he can judge competences based on his experience and therefore provide employers with accurate evaluations of the applicants.

*But he/she will start with unqualified jobs, to begin with”.*

An interesting point here, although interviews were not conducted with people directly in charge of this teaching, is that public labor market respondents presented themselves as competent to judge the skills and self-presentation required in corporate environments. Regardless of their own experience – which may be very little, for instance in the case of LB4 who spent 27 years working at the ANPE<sup>6</sup> but mentioned no personal contact with private employers or corporate environments – they estimate that they can successfully advise job seekers regarding the appropriate conduct during recruitment procedures.

Secondly, of all respondents, LB2 is the only one who does not operate in the labor market as a whole, but in a specialized area where he can judge competences based on his experience and therefore provide employers with accurate evaluations of the applicants.

#### ENGLAND

Interviewees identified those who were the first contact between migrant applicants and companies as vital. The suggestion was that even though someone may not have an ostensibly ‘powerful’ position in the labour market, they still have the potential to block the application of a migrant or someone else they do not favour, or put off the applicant by being hostile to phone calls, rude at the interview etc. **People working on the front desk of organizations were presented as influential people in this regard (even though they are perhaps overlooked in research which tends to address those in more traditional gatekeeper positions).**

While not willing to identify any particular individuals or specific organizations, both IPs suggested that there are definitely some companies that employ people in powerful positions who have xenophobic and racist attitudes that mean they avoid recruiting migrants.

#### France

*“Some employers will ask for BBR applicants. This problem was more intense in another city where I worked previously as a counselor in a Local Mission. It was a smaller city of 37.000 inhabitants, compared to the 127.000 of Villeurbanne [where the interview took place]. In this industrial zone, cars were burnt every week so there was a lot of prejudice against migrants. Here similar problems can be found but they are tackled in a different fashion.”* Once they acknowledged that some overt racist behavior could be found from the part of some employers, interviewees reflected upon how to tackle this issue: “These discourses are not tolerable. But we must be seized so that we can try and find which steps we can take. When a youth comes to us with such stories, we recommend that he/she dials the 114 [the number set up so that people can anonymously report cases of racial discrimination], so that the case can be built.(..) But it did not succeed because the young one withdrew the case.”

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<sup>6</sup> SPECIFY

Germany

### **Role of Labor unions in opposition to or restriction of the recruitment of migrants.**

(+) No, we could not find any evidence that labour unions inhibit the recruitment of migrants. We even would say that labour unions by fighting for fair payment support migrants possessing a work permit. By fighting for equal tariffs labour unions protect the wages levels and avoid the extreme exploitation of labour in low wage sectors where migrants are often found. Even if the wages in eastern Germany are low compared to western Germany, there is a minimum of around five Euros per hour established by law. Concerning the illegal sector, we were told about wages of two to three Euros per hour paid (illegal) migrant waiters (usually asylum seekers) in an Indian restaurant in Leipzig. (Ger)

### **2.6 Derived or Indirect Discrimination**

(employers taking employees or clients into account)

GERMANY

All IPs are employed in job agencies which mediate job-seekers to employers. Thus, all of them come into contact with employers but only one IP reports about an employer who takes into account the possible reactions of clients. According to job mediator 2, **it is more likely that employers would not hire migrants when they are looking for employees who come into contact with clients. Another IP (job mediator 1) says that they avoid hiring migrants because they expect conflicts between natives and migrants.** “And also our applicants, eh, our employees who work for us. I don’t know if this always works out. Germans and those [migrants], they come after all from the lower strata. It is questionable whether they would work well in one team.” (Ger)

Regarding colleagues, the labour office representative had no insight into such issues. Judging from some of her colleagues (mostly in the administration rather than in the job-mediation), she thinks that rejection by co-workers could very well be possible.

The private job-mediator has only little contact to the co-workers of his employees that are employed directly in the client company. He finds it theoretically possible, that one of his employees is rejected by the customer because of **resentments** among the permanently employed co-workers. When talking about equal chances, however, he points out that in his view much depends on the employee him- or herself, that is, on the willingness to integrate and to avoid separation into segregated groups. The customer company, he says, will reject employees who fail to integrate. This is often also a matter of continually not speaking German at the work place. (Ger)

The labour office representative identified jobs with **customer contact** as less accessible to migrants, especially when either dark-skinned or wearing a headscarf. As for the public sector, she talked mostly about the labour office, where relatively few migrants work. This need not be the case, she pointed out, using the headquarters, where a higher proportion of migrants is employed, as her illustration. This is because of an intentional strategy to adapt the staff structure to an increasingly migrant clientel. (Ger)

Regarding the public labour mediating office, it has been described above how employers can exercise positive influence on the state institution. This is also true in the opposite way,

however. If an employer indicates that he wouldn't accept a migrant job seeker, the public labour office has little choice but to act accordingly. Like in other interviews, this IP also pointed out **that people with dark skin colour would have trouble getting into a position that involves customer contact. An African bank clerk is difficult to imagine under these premises. The same goes for Muslim women wearing a headscarf.**

#### FRANCE

LB2 was exceptional in this regard, since he stated that he receives demands from employers who recommend that applicants sent to them should be native French or of European background. They do so, he explained, to meet the requirements stated by their clients who are reluctant to let an immigrant come and work in their homes.

Respondents here made a distinction according to the type of business considered: such overt cases of discrimination are more frequent in smaller businesses operating directly at the customer's homes, and less frequent in bigger companies for positions which do not imply direct contact with the customers at home. We can hypothesize that this distinction here is twofold: discriminatory patterns do not work in the same fashion in smaller businesses and in larger, more institutionalized companies where trade unions have elected representatives. But we also distinguish a dark spot for discriminatory practices, i.e. cases where immigrants are to meet with (native) customers at their home.

Both of them however agreed on the fact that employment tended to be more difficult to find for migrants in positions that require some contact with the public. Such is the case for plumbing, for which LB2 stressed out that employers, anticipating the reactions of clients, were reluctant to hire people who look like immigrants. LB1 added that the same could be found in sales, a specialty prized by young female job seekers but where few positions were available to them.

However, people with a migrant background also have to face the defiance of employers, as LB4 stressed out: employers tend to expect diversity to be the source of conflicts among coworkers, so they tend to equate employees with a migrant background with trouble.

Although the respondents mentioned the existence of racist employers in the labor market, even in such cases the reason for them to adopt such behavior was the reaction of customers towards employees with a migrant background.

An interesting point was the reaction of interviewees to such question. They denied that they anticipate such behavior on the part of employers, therefore either directing job seekers towards other offers – except in the case of LB2, who displayed a very pragmatic and relaxed attitude towards such issues, and for whom discriminatory practices from the part of an employer are one feature among others in a job offer. However, LB4 reacted very strongly about the issue of discrimination and tied such practices to the “*economic horror*” described by anti-globalization essayist Vivienne Forrester.

#### ENGLAND

However, there were a number of stages in the procedure in which subjective and discretionary judgments played a major part. For example, when assessing the ‘match’ between the applicant and the workplace, the mediators both suggested that they had to make a judgment on whether the individual would ‘fit in’ at the organization.

Both participants did acknowledge that direct and overt discrimination did take place in some companies, of which they had anecdotal evidence, but **emphasized the importance of ethnocentric conceptions of competence and the devaluing of non-English qualifications as important in this regard (interesting they also suggested that their organization was sometimes guilty of judgments that could result in unfair outcomes).**

Liverpool participants could identify numerous of examples of discrimination taking place in other organizations. Typical examples of the discrimination involved racial abuse on the ‘shopfloor’ of companies.

#### POLAND

Appearance, meaning ethnic features might be both an advantage and a disadvantage according to them. For instance they would not recommend a black manager to a small company in a provincial town since this may cause tension with other employees and clients of the company. Conversely, in “artistic” and “entertainment” sectors a person of color would fair very well. The NGO activist recalled that she advised her client, a black man who was willing to work as a barman in a night club, to dress in a military uniform to impress the future employer even more. It worked very well, she said.

**Employers taking into account the possible reactions of other employees to a recruit or the reactions of clients or customers.** This was not an issue for most of the employment agents. They have never had such a case. However, one of them thought it might be the case in some specific conditions: for instance a Polish company interested in commercial relations with Russia would probably not want to hire a person with a Chechnyan background at the moment. They stressed this would be in their eyes absolutely justified: the priority for the company is to eliminate the factors that may hinder profit maximization. Another said that because of “cultural reasons”, an employer may fear that an immigrant may cause trouble at work, not being accepted by other workers or being despised by them. She did not want to specify, however, what kind of “cultural reasons” she meant.

(+) **Austria** (as in France): The sector of public transportation is regarded as fairly open to people with immigrant background, as companies need to react to diversity of their clients. The employment of immigrants reflects a group of regular customers (i.e. many with immigrant background). The IPs mentioned that in some more secluded regions in Tyrol they have almost no native customers anymore because people prefer flexibility and tend to use their cars more frequently. “Non-natives, especially those living in these marginal areas, generally can not afford a car and therefore are dependent on public transportation. It’s part of the company’s services to employ immigrants.” (IBK/3B-1/1). Actually, all these considerations do work to the advantage of those with immigrant background.

## 2.7 Statistical Discrimination

#### SWEDEN

” The public mediator assumes the fear for recruiting immigrants could be seen as such a mechanism: “...A fear to take in people with another background because it costs so much to recruit and so... You want to be sure it will be right from the very beginning.” (Swe, p. 132)

#### GERMANY

The IPs report two “shorthands”. First, foreign sounding names are seen as indicators of problems. The job mediator 1 says: “Immediately I can hear alarm bells going off. Then I become very tense [...]. Even those whom I maybe invited, I just can expect that all of them speak miserable German. It’s terrible. [...] It’s such a waste of energy, especially as I know that I wouldn’t hire them.”

According to job mediator 1 it is anticipated that people with foreign names lack sufficient German language skills. Thus, it is seen as a reason to exclude foreigners from recruitment procedures. (Ger)

An IP (job mediator 1) of a temporary employment agency says that they only recruit Germans. If a migrant applies, the application form will be ignored. She says: „I have to say that I don’t invite those [migrants]. If I see that they are from a foreign country and that they immigrated two, three, four years ago, then it is only a waste of time. *Thus, independent of German language skills?* Yes. I let them out as I have so many applicants. That is the way it is.” (Ger)

(+) The employee of the personnel development department pinpoints a further necessary characteristic of migrants and eastern Germans that is an important criterion for recruitment: migrants and eastern Germans are very flexible. Their work biographies often reflect their mobility and willingness to adapt to new conditions. Thus, they are better prepared for the changing labour market. This statement is interesting as, in contrast, eastern Germans are seen as immobile in the dominant mass media and by politicians. (Ger)

## GERMANY

The assumption of a lack of language skills, however, is falsely generalized beyond the first generation by some employers, according to the labour office representative.

“Another reason is stated by job mediator 2. This IP says that some employers prefer Germans to migrants because they had bad experiences with other migrants. Those employers tend to generalize based on several bad examples of migrants. Job mediator 2 says: “When they are actually willing to employ foreign employees but make bad experience then it will be generalized about all migrants. That’s the problem of this story. If someone marches to a different drum, then it is said: no migrants anymore. [...] There are always different people but as a rule it will be generalized in the case of migrants.” (Ger)

***“Nevertheless, it also happens that migrants are not mediated because employers wish to hire Germans. According to job mediator 2, this is caused by employer’ “bad experiences” In fact, Germans are often unreliable too, but migrants are easily singled out. Job mediator 2 says: “They are more vulnerable as they are foreigners.”***

The job mediator 1 of a temporary employment agency has an impression of migrants that operates to the disadvantage of people with migrant background. This job agency has only few applicants with migrant background but those people are not mediated. Migrants are seen as problematic and irritating because they do not have a good command of German. It is also assumed that they cause conflicts with natives and that they produce extra work for the personnel office of an enterprise due to their work and residence permit. Finally, they often fail to obey. (Ger)

“False generalizations/assumptions about language problems were also mentioned. It can be added that the labour office representative has pointed out that some employers would not accept migrant job seekers, but found it difficult to quantify the impact of this. It seems that such employers are more of an exception. As she explained, this may have to do with negative experiences in the past or downright racism. The IP cited examples of particular difficulties encountered by migrants with dark skin or Muslim in obtaining jobs involving customer contact.” (Ger)

“Even though language and qualifications are measured by German standards much like in Leipzig, in Augsburg this does not condense to a consensus of Germanness that is stipulated for migrant employees as was the case in Leipzig. But also in Augsburg a migrant employee has to be like an ideal German but that means: qualified, flexible and reliable. No reference was made to German mentality in Augsburg.” (Ger)

The labour office representative has identified some cases, in which employers are unwilling to accept migrant job seekers. This was reported in Leipzig as well. It did not become clear, however, to what extent this has to do with a mere preference for native Germans. The IP guessed, it might rather come from generalized, negative past experiences or downright racism. She could not see any pattern as to what type of company is more likely to act that way. She does not see any possibility of acting against that on behalf of the labour office. Only the discrimination between genders is forbidden under the law when it comes to finding a job. (Ger)

#### GERMANY

job mediator 1 refers to another stereotype about migrants which affect migrants' fate on the labour market. She thinks migrants, especially from the Arab countries, lack respect for female bosses. She *heard* about the mentality of Turkish workers in western Germany. According to her colleagues Turkish employees wish to go to their home country for several weeks. Such behaviour she regards as unacceptable for her job agency. However, she herself has never had any experience with Turkish migrants. In effect, rumours form the basis of her prejudice against migrants. She says: „Then mentality is a big problem. I have heard from someone else that Turkish employees have no respect for women or even for the dispatcher. And I have heard very often that they wouldn't listen. However, a worker has to pay me respect and he has to do what I say. Or their mentality concerning their family. They want to fly home for three, four, five weeks just to visit their family somewhere in Turkey. That's impossible. Just their mentality, it doesn't work, it is very difficult, especially for temp work, to employ migrants. That is at least my experience in eastern Germany.” Thus, her prejudice relies on sayings of other *colleagues*. Her decisions are based on stereotypes which are spread by employees of this private job mediator. (Ger)

She also pointed to differences in the value placed on education by migrants themselves. She related this to what could be named a “guest worker mentality”. With the idea of being a guest worker and the (often theoretical) intention to go back to the country of origin, migrants have a preference to earn and save money as quickly as possible. This also means that they tend to avoid the costs of acquiring qualifications. This stereotypical image could be found in other interviews as well. (Ger)

#### FRANCE

Employers in such sector as construction work operate with racialized stereotypes: they are

more prone to hire Africans for unqualified jobs when they expect Maghrebans to be more qualified.

### 3. STEREOTYPES AND TASTES FOR DISCRIMINATION

#### SWEDEN

(+) ” She also says that it is important in her work not to see immigrants as a group: “But then, it does vary... I think that it is important in the work on the whole to look at the individual. Everybody does not want to be reminded that one has im(migrant background). Some people can feel themselves insulted too. It is very important that one starts with the individual, and not... because it is not a homogenous group, the immigrant group.” (Swe, p. 114).

“The private mediator thinks that there is a fear of “the difference” among the employers.” (Swe, p. 120)

“Firstly, the public mediator says that there are some employers who are discriminating, but that it is a complex pattern. She thinks that it is a part of the human nature that one protects oneself from everything that is experienced as deviant. Further she believes that in some companies one wants to recruit persons who are alike the persons who already work there. “But in some of these companies it is common that they would like to have personnel that are alike themselves. And by that I do not only mean that, that... if one do not have immigrant background, if the company... But on the whole persons who are alike oneself, both interest and clothes and so on. And then, of course, it is more difficult if ones’ appearance differs significantly more then, to enter this kind of organisation, I think it is an important part, then a workplace that accept this, that gosh how fun that we can be different, and that is so great, then it becomes... then it becomes more action. Because then one can say yes to persons who are... different in other ways too.” (Swe, p. 121)

“Further she claims that when employers think that all personnel should be alike, it becomes more difficult for job seekers with immigrant background to get an employment. “ (Swe, p. 122)

“The private mediator says she does not know that well what kinds of prejudices and stereotypes these key persons could make use of. But her guess is that there is a fear of limited language knowledge among immigrants, that is, immigrants do not have good enough command of the Swedish language. Further she claims that these stereotypes and prejudices probably vary between different employers, but that she never has met these kinds of employers.

Also the public mediator thinks that one of the most common stereotypes among employers that can affect immigrants, is the thought that one should have a perfect command of the Swedish language to be able to work in certain positions. Further she claims that the will among employers to recruit persons who are alike themselves, could be seen as a stereotype.” (Swe, p. 125)

#### Germany

As our interviews have shown, there seems to be a consensus on Germanness among job mediators that is stipulated from employees: speaking German perfectly, having German education and certificates, and German mentality. Therefore, our asking for the “ideal

employee” was mostly answered by phrases like „much like German“ or “He has to bring the German mentality, thereabout, thus he is not supposed to have any idiosyncrasies” (job mediator 1). Thus, differences in mentality and behaviour are figured out as difficulties and disadvantages instead of enrichment.

The same reasoning applied to the knowledge of the German language. A good command of German was always mentioned as a necessary pre-condition for obtaining a job. In our opinion, the extreme accentuation of the German language also describes an insurmountable barrier in accessing the German labour market. (Ger)

From the perspective of our IP (job mediator 2), there is much prejudice against migrants among employers. It happens that employers say explicitly that they do not want any migrants. The same IP, however, suggests that these preferences occur if employers had bad experiences with migrants. He says: “However, there is sometimes prejudice. [...] That isn’t the rule but there is some partly there. And often not from the outset, but because of bad experiences.” Informants in Leipzig confirm the impression that discrimination occurs in certain sectors. For example, they report about discrimination in the building sector. (For further information, see the report on informants/Leipzig). (Ger)

## FRANCE

The interviewees noted that employment in this marginal sector is highly gendered: women can find more easily positions as housekeepers or baby-sitters. However, in these sectors were migrants must interact with natives in their homes, more cases of overt discrimination and racist discourse can be found (see also WP2)

What respondents often mention are cases of racist employers who put forward overt discriminatory policies in their recruitment processes. The ideal type here is called “BBR” – “*Bleu Blanc Rouge*”, “Blue White Red” i.e. the colors of the French flag. This denomination refers to recruitment policies in which it is clearly stated that only white natives can apply. It is difficult to assess how much reality this famous representation of the BBR has: even informants such as representatives for anti-discrimination associations consider it to be somewhat of an overstatement. However, some respondents mentioned that they had already encountered such situations. LB1 explains that they can be found in specific settings which render them possible:

Therefore, it is required of applicants with a migrant background to demonstrate their personal qualities in the same way than natives to be intelligible by employers or labor market mediators.

However, issues regarding the attitude of employers towards diversity – except in the extreme and hyperbolic case of the “racist employer”- were avoided. We can here hypothesize that this stance adopted by public labor market mediators both reproduces stereotypes about some migrant populations – the ones belonging to the underclass - and contributes to hiding it by avoiding the issue of ethnicity altogether.

*If the problem is ‘Mamadou’ [an African-sounding first name, which happens to be the one of the interviewee], he will never tell you. What should we do so that Mamadou should not be a*

*barrier? Even if Mamadou studied with Michel [a native-sounding first name], who happens to come from Jura [a region in the Eastern part of France], if the latter is in a position to recruit someone, he will privilege the application of someone who is also originating from Jura. There is some work to do at the level of ethics.”*

Here two different set of reasons can explain this state of affair: the employers’ reluctance to hire an immigrant for a position implying some contact with customers on the one hand; the level of qualification necessary for such positions on the other hand. For instance, there are many young job seekers with a small qualification in administrative work, therefore competition tends to be higher for these positions. The maladjustment between the educational choices made by young people with a migrant background – when they can indeed qualify as choices, namely when they were not imposed by circumstances or schools – and the sectors of the labor market where they can integrate explains some gender-based discrepancies. Young female job-seekers tend to be more numerous in having a small level of qualification, but they experience more difficulties in finding jobs in their specialties than males because competition is higher.

#### ENGLAND

Stereotypes exist against many groups... for example some of the men working in certain divisions in [names company] have said to me openly that they would prefer to have more men working with them’ LLMM 2.

Liverpool participants could identify numerous of examples of discrimination taking place in other organizations. Typical examples of the discrimination involved racial abuse on the ‘shopfloor’ of companies,

The consensus here was that the most damaging types of stereotype or prejudice are those that question the competence of migrant workers, as this will lead to them being undermined on an almost daily basis in a way that challenges their professional self-image as well as others’ opinions of them.

#### POLAND

Appearance is generally thought to be one of the most important factors taken into account while recruiting personnel. However, its weight in the recruitment is, according to the majority of the interviewees, dependent on the type of job for which an applicant is applying. Skin diseases were provided as an example: they do exclude some people from certain jobs, for instance jobs having to do with preparing food. Otherwise, according to the interviewees, it depends on the requirements of the given job or even of a labor market sector. For instance in sectors such as entertainment and art or catering people of colors might be preferred to Poles, said two of the interviewees, since their appearance constitutes an additional “attraction” that could increase profitability of the business.

They could not agree with the term “active discrimination”. Every country has the right to protect its labor market and every employer has a right to select employees (s)he prefers, three of them said. Others have no opinion on the subject.

Employment agents admitted that on some occasions both positive and negative ethnic and national stereotypes were at work. For instance, immigrants from the West were considered well educated and well mannered as a rule, while those from the East – just the opposite

Ukrainians were often associated with criminal activities of the mafia, although on the other hand they were also believed to be cheap and reliable laborers. The employee of the NGO said she could tell long stories that proved some of the popular stereotypes concerning people from Africa and Latin America were actually well founded. She spoke of the disappointment she felt each time refugees recommended by her were losing jobs because they could not overcome their “ethnic” habits, for instance they could not make themselves come on time to work.

#### 4. SPILLOVER DISCRIMINATION

##### GERMANY

The private job mediator also acknowledged **connections** to be of significance for making career and points out that migrants may have fewer connections than native Germans. Whereas leaders of workers teams may in many cases be migrants, the proportion of migrants declines the higher up one looks in the hierarchy. (Ger)

She also mentioned, however, that the qualifications problems have to do with insufficient school education as well. Many migrants at most graduate from the lowest school track, which bars them from better occupational qualifications-gaining paths. Low and unqualified jobs, however, are increasingly difficult to find on the labour market and imply a higher risk of layoffs. (Ger)

#### 5. OTHER MECHANISMS

##### 5.1 Human and Social Capital

###### England

Interviewees both identified general competences/social capital as important in this regard. While it is difficult to specify the exact skills and knowledge that will facilitate a successful application, a number of things such as educational qualifications gained at English institutions, appearance, language competence, knowledge of local networks etc were all identified as key factors.

###### *Germany*

##### **Limited Capital**

Both IPs also argued that **qualifications** might often be lacking among migrants. The representative of the labour office finds the reason for this in historical developments. Many migrants used to be hired for unqualified jobs under guest worker arrangements and had a background of low qualifications and low status in their country of origin. In accordance with the idea of guest work, they placed high value on earning money quickly instead of building up qualifications. This, she argues, may also be passed down to subsequent generations as parents urge their children to follow the same route instead of e.g. striving for a university education.

##### **Qualified Immigrants (but without papers)**

**Qualified Immigrants (with papers)**

Germany

(+) Most potential employers, however, are looking for a cheap labour force or for people with special know-how. For example, as the manager of a temporary employment agency said, there is a tendency that multilingual people from Eastern Europe will be hired. (Ger)

## 5.2 Networks

### Sweden

“The public mediator thinks that social contacts and knowledge of social codes are important tools for job seekers with immigrant background to have : “An access to networks in Sweden... access to reference persons in Sweden. The access, and knowledge of Swedish codes. Taken all in all, this can make that you as newly arrived in this country, can have greater difficulties in getting a job than if you are Swedish born. That is a thing that we actively try to work with, through practices, through other efforts. We usually bring up this and really try to find reference persons, and try to get a connection in this way, because it is incredibly valuable. Of course, if you are new here, you have to start all over again, even though you might have had an excellent network in your home country.” (Swe, p. 134)

## 5.3 Collective Resources

### France

(+) *The population of newcomers receives a specific treatment with language training in French as Foreign Language classes*”. This training in French can be accompanied by specific programs for illiterate applicants. The interviewee here explained that the objectives of the Mission were directed towards finding any job: “[*once the other problems such as housing and food have been solved*], we help the person in finding a job.

(+) It is here the task of the counselor to explain that visible signs of suburban origin should be hidden for a recruitment interview. Some training programs offer tools such as video or theatre to help job seekers gaining new habitus competencies which are considered to be appropriate in a corporate setting. An aspect of this appropriate behavior is how applicants demonstrate their will to engage in the work to which they apply: this was stressed out by LB2 who explained that a major point for the evaluation of applications was how much they showed that they were willing to work. He considered these signs to be very clear and did not mention that they could be culturally dependent and take different forms in multicultural settings.

(+) For LB1, appearance should play no part in placement: he only acknowledged the impact of behavior, indicating that the elements of an appropriate behavior in a corporate setting were taught to applicants who needed this help. “*Since some applicants may suffer from severe handicaps, we will work on issues related to socialization*” he explained – naming violent behavior and ignorance of social codes as some issues targeted by the Mission’s “*insertion mobilization actions*”. This issue of habitus discrepancy is tackled in the interpersonal contact between the applicant and his/her counselor : “*When the counselor receives the young, depending on his/her attitude, the counselor can suggest some advice regarding his/her attitude. This meeting can be conflictive, and the counselor can then explain that this attitude is not bearable in front of an employer. Some training is done to teach punctuality and assiduity. The young can apologize, saying, ‘I was in custody’. But the criteria of good presentation is not part of training programs.*”

(+) No differences in procedures were identified by the interviewees between job offers for qualified and unqualified applicants (LB4), but the solutions offered to applicants in order to help them integrate the labor market take this variable into account. For instance the Local Mission offers a wide array of training aimed at improving the applicants’ qualifications, no matter the level they start with: “*The objective is to attain a qualifying training program.*

*However, depending on the applicant's background, it may be necessary to start with a pre-qualifying program*” The help of the counselor appears to be necessary for the young job-seeker to find his/her path in this elaborate array of training and internship programs, the characteristics of which are formulated in a specific vocabulary.

## CHAPTER IV SCHOOL SYSTEMS

### 1 Introduction: General characterization

#### Structural/institutional Discrimination in Education

Discrimination in the educational institutions is continuing to be one of the most important reasons behind the lower degree of educational achievement among students with non-mainstream background in all countries studied in our project. This pattern is reported in a substantial literature concerning institutional discrimination in the educational system of many European countries (in particular, England, France, and Germany) (Fitzgerald, Finch, and Nove 2000; Osler and Morrison 2000; Derrington and Kendall 2004; Pye, Lee, and Bhabra 2000; Wright, Weekes, and McGlaughlin; Judge 2004; Gogolin et al. 1998; Reuter 1999, 2001; Schewe 2000).<sup>7</sup>

Education has been considered by many sociologists as one of the most important institutions for creating cohesion in a modern, highly differentiated society which risks fragmentation (Durkheim, 1984). The educational system has also been used by all nation-states to try to homogenize citizens. Recent studies referred to above confirm that the 'education norms' of many European countries are still ethnocentric and highly majority society-oriented. This

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<sup>7</sup> Fitzgerald R., Finch S., and Nove A. (2000) *Black Caribbean Young Men's Experiences of Education and Employments*, DfEE Research Report no 186, London: DfEE.

Osler A. and Morrison M. (2000) *Inspecting Schools for Race Equality: OFSTED's Strengths and Weaknesses: A Report for the Commission for Racial Equality*, Stoke on Trent: Trentham Books.

Derrington and Kendall (2004) *Gypsy Traveller Students in Secondary School: Culture, Identity and Achievement*, Stoke on Trent: Trentham Books.

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Wright C., Weekes D. and McGlaughlin A. (2000), *'Race', Class and Gender in Exclusion from School*, London: Falmer Press.

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See also the following reports about discrimination in France:

Human Rights Documentation Center (2001) *Racial Discrimination: The Record of France*, (<http://www.hrdc.net>)

The National Consultative Committee on Human Rights (*Commission nationale consultative des droits de l'homme, CNCDH*) (1998).

Belorgey Jean-Michel (1999) *Rapport sur la lutte contre les discriminations*, Paris: Ministère de l'emploi, du travail et de la cohésion sociale.

serves to reproduce the structural/institutional discrimination against 'the others', often with immigrant background, in many European countries.

Contemporary research has identified the powerful tendencies for the majority society to perceive immigrant or minority children such as blacks as 'problem students' (Glasgow 1980; Noguera 1995; Wilson 1987; Anderson 1990)<sup>8</sup> This is associated with the 'dropout' of students with black and/or immigrant backgrounds from normal schools in the USA. As Janelle Dance (2004:5) argues, the 'push out' mechanisms are more conceivable than the 'dropout' to explain why students from non-mainstream background leave school without achieving a high school diploma.<sup>9</sup>

### **Discrimination as a societal and inter-institutional phenomenon**

Racism and discrimination in schools is not isolated from other social structures and institutions. The phenomenon of discrimination has many spill-over mechanisms. As Glasgow (1980) points it, black males from low-income urban communities tend to be rejected and labeled as social problems by the police, the school, employment and welfare agencies; they are the victims of the new camouflaged racism. Others, such as Batelaan and van Hoof (1996), Cohen and Lotan (1997), Runfors (2003) discuss the role of categorizing principles that students from majority society learn outside school but take with them to schools and apply to students from non-majority society. Many students in schools are subjected to the same status-hierarchy that exists in the larger society (McLaren 1993; Willis 1991).<sup>10</sup> This type of complex phenomenon calls for an intersectional and historical perspective on the mechanisms of discrimination.

The differences between the students' results in schools have been related by the majority society and researchers with majority privileges to immigrants' cultural background and not to the school system or discrimination in schools. Alekandra Ålund (1997) and Ålund and Schierup (1991, 1992) argue that the 'cultural background' of immigrants is used by majority society to ignore the real class divisions between students. Although there is some truth to this argument, this perspective does not bring much clarity to the questions of ethnic discrimination in schools. Ann Runfors (2003:221) in her study of Swedish schools rejects such arguments and says that in Swedish schools: Class dimension was rather used to explain inequalities to hide the power-aspect in evaluation structures in the dominant perspective in the schools.<sup>11</sup> As will be shown later in this report, this is a fact that is also confirmed in our

<sup>8</sup> Glasgow Douglas G. (1980) *The Black Underclass: Power, Poverty, Unemployment, and Entrapment of Ghetto Youth*, New York: Vintage Books.

Wilson William J. (1987) *The Truly Disadvantaged: The Inner City, the Underclass and Public Policy*, Chicago: Chicago University Press.

Anderson Elijah (1990) *Streetwise: Race, Class, and Change in an Urban Community*, Chicago: University of Chicago Press.

<sup>9</sup> Dance Janelle L. (2004) *Racial, Ethnic and Gender Disparities in Early School Leaving*, Maryland: University of Maryland, The Consortium on Race, Gender and Ethnicity, Issue 2.

<sup>10</sup> Batelaan Pieter and van Hoof Carla (1996) 'Cooperative Learning in Intercultural Education', in *European Journal of Intercultural Studies*, vol. 7, no. 3, pp 5-16.

Cohen Elizabeth G. and Lotan Rachel A. (eds) (1997) *Working for Equity in Heterogeneous Classrooms: Sociological Theory in Practice*, New York: Teachers College Press.

McLaren Peter (1993) *Schooling as Ritual Performance: Towards a Political Economy of Educational Symbols and Gestures*, London: Routledge.

Runfors Ann (2003) *Mångfald, motsägelser och marginalisering: En studie av hur invandrarskap formas i skolan*, Stockholm: Prisma.

Willis Paul (1991) *Fostran till lönearbete*, Göteborg: Röda bokförlaget.

<sup>11</sup> Ålund Alekandra (1997) *Multikultiungdom, kön, etnicitet, identitet*, Lund: Studentlitteratur.

study. Many ‘gate keepers’ in schools claim that the problem of children in segregated areas has more to do with their economic status or class than their background. This also suggests the mechanism of denial of structural discrimination because of the pupils ethnic background.

However, it should be mentioned that ‘class’ continues to play a significant role for explaining some problems in the educational systems of European countries. For instance, the lower level of health care available to the parents and children, the poor houses and living conditions, and lack of access to meaningful leisure activities are class-based factors that influence poor and immigrant children’s school success negatively. The question is, however, why many immigrant children with a high level of education and middle class background from their country of origin are degraded in their new European countries and became segregated? The growing ethnification of poverty, or what is known as ‘ethnaclass’ (Gurr, 1993) in Europe is alarming and cannot be discussed without taking in consideration the current structural/institutional discrimination of immigrants in those countries.<sup>12</sup> Accordingly, this is another example of spillover discrimination, namely economic poverty reinforces ‘push out’ mechanisms and educational failure reinforces poverty.

John Rex (1988) who studied ethnic segregation in Birmingham in England concluded that school segregation is much worse than residential segregation<sup>13</sup> According to Rex (1988:31) school segregation makes that majority society families move their children from such schools to non-segregated schools. But, Rex misses the point that school segregation and residential segregation go almost always hand in hand and are mutually influential.

The denial of structural/institutional discrimination in school systems. The problem of the ‘drop out’ of many black and immigrant pupils from the school system has been argued to have reasons, such as family background, personal traits, and social group characteristics (Matriello, McDill, and Pallas 1990; Fine 1991).<sup>14</sup> Fine (1991), McDill and Pallas (1990), and Katz (1999) criticize the ‘deficit thinking’ by which the reasons for the ‘drop out’ of minority children are sought solely in the immigrant community itself. As argued by Richard Valencia, those who engage in ‘deficit thinking’ have failed to examine external causes of school failure that exist beyond the control of individual students who ‘drop out’. Others such as Dance (2004) and Katz (1999) argue that discrimination is central to the ‘drop out’ or the better term ‘push out’. Concerning the school ‘drop out’ in the US, that has been working hard to combat institutional discrimination, Katz argues:

‘Drop out’ implies a conscious choice on the part of the students as if all options were open to them. However, students of color leave school largely because they feel discriminated against,

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Ålund A. and Schierup C. (1991) *Paradoxes of Multiculturalism: Essays on Swedish Society*, Aldershot: Avebury.

Ålund A. and Schierup C. (1992) ‘Kulturpluralismens paradoxer’, in *Kulturella perspektiv*, no. 1, pp 8-20.

<sup>12</sup> Gurr Ted Robert (1993) *Minorities at Risk: A global View of Ethnopolitical Conflicts*, Washington D.C.: United States Institute of Peace.

<sup>13</sup> Rex John (1988) *The Ghetto and the Underclass*, Aldershot: Avebury.

<sup>14</sup> Natriello G., McDill E., and Pallas A. (1990) *Schooling Disadvantaged Children: Racing Against Catastrophe*, New York: Teachers College Press.

Fine Michelle (1991) *Framing Dropouts: Notes on the Politics of an Urban Public High School*, New York: State University of New York Press.

Katz Susan Roberta (1999) ‘Teaching in Tensions: Latino Immigrant Youth, Their Teachers and Structure of Schooling’ in *Teacher College Record* 100 (4): 812.

stereotyped, or excluded /.../ The term ‘push out’ puts the responsibility on where it should appropriately fall: School and Schooling in the U.S.

### **Mechanism of discrimination**

Debate and research about ethnic discrimination have been a controversial area in the academic and public spheres of European societies. Doubts have been continuously raised about whether ethnic discrimination is taking place at all or how frequent it occurs, although a relatively large body of research in the area shows that established patterns of ethnic discrimination in the schools of Europe. What our research reports here are the institutional patterns of ethnic discrimination, what we call the *mechanism of ethnic discrimination*. The following quotations are illustrations of mechanism of discrimination in the field of education. The chapter is based on country-reports on schools done by research teams participating in the Xenophob-project.

## **2 Key Institutional Mechanisms of Differentiation and Discrimination**

### **2.1 Norms of Language, Appearance, and Behavior**

There are norms and other rules that discriminate, or that in some way work to the disadvantage of migrant students in all countries. Though, national educational legislation and institutional arrangements differ, it is apparent that a society can bring about similar patterns through different means. In some countries one could say that the problems are based on lack of experience (that is, immigration is a relatively new phenomenon, or the number of immigrants is low). In other countries with longer experience, there are institutionalized means for dealing with migrant pupils. They may be established category systems, special programs, and channelling into careers that don't lead far. Further, there also is a variation in the resources given to schools with high proportions of migrant pupils. In Sweden, schools in segregated areas obtain more economic resources, while in Italy there is no difference between schools with many migrants and those with few. Even nationality plays a role, as in Cyprus, where migrants have more difficulties in entering university.

#### **Language**

*Language is maybe the most crucial of the cognitive-normative factors that has an impact on pupils with migrant background. A number of examples that illustrate this problem can be identified, for instance from Sweden and Germany, but even from Italy and Cyprus. In all of these countries the education system is based on a monolingual tradition only, and too little attention is paid to pupils who are not native-speakers. This fact works to the disadvantage of migrant pupils, who often get lower marks in subjects where one needs an almost perfect command of the majority language.*

#### **Sweden**

“On the other hand, the school counselors says that pupils in segregated schools get lower results than in more homogenous in the inner city. He believes this depends of the immigrant's lack of language competence, and the school's lack of economic resources.” (p. 27)

“The school principal tells us that many pupils are worried that they will be stamped for the rest of their life if they go out school with a degree in Swedish as a second language (*svenska som andraspråk*). He claims that this is not true and that Swedish as a second language does not just learn about the Swedish language but also gain a deeper understanding of the Swedish culture. He does not know what happens with the pupils who have studied Swedish as a second language when they go to upper secondary school.” (p. 25)

“The representative of parent child organisation think the teachers must become more aware of the real capacity the pupils have, not only of their language competence.” (p. 25).

“The school principal says the pupils are sensitive when it comes to language: “We have had some (teachers) from eastern European countries and from South America, and the problem has been, in these cases, the language. Because the pupils also are sensitive for this language, if they cannot use synonyms, even if you speak with an accent. But if you do not have this (language knowledge) you get difficulties, because the pupils are critical, and this have made that these teachers have finished here.” (p. 38)

“The school psychologist (immigrant) says that the opportunities depend on the pupil’s ethnic background; some immigrant groups, for instance Iranians, are often higher educated than others. According to the school counselors the opportunities depend on what education the pupil’s parents have. He claims that immigrant pupils even more often than native pupils, come from academic homes. It also depends, he adds, what kind of milieu the pupils end up in; if a pupil lives in an area many people are low educated, and that also affects the pupils’ educational choices.” (p. 32).

“The school nurse claims that the language suffers from the school segregation; in schools with many pupils with immigrant background the pupils have more difficulties in learning Swedish.” (p. 37)

### **Italy**

In secondary schools which starts off on the studying of more specific subjects, there are some difficulty because at this level, teenagers must know Italian not only to communicate but also to study. Colleges, which were under the illusion that foreign students would never have grown and got there, are now taking measures but that is applicable for some institutes interested in having foreign students in their schools.

Language competence is the main problem because of the idea that Italian is the only language foreign students should know, without giving importance to their original languages and by not using those languages to make their studies easier. After giving some linguistic support, teachers expect the foreign student to pick up with the other children in the class straight away. Many teachers do not realize how long it takes to pass from the knowledge of a language required to communicate and the knowledge required to study in another language.

### **Cyprus**

For Teacher 2 beside that that he finds language as the most important competence he also mentioned

“Because the majority of the students are immigrants we must change the way we teach as they don’t speak Greek and we cannot communicate with

them. Furthermore, because they don't speak the language they don't participate in class and thus they create a problem in class and in school in general".

Sweden

*In Sweden, fitting in is linked with language knowledge; according to one IP migrant pupils have problems in fitting in because of their lack of Swedish knowledge.*

**England**

**A1n+2:**

"All Manchester respondents identified language competence as a key factor, and one area in which provision was variable from school to school. Very few schools have a strategy for supporting children learning English as an Additional Language (EAL) beyond the initial stages, and there is no coherent long-term curriculum for such pupils that really takes account of variability in language competence. This was seen to especially hinder the progress of older migrant students. Many schoolchildren have exposure to a language other than English at home. Clearly there are also many migrant children who do not need EAL support, but as one teacher suggested variation in accent can also lead to a pupil being singled out for bullying or exclusion by some children."

Germany

Most of the interviewed teachers expect their pupils to speak and write German almost fluently. Teacher 5 even says that language skills should be "one hundred percent".

## **2.2 Legal restrictions**

In general, there are strong expectations that children with immigrant background should speak the national language (this is not only a question of a potential level of performance but also a question of some degree of compatibility with "us").

**Germany**

**A1nGL**

"German school law revolves around the notion of an ideal typical pupil that has no migrant background, grew up with one language – German, and was socialized in a linguistically and culturally homogenous society."

Education is obligatory for national and religious minorities, such as Danes, Serbs or Jews and for children of immigrants with a residence permit."

"Traditionally, a more ethnocentric approach is still present. This asks children to "examine" the alien culture and thus to learn about it in order to be able to distinguish one's own culture from it. Socio-political and economic dimensions are left out."

**A1n1**

One possible disadvantage for migrant children can be seen in the subject 'Heimat- und Sachkunde'. Although comprising a rather broad range of issues, one component is also about regional and local traditions and customs. This may be significantly less accessible for

migrant children. Teachers say that this component is not to the disadvantage of migrants as this is the place where intercultural education is practiced.

#### A1r(1)

There are only few schools which offer preparation classes. If pupils with migrant background live in a part of town without any school that has preparation classes these pupils have to move to a school with such classes.

#### A1r(2)

In theory there is also the established institution of support hours. The idea is that schools get a contingent of hours during which a second teacher joins the class, which allows more didactical differentiation within the class. This would be very useful in a multicultural setting. In practice, however, school staff is often too small anyway so that this contingent is used to maintain the standard classes.

There is no strategy of the school administration to recruit teachers with a migrant background for regular classes. The fact that teachers are employed as civil servants, which requires German citizenship, does not pose an insurmountable problem, as a representative of the school administration stated. Teachers of different nationality could be hired as public employees as well.

One possible disadvantage for migrant children can be seen in the subject 'Heimat- und Sachkunde'. Although comprising a rather broad range of issues, one component is also about regional and local traditions and customs. This may be significantly less accessible for migrant children. Teachers say that this component is not to the disadvantage of migrants as this is the place where intercultural education is practiced.

### **France**

#### **A1n+(2)**

This may in part be attributed to the ideological premises upon which National Education in France was founded – uniform (universal), equal and secular education for all children - and the concurrent denial or repression of any and all references to differential treatment, be it in the interest of eradicating discrimination or inequalities, on the basis of 'racial', 'ethnic', 'religious' or 'national' origins.

[This in part depends on what to be considered as + (positive). A universal and uniform education can be negative in many respects for people from other countries...Masoud]

No, there are no differences, as they are civil servants. And the same goes for short-term teachers, because salary and promotion scales are neutral in public and private schools – most private schools sign a contract with French state.

Moreover, the specific focus and problem formulation in the policy documents reflect the changing definition of the place to be allotted to children of migrants in French society in general and in the schooling system in particular. For instance, during the period known as the "glorious thirty years", immigrants from North Africa, the Antilles and francophone Africa were welcome in different sectors of the labour market and the schooling system willingly accommodated the children who arrived in the context of immigration of migrants' next of kin.

**A1n(2)**

In keeping with the Republican imperatives of promoting national unity and secularity, pressure is placed on individuals to assimilate into secular society ‘as individual citizens’.

This may in part be attributed to the ideological premises upon which National Education in France was founded – uniform (universal), equal and secular education for all children - and the concurrent denial or repression of any and all references to differential treatment, be it in the interest of eradicating discrimination or inequalities, on the basis of ‘racial’, ‘ethnic’, ‘religious’ or ‘national’ origins. (Of course, a universal and uniform educational system may function negatively in many respects, particularly for those with immigrant backgrounds (as well as natives) who do not fit in).

**A1r(2)**

Nevertheless, it is relatively closed to them because, far from the ideal which portrayed the school as a haven of equality within an unequal society, far removed from the social, economic, political and ‘racist’ tensions that traverse society, the school has become increasingly permeable to these tensions and problems. Moreover, rather than fulfilling its mandate as a vehicle for promoting social equality among the working classes, the school has become a place where learners and educators grapple with the complexity of broader social problems of inequality, discrimination and violence, produced and re-produced in its midst. Religion has also become a problematic issue. All this makes the success of immigrants difficult in French school.

**Italy**

However, there are still some cases of children who do not have an Italian citizenship and who are not able to attend compulsory school, or are forced to go to schools that are far away from their homes.

In general, though, the teacher body is not prepared to assess the previous competences of the young foreign students or to recognize the studies done in their country of origin. On the teachers’ part there is a lack of understanding and knowledge of these difficulties. There are teachers who do everything possible to give the foreign students equal opportunities, whereas others demand that they pick up with the other students quickly.

**Cyprus**

Teacher 3 stated, “As far as I know Greek universities or university of Cyprus nationality play a significant factor. For other countries I am not sure”.

The principal mentioned that he doesn’t know but “I feel that Cypriots will have an advantage”.

### 2.3 Procedures and Differentiated Programs of Study

The most crucial problem here seems to be the so called program segregation. For instance in France and in Sweden migrant pupils often choose practical programs after the compulsory school. This, of course leads to another problem that result in causes unequal opportunities; immigrants are more often working in low-paid branches.

#### France

There is program-separation after 15 years old: all pupils attend a single middle school and are oriented towards a mainstream or a vocational stream in senior high school, both of which lead to matriculation certificates. But pupils with immigrant background are overrepresented in practical programs. As a consequence, they suffer more from exclusion and have access to lower paid jobs.

#### Poland

The School is said to be highly open to immigrant success. The Principal says that Vietnamese children try to enter the school because of the opinion that the school demonstrates no discrimination. In every class there are two children that do not have to pay the fee. These are either Polish orphans, children from poor families living near the School and/or refugees. The Doctor compared The Raszynska School to other Polish schools her children used to attend in the past. In her opinion the teachers in other schools had not paid any attention to her children. Whereas, the Raszynska School is completely different where the pupils with problems are taken special care of. The director told the story about a certain refugee girl from Afghanistan whose parents had wanted to move on to one of the Western European countries, but she changed their minds saying that she wanted to finish her education in the Raszynska School.

#### Sweden

##### A1n

"The school principal says the school is far above average, but that there still are some things they should improve. The preparatory classes for newly arrived immigrant pupils could be shorter. Then the pupils could get in contact with Swedish pupils sooner, and this would improve their knowledge in Swedish." (p. 24).

##### A1p

"All the other informants tell that the teachers use different kinds of level tests, so that they can place the pupils in different groups. This praxis can, in some cases, possibly be discriminating against pupils with immigrant background, especially against those who have been in Sweden for a shorter time, and therefore have a poorer language knowledge: "The disadvantage of this assessment procedure is that new immigrants... they may not understand the questions, they do not have that good language knowledge" (employee with immigrant background)" (p. 25)

"Also the school counselors believes that pupils with immigrant background more often want to be hairdressers or car engineers and so on, but he says he tries to make them to look for other possibilities. He also thinks that the program-separation is something negative: "It fixes

these structures where immigrants work in service occupations instead of getting educations and becoming academics.” (p. 30)

### **Cyprus**

Teacher 1 and the principal said that discrimination is taking place against immigrants during the assessment procedure.

### **England**

#### **A1n+1**

“Interviewees mentioned the increasing number of tests all children are required to sit in response to this question. The suggestion was that frequent written assessment from early on in Primary Schools (for 5-11 year olds) can compound any issues migrant pupils are experiencing with respect to acclimatizing to in some cases a new school, language and culture.”

### **France**

There is program-separation after 15 years old: all pupils attend a single middle school and are oriented towards a mainstream or a vocational stream in senior high school, both of which lead to matriculation certificates. But pupils with immigrant background are overrepresented in practical programs. As a consequence, they suffer more from exclusion and have access to lower paid jobs.

## **2.4 Institutional Agents Affecting Students’ Options and Educational Choices**

In countries where program selection and segregation occurs, the gate-keepers in schools play a significant role. So is the situation for example in France and Sweden, as the following quotations illustrate. In general, one could say, that gate-keepers like school counselors often do not give enough support to migrant pupils, which leads to further segregation in the wider society.

### **Sweden**

“On the other hand, he means, the immigrant parents often do not know which choices there are to continue the education; therefore the school counselors plays a very important role. “ (p. 30)

”Also the school counselors believes that pupils with immigrant background more often want to be hairdressers or car engineers and so on, but he says he tries to make them to look for other possibilities. He also thinks that the program-separation is something negative: “It fixes (*låser fast*) these structures where immigrants work in service occupations instead of getting educations and becoming academics.” (p. 30)

“For many Swedish children who come from educated families... these children know that they should study at the university --- For immigrant children it is not in this way, because

their parents cannot tell them there are student's unions at the university. Many of them have studied in their home countries; then they have no idea of the Swedish university system works. Instead, immigrant parents who are educated encourage their children, of course... but there is no guide... It can happen that the teachers do not encourage, they do not take on this role." (p. 32)

### *England*

#### *A2i*

However, individual teachers or even schools were not really identified as the agents of such discrimination; rather answers were focused on systematic differentiation and discrimination: 'We see the statistics: we know that in the ENGLAND in general that for example Bangladeshi kids don't do as well in school exams than Chinese kids. Answering why is very difficult though – my own personal opinion is that there are many related processes that create these inequalities [...] it's not always a teacher picking on a child' (LED 6).

### **Sweden**

"One of the representatives of organisations says the program-separation has negative consequences. The immigrants do not get same success in the society. "They are being programmed (to believe) that they cannot manage as well as the Swedes." (p. 30)

"The school principal claims that immigrant pupils, to a great extent, are influenced by their parents. "These Syrian youngsters, they are... Many of these families are shopkeepers. They have kiosks, pizzerias, kebab restaurants and so on. And some of them are hairdressers, and especially the girls. And a great part of the younger generation is influenced by this business. --- And therefore they choose to study the business program, or the hair dresser program, because of the tradition." (p. 40)

## **2. 5 Derived or Indirect Discrimination**

In the French and the English reports one can identify some certain examples of indirect or derived preference, as the following quotations show. But in general, this seems not to be a common form of discrimination mechanism in the education system.

### **France**

The attempts made by parents to avoid schooling their children in disqualified priority education area schools or in classes with low-achievers and slow-learners, were also found to contribute towards the "fabrication of classes" within a school. School heads faced with the flight of those pupils whose parents can either afford to school them in the private sector or who have access to existing means of having their children transferred from disqualified schools within their residential areas, tend to unofficially endorse practices that allow the creation of internal divisions among "good" and "bad" classes. By analysing the composition of class profiles in inner-city schools, Payet found that pupils' origins constitute an important criterion in their strategic allocation to "good" or "bad" classes within the same section. According to him, those classes that have few if any low-achievers or slow-learners are also those in which girls and pupils born to French parents are over-represented; conversely, those classes in which low-achievers and slow-learners are concentrated are those in which boys and pupils born to non-French parents are over-represented.

**ENGLAND****A2i**

Although those working in the education system all commented on the desirability of having teachers representative of the migrant communities, there was the suggestion that it was very difficult for this to happen in practice. Problems in transferring qualifications, mentioned elsewhere in the report, compounded issues of exclusion in this regard.

**2.6 Statistical Discrimination****Poland**

Every interviewee claims that the Chechens are not interested in the Polish education and they make no educational choices. One may say that their only educational choice is not to study at all. The important role of the father figure in the patriarchal Chechen family has been already mentioned. The principal says that in case of Polish parents, the ones who usually visit him are women. In case of the Chechen community, it is opposite - he has never spoken to a Chechen mother. It is the father's decision, if the child is to study or not.

### 3. Stereotypes and Status Differentiation

Stereotypes are widespread. Many are relatively innocent, although annoying to some immigrants. They are understood by natives and some migrants as playful. But in some contexts they may play a role in determining fate in work and education.

Several stereotypes are used by gate-keepers in schools, especially in Sweden and Germany. Most of the stereotypes are based on prejudices; migrant pupils are often described as unrespectful, cocky and loud, while Swedish pupils are described as respectful and kind. But in some cases the teachers seem to have a more positive picture of migrant girls, or certain migrant groups. Therefore, one even could find some evidence of hierarchization (see 8.2 Hierarchization among immigrant groups).

#### Sweden

So believes the school counselor: “There may exist a negative expectation --- But the experience that immigrant boys... that they are bully or disrespectful. I mean, some of them... but it is a small part of them --- I mean, even I have prejudices. It clearly is true that you look at the immigrant pupils with different... I mean you have some kind of prejudice any way, and then you expect some kind of behaviour that you may get confirmed several times. Immigrant lads, that they are cocky and disrespectful, and that they say whatever they want to... and behave badly, I mean distinguish themselves in a negative way. But it is, of course, a game they learned to play... they think they are what everybody expects them to be, and then they give them what they want... You often can see that it is a theatre...” (p. 26).

“The school principal says there is a risk for gender-based stereotypes of immigrant pupils, for example there is a common understanding that immigrant girls are forced in arranged marriage.” (p. 31)

“One of the organisation representatives says there hardly can be such stereotypes, because these gatekeepers are professionals, and therefore they are conscious about these stereotypes.” (p. 31)

“The representative of parent child organisation says there are many old school books used in the Swedish schools, and in these books alien cultures often are presented in an old-fashioned way, but according to her the language used in these books is not a problem: “ There are books where you can read that people who have brown skin, and curly hair are called niggers. But it is a nigger; it does not mean it is something negative. It is the same as me being a bitch.” (p. 33).

“The school principal refers to social competence as the most important skill; for him the term social competence handles about meeting other people with respect. He also adds that it is more difficult for pupils with immigrant background to have this knowledge: “The more far from Sweden you have come, or the more out of the Swedish society, the more you “swing” the less respect you show --- and this is something that strikes back onto the (immigrant) group, and therefore it can be one of the arguments for xenophobia, or the attitude among young people, that you can create your picture of some groups based on how they behave themselves.” (p. 36)

“The school counselor says it is a problem to have many newly immigrated pupils: “Of course it becomes a problem for all other pupils, not in every group but --- It is like this; if you walk in a classroom where maybe five pupils out of twenty-five do not adapt themselves... who I know behave themselves in a horrible way. If only their parents knew about this, they would hurry out of here. It is just a bitter reality. It is like that. But it does not have to be a religion but... but it is like a tendency, it is just how it is... and it is... When you think about the Swedish pupils, they are so terrific polite.” (p. 37)

“Swedish pupils, they have another attitude. They cut classes and go out of here... Pupils with immigrant background, they cause troubles. They do not cut classes. It is seldom... one and another time. But they cause troubles in the classrooms. And that is cultural, how they... It is acceptable in their culture. I do not know why.” (p. 40)

“The school counselor tells us about a case where she got accused: “I remember it handled about a jacket once... it was a boy who would do his practical training at a painter firm and of course he had a quite new jacket... And then I say to them that they must have working clothes...and then comes the father with a great hullabaloo and speaks about a new jacket he bought for very expensive money... And I explain that the rules are like that.... But okay, I say... And in this situation I know that I was a racist, this I know.... But I continued and I said like this; okay I will tell about this for the pupils... And then we compensated the jacket... Of course we did so... and then we were very kind because... We will explain a little better about the working clothes... But I do not remember exactly when, but that time I was a racist.” (p. 41)

“The school principal does not think the gatekeepers have any stereotypes, because they have so many contacts with immigrants. He thinks there is a bigger risk for stereotypes in homogeny Swedish schools where they do not have these natural contacts with foreign cultures. In general he says: “It is easy to generalise and use such stereotypes, because it is easier to do so. Sometimes you may want to confirm a prejudice you have, and then you might say, yes, look at them, they all are like that. And that is what happens when these cocky lads behave themselves in a certain way. And what they cause to their own group is that other start to generalise.” (p. 42)

“The school career consult thinks there should be a will among immigrants to assimilate in the Swedish society; if there is no such will, the bigger the problems.” (p. 36)

”Also the school counselors believes that pupils with immigrant background more often want to be hairdressers or car engineers and so on, but he says he tries to make them to look for other possibilities. He also thinks that the program-separation is something negative: “It fixes these structures where immigrants work in service occupations instead of getting educations and becoming academics.” (p. 30)

## **Germany**

The view that migrant children themselves are problematic is unique to Augsburg as opposed to Leipzig. In Leipzig only parents were made responsible for school related problems of migrant children. This view was also present in Augsburg:

Teachers (2,3,4) from schools located in poor neighbourhoods, bemoaned missing cultural skills of their pupils. This may be more a matter of class background in the first place,

however, in their view. The bottom line of this is that children do not get the support they need in their families. One teacher (2), for instance, expressed much sympathy for the deprived environments of many migrant children in the neighbourhood of her school. She referred to ‘different mentality and culture of migrants’ – an often made assumption in Germany (see also workpackage 1 for these widespread assumptions): “This different mentality, this absolutely different mentality, yes, it, it begins with books, that they simply have no books at home, and that one does not read to one another, and that one does not yet not have a reading culture and no playing culture, yes, there are no games in those households, and it, I simply tell myself, we always assume us Germans, yes, that the children are simply not being supported at home, of course, sub-consciously, they do not know it differently, yes, there is much more information and work with parents necessary.”

In contrast to Leipzig, there are several schools in Augsburg where migrant children constitute majorities in the classrooms. Two of the three schools represented in this study belong to this category. They have an image of ‘problem’ schools [Brennpunktschule], that is they are characterized by a rough climate. They are located in less affluent or even poor neighbourhoods. This negative image results in further segregation processes as parents either move away into a different neighbourhood or send their children to one of the few private, e.g. ecclesiastical schools, as the teachers of those two schools reported. Many parents seem to fear for the successful education of their children if they attend a school with many migrants. Other fears are about stigmatisation when graduating from an “infamous” school or about acquiring language deficits when intermingled with too many migrant children.

Teachers believe that parents fail to support their children sufficiently. Another stereotype may be that migrant children are problematic in many respects. This pertained particularly to the lack of cultural capital. The focus on language-related aspects for deciding about transition to secondary schools was shown to be used as an indicator for intellectual ability. As this confuses language skills with intellectual faculties, a stereotypical view of migrants as deficient emerges. In this vein, there is also a stereotype that migrant children will not make it anyway on higher school tracks and that their failure is imminent. Therefore in some cases they do not get the chance to demonstrate their potential.

Teachers in Leipzig say that they do not discriminate and they say they have positive images of most migrants’ children (except for pupils from Afghanistan and Iraq). At the same time they apply the same evaluation criteria in assessing the achievements of migrants and German children, use pejorative words, such as chinks [Schlitzauge] or ‘exotics’ [Exoten], and blame migrant parents for the failures of some migrant children. They say they feel left alone with the task of integration. Their university education and work experience in the GDR did not prepare them for handling migrants’ children. They feel too tired/overburdened to educate themselves or to seek out absentee-parents on their own, yet do not take courses which could have helped them to do the integrating better.

All teachers remarked on culturally different expectations and behaviour among pupils with Arabic background (gender separation or avoidance of certain food). They perceive these cultural patterns negatively and bring forward these arguments against people with Arab background. For example, teacher 5 believes that people with an Islamic creed are dangerous

## **ENGLAND**

‘Some ‘gatekeepers’ will have the same prejudices about pupils as the rest of the population’

One interviewee was a newly-qualified teacher who mentioned the diversity training she had attended, but also contrasted this with attitudes in the staff common room, where teachers discuss pupils in an informal way. While she did not explicitly suggest that such discussions were ever prejudiced in tone and content, the fact that she raised them in response to this question is perhaps revealing. Many studies have focused on how such ‘canteen culture’ serves to reproduce an institution’s social and cultural profile in informal ways.

### Italy

The president of the Berardi Association believes that stereotypes are diffused; sometimes the teachers call to receive help saying: “ I’ve got a little Chinese here....”.

The mediators think that, a part from some teenagers who come from rather open-minded families, Italian teenagers are generally racist. Moreover, the foreign students only look for each other in their ethnic community. There are proper gangs (specifically, those made up of Latin Americans and Philipinos) who are different and isolated from each other. A strong stereotype regards coloured people. Mechanisms of “ scale” are created between people differently “coloured”; those who have lighter skin colour discriminates those who have got darker skin. A nomad is more discriminated than coloured people, especially the Slavic nomad, who is avoided by everybody.

Chinese migrants, the most prevalent group in the school, excel in sciences and mathematics, where their performance is better than that of Italian pupils and this fact is appreciated by the teachers. They show respect towards teachers’ role and of institutions in general, they are disciplined and do not quarrel therefore IP A says, with irony: “most of my teachers declares that they would like to have only Chinese students!... it seems that a kind of prejudice against Neapolitan students is creeping in”.

One IP says that, since 2 years ago, the school, in cooperation with academic professors, is conducting a socio-political analysis of the countries of origin of the students: Russian, Englandrainian or Chinese students are very respectful of rules, obedient and have a strong perception of the role of the headmaster or the teacher. This cannot be said about Italian students. “they recognize roles that we recognized 50 years ago”.

*IP “A” says that yes, it can always happen: “we all carry stereotypes, there are people who rely more or less on them, but it is purely subjective”. But the school chooses these instrumental functions with reference to professional skills that are developed on the field and through educational paths, some of them very complex and demanding, –he adds – they are non organic paths because it is not based on teachers training and therefore the way one teaches or perform additional functions personality is a big factor. It is not the school’s fault but it is the fault of the Italian education system.*

*As far as stereotypes are concerned, one of the IPs says that he is aware of them: there have been many problems in the areas of Secondigliano, Scarpia etc. where there were lots of cases of strong discrimination inside the school, both from teaching personnel, students and families: stereotypes meant that migrants stole, are dirty therefore they are a nuisance, they are not very intelligent and perform poorly.*

One of the IPs, however, says that he notes a slight stereotype: to introduce a character in books as ‘the other’, because of the colour of the skin, when he say that this is a difference noted more by adults than children and that children perceive this image from their external environment. Or that there is a tendency to accentuate differences by proposing interaction in a homogenizing way, but he says that this is a slight tendency and not very obvious.

### **Poland**

Many refugee pupils have not attended school for a few years because of the war situation in Chechnya. It is very hard for them to get used to the everyday school life. Cultural differences were mentioned earlier. Chechens appear to be a very traditional Muslim community. There are huge differences between the role of a male and a female figure in their culture. Girls in opinion of the history teacher are good students who try to work hard but they have many duties in the camp. They are expected by their families to take care of their younger siblings so they cannot attend classes regularly. Boys do not feel that school is important for their future career. The school pedagogue says that Chechen boys do not pay any respect to female teachers. They are immensely interested in sports but they treat it too seriously. In general it is impossible to compare Polish and Chechen pupils, because they achieve much weaker results.

**Every interviewee claims that the Chechens are not interested in the Polish education and they make no educational choices. One may say that their only educational choice is not to study at all. The important role of the father figure in the patriarchal Chechen family has been already mentioned. The principal says that in case of Polish parents, the ones who usually visit him are women. In case of the Chechen community, it is opposite - he has never spoken to a Chechen mother. It is the father’s decision, if the child is to study or not.**

### **Cyprus**

The principal made a comment on teachers that “they are free people and don’t rely on stereotypes”. Teacher 1 referred to people working for ZEP and he said that it depends on the individual but people working for ZEP are great people. Teacher 2 referred to people working for ZEP and said that there are “No negative stereotypes. There are some positive stereotypes that these students behaviour is more appropriate than our children (Cypriots)”.

There are stereotypes most of them regarding their behaviour and their discipline. They are considered to be aggressive and fight a lot. Teachers admit that they were prejudiced before coming to this school. “I used to believe that Pontians are only good for manual jobs: builders, plasters, waiters and hotel room service providers.

### **Rank Ordering (Hierarchization) of Immigrant Groups**

Migrants from some countries have higher status than certain groups with bad image. In some cases one even can claim that certain minorities have more rights than other minority groups, as national and religious minorities in Germany. Hierarchization can even be identified in Sweden, ENGLAND, Italy, and Poland.

### **Sweden**

”The school principal says it could depend on how long time the immigrant pupils have been in Sweden. The pupils who have not been in Sweden for that long time, he adds, have problems in learning the language, and they are doomed to have lower marks because of this. But on the other hand, there are many children with immigrant background, he says, who succeed very well in the school. The psychological consult says it handles about social problems, but that there also are some immigrant groups who perform poorly. One of these problem groups, she claims, is the Roma. They have had several Roma pupils in this school who have not ended their education. She believes this group do not see the importance of school. Further, she says, that immigrant girls do not get enough support from their parents to continue their education.” (p. 39)

### **Germany**

Education is obligatory for national and religious minorities, such as Danes, Sorbs or Jews and for children of immigrants with a residence permit.

there is full status religious education for a variety of Christian denominations as well as for Jewish pupils but not for Muslims.

teachers remark on differences in school performance between different groups of migrants. For example, children of Russian Resettlers and of Vietnamese background are described as diligent and willing, whereas children from Afghanistan or Iraq seem to have problems due to their education system in their home countries.

Children from Russia or Vietnam are seen as more motivated and harder working than the German children.

All teachers remarked on culturally different expectations and behaviour among pupils with Arabic background (gender separation or avoidance of certain food). They perceive these cultural patterns negatively and bring forward these arguments against people with Arab background. For example, teacher 5 believes that people with an Islamic creed are dangerous

### **ENGLAND**

one newly-qualified teacher that ‘I think you should also distinguish between different groups... Chinese children are very hard-working and conscientious’ (LED 1).

‘We see the statistics: we know that in the ENGLAND in general that for example Bangladeshi kids don’t do as well in school exams than Chinese kids. Answering why is very difficult though – my own personal opinion is that there are many related processes that create these inequalities [...] it’s not always a teacher picking on a child’ (LED 6).

### **Italy**

Chinese migrants, the most prevalent group in the school, excel in sciences and mathematics, where their performance is better than that of Italian pupils and this fact is appreciated by the teachers. They show respect towards teachers’ role and of institutions in general, they are disciplined and do not quarrel therefore IP A says, with irony: “most of my teachers declares that they would like to have only Chinese students!... it seems that a kind of prejudice against Neapolitan students is creeping in”.

One IP says that, since 2 years ago, the school, in cooperation with academic professors, is conducting a socio-political analysis of the countries of origin of the students: Russian, Englandrainian or Chinese students are very respectful of rules, obedient and have a strong perception of the role of the headmaster or the teacher. This cannot be said about Italian students. “they recognize roles that we recognized 50 years ago”.

## **Poland**

The Vietnamese children are considered very good pupils. They are especially smart at Math and Science. They have some problems with Humanities. They usually do not understand nuances of sophisticated literature or history but they work very hard on it. The Polish teacher says that they are given very high marks in Polish literature because they remember all he has said but in his opinion they sometimes do not understand what they have learned. Children from the former USSR countries have some problems - especially the ones from Chechnya but there is some special help organized for them. Some of them have had to repeat the class but everyone is sure that eventually they will be able to finish their education.

The Vietnamese have no problems entering the universities. They often become students of prestigious faculties as economy or information technology. It is not so easy to pass the university entrance exams for other groups of immigrants, especially the refugees.

## **4. Spillover discrimination**

*Spillover discrimination occurs in several countries. To go to a segregated school have often negative consequences for pupils. Migrant pupils from segregated problem areas do not have same possibilities to continue their education at a higher level because they get lower marks in the school, and they even manage worse in the labour market. These kinds of problems are reported especially from Sweden, but even from Germany, France and Italy.*

## **5. Other Mechanisms**

### **5.1 Human and social capital factors**

Following example from Sweden illustrates how the program-segregation affects migrant pupils.

#### **Sweden**

“One of the representatives of organisations says the program-separation has negative consequences. The immigrants do not get same the success in the society. “They are being programmed (to believe) that they cannot manage as well as the Swedes.” (p. 30)

#### **Sweden**

“The school counselor thinks there should be a will among immigrants to assimilate in the Swedish society; if there is no such will, the bigger the problems.” (p. 36)

Sweden

The teacher with immigrant background agrees with the school counselors, but he does not think the problem is that immigrants do not finish their education; he says pupils with immigrant background often are totally uninterested in the school. He also believes there are differences between schools in segregated areas and other schools: “It is very bad. For instance in schools where the pupil’s parents have high status, they perform a much better. I even have seen some numbers. Here we have very few who are qualified and continue on to upper secondary school.” (p. 29).

## **France**

Today, educational inequalities relate to language acquisition, socio-economic disadvantage and discrimination, and the problems these pose for the learner, the class, the educators and the schooling system, continue to be addressed within these broadly-defined blanket policies. More recently, Sensitive Schools created in 1993 and Educational Priority Networks (REP) in 1997 continue to define priority education in terms of target sites where the population is most at risk for schooling difficulties, failure or dropout, as well as violence, deviance and delinquency.

Yes because pupils are not selected at the entry of universities. But it is more difficult for immigrants to succeed in them. Access to different types of senior high school orientations and entry to prestigious tertiary education institutions is still largely determined by parents’ socio-professional status. A recent polemic was raised when a prestigious tertiary institution in Paris, Science-Po. implemented a positive discrimination policy in an endeavour to make the establishment accessible to school-leavers from Priority Education Areas. The need for such measures and the uproar it created attest both to the discriminatory practices that continue to place such institutions out of the reach of the ordinary scholar and to the reticence at reforming elitist institutions such as these that continue to be considered representative of French ‘intellectual distinction’.

Concerning the situation for foreign university students in France – i. e. students who came to France after secondary school -, at present, official statistics of foreign students in French universities are based solely on nationality, which makes it difficult to gain a sociological understanding of the phenomenon of student migration.

Yes for stipendiums and study-loans because their obtention is mainly based on parents’ resources. Nationality is not a significant factor, except sociologically.

A1r+

## **Germany**

Teachers believe that parents fail to support their children sufficiently. Another stereotype may be that migrant children are problematic in many respects. This pertained particularly to the lack of cultural capital. The focus on language-related aspects for deciding about transition to secondary schools was shown to be used as an indicator for intellectual ability. As this confuses language skills with intellectual faculties, a stereotypical view of migrants as deficient emerges. In this vein, there is also a stereotype that migrant children will not make it anyway on higher school tracks and that their failure is imminent. Therefore in some cases they do not get the chance to demonstrate their potential.

## 5.2 Networks

### INSERT

#### 5.3 Collective Resources (made available or not)

##### Sweden

##### A1r

(+) "All of them we talked with say that schools with high proportion with immigrant background get more resources than other schools. "Yes, those schools who have many immigrant pupils get more money. They get money for teaching, extra money... they receive something that is called extra support." (employee with immigrant background) So says even the school principal: "We have quite much money for duties, for children with other mother tongue than Swedish. We get an additional coin. All schools get an extra coin for children with special needs." But they also think that there should be even more resources in segregated schools." (p. 26).

##### A1r(1)

A fourth and last factor is "the ethnicisation of the schooling market". As with all markets in a liberal economic system, the school market requires legible criteria for qualifying the offer and demand. In a context where the choice of school has come to represent a crucial factor for the quality of schooling, the "reputation" of schools and other visible factors such as the proportion of foreign, non-European scholars, are used as a short-cut for determining the quality of a school. Schools located in underprivileged areas have to concentrate more on discipline rather than on teaching. That is why French educational policies may be easily criticized.

"The other problem has to do with the immigrant teachers' education, and their lack of insight in the Swedish school system. The school principal thinks immigrant teachers with engineer education from their home countries, who have done a one-year complement teachers' education in Sweden, are not considered to have enough knowledge of how the school system works in Sweden: "And sometimes there has been teachers with engineer education from the former Soviet and from Russia. And then they have been one year in Sweden to get this educational competence. But they still do lack this deep understanding for the Swedish school system; how teachers function in relation to pupils, what kind of relation we have. Not this authoritarian, as it may have been there ---" (p. 38)

##### England

"It was suggested that there were huge differences in school's resources. Although these differences were more complex than would first appear, and as was also the case in Liverpool, funding is linked to the number of pupils a school has as well as its achievement in league tables. The 'education market', as one teacher referred to it, disadvantages those from poorer areas who have less opportunity to go to the better schools that will be outside these residential areas. This means that those pupils, especially new migrants who will possibly find themselves living in the less affluent areas of the city, and accordingly, registered in the less well-resourced schools."

##### Germany

There are only few schools which offer preparation classes. If pupils with migrant background live in a part of town without any school that has preparation classes these pupils have to move to a school with such classes.

All teachers say that they were never trained to teach pupils with migrant background.

### **Italy**

Having a higher number of immigrant students does not mean having more resources . The Ministerial circular 40 of 6<sup>th</sup> April 2004 “ Incentivating measures for educational projects for areas at risk and strong migration processes against scholastic dispersion” is the latest in order of time: it witnesses that the money is given out partly all over\_ and partly according to the project making of the schools.

### **France**

A1r(2)

The public school depends on territorial factors, such as being zoned for schools in one's residential area. It has created “ghetto schools”, notably because many affluent families get round the law.

In the 1980s, the Ministry of National education has adopted a *policy of positive discrimination* in favour of priority areas, in order to reduce the impact of social inequality on educational achievement. Educational Priority Areas (ZEP) were created in 1981 for the benefit of all pupils – schooled in primary, junior high and senior (mainstream and vocational) high schools - living in socio-economically and culturally disadvantaged environments. These educational priority areas represent a grouping of schools defined by the Rector of each school academy, on the basis of socio-economic (the employment status of parents and rate of unemployment in the area), cultural (the proportion of foreigners or ‘ethnic’ minorities frequenting the school) and school (rates of failure, dropout, absenteeism, violence, disciplinary problems) criteria. Schools zoned as priority education areas are allotted additional staff, teaching and financial resources, intended to reinforce existing educational activities and facilitate the implementation of innovative locally-based initiatives. This policy aims to address inequalities in schooling for pupils living in areas where educational problems are created or compounded by socio-cultural factors. The Republican injunction regarding the provision for differential treatment on the basis of ‘ethnic’ or other origins meant that the policy had to be formulated in general terms – as addressing the educational needs or difficulties of all children whose disadvantaged social, economic or ‘cultural’ situation hinders their achievement or integration within the schooling system.

### **Sweden**

“In general, schools with high proportion of pupils with immigrant background have worse conditions, and therefore the pupils in these schools get lower marks, says the school principal.” (p. 40)

”But we hear a different opinion from the school counselors. He believes immigrants are over represented among those pupils who do not finish their education, even at this school. Also in

general, he thinks, there are differences between schools with high proportion of immigrant pupils and schools with majority of native pupils: It absolutely is in that way. In this area it is between seventy and eighty per cent who reach the goals. In the inner city it is hundred per cent.”

“Nearly all of the authorities think that school segregation leads to some kinds of problems. The school principal says there is a boarder for how many immigrants they can manage: “It is enlightening to a certain boarder, but when you pass this boarder it becomes a weight, because then it will lead to that some pupils will choose some other school, I mean when Swedish families choose another school, because we have too many children whose parents are of immigrant background. I mean, it could lead to a risk for conflicts, that they are different, and all this... But there also are parents with immigrant background who choose another school when they see this language development.” According to the school principal the school now has come close to this boarder.” (p. 37)

### **Germany**

Until today there is no widely recognized institution to train this kind of teachers. Conceivable as a solution could be a Muslim university comparable to the Jewish University in Heidelberg or the establishing of professorial chairs for Muslim theology at regular universities. Lacking authoritative Muslim institutions, recruitment for this kind of positions remains problematic, however.

Segregated schools suffer from image problems that cause native German parents to avoid these schools.

The general German pattern of migrant children being over represented in the lower secondary tracks and underrepresented in the higher ones has been found on the local level of Augsburg as well.

### **France**

Yes. They are bound to have low-paid jobs and then to reproduce inequalities within French society.

### **Italy**

According to Carta only gypsies live inside barb wire, in nomad camps. One cannot speak in general of segregation, but of discrimination because the risk of exclusion is high, even though the current legislation and organization try to plan integration in mixed classes.

In nursery, primary and secondary schools there is a big increase of Italian families who take their children to the schools of their choice, whereas foreigners (and Italian families with low income) send their children to the most convenient school for the family needs. The high number of foreign students impoverishes the image of the school, so that Italian parents are worried and think that the presence of many foreigners could slow down the curricula. The risk is that teachers think that they cannot expect good results from the class, automatically assuming that the qualitative level that can be reached is low. In this way, problematic cases are all concentrated in the same schools or classes (the so called “bin classes”) and there is a

chance of going towards "the risk of a second generation social bomb". This opinion is confirmed by the teachers.

**Conclusions (INCOMPLETE)**

As the citations above show, there are institutional arrangements that work to the disadvantage of migrant pupils in the European school systems. The mechanisms of differentiation and discrimination operating on different levels result in inequality between native and migrant pupils. In several countries pupils with immigrant background do not have the possibility to study their home language. Further there seems to be a sort of program-segregation, for instance in Sweden and France, that has a negative impact on migrants, opportunities for academic type careers. Pupils with migrant background do not get enough support when doing their choices of further education. Therefore they are often channelled to more practical programs, which reduces their chances to pursue higher education and results in their only obtaining jobs in low-paid branches.

Other typical forms of discrimination in the field of education seem to be stereotypes used of migrant pupils. Examples from, especially, Germany and Sweden show that pupils with immigrant background in general do not get as much support as native pupils. Further, the examples illustrate the problematic attitude among teachers against certain immigrant groups; they are seen as dis-respectful and loud. But one could even claim that there are certain forms of hierarchization, or at least tendencies to rank different immigrant groups. A number of examples from, for instance, Germany illustrate the problem of hierarchization. Even spillover discrimination can be identified in some countries, for instance in Sweden and Germany.

**CHAPTER V. VARIATIONS WITHIN COUNTRIES: CITIES AND SECTORS**

**(1) General differences in a particular country and possible explanations**

**(2) Institutional comparative perspectives between cities: each of the institutional areas (analyses and conclusions)**

## CHAPTER VI COMPARATIVE EUROPEAN PERSPECTIVE

(a) General observations: Mechanisms of institutional discrimination.<sup>15</sup> Similarities and differences in a general comparative international perspective.

(b) counter-mechanisms?

(c) comparing institutions: schools, public workplaces, private workplaces, labor market organizations.

(d) cultural-institutional differences:

- Germany, Austria (and probably Cyprus and Poland) have an ethnic definition of the nation and its citizens (although Cyprus is obviously a multi-cultural society). This translates culturally and institutionally into a tendency not to facilitate either the entry or the inclusion of migrants within the national community. This makes for a difficult operating context for pro-migrant or anti-racist agents.
- France has a strong civic, individualized definition of citizen and the nation of citizens (equality is a strong norm of “nationhood”). France’s homogenizing conception of citizenship tends to formally exclude non-citizens. People with immigrant background may be treated right and properly once they are citizens, and, in that sense, it is highly inclusive as is Sweden. This makes for more “universalistic” movements (for instance, NGOs) to make the system work. Yet, **informally**, there may be systematic discrimination of 2<sup>nd</sup> generation North Africans (who are French citizens).
- Britain and Sweden have a more multi-cultural, (and apparently) tolerant conception. England puts a stress on individuals and their rights (this is also emerging in Sweden also but one cannot claim an effective functioning system grounded on such principles). Sweden adds something to the multi-cultural conception, namely a strong norm of welfare inclusiveness (which is **not** typically Anglo-Saxon but rather corporatist). Immigrants were to be drawn into this system – however, as we show in WP5, they did not fit neatly into the package, and this motivated adjustments and transformations. Cognitively, England has its “Asians” or “Afro-Caribbeans”, etc.
- Italy is a challenging case, truly paradoxical and inconsistent. Is it a residual category? It has some of the French, civic conception of citizenship. But it also has a strongly pluralist understanding, given its regions, its distinct populations (foods, wines, lifestyles, etc., etc.) and historical struggles. Still, what does it add up to.

Note that the problems of second generation people, especially young people, is defined as a problem everywhere. This calls for a special treatment.

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<sup>15</sup> Ultimately, development of a typology.

## CHAPTER VII EXPRESSIONS OF DENIAL ABOUT DISCRIMINATION

Throughout our interviews, there were expressions of denial that discrimination was taken place. We might have taken this at face value, but there have been other studies and also other interview persons who stressed the level and the pervasiveness of discrimination against many if not most immigrants.

This sparked an interest on our part in identifying some of the discourses of denial.

### 1. Private Workplaces

#### France

(+/-)

In the case of a well-known multi-national company that was involved in a discrimination scandal in France: In response to the question, “if in your organization there are stereotypes and prejudices about those with immigrant background, the IPs were unanimous in answering the question negatively. An interesting aspect is their **overall reaction to the interview guide**: the majority of all respondents – leaders and employees alike – acted as if they were very surprised by the questions which puzzled them because they were so different from their personal experience at MSC. As we said before, such attitude is clearly not consistent with the public image of the company, which is often described as “racist” – no matter the reality of such accusation.

#### Germany

A typical example of denial in Germany is that the unemployment is as high among natives as among migrants. Therefore, no discrimination occurs. Everything is about the situation on the German labour market. In France and in Britain the denials are of a bit different nature; in these countries one tries not to explain, but instead emphasises that there is no discrimination.

According to a manager (2), no differences are being made between migrant and non-migrant job-seekers. What counts in the first place, she described, is the actual qualification. This notwithstanding, she would make a distinction in a situation where a German and a candidate abroad have matching qualifications and where she would have to fly the foreign candidate

The head of the medium-size company has talked about the problems of promoting a migrant employee to become a supervisor. This was described in greater detail under question 16. It is not quite clear from that in how far such problems might somehow influence similar decisions in the future. In the reported case, however, he did promote the migrant employee. Also, he pointed out, that qualifications are the prime criterion for such decisions.

Differences between natives and those with migrant background according to the opportunities available for further training and education are denied by all but one interviewees. Those interviewees say that further training and education is provided to everyone. However, the head of personnel in the medium-sized company 2 says that those

migrants employed in their incoming goods department only obtain further training concerning their workplace (see also question 22).

### **France**

No such factors were identified by the respondents, who explained that the corporate policies encourage mobility and progression within the company: “We prefer to hire people at entry-level jobs, and then have them progress.” (WPR1). So the factors limiting or blocking career opportunities for employees with immigrant background should be looked after either in structural aspects of the career designs within MSC, or in unspoken discriminatory practices on the part of specific gate-keepers. The latter was mentioned by WPR4 when she described the difficulties that she experienced while trying to promote diversity in the various departments of the store where the interviews were conducted. The question did not seem to raise a lot of interest on the part of the supervisors – and it was clear from our own interviews that employees were not interested in discussing the possibilities of discriminatory patterns within the company. She provided an explanation for such result: “People generally do not care about such topics. Either they do not feel that they are concerned by them, or they already know that they do not like Black people.” Therefore, we validate the result that structural discrimination is clearly a blind spot for actors, who cannot envision it outside the frame of active racism.

## **2. LABOR MARKET MEDIATORS**

### **FRANCE**

It was difficult to obtain an answer to such a question by public labor market mediators such as LB1 or LB4, because they refuse to discuss issues regarding migrants except legal ones – emphasizing that only legal migrants are entitled to institutional guidance and aid – and the language issues for foreigners. LB1: *“The criteria of migration is not being taken into account, provided that the person is legally residing in France.”*

The statistics do not take ethnicity into account as a variable, since it is illegal to do so in France (see WP1): however, observation made at the Mission before the interview showed that there seemed to be a majority of people with a migrant background in the applicants, so we can assume that these results are verified also for job seekers with a migrant background.

His reluctance to discuss the ethnicity-related aspects of the difficulties experimented by the youth aided by the Mission mirrors the position of the French administration on this topic. As we stressed out in WP1, it is illegal to establish population statistics including ethnicity as a variable, since nationality is considered to be the only trait legitimate to characterize the French. One important finding of WP4 is that this official position on the issue of ethnicity is widely shared among civil servants (see the report on Paris Public Sector).

The respondents seemed to be unsettled by the very notion of “migrant”. Many of them were not willing to discuss diversity-related issues in those terms, and displayed such tactics to avoid them as stating for instance that all French people are of migrant origin.

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However, issues regarding the attitude of employers towards diversity – except in the extreme and hyperbolic case of the “racist employer”- were avoided. We can here hypothesize that this stance adopted by public labor market mediators both reproduces stereotypes about some migrant populations – the ones belonging to the underclass - and contributes to hiding it by avoiding the issue of ethnicity altogether.

This procedure entails regular meetings between the applicant, the counselor and the employer. Every issue can be tackled, LB1 said, but *“He [the counselor] won’t let issues related to immigration be evoked in the meeting. If behavioral problems are mentioned, yes; they can be worked out pedagogically.”*

For instance, they will not talk of discriminatory recruitment practices unless some overt racist comments have been reported by trustworthy informers.

The issue of foreign – or underclass – accents (see the report on Paris Private Organization n°1) was not discussed by respondents who did not acknowledge it as a potential issue for migrants, except in the most extreme cases when it renders communication impossible. This was not consistent with the results obtained during interviews with leaders in private organizations, who explained very clearly how certain accents could operate as hindrances for people with a migrant background. We can hypothesize that public labor market mediators are reluctant to acknowledge certain issues regarding the employment of people of migrant origin when institutional discriminatory practices are at stake. Although nearly all the respondents mentioned the existence of “racist employers”- without naming one - , they do not seem to be willing to discuss less overt forms of discriminatory recruitment patterns.

Most respondents did not answer this question clearly. Public labor market mediators were very reluctant to discuss matters pertaining to ethnicity in the first place and acted as if they were color-blind towards the employers they meet – when they happen to have such contact, which never occurred for LB4, only in rare occasions for LB1 and LB3. *“There must be some”*, they generally added.

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The importance of appearance in placement was acknowledged by respondents from the public sector only indirectly, after a first reaction of denial.

## ENGLAND

Both of the Liverpool interviewees suggested that their organization was *relatively* open to finding employment for migrants. With further questioning it became apparent that relative was the key word here, with participants defining their organization in comparison to other agencies that they claimed to have a very poor record of finding employment for migrants. Tellingly though, neither of the Liverpool interviewees identified any concrete instances of their company's good practice in this regard.

The interviewees both identified their organization as Above Average (also see Q. 3).

### 3. School Systems

*Different forms of denial of discrimination are widely used in several countries. In Sweden a typical example is to claim that the school does a lot for diversity, even though that is not the case in practical level. In ENGLAND many kinds of forms of denial are been used; for instance using statistic and non-statistic can be identified. Even in Germany and Cyprus denial is been used by gate-keepers in schools.*

#### Sweden

“According to the school principal the school have two or four teachers with immigrant background. There also are many teachers who are married to immigrants. The teacher with immigrant background says that he is the only teacher with immigrant background working in this school. The school career guide says there are two teachers with immigrant background out of total fifty-five teachers.” (p. 27)

“The only one who could answer this question was the school principal. He says they get economic resources based on how many pupils they have, and that there are no other resources. On the other side, he adds, different kinds of background factors are taken in account: “They also look at some background factors... the parent's (immigrant) background and education level, and based on this the schools get different kinds of resources. And then we get much money compared to other schools.” (p. 37)

”The school principal claims there is a great interest in recruiting teachers with immigrant background. He also says he rather would hire a teacher with immigrant background if he could choose between two teachers with equal applications. But he adds that he in that case assumes that the teacher in question has his/her education validated in Sweden. A further demand is that the teacher has knowledge of both immigrant pupil's culture and the Swedish culture.” (p. 28).

#### England

IPs working with schools authorities suggested highly open or relatively open to migrants. While most could think of at least a few instances of discrimination taking place in their institution, they felt that relative to other schools, that their record in this regard was a strong one.

one newly-qualified teacher that ‘I think you should also distinguish between different groups... Chinese children are very hard-working and conscientious’ (LED 1).

#### *Using class-explanation for denial:*

The key consideration here is that schools with a relatively high proportion of migrant pupils tend to be in poorer areas, have a large pupil:staff ratio, and will be under-funded in general. The argument presented by those working in schools was that differences in resources should not be explained with reference to the number of pupils with a migrant background, but the other way around; in other words due to social inequalities outside the education system,

some migrant pupils are within the catchment areas of poorly resourced schools. As migrants tend to be concentrated in urban areas, with more recent migrants to the ENGLAND often in poor quality housing stock in less affluent inner-city areas, the suggestion from some interviewees was that children of migrants, and especially some more recent migrants to the ENGLAND, will tend to be in less-well resourced schools whose catchment areas to draw pupils from is the inner city areas. Those working in schools also suggested that these schools tend to have a higher turnover of staff than is average, which compounds many of the issues outlined here.

Again, as suggested in the answer to the previous question, schools being segregated between migrant and non-migrant pupils not really an issue as such; the key question is one of under-funded, and inequalities associated with social class, gender, ethnicity, and (sometimes) migrant status in society in general. Those working in the education sector were reluctant to identify segregation *per se* in schools.

Again, it was suggested that the extent to which any separation does exist can be explained not only by migrant status, but also with reference to social class and gender.

*Using 'no statistics' for denial:*

LED 2 said it was very difficult to get a representative balance in the staff group with regard to migrant background as well as gender, ethnicity, etc. There were no specific policies in place to increase the number of teachers from a migrant background.

*Using 'improvement' as denial:*

It was suggested that, at an impressionistic level, due to increased numbers of students in the university system, that migrant students have greater opportunities to enter higher education than they did in the past.

Everyone connected with schools authorities suggested highly open or relatively open, with the response of MED 4 a head teacher from Manchester, typical in this regard: 'I don't think that any fair minded person could say that this school is racist'. However, more nuanced questioning revealed that all of those employed by schools, or in positions that had significant dealings with schools, could think of at least a few instances of discrimination taking place. Only one interviewee, a Parent Governor MED 4, steadfastly refused to accept the existence of *any* discrimination against migrants in the school, arguing that 'I think that the teachers at this school are absolutely brilliant and they do treat all the children as equally as possible. Of course you are always going to get naughty kids and good kids, clever kids and not too clever kids, that's obvious, but that's just the way things are'.

All IPs responded strongly to the suggestion that schools were in any way 'segregated' between migrant and non-migrant pupils. Again, as suggested in the answer to the previous question, schools being segregated between migrant and non-migrant pupils not really an issue as such; the key question is one of under funded, and inequalities associated with social class, gender, ethnicity, and (sometimes) migrant status in society in general. Those working in the education sector were reluctant to identify segregation *per se* in schools.

Although those working in the education system all commented on the desirability of having teachers representative of the migrant communities, there was the suggestion that it was very difficult for this to happen in practice. Problems in transferring qualifications, mentioned elsewhere in the report, compounded issues of exclusion in this regard.

However, individual teachers or even schools were not really identified as the agents of such discrimination; rather there were answers that focused on systematic discrimination: ‘We see the statistics: we know that in the ENGLAND in general that for example Bangladeshi kids don’t do as well in school exams than Chinese kids. Answering why is very difficult though – my own personal opinion is that there are many related processes that create these inequalities [...] it’s not always a teacher picking on a child’ (LED 6).

### **Germany**

Teachers in Leipzig say that they do not discriminate and they say they have positive images of most migrants’ children (except for pupils from Afghanistan and Iraq). At the same time they apply the same evaluation criteria in assessing the achievements of migrants and German children, use pejorative words, such as chinks [Schlitzauge] or ‘exotics’ [Exoten], and blame migrant parents for the failures of some migrant children. They say they feel left alone with the task of integration. Their university education and work experience in the GDR did not prepare them for handling migrants’ children. They feel too tired/overburdened to educate themselves or to seek out absentee-parents on their own, yet do not take courses which could have helped them to do the integrating better.

Our interviewees from non-governmental organisations deny any discrimination by teachers. They blame parents with migrant background for support failure.

One possible disadvantage for migrant children can be seen in the subject ‘Heimat- und Sachkunde’. Although comprising a rather broad range of issues, one component is also about regional and local traditions and customs. This may be significantly less accessible for migrant children. Teachers say that this component is not to the disadvantage of migrants as this is the place where intercultural education is practiced.

### **Cyprus**

However, the principal pointed out that discrimination is not taking place through assessment procedure but it’s the system that can discriminate. “No discrimination against these children. I believe is the system. Although the ministry helped us a lot we all see with disappointment that the results are not what we all expected”.

### **France**

Many of the schools which fall within priority education areas or networks cater to an overly high proportion of immigrant children and French children of immigrant descent. Paradoxically, however, the failure to recognise the “minority” status of these populations, while simultaneously deploying educational resources to improve their schooling outcomes, means that individuals continue to be exposed to implicit forms of discrimination (segregation, ethnicisation and stigmatisation) that interact with educational outcomes without these factors being taken into account in official policy.

## CHAPTER VIII RESIGNATION, SELF-SELECTION, AND ACCEPTANCE OF LESS QUALIFIED JOBS

- Also acceptance of jobs below qualification level (possibly under varying degrees of persuasion, pressure, etc.
- examples of withdrawal, refusal.

### *Italy*

Almost all migrants fill unskilled jobs even if they are better qualified. However in some unspecialized sectors – porters, conciergeries, agriculture, - migrants are preferred to Italians because they can sleep at the workplace, work longer hours than prescribed by law and they are more exploitable.

In more traditional farms sometimes migrants from Maghreb are preferred because the traditional farming techniques – not industrialized – that they know are the same as those used by old farmers who still work the land.

One IP mentions the case of migrants from Eastern Europe, with degrees and better education, who study Italian and learn it well but nevertheless do under-qualified jobs: old people carers, cleaning and construction jobs etc.

Everyone agrees that specific skills and linguistic competence are perceived to be an obstacle, although not the main one, above all for a career path more than for the first access to the job market.

### **Austria**

According to IPs' knowledge, Black African migrants are forced to do low-status jobs more often than representatives of other migrant groups. Contrary to social-wide beliefs, migrants from Arabic countries are rarely placed in low-status jobs.

Self-selection on the part of immigrants (withdrawal, refusal) or acceptance of a low-paying job, or jobs below the qualifications of the applicant

### **Poland**

*In the Polish case immigrants feel it is impossible for them to get an employment in the Polish labour market. Therefore many of them start to run a company:*

### Germany

Only the head of personnel from the medium-sized company 2 says that they employ many migrants in unskilled jobs who are actually highly qualified. According to her, on the one hand, this is due to the worse situation on the labour market for migrants. High unemployment rates in eastern Germany make it difficult for migrants to find work that matches their education. This problem is also reported by the university professor (see informants' report / Leipzig) about Eastern Europeans. On the other hand, those migrants want to earn money to

build up their existence in Germany. Thus, even highly qualified migrants start to work in this company because it is a good opportunity to earn money.

Migrants from former Yugoslavia constitute another example. Many refugees who came to Austria during the Balkan war gained excellent education at home but are now engaged in unqualified jobs. Of course, for some professions, it is generally very difficult to get adequate positions in Austria, as is the case with e.g. lawyers: “A Bosnian lawyer studied Bosnian law. It’s very difficult to get proper nostrifications for certificates and without doing some practical training at an Austrian court - no Austrian lawyer will recruit you.” (VIE/2/1).

### **France**

C1p+ C7

all civil servant must have the French nationality is the statutory case of foreign doctors working as nurses (FFI, Operating in place of a Nurse) in French hospitals, including Avicenne. This exception is due to both the exile of highly specialized doctors from countries affected by military conflicts and/or economic crisis and to the shortage in nurses experienced by French public hospitals now. After a three-month training, these doctors can then try and pass the competitive exam to become nurses. WPU1 expressed mixed feelings regarding this specific category of personnel: “*These people received a very high educational level in Irak, Palestine, Afghanistan, because these universities produce very good doctors. We need nurses so badly in France. However, it must be hard to be a doctor in one country and to become a nurse in another one.*” She added that a good share of all doctors in Avicenne were of migrant origin themselves, but did not further comment on this aspect.

C1r, C7

The only obvious case of qualified immigrants working as unqualified agents is the one of foreign doctors working as nurses. They must go through a training of several months before obtaining a short-term contract as agents working in place of a nurse. At the end of this period of internship, their competences are evaluated again, and they can pass the competitive exam to become qualified nurses: even though they were already professional doctors in their home country, WPU3 explained that only 4 out of 25 people in the same situation eventually became nurses working in a permanent position. Among the reason which might explain such a high rate of failure she mentioned the difficulty for them to work under the authority of a female supervisor or to adjust to specific working shifts.

C1n, C1r, C1r+

However, WPU1 explained that employees working with short-term contracts are becoming increasingly numerous, which indicates a trend toward precariousness in hospitals as in the French public sector in general. For instance, there are 50 hospital agents (low-level assistants) working on short-term contracts in Avicenne. WPU1 noted that employees with a migrant background were more likely to found in supporting functions in the hospital – such as catering and transportation – than in top level management. Therefore, the increasing differentiation between short-term and permanent positions in fact equates with the one between natives and migrants, since migrants have no legal possibility of becoming statutory civil servants. One way of keeping them inside the organization and therefore of limiting turn-over is to hire them on a short-term basis one contract after another, which is usually illegal in France. However, the shortage in employees – specially in healthcare assistant positions – renders this strategy more commonplace, therefore widening the gap between the high

security of employment experienced by civil servants – which was said to be the primary motivation for which people with a migrant background applied for the competitive exams – and a stable category of precarious workers.

#### GERMANY

One IP (job mediator 2) says that many migrants are graduates of schools of higher learning but cannot find work. He says: “Most of them [migrants] have higher degrees but can’t find work.“ But he also says that migrants tend to take unqualified jobs rather than Germans: „Let me say, the migrants, actually they are, according to their claims, not that ambitious as ours. They are more frugal. They rather take badly paid jobs than our Germans. These say, [...] for that money I better stay at home.” (Ger)

#### FRANCE

newcomers could integrate more easily the job market than second-generation migrants, because they are assigned to certain types of jobs which second-generation refuse.

LB1 and LB2 agreed on the fact that sectors in which there has been traditionally a high rate of “migrant workers” now suffer from a bad image amongst second-generation migrants. Such is the case for construction work, in which LB2 stated that there were good opportunities for people of migrant origin to find a job even though the working conditions were hard. LB1 explains the position of young people coming to the Mission : “ *Their fathers and uncles have already been there. They will go there by default because there are jobs available.*” The same is true, he added, for catering where there are job opportunities but where job seekers know that the salaries, working conditions and career opportunities are poor.

Both interviewees here disagreed: LB1 stated that young people were not interested in secondary work (paint, plumbing), when LB2 explained the contrary, namely that they tended to avoid the harder work of heavy construction.

People working within dispositives of aided employment tend to be underprivileged people with an immigrant background, or people perceived as such – see for instance in WP2 the discussion between highly qualified second-generation migrants who expressed their bitterness to be assigned this role of the person who needs aid. LB3 explained that one major task for mediators trying to improve the employment of immigrants was to help them get out of the sector of aided employment. One characteristic of this sector of aided employment is that it is “*accompanied*”, i.e. that there are regular contacts between the employer and the public institution administrating the program. As we saw previously, this feature can be considered by some respondents to be an asset for unqualified people of migrant origin with no experience, since it reduces the risks involved for employers in the signature of a regular work contract by allowing the possibility to put an end to the contract if the results are not satisfactory. However, LB1 explained that this accompaniment should be a light one: too many contacts between a counselor and an employer could work to the disadvantage of the new employee because this does not match with usual corporate procedures. We can see here that there are few means by which labor market mediators can assess the future career of an applicant once they have been hired by a company: they share the opinion that the employer should keep his/her discretionary power in this regard.

## CHAPTER VIII CONCLUSIONS.<sup>16</sup> (a preliminary beginning)

We have identified a number of mechanisms that underlie systematic differentiation and discrimination against people of immigrant background. What is striking is the range and diversity of mechanisms. Because there are multiple mechanisms, it is a robust (“over-determined”) system. This would explain the difficulties in bringing about change in the short to medium run, particularly through merely “legislating” a change.

(1) There are legal, normative, and procedural constraints – undoubtedly in some cases illegal according to EU legislation and policies. But changes these is time and resource consuming, even if there is a will. Institutions are complex systems of rules which are difficult and slow to transform. Change is typically incremental and inconsistent. Changes must be discussed and analyzed. New rules formulated are typically compromises. So, even new pressures and policies do not readily translate into substantial changes in institutional functioning (such institutional inertia operates also in response to a politically changed climate supporting anti-immigrant policies).

**(2) There are institutionalized power and authority positions whose incumbents act as “gatekeepers”**, that is decision-makers determining access to positions, resources, careers, privileges, etc. They exercise fate control and determine people’s life chances. They have substantial responsibility for processes of definition, stigmatisation and exclusion/inclusion of immigrants in labor markets, workplaces, and educational systems. At best, they may have good intentions toward migrants and use their positions in constructive ways. But they may or may not be aware of the unintended consequences of some of their well-intentioned efforts. At worse, they may be bigots and racists who use their positions to discriminate and exclude. Many, however, are relatively innocent as individuals. They are acting out their roles making use of cultural stereotypes and characterizations to make their decisions (which they consider professionally or ethically appropriate).

(3) Powerful groups and interests – even if not racist or xenophobic – have their own agendas and programs to which they give priority over systematic reduction of discriminatory policies and practices. That is, other – not necessarily opposing – values, interests, and institutions are operating.

(4) There may be considerable openness to new non-discriminatory policy proposals and programs as long as they do not “rock the boat,” disturbing institutional functioning and authority as well as everyday operations. Informally, employers and their managers prefer to recruit “culturally competent” and “reliable” employees, especially in sensitive jobs dealing with the public or in key policy or legal areas.

(5) Even with successful *formal* changes in an institution establishing non-discriminatory policies and principles, there are or emerge informal rules and practices based in some cases on deep cultural understandings and values pervading the institution as well as society in

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<sup>16</sup> The following notes are based on recent work on rules, rule systems, and rule dynamics as a basis of institutional analysis (Burns and Carson, 2003, 2004; also, additional notes (Burns, 2004) prepared for Xenophob project; in addition, the work of the legal scholar, Frederick Schauer on rules as generalizations, discrimination, and injustice is of considerable importance in bridging research and policy).

contradictory or opposing ways. For instance, everyday classification and interpretative schemes typically operate in a discriminatory manner. The term “immigrant” (both its formal and informal expressions) serves to maintain and reproduce certain discriminatory concepts and practices, for instance those conducted in a paternalistic fashion that “clientizes” immigrants.

(6) There are counter-mechanisms – increasing integration and including and opening up opportunities -- more in some countries such as Sweden, France, Italy and England than others (Austria, Cyprus, Germany). But the modal mechanisms differ from country to country, and also the same mechanism tends to operate differently in the different countries.

## APPENDIX 1: INSTITUTIONS

**1. Institution: definitions, models, etc.** An *institution* is a complex of relationships, roles, and norms, which constitute and regulate recurring interaction processes among participants in socially defined settings or domains. Any institution organizing people in such relationships may be conceptualized as an authoritative complex of rules or a *rule regime* (Burns et al. 1985; Burns and Flam 1987). Institutions are exemplified, for instance, by the family, the firm, government agency, markets, democratic associations, and religious communities. Each structures and regulates defined social relationships and interactions in particular ways; there is an interaction logic to a given institution. Each institution as a rule regime provides a systematic, meaningful basis for actors to orient to one another and to organize and regulate their interactions, to frame, interpret, and to analyze their performances, and to produce particular commentaries and discourses, criticisms and justifications relating to institutional performances, individual and collective. The regime consists of a cluster of social relationships, roles, norms "rules of the game", etc. It specifies generally who may or should participate, who is excluded, who may or should do what, when, where, and how it should be done, and in relation to whom. It organizes specified actor categories or roles vis-à-vis one another and defines their rights and obligations – including rules of command and obedience – and their access to and control over human and material resources.

More precisely: (1) An institution defines and constitutes a particular social order. It delineates positions and relationships, in part defining the actors (individuals and collectives) that are the legitimate or appropriate participants (who must, may, or might participate) in the domain, their rights and obligations vis-à-vis one another, and their access to and control over resources. In part, then it consists of a system of authority and power. (2) It organizes, coordinates, and regulates social interaction in a particular domain or domains, defining contexts – specific settings and times – for constituting the institutional domain or sphere. (3) It provides a normative basis for appropriate behavior, including the roles of the participants in that setting – their interactions and institutionalized games – taking place in the institutional domain. (4) The rule complex provides a cognitive basis for knowledgeable participants to interpret, understand and make sense of what goes on in the institutional domain. (5) It also provides core values, norms and beliefs that are referred to in normative discourses, the giving and asking of accounts, the criticism and exoneration of actions and outcomes in the institutional domain. Finally, (6) an institution defines a complex of potential normative equilibria, which function as “focal points” or “coordinators” (Schelling 1963; Burns and Gomolinska 2001; Burns and Roszkowska, 2003). The actors engaged in a given institution use their institutional knowledge of relationships, roles, norms, and procedures to guide and organize their perceptions, actions and interactions.

In sum, an institution consists of shared knowledge. This knowledge is used by participants to understand and interpret what is going on, to plan and simulate scenarios, and to refer to in making commentaries and in giving and asking for accounts.

## APPENDIX 2: METHODS

### 1. Overview of Investigations of Institutional Forms of Discrimination.

For the purposes of identifying institutional forms of discrimination, the following types of data were gathered. (1) Use was made of official documents, data banks, and reports including of course research reports. (2) Also, in-depth informant interviews were conducted with “issue-informants” and professionals including representatives of immigrant groups and other relevant NGOs. These interviews are intended to deepen our knowledge of patterns of labor market, work places, and educational systems (identified in the literature/data-set analysis (Workpackage 1)), the experiences and observations of immigrants (Workpackages 2 and 3). Finally, case studies involving interviews conducted in particular organizations were carried out. The total number of interviews for WP4 were 64 for each country, more or less 500 for the entire consortium.

#### **Institutional analyses:**

(1) **Direct Approach** (rich tradition of investigating organizations is a foundation. Even institutions such as markets have been investigated using ethnographic and organizational methods of investigation). First identify such institutions as places of works, schools and universities, hospitals and clinics, political parties, public services, police, courts. Second identify and select key persons and reliable informants (for instance, those in a position to observe and report on the functioning of the institution; this may include journalists, other researchers, as well as people who have retired from their positions in the institution). Third, prepare interview guides and, fourth, conduct interviews with selected interview persons. Additional methods are observation including participant observation (a major method of the “Chicago School”).

(2) **Indirect:** identifying and analysing inputs and outputs from particular institutions or institutional areas, for instance, the school or university system, labor markets, labor mediating organizations, etc. The data may be qualitative (reports, etc), but often is quantitative in character. In the case it is quantitative, one identifies differences (over time, convergence or divergence) between, for instance, categories of persons or groups and their entry, advancement, resource levels obtained, etc.. Since one typically does not have direct data on the mechanisms (decision-making, selection processes, etc) that produce the differences uses techniques such as “decomposition” to explain the differences. One procedure to eliminate explanations in terms of human capital, differential opportunities because of region or occupation, and other “legitimate determinants of social, economic, and other gains or rewards. These factors are eliminated as explanations. As Pettigrew and Taylor (2002:2) indicate, “The residual segment not demonstrably linked to “legitimate” determinants of the outcomes often is presented as the estimate of discrimination (see several labor market analyses of WP1). However, without better information than usually available and closer agreement on what constitutes discrimination, no unique estimate of discrimination is possible. The choice of control variables to index “legitimate” determinants of social outcomes shapes the answers. Any appearance of scientific certitude is an illusion. No surprisingly, discrimination estimates from this approach vary enormously....The regression decomposition approach is useful but limited. Regression analyses could provide more pertinent information if based on more homogeneous job groups and structural equation models that test reciprocal causation. ...Research that **traces the actual processes of**

**institutional discrimination is essential** (see Braddock and McPartland, 1987), that is, the direct methods.

**Cultural formations.** There are several approaches here. Through interviews with reliable informants as well as those who articulate policies, programs, ideas, norms, understandings, e.g., those interviewed in positions of gate-keepers in different institutional settings. They make distinctions, articulate normative ideas, utilize common strategies. Note that these elements do not belong specifically to a given institution. Indeed, they may contradict principles, rules and regulations, procedures of a given institution (e.g., whose policy is anti-discriminatory, but people in key positions operate with stereotypes and assumptions that have discriminatory consequences).

**Institutional Case Studies.** Here the aim was to achieve the highest level of contextualization. This entails conducting interviews of a few persons in a given organization – for instance, interviewing those directly involved in employment, labor market assistance and education.

(1) So, the task has been to identify appropriate organizations and to conduct interviews at these selected organizations in 2 cities on possible institutional discrimination. The organizations relate to the designated **areas of labor markets, workplaces, and educational systems**. The cities, whenever possible, were the the same as the focus group cities.

(2) institutional forms of discrimination were investigated then by focusing on organizations that provide or limit access to jobs, positions, careers, education, advanced education and other resources and valuables in labor markets, work places, and educational systems. The organizations are labor market mediating organizations, employers, and schools – **these were organizations having some degree of contact with immigrants**.

(3A) In each city **private and public labor market mediating organizations** were identified and one of each was selected and interviews were conducted at each of the two organizations in two cities.

<b>There were a total of 4 such interviews..</b>
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(3B) Similarly, in each city **major private and public employers were identified and one of each selected. 7 interviews were conducted at each place of employment**. The aim was to meet and interview in each workplace key person(s) involved in personal administration and recruitment policy (3 IPs, for instance, head of personal administration, the CEO, and a key union representative) as well as at least 4 employees (a qualified native and a qualified immigrant (if there is one)and unqualified natives and immigrants (1 of each). If the employer has a labor union, one interview was conducted with a labor union representative, including any representative responsible for recruitment or dealing with immigrants.

<b>The total number of interviews for Task 3B was 28 interviews=7 x 4.</b>
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(The elite interviews provided a basis for identifying employers that would be relevant for Task 3B). For instance, cases of discrimination might have been brought against the employers. Such cases would then contribute material to the specification and analysis of mechanisms of discrimination).

(3C) **In each city, a school was selected.** The schools selected were those playing a key role in “transitions” that have advancement implications, for instance, where entry to programs (special programs) takes place. In Sweden, the transition takes place at the middle level between primary and gymnasium (9<sup>th</sup> grade or mellanstadiet). 3 interviews were conducted at each school with key school representatives (including “gate-keepers”). Also, interviews were conducted with representatives of parent-child associations and immigrant organizations or NGOs involved in (and knowledgeable about) the school. That is,

All in all a **total of 12 = 6 + 6 interviews** for the two schools

**“Informant” Interviews were conducted (10 in each of two cities).** The interviews were intended to obtain information about institutional structures, mechanisms, and discriminatory patterns. The cities were expected to be those where focus groups studies have been conducted.

There were two aims here. First, we tried through the interviews to give flesh to the qualitative and quantitative patterns identified in Workpackage 1, for instance, the context of the organizational studies, but also specific patterns and instances. Second, the interviews were to help us identify concrete institutional mechanisms operating to the disadvantage (as well as to the advantage) of immigrants relative to natives. Issues and patterns of interest as well as some of the key explanatory factors are reported here the discussion of “labor market and workplaces” as well as “school” settings.

Interviews were directed at two target groups: (1) leaders/spokespersons of minorities as well as key persons in engaged NGOs dealing with immigrant issues such as anti-discrimination; (2) journalists, policy-makers, labor unions with knowledge about patterns of discrimination and exclusion in the cities and sectors were investigated (and also patterns of openness).

In each city, 10 such interviews were conducted (more or less 5 + 5 distributed between the two groups), covering different organizations and different types of roles and informantise. That is, a total of 20 such interviews.

The interview persons (IPs) were questioned about patterns identified in WP1 as well as about the mechanisms that would explain these patterns (including non-discriminatory factors such as self-selection, “human capital,” “social capital”). The questions provided in the interview guide for the “informant interviews” specify several key indicators of patterns and discriminatory mechanisms with respect to labor markets, workplaces, and educational systems.

All in all a **total of 20 = 10 + 10 interviews** were conducted in each country (10 in each city)

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