

Solidarity meetings in Germany for dismissed shop worker

An interview with Emmely

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Last weekend a series of solidarity meetings were held across Germany for the shop worker Barbara E, known as Emmely.

Emmely had worked for 31 years as a cashier with the supermarket chain Kaiser's Tengelmann. She was sacked without notice in February 2008 for allegedly pocketing bottle coupons with a value of €1.30.

Her sacking has been upheld on no less than two occasions by industrial relation courts, and Emmely has since become a symbol of class justice in Germany. While huge salaries and bonuses have been handed out to bankers, and millionaire tax evaders are awarded probationary sentences, a female worker is dismissed on the mere suspicion of pocketing a pittance.

On July 28, the Federal Labor Court accepted an appeal by Emmely and permitted a revision of a court judgment made last February. Her case is now to be re-examined by either the Federal Labor Court or the Higher Labor Court of Berlin. This re-examination, however, will not deal with the main charge against Emmely, i.e., of pocketing the proceeds from the coupons, but rather additional charges by management that she lied in court and therefore violated the contract of confidence with her employer.

World Socialist Web Site reporters had an opportunity to speak to Emmely at a Berlin solidarity demonstration held at Rosa Luxemburg Place. Emmely is prepared to fight. She sees her own sacking in a broader political context. In the store where she worked, Emmely had led strike action to oppose management plans to cancel shift payments and regards her own dismissal as a warning to all employees.

“Colleagues told me that my picture had been hung

up in most branches” she said, “and if anything happened, reference was made to me. This was purely aimed at intimidation. I cannot prove it on the basis of photos, but I believe colleagues who have told me about it. They would have known what had been hung on their pin-board.”

Kaiser's Tengelmann has every reason to proceed against employees who are prepared to resist company intimidation. At the end of September management announced a new round of drastic measures against company staff. Jobs are to be reduced by the closure of selected stores, and remaining staff will be pressured to move to new jobs or accept shorter work hours.

In the remaining branches, just 70 percent of the jobs will be filled by qualified workers. The remaining work is to be performed by part-time and auxiliary workers. The trade unions and works council have already given their seal of approval to these plans.

The restructuring at Kaiser's is typical of the attacks being carried out against workers all over the world. This is one reason why Emmely has experienced such broad solidarity and support for her case. She showed us a book in which hundreds of supporters from across the world had sent greetings.

“I have experienced a great deal of solidarity and received letters, postcards and even books in which I am cited. I have also received personal items, not just from Germany, but also internationally—from Switzerland, Austria, France, London, Poland and the Czech Republic. The finest gift was a jewelry box from Angola which contained ritual implements aimed at giving strength and long life. I have also received an invitation to the 2011 Global Women's Congress in Venezuela. I have had solidarity from all over the

world.”

Yet Emmely is confronted with a hostile coalition consisting of her employer, the courts, the media and political circles. Emmely was shocked at the accusations made against her by a prominent legal academic, Professor Rieble, who described her as a notorious liar. She encountered a similar level of arrogance and contempt when she appeared in court.

“Rieble only interpreted that which was in the judgment,” Emmely said. “And that included charges which I have long since refuted—claims which I have denied from the outset.

“It was then claimed, however, that I had changed my story. But that is not true. I never changed my version of events and only sought to correct the accusations made against me. The opposing party can do what ever it wants, including defaming me, and I can do nothing. That is the problem with my notice to quit based on a suspicion. The employer can sack me without having to prove his suspicion. I, however, must prove everything—with dates, times, etc, etc. And then I am not allowed to give my own explanation of what could have taken place. I find that incredible.”

Emmely expects no support from the trade unions. The public service worker union Verdi is paying her legal fees, but apart from that, it has not lifted a finger to help her. The union has from the start tried to limit the case to purely legal issues and play down its political dimensions. This was why Emmely changed her attorney.

“The Verdi attorney carried out good work but made clear to me that he was not keen for the case to go public. Every time we left the courtroom he took me aside and said: ‘Whatever you do, do not go public.’ But I thought this was wrong, because my case was already public, with many different people already involved.”

Emmely rejects such efforts to restrain her. “If one resists, it is always political,” she said. “The union did not want that. At the beginning, they said: Yes, fight to defend your rights, we will try to help you. But when it came down to it, they did not help me.”

Emmely noted that the unions were not prepared to defend the rights of the workers they claimed to represent in the course of the strike of 2007-2008. The unions led the contract bargaining from the outset in such a manner that an unfavorable result was

inevitable. “The union concluded the negotiations so quickly that effective strike action was impossible,” she said. “They did not want to mobilize people. They just want to keep control.

“Actually, all of the unions should have combined together and called a general strike at that time in order to effect some change. But they all just did their own thing. It is necessary for all to work together—and on behalf of the employees, and not against the employees. Then the strikes would function differently. That cannot be done, however, with these trade unions.

“People must finally wake up to the fact that they have been messed around by the trade unions.”

She said she hoped that the union members who pay the dues will call the bureaucrats to account, and become active themselves. “Many more people who have similar problems have to stand up and take action,” she said.

Emmely’s warnings about the unions were confirmed by the fact that Verdi officially boycotted the solidarity demonstrations at the weekend. Nevertheless, her comments reveal a certain contradiction in her views on the role of the unions.

She is quite correct when she declares that the defense of jobs and worker’s rights “cannot be done with these trade unions.” However, rather than urging the unification of the existing unions, it is necessary to establish genuinely democratic workplace committees that operate completely independently of the structures and bodies of the unions. This is the standpoint put forward by the *World Socialist Web Site* in all of its interventions on behalf of Emmely and other victimized workers.



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