

Germany: Almost 2,000 lawsuits against Schlecker drugstore layoffs

Christoph Dreier
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The Verdi service sector trade union has made every effort to prevent the thousands of female employees sacked from the Schlecker drugstore chain from taking legal steps to secure their re-employment, or to at least claim just redundancy compensation. Nevertheless, some 2,000 of the 11,000 sacked workers have now appealed to the labour court.

The exact figures are still unknown, because most of those affected remain in employment until midnight on Friday. Well over 1,000 suits had been filed by Thursday. According to the *Rheinischer Post*, however, the insolvency administration assumes there will be no more than 2,000 legal appeals.

So far, it has not been determined how many of those involved had to submit their complaints via the union, because they are not entitled to legal aid or legal expense insurance. However, the *World Socialist Web Site* has received numerous letters from workers who no longer trust the Verdi attorneys and have instead organised independent legal counsel. One WSWS reader expressed her frustration with the union, commenting: “An (independent) attorney specialising in labour law hasn’t yet tried to bamboozle me (as happened with Verdi)”.

In fact, Verdi has never taken the part of employees in the insolvency proceedings, but rather sought from the very beginning to increase potential financial returns for a potential investor. First, the union tried to take the heat off Schlecker by pressuring employees to move into a so-called “transfer company”, thus renouncing their entitlement to both continued employment and severance pay.

When German states refused to fund such a transfer company, Verdi explicitly called on members not to proceed legally against their dismissal and even failed to sue for unpaid wages. Frank Bernhard, a Verdi negotiator, also cynically declared that any legal action against the company would endanger the jobs of the remaining employees.

In fact, Verdi functionaries fear that their own wheelings and dealings will come to light in the course of the legal proceedings now taking place. This is so because the suits relate mainly to the illegitimacy of the dismissals arising from the relevant works councils’ failure to comply with agreed workers’ redundancy arrangements. Numerous letters from Schlecker staff to the WSWS complain that these redundancy plans were manipulated unilaterally in favour of the works councils and their friends.

The fact that so many workers defied Verdi’s instruction is an expression of a deeply rooted distrust of the union and an important step towards independent industrial action on the part of the employees. “I want to defend myself, but don’t really know how to”, a Schlecker employee told the WSWS on Friday, adding, “Our works council is as hard-hearted as it goes. And the same goes for Verdi”.

The union is responding to this dissatisfaction by cooperating even more closely with the liquidator, Arndt Geiwitz. Both are currently discussing the “employees’ part” in the company’s reorganisation—as if 11,000 redundancies were not enough. In the cards are pay cuts of up to 15 percent for the remaining employees, as well as a waiver of Christmas and holiday bonuses. That would mean a trip to the job

centre for many part-time employees, because their wages would then be lower than the rate of the Hartz II unemployment benefit.

But it is also possible that the flood of litigation will now be used as an excuse for imposing even more far-reaching cuts and demanding a reduction in working hours and corresponding loss of pay.

Initial results of the talks are expected to be released next week. Until then, the employees will be intentionally kept in the dark about all the significant issues. Even though Verdi is represented in the two central bodies of the receivership, it refuses to inform the employees about the progress of negotiations.

So far, employees do not even know who has applied to become an investor. There were apparently five candidates, two of whom were shortlisted. A third, the investment group Penta, was described as a promising candidate, but withdrew its offer on Friday without giving any reasons.

The Schlecker women are purposely being left ignorant of the state of negotiations in order to weaken their position. The *World Socialist Web Site* and the Socialist Equality Party (Partei für Soziale Gleichheit, PSG) are therefore calling on all Schlecker employees to join forces in independent action committees that put an end to Verdi's negotiating mandate and demand, as a first step, the opening of all books and the disclosure of all negotiation agreements.



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