

Labour Minister calls on striking delivery riders at Gorillas in Berlin to form corporatist works council

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Last Tuesday, Federal Labour Minister Hubertus Heil of the Social Democratic Party (SPD) visited striking workers from the Gorillas delivery service in Berlin-Kreuzberg. He said at a subsequent press conference that he wanted to gain a picture of the “real situation” and the “concrete problems of the workers.”

The Labour Minister played buddy-buddy, approaching a group of Gorillas workers and shouting, “Which one of you is a rider?” He said he was very interested in hearing personally about their problems and why the protest actions had been going on for over four weeks. Surrounded by a large media contingent, the minister was briefed on employees’ miserable working conditions, which have been known for a long time. If the situation did not improve, the strikers should inform his office, he said. “Then we’ll meet again,” he shouted and rushed over to the media.

The minister’s short visit was political impudence. Hubertus Heil used the riders’ strike as a backdrop for a photo-op and election campaign appearance to portray himself and the SPD as opponents of extreme exploitation, although everyone knows the reverse is the case.

The SPD has been almost exclusively in charge of the Ministry of Labour and Social Affairs at the federal level for decades. Twenty years ago, in alliance with the Greens, it passed the “Hartz” laws, creating a low-wage sector that is now being used to attack pay and working conditions. Heil himself was on the executive committee of the SPD parliamentary group at the time and worked hard to push through the Hartz laws and labour market liberalisation.

Now he is concerned with keeping resistance to extreme exploitation under control. Heil and the SPD fear that the strike of the Gorillas riders could spread and become the starting point for a broad movement against sackings and wage and social cuts. This is because not only do the working conditions exist in many other delivery services and broadly in the so-called platform and gig economy, they are more and more being pushed through in traditional sectors of production and administration.

In this context, it is significant that Heil called several times

on the striking Gorillas workers to organise and form a corporatist works council. He reported that he discussed this with Gorillas management that same morning, explaining the importance of a works council. ‘I have a firm commitment from the management that they will not obstruct any works council election in the future,’ he told the riders, portraying this as an important success.

When asked by one of the strikers whether management had also made promises to improve safety at work and to pay wages on time and in full, Heil gave an evasive answer. He said that as a minister, he could not interfere directly in the dispute. That would contradict the autonomy of collective bargaining. Then he repeated, “That’s exactly why you need a works council, to make sure that the laws and collective agreements are respected.” He added that a works council was necessary to “ensure law and order in the workplace.”

This choice of words alone is revealing. The term “law and order” comes from security policy and is usually employed in connection with domestic powers and a police state. The fact that Heil equates the task of a works council with “law and order” goes to the heart of the matter. The election of a works council is intended to prevent spontaneous strikes and protests during working hours in the future—such as those currently taking place at Gorillas. A future works council would act as a company police force and ensure peace and order in the interest of the employers.

This is exactly what is currently taking place in industry and among administrative workers. Many companies, including those in the core industrial sectors of the auto industry and its suppliers, the electrical industry, steel processing, etc., have used the coronavirus pandemic as an opportunity to push through mass dismissals and wage cuts and impose worse working conditions. Portions of companies are outsourced, and workers are forced to labour under drastically worsened conditions.

The trade unions and their works council representatives play a decisive role in this process. They do not represent the workers, but the employers—and they are well paid for it. Hundreds of thousands of dismissals in the steel and metal

industries bear the signatures of the IG Metall union and its works council members. These so-called workers' representatives sit on corporate supervisory boards, collect high bonuses and work closely with management.

In Berlin, the Verdi union, in close cooperation with the SPD and Left Party, who form the state executive, has decimated public service jobs, privatised clinics, outsourced services and lowered wages at urban transit operator BVG.

To prevent the militancy of workers in the gig economy from combining with the growing resistance to mass layoffs and wage cuts in industrial companies, transport operations and administration, the government is pushing for works councils to be established in the "new economy" as well. This is the reason a so-called "Works Council Modernisation Act" was passed in the Bundestag (federal parliament) in May to facilitate the establishment of corporatist works councils.

The establishment of a works council at Gorillas would not improve the riders' situation, but make it worse. The spontaneous strikes and protests that have caused a great stir in recent weeks would be suppressed.

Minister Heil's visit has intensified the works council debate among the Gorillas workers. The fact that the minister and the management are in favour of electing a works council has made many strikers even more sceptical about this initiative. When asked by WSWs reporters what they thought of the minister's visit and what they thought of his call for the formation of a works council, some riders responded by saying, "Election campaigning—nothing else!" One added that he had not expected much anyway, but that the works council issue needed to be discussed again.

A representative of the Gorillas Workers Collective (GWC) said that any works council was only as good as the people who were elected and that if someone allowed himself to be bought by the employer, he would be voted out and replaced by someone else.

But this is not true. A works council is not a workers' council, nor is it representative of the employees' interests. It is a company body whose functioning, rights and duties are very precisely defined by law. The Works Constitution Act obliges a works council to "cooperate in a spirit of trust" in the interests of the company and to comply with all agreements. On many issues, a works council is subject to confidentiality. The works council is also prohibited from calling strikes and industrial action. Instead, it is obliged to work for the "good of the enterprise."

The formation of a works council would therefore not abolish the slave labour conditions at Gorillas but would contractually regulate and codify it. At the same time, it would be much more difficult to organise spontaneous strikes because during the term of a collective agreement there is a legal obligation to maintain the peace, i.e., a ban on strikes.

In spring, the Nahrung-Genuss-Gaststätten (NGG) union representing workers in food production and hospitality

proposed the formation of a works council and started talks with Gorillas workers in which they praised their own work to the skies.

But the reality is quite different. The NGG plays an important role in perpetuating the extreme exploitation in the industry. During the pandemic, these realities in the meat industry became known. Names like meat processors Tönnies are now synonymous with criminal drudgery in cold storage and the brutal treatment of workers. More than 1,500 Tönnies workers contracted COVID-19 last year. Time and again, health requirements were circumvented by restructuring the company. The NGG works council was involved in all these developments. The contract workers in the meat industry—which is the vast majority of the workforce—are systematically ignored by the union.

That the unions play a key role in pushing through the intensification of exploitation is an international development. Governments do their utmost to support them. A few months ago, US President Joe Biden called on Amazon workers in Alabama to join the RWDSU trade union. But the workers decided against it. The reactionary and corrupt role of the trade unions was too well known.

Wherever workers organise serious resistance, they are forced to do so in outright rebellion against the unions. Three times, Volvo Trucks workers in the US state of Virginia voted against a contract negotiated by the United Auto Workers (UAW), which included a massive deterioration in their conditions, and organised a five-week strike. The union then isolated the strike, tried to starve the workers out and pushed through the contract in the face of workers' opposition.

For these reasons, the Sozialistische Gleichheitspartei (Socialist Equality Party, SGP) strongly opposes the establishment of a works council at Gorillas.

At the gathering with Minister Heil on Tuesday, SGP members circulated a statement saying, "We propose another way: The creation of a rank-and-file committee based on the tradition of workers' councils (Arbeiterräte).

"Join together and elect trusted and respected colleagues to represent you and be accountable for their actions at all times.

"Contact colleagues in other service, production and administrative areas, exchange information and plan joint actions. Connect with workers in other countries, not to make slave labor tolerable and 'humanize' it, but to abolish it."



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