



## AGREE PROJECT

### Second Phase: Field Research

Latina. Italy



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## **A note on methodology**

This report presents the main findings of a field study on immigrant workers in the Pontina area, conducted from May to October 2014, during which two group interviews and 5 individual interviews were given to immigrant workers and 16 individual interviews to key actors.

It should be pointed out that our respondents' views are closely tied to the local contexts and areas in which they work. The issues highlighted concern the evolution of the phenomenon of exploitation of immigrant labour, emerging scenarios, relations with middlemen and employers, length of stay, living and working conditions, links with local crime; scope for action using tools available in law.

Apart from involving in-depth interviews, research was also carried out in immigrant meeting places, associations, cultural and political institutions that deal with immigrant problems, and trade unions.

In addition to key actors, we also focused on immigrant workers with above average length of stay, stability and roles other than that of a labourer. However, in the meeting places where we conducted participant observation, we also got to meet people who still have fragile existences and an undefined migratory future, and who do not speak or barely understand Italian. We also took into consideration the immigrants most at risk of being exploited - those without residence permits - mostly through other researchers / activists who provide help and support to this category of immigrants.

Interviews were arranged thanks to various networks of contacts made available to us by: FLAI-CGIL, InMigrazione, the Italian schools of Borgo Hermada and Pontinia - one run in collaboration with Auser and the other with Caritas -, and the NGO Progetto Diritti of Rome. The aim was to interview people with different experiences, with no pretension to representativeness or exemplarity.

The interviews collected make up a document enriched and supplemented by information on the conditions in which the interviews took place and the environment in which interviewees live and work, participant observation, and collaboration with key partners who have in depth knowledge of the living and working conditions of the Panjab Indian labourers in the Agro Pontino.

## 1. The local context<sup>1</sup>

### 1.1 The local production system

The economy of the Lazio region is overwhelmingly based on the service sector, thanks mainly to the dominant role played by the metropolitan area of the capital. The growth of Rome and its role have absorbed a great amount of human resources, leaving very little for the development of other sectors. Nor has there ever been any significant industrial development in the area. The structure of the Lazio economy is in general somewhat fragmented and underdeveloped, particularly in agriculture, where there are few processing industries for agricultural commodities, while those present are greatly fragmented. In fact, the sector is dominated by small businesses (the hallmark of almost all Italian production systems), comprising mostly family-run vegetable plots, which in some areas also includes a few head of cattle.

The research target area is the Agro Pontino, a plain that stretches for about 70 thousand hectares to the south of Rome, delimited to the north by the southern end of the Alban Hills, the east by the Monti Lepini and Ausoni, the west by the Tyrrhenian Sea, and closed by the promontory of Circeo. The biggest towns are Latina, Sezze, Terracina and Sabaudia. Until the early decades of the last century, this area was mostly swampland, which was then reclaimed in the thirties to become one of the most fertile and developed areas in southern Italy, in terms of both agriculture and industry.

The province of Latina can be divided into two main territorial systems, which have distinct characteristics from the economic point of view: the North Pontine area and the South Pontine area. The former is mostly industrial, dominated by pharmaceutical industries, dairies, engineering companies and food companies. The main strength of the South Pontine area is seaside tourism, though, as we mentioned, also of fundamental importance is the agricultural sector, which accounts for 16% of provincial GDP. The area, which stretches for about 400 kilometres, has a strong agricultural vocation. The predominant sectors are fruit and vegetables, wine, dairy products, livestock and horticulture. Buffalo breeding is mainly to be found in the municipalities of Amaseno and Pontinia, while horticulture is concentrated mostly in the municipalities of Latina, Aprilia, Nettuno and Ardea.

As for the fruit and vegetable sector, crops are quite varied and grown in both greenhouses and the open field, which means that cultivation and production is guaranteed throughout the year, although production peaks are reached in the summer. The optimal climatic conditions and abundant availability of water for irrigation make the Agro Pontino and the Plain of Fondi exceptionally rich agricultural areas, with highly specialized and diversified production and activities. In some areas, agricultural production reaches high levels of profitability. This is especially true for certain first class products such as kiwi (which have been awarded the IGP denomination – the area is also the country's first producer of this fruit), watermelon (for which the area is the third largest producer), artichoke, and spinach.

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<sup>1</sup> The following contextual analysis is an extension of a previous investigation into the fruit and vegetable industry in the Province of Latina, conducted by Veronica Padoan for the Associazione Bruno Trentin-Isf-Ires, and commissioned by Flai-Cgil: *I lavoratori immigrati in agricoltura e nell'industria alimentare*, March 2014 (typescript).

According to data from the latest general agricultural census<sup>2</sup>, the province, as well as the region, has experienced a dramatic decline in agriculture in recent years<sup>3</sup>. Chamber of Commerce data confirms the decline in the number of farms: compared to 2012, when there were nearly 12,000 enterprises, numbers dropped by about 3,000 / 4,000 in 2013, and today there are 8,800 active businesses in the area, employing a total of 7,600 workers. These are mainly simple small and micro enterprises, which are responsible for almost all of the province's agricultural production, about 95%, and have cultivated areas that may be as small as one hectare. The average size of a farm is about 30 hectares. The largest, which may extend to an area of 1,000 hectares of cultivated land, are most commonly cooperatives.

For over 15 years, the province has been a quality fruit and vegetable agribusiness district. Attempts were made, in the Plain of the Fondi and the Pontina plain, to establish brands (DOC, IGT, etc.) but without success. The idea of establishing a District was first proposed at the end of the nineties, though it has yet to achieve its objectives. These included: creating and promoting a consolidated system of relationships between the various agricultural enterprises that make up the supply chain; technological and organizational innovation; vocational training; consolidating a system of exchange and integration between agribusinesses and the local tourist and cultural industry; collaborative relations (also through agreements) between local institutions and agribusinesses to enhance quality and promote local organic products.

Since most of the companies are medium to small in size, they are essentially family-run in a context where there is little business culture, expertise or organization skills, for example, in terms of placement of goods in different markets, or management of relations with the financial system to access credit. This means that the agro industrial fabric is still not ready to compete in international markets.

## **1.2 The fruit and vegetable industry in the province of Latina**

The first phase of the fruit and vegetable industry – production - involves tillage and planting (cultivation can take place in greenhouses or in open fields), and then harvesting, which begins around the months of May / June and continues to September / October. The second phase, processing, mostly involves the packaging of products, while industrial processing (cooked, frozen, or vacuum packed food) occurs on a smaller scale in the area. Finally, there is the distribution stage, in which products from processing companies are loaded onto trucks that will transport them to major retailers or general markets. To date, processing largely takes place outside the provincial and regional borders, while the distribution phase takes place entirely outside the area, since there is no local distribution platform for this purpose and farms rely on third-party companies, which operate for large retailers. Therefore, at present we cannot speak of an industry in which all phases take place in the area, except in the cases of a few large cooperatives.

Two other key players in the province, which are necessarily linked to industrial processes and contribute to the area's reputation for quality, are the MOL (the Fruit and Vegetable Market in Latina) and the MOF (Fruit and Vegetable Market in Fondi), which market products for large retailers or national markets and supermarkets, though some are sent to processing plants as raw material. However, hardly any of the provinces processed fruit and vegetables can be found in these

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<sup>2</sup> Istat, *Caratteristiche strutturali delle aziende agricole. 6° Censimento Generale dell'Agricoltura*, Istat, Rome, 2010.

<sup>3</sup> See Inea 2013, *Indagine sull'impiego degli immigrati in agricoltura in Italia, 2011*.

two provincial markets. In fact, in 90% of cases, the products come from other Italian regions or abroad. The bulk of local production is, thus, bound for Italian and foreign supermarket chains and retailers.

This type of supply chain does not guarantee product traceability. Despite numerous quality certifications that are required during production, as well as during processing, once the goods are packed for transport, the final destination remains difficult to trace. This is partly due to the fact that since 90% of the goods are bound for the supermarkets of large retailers, producers are not motivated to ensure brand visibility for their products, their main objective being simply to sell what they can.

The difficulty of ensuring traceability is also affected by phenomena often linked to the presence of organized crime in the various links of the supply chain, especially in the distribution phase. In fact, some illegal practices appear to be widespread, such as the removal of labels from packages once loaded onto retailers' trucks and before arriving at the final destination. Thus, the products become anonymous and can be placed inside trucks transporting the same type of goods but of different origins. In addition to preventing effective product traceability, these practices cause serious harm to producers, forced to comply with a number of national and Community production and certification provisions but whose goods, once on the market, cannot be attributed to any production area, let alone any farm. At the same time, the rights of consumers are also infringed, since they are not given to know the real origin of the products they consume at the table.

This critical situation determines a fragmented system than cannot adequately valorise the most typical characteristics of local produce and ensure better quality. Moreover, the extreme fragmentation of the business system, the failure to form consortia and valorise specificities through quality brands, the failure to innovate and to compete in global markets, the backward infrastructure and lack of territorial governance, and the lack of effective industrial and economic development policies (nationally even more than locally), determine a weak agricultural production structure, one that is strongly conditioned by commercial systems, which determine the final sale price even before the start of the agricultural year. Hence, the tendency to gain profit margins by reducing labour costs<sup>4</sup>.

*“In fact, wages vary according to area, ranging from 500 to 800 euros, and depend on the districts where one works. Salaries are higher in the north of the province, while workers earn less in the south, even though this area receives state aid since it is considered disadvantaged and the welfare contributions are lower. The reason is probably due to the fact that competition in the south of the province is intense, which is linked to the mechanisms by which products are sold, not through organized networks but through intermediaries. The only persons to profit from this operation are the middlemen who depreciate the value of the products. The last link in the chain is the Indian worker with no residence permit, who, in fact, is happy to receive a few pennies” (Int.2 - FLAI CGIL Organizing Secretary)*

In fact, in the face of constant rise in intermediate costs (due to increasing mechanization, the considerable use of water and energy for intensive farming, processing and marketing of products<sup>5</sup>, the high price of seeds, fertilizers, and feed imposed by multinationals<sup>6</sup>), agricultural producers need

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<sup>4</sup> Ires Cgil, *Immigrazione, sfruttamento e conflitto sociale. Una mappatura delle aree a rischio e quattro studi di caso territoriali*, Ires Cgil, no. 1, 2011.

<sup>5</sup> *Ibid.*

<sup>6</sup> See Istat, *I risultati economici delle aziende agricole. Anno 2010*, Istat, Rome, 2012.

to reduce production costs as much as possible to meet the increasing challenges of global competition, and the imposition of ever lower sale prices by major distribution corporations and the agri-food industry, which buys the products<sup>7</sup>. An important role is played, in particular, by distribution intermediaries, both official and unofficial:

*“[Farmers] think they can become competitive by relying on middlemen. The middlemen pit the entrepreneurs against each other to get the best price. [We must] make the POs [Producers Organizations] bigger, because the bigger you are, the more you have and the more bargaining power you have.” (Int.2 - FLAI CGIL Organizing Secretary)*

### **1.3 The impact of crime and illegality on the agricultural sector**

Several observers say that the pervasiveness of organized crime is demonstrated by the numerous confiscations of agricultural land due to criminal activities, illegal dumping of waste on land originally meant for agriculture, and scandals involving the Fruit and Vegetable Market of Fondi<sup>8</sup>.

*“Land is big business for everyone, not only in terms of the labour market and residence permits: a piece of land is bought, sometimes it is cultivated for one or two years, and then chemical waste is dumped on it, or there is a friend on the Town Council that allows me to change the land’s intended use and we build houses.” (Int.1- FLAI CGIL Secretary General)*

Over time, numerous people have been arrested and charged with aiding and abetting illegal immigration and for crimes related to the exploitation of labour, with close links between organized crime and the everyday exploitation of migrants. An operation carried out on February 22, 2014 found false documents being produced in the area of Fondi for the recruitment of fictitious Indian and Bangladeshi immigrants, involving false entrepreneurs that applied for hundreds of work permits for a fee, without actually officially hiring the foreigners.

The first “Agromafia and illegal hiring” report<sup>9</sup>, drafted by the Osservatorio Placido Rizzotto at the initiative of FLAI CGIL, Legambiente and Libera, confirmed what had been observed in the 2012 Annual Report of the Direzione Nazionale Antimafia, that “mafia organisations control a chain that ranges from the buying up of farmland to intermediation for wholesale goods, from transportation to storage, purchase and investment in shopping centres”<sup>10</sup>. The control exerted by the Mafia in this area, therefore, is becoming increasingly sophisticated and is often included in the framework of the legal economy. In particular, “in the south most workplace selections are done through informal channels, as often as not run by organized crime, whereas if the labour market were to be under exclusive public governance, the phenomena of exploitation would be impeded”<sup>11</sup>.

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<sup>7</sup> Perocco F., Cillo R., Toffanin T., *Labour exploitation of immigrants in agriculture. Mapping the sector: Italy*, Università Ca’ Foscari di Venezia, Dipartimento di Filosofia e Beni Culturali, 2013, [arca.unive.it/handle/10278/38075?mode=full](http://arca.unive.it/handle/10278/38075?mode=full).

<sup>8</sup> Recent investigations have discovered a pact to split the market between different criminal organisations (Camorra, 'Ndrangheta and Cosa Nostra), which has led to significant arrests and a request for the Municipality of Fondi to be dissolved (rejected).

<sup>9</sup> Flai Cgil, *Agromafie e caporalato. Le mappe delle aree a rischio caporalato e sfruttamento lavorativo in agricoltura*, 2013, [www.flai.it/attachments/article/783/Scheda\\_Sintesi\\_Rapporto.pdf](http://www.flai.it/attachments/article/783/Scheda_Sintesi_Rapporto.pdf).

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

The great potential of the satellite industry in the area is also held back by pervasive illegality. According to the latest Istat estimates on undeclared work (2011), the Lazio region has, on average, a percentage of undeclared work in agriculture of 32.8%. This means that, in addition to regularly employed agricultural workers in Lazio, totalling 37 404 (INPS data 2011), some 15,000 workers, according to trade union estimates, are employed off the books in the countryside of Lazio. According to FLAI CGIL estimates, the Latina area is home to more than half of all the undocumented workers in the region and this province is among the first five regional areas for numbers of foreigners engaged in agriculture<sup>12</sup>.

Illegals and crimes include the exploitation of immigration, and inhumane working conditions for immigrants, which in some cases are akin to enslavement. Undeclared work provides labour that is cheap, very flexible and adaptable to the immediate needs of the production cycle and market trends for agricultural products. This phenomenon is nowadays exacerbated by the need to reduce production and labour costs to a minimum, and this, as we mentioned earlier, leads to a systemic practice of partially or totally undeclared work, circumventing tax and social security obligations and saving money and time by bypassing formalized selection procedures<sup>13</sup>. Undeclared work in agriculture is the cause and effect of other forms of illegality, such as the infiltration of organized crime in the management of labour, human trafficking, illegal hiring. The result is “a chain of command and labour exploitation typical of industrialized agriculture and fully integrated into the world market. This labour organization allows for work schedules that are literally just in time, and is a much used method of social control over immigrant workers, which produces the maximum subordination from them and prevents, also by means of physical violence, the emergence of a demand for any form of rights”<sup>14</sup>.

## **2. Agricultural immigrant labour in the area<sup>15</sup>**

### **2.1 The phenomenon of migration and the presence of foreign workers in the agricultural sector in the province of Latina**

The socio-economic characteristics of the province of Latina makes it a natural catalyst for foreign workers. Together with a high seasonal demand for labour that periodically uses foreign workers in small, mostly family-run enterprises, there is also a demand for jobs that involve more stable and long lasting conditions, especially within medium size businesses. The growth of a type of intensive agriculture based on industrial crops that require massive use of labour, and the simultaneous need to reduce production costs, together with the special characteristics of the agricultural system in the Pontina area and the chronic and structural shortage of young people willing to work in fields, make it necessary to have a stable cheap immigrant labour force to guarantee continuity in production. Nevertheless, even in this context, during certain agricultural phases, there are peaks of production that increase employment opportunities, causing, as will be shown later in this report, the movement of migrant workers from one agricultural enterprise to another.

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<sup>12</sup> Source: Coldiretti.

<sup>13</sup> According to a survey by INEA, 42.1% of non-EU workers and 40.4% of EU workers receive wages below the legal minimum. Also widespread are phenomena such as declaring fewer of days of work than those done, and work hours in excess of the contractual regulations (Inea, *Annuario dell'agricoltura italiana 2011*, Inea, Rome, 2012).

<sup>14</sup> Perocco F., Cillo R., Toffanin T., Op.cit.

<sup>15</sup> This is an updated picture that emerged from the report *Right Job. Lavoro senza diritti*, F. Carchedi, F. Dolente, Sviluppocale ed., Rome, 2010.



Foreign workers are, therefore, concentrated in the agricultural sector, which alone employs almost all the immigrant labour that there is. According to INPS data, in 2012, a total of 37 404 workers were employed in agriculture in the Lazio Region, of which 21,700 were foreigners (about 60%). Moreover, the province of Latina alone has 16,827 workers employed in agriculture, of whom 12,877 (76%) are foreigners. Over the past ten years, there has been a significant increase in workers from India and in particular from the Punjab region<sup>16</sup>, an agricultural region where most of the inhabitants are Sikhs. Most of these workers are in the south of the province, on the coast of Sabaudia, San Felice Circeo and Fondi. Another important community of Indians in Lazio is in the province of Rome, Fiumicino and in the area of San Lorenzo and Maccarese, where work mainly involves animal husbandry, another specialist area of the Indian workforce. Foreign workers are also to be found in the processing of fruit and vegetables, although numbers are lower than in production and harvesting.

According to Istat data, on 31 December 2012 there were 5,881 Indians living in the province of Latina, which makes up 36% of all Indian residents in the Lazio region. More than three-quarters of Indian residents in Latina and its province are male, as can be seen in Table 1.

**Table 1 - Indian population residing in the province of Latina by sex and as compared to the provincial total of foreign residents on 31 December 2012**

	Male	Female	Total
<b>India</b>	4,429	1,452	5,881
<b>Total foreigners</b>	18,422	17,523	35,945

*Source: Istat*

An analysis of the data on the Indian population living in the municipalities of the province shows that of the 5881 Indian residents, 19.4% (1,138) live in Terracina, 17.5% (1,029) in Sabaudia, 12.4 % (727) in Fondi, 8.8% (515) in San Felice Circeo and 3.2% (187) in Cisterna di Latina. Percentages of men are highest in Fondi (86.2%) and Terracina (84%), while the lowest are found in Cisterna di Latina (65.8%).

**Table 2 – Indian residents by sex on 31 December 2012 in some municipalities of the province of Latina**

	Male	Female	Total
<b>Cisterna di Latina</b>	123	64	187
<b>Fondi</b>	627	100	727
<b>Sabaudia</b>	772	257	1,029
<b>San Felice Circeo</b>	372	143	515
<b>Terracina</b>	956	182	1,138

<sup>16</sup> Indians first came to the area in the nineteen eighties.

<b>Totale</b>	4,429	1,452	5,881
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Source: Istat

The number of residents, however, is actually higher: the 2013 Caritas / Migrantes Immigration Statistical Dossier registered 6,191 Indians in the province on 31 December 2011.

According to IDOS data <sup>17</sup>, on January 1, 2013, Lazio was the second region in terms of Indians residents with 15.2% of the national total (22,870 in numbers), preceded by Lombardy (which, with 55 171 residents, absorbs more than a third of the national total, 36.7%), followed by Emilia Romagna (12.5%, 18,806) and Veneto (11.5%, 17,378). The province of Latina is home to 4.6% of the entire community in Italy and to one of the largest Sikh Indian communities, together with Novellara in Emilia Romagna.

The high concentration of labour coming en mass from the same area of origin has led to the hypothesis of the existence of an organized network for the trafficking and recruitment of foreign workers. The conditions of exploitation faced by workers in recent years have been the subject of several research surveys<sup>18</sup>. The survey presented here can shed light on the recruitment and exploitation of foreign workers, which will be analysed in following chapters.

### *Jobs done by Indian immigrants*

The emigration of Indians from Punjab is driven not only by the dynamics of the increasingly segmented agricultural production sector and the local labour market but also by family networks and interconnections that help members find work<sup>19</sup> in the Pontina area.

Agriculture certainly played a role in attracting the first arrivals of immigrant labour in the area, due to a new type of industrial agriculture that required the intensive use of labour. Alongside high seasonal labour demand for foreign workers from small mostly family-run enterprises, a demand for more stable and lasting employment has also emerged, mainly within medium sized companies. The working conditions of immigrants in the last twenty years have remained largely unchanged, even worsening in some cases, as we shall see below. Despite this, and in spite of the poor working

<sup>17</sup> Data up to 1st January 2013 IDOS, available at [www.dossierimmigrazione.it/comunicati.php?tipo=schede&qc=131](http://www.dossierimmigrazione.it/comunicati.php?tipo=schede&qc=131).

<sup>18</sup> See, among others, Medici senza Frontiere, *Una stagione all'inferno. Rapporto sulle condizioni degli immigrati impiegati in agricoltura nelle Regioni del Sud Italia*, 2008; Amnesty International, *Volevamo braccia e sono arrivati uomini". Sfruttamento lavorativo dei braccianti agricoli migranti in Italia*, 2012, [www.amnesty.org/en/library/asset/EUR30/021/2012/it/a66b217c-c9ca-4ddc-a9e9-0c884f712346/eur300212012it.pdf](http://www.amnesty.org/en/library/asset/EUR30/021/2012/it/a66b217c-c9ca-4ddc-a9e9-0c884f712346/eur300212012it.pdf); Flai Cgil, *Agromafie e caporalato. Le mappe delle aree a rischio caporalato e sfruttamento lavorativo in agricoltura*, 2013, [www.flai.it/attachments/article/783/Scheda\\_Sintesi\\_Rapporto.pdf](http://www.flai.it/attachments/article/783/Scheda_Sintesi_Rapporto.pdf); Flai Cgil, *Agromafie e caporalato. Secondo rapporto*, 2014, [www.flai.it/attachments/article/1153/Sintesi%20rapporto\\_2014.pdf](http://www.flai.it/attachments/article/1153/Sintesi%20rapporto_2014.pdf);

In Migrazione Onlus, *Punjab. Fotografia delle quotidiane difficoltà di una comunità migrante invisibile*, gennaio 2013, [www.inmigrazione.it/UserFiles/File/Documents/34\\_Punjab.pdf](http://www.inmigrazione.it/UserFiles/File/Documents/34_Punjab.pdf); In Migrazione Onlus, *2014 – Doparsi per lavorare come schiavi*, maggio 2014, [http://www.inmigrazione.it/UserFiles/File/Documents/87\\_2014%20-%20DOPARSI%20PER%20LAVORARE%20COME%20SCHIAVI.pdf](http://www.inmigrazione.it/UserFiles/File/Documents/87_2014%20-%20DOPARSI%20PER%20LAVORARE%20COME%20SCHIAVI.pdf); In Migrazione Onlus, *Sfruttati a tempo indeterminato*, ottobre 2014, [http://www.inmigrazione.it/UserFiles/File/Documents/109\\_SFRUTTATI%20A%20TEMPO%20INDETERMINATO.pdf](http://www.inmigrazione.it/UserFiles/File/Documents/109_SFRUTTATI%20A%20TEMPO%20INDETERMINATO.pdf)

<sup>19</sup> B. Bertolani "I Sikh in Emilia: tra specializzazione del mercato del lavoro e reti relazionali" in D. Denti, M. Ferrari, F. Perocco, *I Sikh. Storia e immigrazione*, (Milan, 2005) p. 163-76; F. Ferraris, *Sikhs in Italy: Khalsa Identity from Mimesis to Display*, in E. Gallo, "Migration and religion in Europe. Comparative experiences on South Asian Experiences", Ashgate, 2012.

conditions and the unfavourable legislative framework, a migration chain has been produced which continues to attract labour from India.

### ***How do they get work?***

To understand the kind of migration chain that characterizes Indian migration to the Agro Pontino it is important to understand the role played by relational systems among Punjabi immigrants<sup>20</sup>. According to some of our observers, there is a close link between the segmentation of the labour market, accommodation, employers and leaders of the Sikh community. The middleman is “*an ambiguous figure who should not be thought of as a speculator in the classic sense, (...) but a provider of services and information, so a grey figure, someone who gets people over in exchange for money. Workers develop a sort of bond of gratitude and affection, since accommodation is found for them. The middlemen are immigrants who have extensive migratory experience and therefore have a better knowledge of certain mechanisms, speak better Italian, have contacts with employers, know the political administration system and know what to do from experience*” (Int.11 – InMigrazione director).

Also from what can be gathered about talks with the labourers, it may be inferred, though none of them say so directly, that the newly arrived and those present for the longest time, had and still have access to information about work, accommodation and opportunities for finding work in the agricultural sector in the Pontina area, mainly through a network of relationships regarding their particular migratory situation.

As we shall explain later, the emergence of these new relationships, based on their migration context, is itself a very accurate indicator of the dynamics of integration of Punjabi immigrants in the agricultural environment of the Agro Pontino. The positive relationship between middleman and labourer, and, as we shall see later, also between middleman and employer, seems to be the main route to optimal social and work inclusion. Consequently, Sikh community networks and social relations are vital for survival. In an economic and social context characterized by a high rate of informality, this social network serves to offset the worst effects of the economic crisis. In particular, the Sikh social network includes a complex web of relationships that can be seen not only in the *Gurdwara* but also in housing arrangements, such as Bella Farnia and Borgo Hermada. And, as we shall see, this network involves all the stages of job placement in the specific context of the Agro Pontino

In concrete terms, due to the way in which the agricultural system is structured in the area, in relation also to the economic crisis, it is essential that both new arrivals and those already working there, can rely on a compatriot to act as intermediary, a “migration pioneer”<sup>21</sup> who, because of his seniority and accumulated social capital has the knowledge to find his way around the restrictive regulatory frameworks in force today, and who knows about the needs of small and large businesses, and local production. This often contrasts with the bureaucracy required by other forms of mediation. As will be highlighted below, local businesses, especially smaller ones, find it difficult, if not impossible, to hire immigrant labour in the present system.

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<sup>20</sup> M. Omizzolo, *La formazione dello spazio sociale transurbano e il caso della comunità Sikh della provincia di Latina*, in C. Colloca, A. Corrado, *La globalizzazione delle campagne. Migranti e società rurali nel Sud Italia*, F. Angeli, 2013

<sup>21</sup> V. Azzeruoli, M. Perrotta, “*L’intermediazione informale di manodopera in agricoltura in Italia: un confronto tra i caporali burkinabè in Puglia e Basilicata e i mediatori punjabi nella Pianura padana*” Paper, AIS-ELO Conference Milan Bicocca 11-12 September 2014.

As regards the production system, one of the functions played by the middleman is to mobilize teams of labourers and move them from one enterprise to another. In fact, for greenhouse production in particular, as well as crops in the open field, enterprises need teams of labourers for specific periods and the middleman is responsible for “moving” teams of labourers from one farm to another, as pointed out by the following respondent: *“He [the middleman] is the one that takes them from one place to another and coordinates things, all with the trust of the entrepreneurs and for this he is paid.”* (Int.4 - President of Confagricoltura Latina)

### ***What jobs are they given?***

They are given all kinds of jobs, all low-skilled and labour intensive. As for crops in the open field, the labourers work the land, digging ditches, sowing and planting crops, tracking, draining, ploughing, fertilizing, weeding and harvesting vegetables. *“We do everything - pull out old plants, sow and harvest the zucchini, tomatoes”* (Int.16 - foreign worker). Work in open fields is almost at the limit of endurance. The fields cover huge areas, workers are spread-out and work in isolation. Conditions are always unfavourable, whether working outside in the sun in the summer or the cold in winter, or working inside greenhouses where the air is hot and stuffy.

As regards crops grown under cover, labourers are responsible for putting on covers, assembling the structure for plastic films or shading nets, working the soil inside the greenhouses, and then laying irrigation systems and wires for climbing plants, and sowing, fertilizing, harvesting and weeding. *“When we get there, they tell us what to do and we do it; if we have to put up a greenhouse, we do it. If I have to dismantle it, we dismantle it, if I have to put on plastic, I do it, all with my own hands!”*. (Prot. 1- group interview)

The jobs are all done by hand or with the help of a few tools, and all involve the continuous and massive use of strength, hands, arms. The work is done both outdoors and, even more often, inside greenhouses, where the temperature and high humidity make the work exhausting, especially in summer. *“Work is hard in greenhouses, it’s very hot, it’s unbearable, we always work in greenhouses when it’s hot. Bit there comes a time when you have to stop, you can only work up to 11 in the morning, after that you can’t anymore.”* (Prot. 2- group interview)

The jobs involve adopting postures that are strenuous and difficult to maintain for a long time, and doing tasks that should require the use of prophylaxis and protection such as gloves, masks and reinforced shoes. *“We are always on our knees. To pick things you have to go down on your knees and walk on your knees, zucchini, strawberries, eggplants, are all low down. We have to stay on our knees all day or bend down very low.”* (Prot. 1- group interview). This would explain the pain in the joints that all respondents complain of after describing their jobs, pains due to constant sweating and the humidity to which they are always exposed. In addition, from the evidence gathered, many workers are exposed to pesticide treatments, both outdoors and inside greenhouses. *“The poison is sprayed at night. When I get there, I can’t breathe, my throat hurts. Then when I get home I jump on the bed and feel like throwing up.”* (Prot. 1- group interview). As regards wearing protective clothing, our respondent confirms that absolutely no use is made of either masks or gloves *“I have seen workers spraying herbicide or poisons without any form of protection, wrapping woollen scarves round their faces, which does not protect you”* (Int.11 – InMigrazione director)

To illustrate the hardships of working in fields, below is a description of a working day, reconstructed from several talks with a labourer during field research: *“In this job, I have to go to the fields every morning. [...] Now it’s summer and so this is my day. I wake up at 4 because I live in Bella Farnia*

*and I cycle to a field that's near Terracina. It takes me nearly an hour and a half. [...] I bring a bottle of water and some food, because there's nothing in the field and you can't drink the water because it's poisoned. [...] As soon as I get there I start work, and work as long as I can because then under the sun you can no longer work. You can take a break only after you have worked for six hours, you can drink only after the first six hours. [...] In the summer, we stop work after 11.00. Some go home, others remain in the fields. I go home, I rest and at 4 pm, I cycle back to the fields. And I continue to work until the evening, until 9 or 10 o'clock, it depends whether I have to finish working the field [...] When it is winter the working day is different. We go to the fields later, sometimes I leave home when it is still dark [R. shows us his reflective vest]. We work without a break. [During the winter ed ] the day is short and if we need light, sometimes the owner switches on the lights [of his car ed ]". (Int.17, foreign worker)*

The description of the working day highlights, on the one hand, the practice of the double shift in the summer to take advantage of the cooler hours, and on the other, the limits imposed on working hours, making it necessary to take a first break after the first six hours. The shifts mean that the worker can return home in the summer, but has to do it in his own time and with his own means. However, it also highlights a specificity of the Agro Pontino: independent travel arrangements and the chance to return home. The use of the bicycle and in some cases the moped, is widespread and is a typical feature of the workers in the Pontina area, which does not involve asking any favours of one or more companions, or the need to buy water or food from someone else, as in other contexts such as Southern Italy, and especially the "Capitanata". The description of the working day also shows that in winter work is organised differently during the day. However, the working day still lasts from a minimum of 10 to a maximum of 15 hours, and clearly tends to exploit all daylight hours.

The labourers are paid by the hour. We have found no other system apart from this, there is no piece work, no daily rate, only hourly wages, ranging from € 2 to € 4, and they do not vary in relation to the type of work done. Although winter activities may be "lighter" and less intense than agricultural activities in the summer, the pay remains the same, whether work involves sowing, harvesting or greenhouse maintenance. One of the observers noted that, "*wages are always the same, and though the hourly rate should be € 8.26 / h, they earn between € 2 and € 4 at most. Wages are paid directly by the employer, and in this case, too, there is no kind of mediation*" (Int .11 - InMigrazione director).

In addition, we must stress the monotonous and mechanical nature of the work, involving no professional development. It is repetitive and provides no additional skills. Indeed, as noted above, what frequently happens is that the same work is done at the same time for different farms, during a particular agricultural phase, with repercussions on the physical and mental health of the labourers. "*Now I work in the morning in an enterprise. Then in the afternoon, when I finish, I go to another field.*" (Int.19, foreign worker). "*The hours depend very much on the seasons. Farm labourers start work at 7 am and may finish at 4 or 5 or 9pm. It's all very variable. There are contracted workers and undeclared labourers who work six hours and others who work 15/16, the variables are related not only to seasonality but also to the type of employer. Workers may also alternate work in fields with animal husbandry*" (Int.11 - InMigrazione director)

By acquiring experience, a worker has the chance of moving up the ladder, becoming a reference point for the enterprise, a mediator between Indian labourers and the employer, or he can become the team leader. This, as we shall see later, rarely happens. It is more common for a worker who wants to progress within a production context, who wants to change jobs, to move to other related or complementary production sectors (services), working for example, in companies that organise

pallets to transport boxes or in companies that process products from range I to IV<sup>22</sup>. There is no promotion in terms of specialization or professionalism within the same enterprise. This was the case for two brothers who we interviewed. After having working for eight years as labourers, they were hired by a local company that deals with the sale and distribution of pallets. Almost all the immigrants have always worked as agricultural labourers; some come from animal husbandry having lost their jobs as a result of the closure of local companies; others come from the forestry sector, where they were tree fellers in nearby mountain areas - Monti Lepini and Ausoni. *“The owner was very good, I worked for many years with him, I lived in the mountains, it was my first job. [...] Then one day he told me that the company was folding, there was no more work, and eight years ago I came to Sabaudia and I am no longer a woodcutter. I work! I pick zucchini.”* (Int.18, foreign worker)

This occupational segregation, as labourers, is reflected in their poor knowledge of Italian, which in some cases is limited to what is necessary to complete their work tasks. Their Italian is, therefore, very poor. They know only a few words, mostly linked to work: *pick, take away, pull out, prepare, fertilize and then the names of all the crops*. Other terms they use are related to their experience as immigrants: *residence permit, documents, visas, pay packet, boss, employer, company*. (Int.14 - Italian teacher)

We must not forget that this process of intensified agricultural production took place in an area that had and still has two vocations: tourism and agriculture. This double vocation, today, appears irreconcilable and contradictory. To quote the words of one interviewee *“millionaires’ villas alternate with endless stretches of crops and plastic greenhouses”* (Int.12 – Libera reporter)

### *Living conditions*

Although the structural feature of agriculture, seasonality, continues to attract significant flows of migrant workers in certain periods of the year and in certain areas (determining mobility inside the same area), agriculture in the Agro Pontino is becoming more structured and more permanent from the point of view of migration. The spread of intensive agriculture and the increasing use of greenhouses requires a constant labour force for cultivation and other agricultural work, alternating with periods of greenhouse maintenance. Similarly, workers employed in the area’s other important production sector, livestock, also find more permanent conditions carrying out animal husbandry tasks and milking, another attraction being the offer of accommodation connected to this type of activity.

These factors are indicative of the presence of Indian workers that trigger long term migration patterns that are almost always aimed at stable residence. But research shows that other very important reasons include the opportunity of finding cheap accommodation and the appeal of meeting their countrymen and therefore being able to rely on solidarity networks, such as that offered by religion, as we shall see. The possibility of using these networks to their advantage depends largely on the characteristics of the Indian labourer community in the Agro Pontino.

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<sup>22</sup> Choice of fruit and vegetables is divided into five ranges, depending on to production process after harvest time until they are sold to the final consumer. First range: traditional fresh fruit and vegetables; second range: canned fruit and vegetables; third range: frozen fruit and vegetables; fourth range: fresh fruit and vegetables, washed, packed and ready for consumption; fifth range: cooked fruit and vegetables, packaged and ready for consumption.

Research clearly shows that, in the migration process, Punjabi workers, and especially Sikhs, create new types of social relations at various levels: transnational networks of Sikh immigrants, older generation immigrants that act as middlemen in finding work, Italian and foreign farmers, who are indispensable for getting work. But, from our point of view, what emerges strongly is that being economically vulnerable, because the vast majority work off the books with no guarantees and often speak only Punjabi, they rely on their fellow countrymen for mutual and economic moral support. This happens does not happen only in the first phase of migration; social networks also provide information on the agricultural work periodically available in local companies.

In short, if on the one hand, forming a group is part of the Sikh tradition - in particular in the context of migration - on the other hand, research highlights that the need to group together is also a response to a type of work organization: moving from one company to another for periods of time that depend on different agricultural activities and crop cycles and the need to have information on the availability of work in a given time. It is also due to the type of accommodation available, which involves sharing small low-rent houses available throughout the area.

### *Housing conditions*

By virtue of its dual nature, agriculture and tourism, this area has, over the years, managed to satisfy different housing needs: those of the poorest immigrants, due to the availability of abandoned rural accommodation, and of those immigrants who are in the process of settling down, taking advantage of the failure of some local tourism projects started in the eighties. The high numbers, according to our respondents, means that they can find shelter and protection, as well as inclusion in the farming and animal husbandry workforce. In the area, there is a widespread availability of housing that offers a minimum element of decency. According to our respondents, there are three types of opportunities that the market offers local Indian labourers: first, old farmhouses mostly found in inland rural areas; second, the availability of housing for tourism; and third, apartments in the outlying suburbs of Latina or other provincial towns. These three different solutions clearly correspond to different stages of migration and different phases of social inclusion.

The old farmhouses belonged to the pioneer farmers who built them in the Fascist era, consisting of a house for the extended family, adjacent storage areas, and in some cases another building used as a dwelling for the factor. Today, very few of these have been renovated to be used for habitation; in most cases they are derelict. However, they are located near or within agricultural plots and it is in these that the new arrivals often work. *“Many live in these houses, which are often very large, lie derelict, and are used especially in the summer. They are convenient because they are located within the plots and thus workers can live near their place of work. It is similar to the Bergamino padano model, where the owner of the house is also the employer”*. (Int.11 – InMigrazione director)

In some cases, housing conditions are not the best. In many of these buildings, the rooms are dingy and do not have toilets, water or electricity. For the conditions in which they are in, rents are high and in times of economic hardship, to meet rent costs, these houses are overcrowded. There are situations where the rent is as high as 700 euros for a house shared by 20 Indians, without a contract of course. This solution reduces rent costs as much as possible. The choice to live there also depends on the proximity of work, so there is no need to travel any great distance or buy a bicycle, which as we have seen, is the means of transport most used by Indians in the Agro Pontino.

A characteristic example of abandoned buildings and / or bankrupt structures adapted to the needs of immigrants, which even hit the local news headlines, is the former tourist complex Bella Farnia,

located along the Via Litoranea Resort in the municipality of Sabaudia. A case of “redevelopment” and “regeneration” of disused tourism housing to meet the needs of immigrants. It is a residence which has about 600 mini-apartments in a green area located at a certain distance from the through road. Over the years, Residence Bella Farnia and the conditions of its inhabitants have attracted the attention of the local press and the solidarity of a network of local associations and individuals who have given, among other things, assistance to these workers. The residence went into administration and for ten years, the only trustee was a company based in Casal di Principe (Caserta)<sup>23</sup>, thus each of these houses has a lease. At Bella Farnia, a respondent tells us, *“to rent a 20 square meter apartment for two people costs about € 250. For larger homes, since most are 50 square meters, you pay per bed and we have learned from witnesses that each immigrant worker pays 100 euro per month”* (Int.9 - Lawyer).

The conditions, as well as fees and quotas per capita for rents in Bella Farnia and the surrounding areas, are also confirmed by the Punjabi workers themselves. Rent in Bella Farnia, Borgo Hermada or in small neighbouring towns ranges from a minimum of € 250 up to € 500, which does not include payment of utilities. Those who agree to live there, find that very often the houses have significant problems, such as lack of heating or hot water, and in most cases they need renovating. In the homes we visited, we often found houses inhabited by 5 or 6 people, where the sharing of rooms, and in some cases of beds, is the rule. These forms of solidarity, to meet the cost of the monthly rent, can often lead to situations of overcrowding.

However, we should like to emphasize that despite the overcrowding in the mini-apartments and the obvious lack of maintenance of the buildings and common areas, which made headline news in the local press, in which it was stigmatised as a “ghetto”, a health hazard, an area of marginality and deviance, this was not at all the impression we had during our visits there. The houses form an amphitheatre, a sort of central square overlooked by common areas: a grocery store and a *phone centre*. The two-story buildings are provided with bins for the collection of rubbish and a cricket pitch has been created in the garden inside the residence. Each house has a number on the front door, and each has its own post box. Everything is managed and organized independently, which clearly also guarantees order and the cleaning of common areas.

We must stress that overcrowding is indeed a big problem but despite this, according to one of our respondents, some employers often manage to get the homes passed as suitable housing so that immigrants may apply for family reunification, entry permits for wives or children (Int.23, FLAI CGIL). Family reunification is important for these groups of workers, who, until now, only did work. It is the sign of an increasingly stable and permanent residence situation. The Indians tend very slowly, and despite the obstacles, to settle in the area.

### **3. Conditions of vulnerability and exploitation**

#### **3.1 Working conditions: hours and payment**

An analysis of the working conditions of immigrants employed in agriculture in the Agro Pontino reveals a series of very diverse situations. However, most typically they are paid below the contractual

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<sup>23</sup> See Interview G. Gioia – Secretary General Flai Cgil Latina and Interview E. Siracusa – Organising Secretary Flai Cgil Latina



minimum and do long hours for the work they do, with no attention paid to safety in the workplace or to the potential risks to workers' health. Even when they are not paid off the books, there are noticeable deviations from labour legislation and sometimes a totally inappropriate and incorrect use of bargaining tools.

As for working hours, Indian labourers do approximately 13-14 hours a day, a period of time that may also involve two shifts (respondents mention more or less two shifts, from 4.00 to 11.00 and from 15.00 to 22.00, which change according to the seasons). They get a weekly break from work on Sunday, the day when the workers meet at the *Gurdwara*. So except for Sundays, the lives of these immigrants is confined to work, which is why these people end up living in everyday isolation, in which social relations are limited to half a day every week. In this regard, one trade unionist commented: *"It is a work cycle that leaves no free time but it is not necessarily a case of enslavement. It is their working hours that lead to a kind of isolation, to a life on the fringes of society"*. (Int.2 - FLAI CGIL Organising Secretary)

In addition to their daily duties, in summer it may happen that the working hours can be prolonged further. We have already described how the employer, in cases where some tasks are urgent, lights up the fields with the headlights of his car to allow labourers to continue working. We also interviewed a worker who, in appreciation and gratitude for the "good boss" that had got him his residence permit, continues to do odd jobs for him and for his family when requested, rather than his enterprise. He often does jobs such as working in the garden of his employer's private residence or looking after and cleaning his dogs. Moreover, this work is done for no extra payment, since it is seen as a sort of "servitude" which binds the worker to a never-ending debt with the employer that got him his residence permit. *"My boss is good [...] He gave me a contract in 2009. [...] I get € 12 per day and every now and again I have to clean his dogs. [...] Even now that I work in another enterprise, I carry on working for him; he calls me, and says 'I need you'."*(Int.16 - foreign worker)

The above statement is indicative not only of the worker's ingenuousness vis-à-vis this distorted dynamic, but also clearly shows how little many workers know. They do not understand procedures or laws, which should regulate work relations, and are not informed of the respective rights and obligations of employee and employer. For example, many local associations report the cases of some workers who have no idea of how to read a payslip. *"They do not know, for example, that the employer has to pay contributions"* (Int.13- AUSER director) *"they have no idea of the hourly rate they should be paid"* (Int.2- FLAI CGIL Organising Secretary). Added to this, is the language problem. *"Language comprehension is a big handicap for them"* (Int. 14 - teacher) and as we shall see, this makes them vulnerable to and victims of numerous scams, from the simplest to the most sophisticated.

### **3.2 Migrant workers as victims of fraud**

Let us now look in detail at the sort of the swindles played on migrant workers in the Pontina area. One type concerns the hourly wage, which national labour contract currently sets at € 8.26 but, as pointed out by a trade unionist, this amount is not paid anywhere the area. Indeed, other parameters seem to apply, so that the trade unionist speaks of a *"benchmark for workers that differs according to area, because in some areas workers earn 5 euro per hour, in others 3 in another 2.50; none of the people we have talked to earns a regular wage, which is currently 8.26 euro per hour."* (Int.2 - FLAI CGIL Organising Secretary).

Also very widespread practice is for employers, or business consultants, to register fewer working days per month than those actually worked. During a group interview with workers in a local

enterprise, six of them showed us their June payslips. The payslips referred to minimum hourly wages for seasonal contracts, six working days per month, and varied from € 128 to € 150 per month. **Reduced payslips** appear to be an established and enduring practice. Often they do not include all the worker's earnings, who is also paid "off the books", a sum at the discretion of the employer. One of our respondents underlines an aspect that is not to be taken for granted, and which highlights the "double benefit" of this practice and explains why it is so pervasive and has become a stable practice in the area. *"The payslip is an important and sensitive issue. I shall try and explain in a nutshell. There are two types of fraud being committed. The employer registers the number of hours a labourer works, the labourer may work 15 hours a day and he registers two, he works seven days a week and the employer registers two, which means that you work for € 1500 and then you find yourself with € 400, and this is one method. The second concerns a worker using the payslip to get a residence permit, or a renewal, but also for social services. If the payslip is greater than that the one given to you it helps you get a renewal, but it would exclude you from getting social services benefits."* (Int.11- InMigrazione director).

It is clear that in many cases, workers must be able to bargain with the employer for a "balanced" pay-package but this is not always possible, both because of their inability to understand the "administrative" value of the payslip, and for banal linguistic reasons. In other cases, where bargaining takes place over the number of days to register in the payslip, an agreement is reached that only a certain number of days are to be declared rather than all the days worked, which is just enough for the worker to be able to apply for a family allowance or for unemployment benefit, or, more simply, to allow a worker to renew their residence permit. Paradoxically, these conditions are considered advantageous, better and more desirable than those of so many other workers who work completely off the books, highlighting a certain progression in the practices of exploitation that take place in the Pontina area.

It should be noted that all that needs to be done to limit these widespread practices is to compare data on agricultural days declared to the INPS and the number of workers actually employed in agricultural work, a comparison that would give us a better understanding of heterogeneous situations. Where there are major inconsistencies between production and days actually declared by the labourers, there is likely to be a higher degree of undeclared work and exploitation. According to a respondent, the situation is slowly improving as regards the number days declared in the Province of Latina. *"In 2008, there were 890 000 and are now one and a half million. This means that our efforts, and those of the trade unions, to improve business culture and security, are paying off"*.(Int.4 - President Confagricoltura Latina)

Returning to the Indian labourers, uncertainty seems to dominate their daily lives. In some cases, not only is there a difference between what is agreed and what is then actually paid, but uncertainty also extends to the date of payment, and even to whether a worker is paid or not for the work done. *"Sometimes the owner does not pay. If he doesn't have the money, he doesn't pay"* (Int.18, foreign worker). *"The boss pays you when he sells the zucchini"* (Int.19, foreign worker). Another worker said he had not received wages for some of the days he worked at a small company; in response to his requests for payment, he felt intimidated and received threats from the entrepreneur himself. These episodes are quite widespread, and happen also to those who have a valid residence permit.

Another respondent highlights an aspect that makes it even more complicated to root out these practices: the difficult situation a worker finds himself in if he decides to press charges. Apart from the fear of retaliation, a worker faces practical difficulties when filing a complaint: he has to be present at the time of the court hearing and to make sure that he can then get two witnesses, as under the regulations. *"The protagonist of the procedure is the person exploited and it is difficult for an*

*exploited immigrant, who needs to work, to file a complaint or follow up the procedures. The person filing the complaint has their hearing set after a year, and what if they don't turn up? Are they afraid of retaliation? And what about the three witnesses?"* (int.8 - Lawyer)

Local custom has it that wages, in most cases, are paid weekly, and more rarely, monthly. All workers interviewed said they received the money in cash directly from the “boss”, from the entrepreneur for whom they are working, or in some cases from a *factor*<sup>24</sup>. The other problem with the wages is that they are paid later than they should be according to the payslip. This means, for example, that many workers receive pay in late September for work done in June, and, as we shall see below, to meet the needs of daily life, workers are forced to seek advances in the form of loans from countrymen, who, in these situations become money lenders / usurers.

We also found another common scam in the area of Terracina and Borgo Vodice: to register the daily or weekly pay to labourers in Lire rather than Euros. The idea behind this would seem to be to mislead and confuse workers even further, making them think they are receiving higher pay. For example, instead of seeing an hourly wage of €3.5, they are given its equivalent in Lire, which amounts to 6000 lire, which by assonance, sounds to them like “6000 rupees”, the Indian currency.

As we have just seen, even when work is not paid “off the books”, contractual regulations are often ignored or misused. For example, many workers employed in agriculture are given **as domestic worker contracts**. The 2009 amnesty for domestic workers and caregivers was quickly renamed “scam amnesty”. Initially, it concerned the legalisation of domestic workers only, excluding all others. But by the end of 2010, many stories emerged, and not only in the Latina area, of scams involving migrants who participated in the legalisation process<sup>25</sup>. Exploiting the desperation of those who had failed to formalise their situations after years of working off the records, maybe because they had arrived in Italy after the 2002 amnesty, there was a big market, according to our respondents, for this type of contract involving false Italian employers, prepared to hire foreign workers as caregivers, obviously in exchange for a substantial consideration.

Returning to the evidence that emerged in the course of our research, from a number of interviews and reports, it emerged that in this period (2008/2009) Indian workers who used the amnesty to ask their employers to formalise their employment status, were asked to pay a “contribution” of between €5,000 and €7,000. This amount does not figure at all in terms of tax or social security contributions that should be paid by the employer. It was a sum set at the discretion of the employer.

This profiting from and speculation on those who applied for their employment status to be formalised, an opportunity that resulted from the amnesty, also took place within the Indian community itself. In fact, from what was said by the labourers in interviews, also confirmed by the FLAI-CGIL mediator, for many this “amnesty” became an opportunity to formalise illegal situations, and was also exploited by some Indians legally residing in the area, who presented themselves as employers. Numerous labourers, living in the area for many years without residence permits, were able to legalize their status thanks to family members and relatives (or “middlemen”) that offered to give them a contract for a minimum amount of hours, getting those applying for legalisation to pay all the monthly contributions. One of the labourers interviewed told us of his attempt to get his “boss” to legalise his status but having been asked to pay a large amount of money, he decided to

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<sup>24</sup> Some businesses in the Pontina have factors - men trusted by the owners, who also have good technical skills. Their role is to reconcile the conflicting interests of the farm owners and labourers. Testimonies collected during research showed that the factor's role is of fundamental importance, and today is being increasingly entrusted to workers of Romanian nationality.

<sup>25</sup> [http://www.meltingpot.org/articolo16223.html#.VDODIWd\\_s0Q](http://www.meltingpot.org/articolo16223.html#.VDODIWd_s0Q).

ask a family member, whose status was legal, to help by taking part in the procedure as an employer. *"[...] I legalised my status in 2009 as a domestic worker. My brother in law put in an application. [...] When I talked to the boss, he wanted € 7000 from me, everybody was asking € 7,000. I made an agreement with my brother in law - I pay the contributions of 120 for 20 hours per week"* (Int.18 - foreign worker)

Behind the practice of having one's status legalised as a home help is a strategy to legalise family members and settle down as an extended family. While containing aspects of illegality, this was an opportunity - within a restrictive and punitive legislative framework for new arrivals – for migrants to settle down. Legalisation represented, for these workers, a way to reduce their vulnerability and to escape from their situation of social isolation, which was mainly the result of their lack of legal status.

Chronologically, the newest type of scam on Indian workers in the area, concerns the **procedures for the emergence of undeclared labour**<sup>26</sup>. According to the provisions of this law, which came into force in July 2012, an undeclared worker can be legalised if the employers admits to employing him. In Latina, workers paid employers to start legalisation procedures, which then never took place. These workers realized they had been tricked when they went to Public Prosecutor's Office in Latina to get information on how things were proceeding. However, the law concerns and legalises the position of the entrepreneur, and the immigrant is not in a position to monitor the progress of the procedure. The workers, feeling tricked, turned to the local union, and *"now the case, which was started by four workers who had the courage to file a complaint, involves 32 labourers"* (Int.8 - Lawyer)

In addition to this offense, which now is subject to numerous investigations, there is another involving migrant workers arriving for seasonal work. We refer to the police operation known as "Shaykh", July 1, 2014, which led to eight preventative detention measures issued by the magistrate of the Court of Rome at the request of the Rome District Anti-Mafia Directorate, against the same number of persons. They were charged with aiding and abetting illegal immigration, forgery of private documents, and falsification of public documents. In particular, the eight suspects (five Italians, a Pakistani, an Indian and a Bengali) co-opted obliging farmers, who, in exchange for a substantial amount of money, presented false applications at the Provincial Labour and Immigration Office for the recruitment of non-EU citizens, as part of the procedures for seasonal work permits (know as 'Decreto Flussi'), conspiring to fraudulently create the conditions for the issue of authorizations for non EU citizens, present illegally in Italy or still resident in their native country, to enter or stay in Italy. This criminal organisation, which operated mainly in the Pontina area but with associates throughout the Lazio region and in other parts of the country, made considerable illicit gains, amounting to an estimated two or three million euros in the period monitored by the investigation (two years). In fact, the investigations found that the amount of money paid by foreigners to reach Italy, in exchange for the "services" provided by the criminal association, ranged from 6,000 to 8,000 euros each (2,000 euro for obliging entrepreneurs, the remaining amount for

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<sup>26</sup> In the circular no. 6410 of 27 July 2012, the Interior Ministry illustrated the changes to the Consolidated Immigration Act by Legislative Decree July 16, 2012, no. 109 and, in particular, illustrated the transitional provisions under Article 5 of the latter decree, which provide for a sort of "renunciation of criminal intent " by employers who employ non-EU citizens without regular residence permits before the entry into force of the strict rules of the European Union against the exploitation of undeclared immigrant labour. To bring this recruitment into the open and avoid sanctions, the employer may submit a declaration upon payment of a lump sum contribution of € 1,000 for each worker whose status is to be formalised.

the Italian middleman and the purveyors of foreigners), and that, in a year, the association managed to get hundreds of individuals into Italy.

Another operation, on February 22, 2014, revealed that an organisation was operating in the area of Fondi, producing false documents for the fictitious recruitment by fake entrepreneurs of immigrants - Indians and Bangladeshis -, which involved hundreds of work permits in exchange for a fee, without actually formalizing the employment of any foreigners.

### 3.3 Health risks

Agricultural work involves being exposed to many risk factors: environmental risks determined by the constant use of synthetic products needed to guarantee production, and risks faced by each worker who may be exposed to various physical and chemical hazards (falls, moving vehicles, chemical sprays). From the interviews of Indians working in the Pontina area, it emerged that they are aware of the dangers of working in the fields, in greenhouses and the frequent exposure to chemicals.

Quite widespread among them is the practice of organising their own food and water, so they do not have to drink water from containers and pipes found in the fields and greenhouses. *“I bring water and lunch from home, then after I have worked in the fields I can eat”* (Prot.1 – group interview). The workers seem a bit less protected in terms of exposure to fertilizers, although they are aware that prolonged exposure is harmful, and do not / or cannot use protective masks. Often *“they use woollen scarves to cover their mouths and noses, but after a few hours of work, this soaks up the poison and becomes even more harmful”* (Int.11 - InMigrazione director).

Workers are forced to use many pesticides, thus leading to problems affecting the respiratory tract due to inhalation and contact. Though many complain of abdominal pain, or recurrent irritation of the eyes, they do not always correlate exposure to chemicals used at work with these symptoms, which, in effect, are due to chemical nutrients in the irrigation water used in greenhouses.

Some talk of often having to buy work gloves directly in the fields and, during interviews, we could see their hands, all lacerated and bruised- *“We pull out old plants with our hands, we plant, we tie”* (Prot.1 – group interview). One of the interviewees had an accident when putting a plastic sheet on a greenhouse, injuring and seriously cutting his right hand. The employer, despite having accompanied him to the casualty ward, asked him not to tell the doctors about the circumstances of his injuries.

However, most complained about the exhausting working conditions where they are forced to spend hours and hours on their knees, bent down or vice versa standing with their arms raised high to mount and position plastic sheets for greenhouses. The problems mentioned in the interviews were aching joints, legs, arms, due to having to stay in the same position for long periods, and the wearing effect this produced. It is clear that the health of workers depend not only on the working conditions but also on where they live, housing, sanitation, and food quality. In the case of Indian workers in the Pontina area, these conditions do not reach levels of total degradation, thanks in part to their capacity for self-organization, vis-à-vis nutrition and housing. But what is striking is the almost total absence of proactive instruments for the immigrant, such as health *screenings* for the workers at medical centres or in the workplace.

Studies<sup>27</sup> show that in assessing the seriousness an illness, foreigners take into account the inconveniences of getting medical attention: losing the day's earnings and transportation problems. When asked about the conditions of Indian workers in the Agro Pontino, respondents said although there were a high number of patients with skin diseases, mainly dermatitis and mycosis affecting those working in greenhouses, they thought that their limited recourse to hospital treatment was due to their lack of knowledge, for which they themselves were in part to blame. *"We believe that one reason is that the workers who come here have no knowledge of their rights. What is important, over and above any leaflets we may produce, is for them to be informed of their rights. When they use chemicals, they must put on masks, overalls. They also need to know their rights in terms of working hours"* (Int. 5 - Latina ASL Director).

#### **4. From immigrant worker to victim of exploitation**

The majority of respondents arrived in Italy after 2005, and come from the Punjab, India, some from the outskirts of Ludhiana, others from the capital Chandigarh. They all say that they chose to leave their country because of economic reasons: difficult economic circumstances, unemployment. They hoped to improve their living conditions, start a new family, and have the chance to earn enough to start a new business in India or Italy. These are the reasons given by respondents for choosing to emigrate. Although these reasons are economic in nature, those who leave are the children of the middle class. To maintain a decent standard of living or to improve their conditions, they invest in the emigration of a family member. *"They are all from the propertied and landed middle class, and they sell part of their property to organize the expatriation of one or more children"* (INT 12 – Libera reporter).

##### **4.1 The journey**

In the past, organizing a journey and entering Italy was quite simple - the "pioneers" arrived with an entry visa. However, as of 2000, with the increase in Indian emigration, procedures for the issue of entry visas became stricter and so only the best "equipped", the most educated and urbanized were able to get visas to come to Italy<sup>28</sup>. In recent years the complexities and scale of the journey from India to Italy, has made planning a necessity, involving not only the family but also intermediaries to organize the journey to Italy. We shall now look at the phases which have produced the dynamics that transform a migration journey into a trafficking route.

Once the decision to leave has been made, migrants reach Italy in different ways. The journeys of some of the respondents were complex, long and very expensive, and once here, they lived in a state of illegality for years: *"I paid four million rupees, 11 years ago. I arrived by plane in Moscow and then after a month, I went to Germany and from Germany to Italy [...] For six years I never had a contract, I always worked off the books"* (Int.16, immigrant worker) *"I've been here 10 years. From India, I flew to France, then I slept at a friend's for three months and after that I got to Borgo Hermada. My trip cost 6 million rupees with a visa to stay in France. Once I arrived in Italy I*

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<sup>27</sup> Medici Senza Frontiere, *Una stagione all'inferno*, 2008

<sup>28</sup> M. J. Compiani, F. Galloni, I Sikh in Lombardia, in " in D. Denti, M. Ferrari, F. Perocco, *I Sikh. Storia e immigrazione*, (Milan, 2005) p. 143-162

*worked off the books and with no documents for five years*” (Int.17, immigrant worker). These travel arrangements and this overstayer strategy are used less frequently today.

More recently, the travel arrangements of some Indian workers have become more opaque, and have involved what key respondents describe as “international agencies” or “dual-country organizations” which have channels in both the country of origin and country of destination. *“This kind of journey costs between 8000 and 12 000 euros and immigrants know, before leaving, where they are bound”* (Int.11 - InMigrazione director). According to respondents, confirmed by Police operations, it is a full-blown international system of recruitment of labour in the country of origin for the Agro Pontino market. Until a few years ago, this was the most common method of entry, which, because of the high numbers involved, offered the immigrant a guarantee of being “called” by an employer. A system which, as we saw in the previous section, involved the production of false documents used for the purposes of getting authorisations for Indian migrants applying for entry through “middlemen” who, in turn, operated at the request of local entrepreneurs.

An established practice which, in exchange for a substantial investment, offered a guarantee of destination to families that capitalized the emigration of one of their members. *“They could afford these journeys because the Sikhs in the Punjab are not a subordinate class but a class of entrepreneurs and leaders, who are, therefore, fairly affluent and have money to invest. For them it is an investment which involves a certain amount of risk but not as much as it could be for other communities [...] where families get into debt. Instead, in the Punjab, they sacrifice some of their economic wealth, sell a piece of land, but they can afford it”* (Int.11 - InMigrazione director). This was a common practice in the area of the Agro Pontino, called “chiamata” – the call, but following police investigations and subsequent arrests in the area, *“it has slowly declined, and has no longer been practiced for at least two years now”* (Int.11 - InMigrazione director).

Today, almost all Indians enter the country legally, with a tourist visa, and then try to formalise their position through the provisions of the seasonal “flow decree”. According to key respondents, we are witnessing a kind of “grey trafficking” (Int.11 - InMigrazione director; INT 12 – Libera reporter) which involves the arrival of migrants, who, within a few days, find a job in a local enterprise and at the same time accommodation with their fellow citizens. *“We could say that legality prevails over the illegal practices common until a few years ago”* (Int .11 - InMigrazione director). In this scenario, in this locally established practice, the “flow decree” acts as a kind of “*ex post* amnesty” for illegal Indian immigrants.

This, too, has become a well-oiled and commonplace practice, whereby groups of workers are “called” by a compatriot to meet the production requirements of local companies. The compatriot is a “middleman”, an “enabler” who satisfies the needs of companies with labour supply from the Punjab, India. The actions of this person have a dual purpose: to find labour for the employer, and to find work and accommodation for the Indian immigrants. This mediation is paid for by both employer and employee. But it should be noted that the amount paid by the employer is refunded by the worker himself, forced to work without pay until what is perceived as a debt is completely paid off. *“The employer needs 15/20 Sikh workers because he needs extra work to be done and turns to a kind of “Indian sponsor”, an Indian “middleman”, resident in the province of Latina. The entrepreneur pays this person a certain amount, which may be € 1000 per Indian, for example. This middleman calls a contact in the Punjab and gets 10/12 Indians to pay a certain amount, which may be € 2/3/4 thousand, so the middleman gets paid twice”* . (Int.11 - InMigrazione director)

Once in Italy – or to be precise, according to our key respondents, the airport of Rome - Fiumicino – the Indians are sent directly to towns in the Agro Pontino, where they find both work and accommodation. *“The immigrants arrive. They know that they have all the documents. They know they will be living with other Indians in Sabaudia and Fondi, and already have work in that particular agricultural cooperative. They go to work for this entrepreneur, who makes them work x months for free, until the original investment has been paid back, after which the worker is free to decide whether to continue working for this enterprise.”* (Int.11 - InMigrazione director)

The labour relationship with the immigrant’s first job is an almost exclusive one, at least in the early stages. As we saw earlier, some of the costs of getting teams of migrant workers are paid by the employer, who gets the worker to pay back what our respondents call the “initial investment” by working for free. Despite having only indirect contact with his employer, the Indian worker tends to nurture a feeling of gratitude and recognition towards him. Over time, despite having worked to pay back the costs incurred by the employer, who gave him his first job, this tends to strengthen the relationship with the employer, with the enterprise. For this reason, immigrants *“normally stay on through a process of loyalty which, although guaranting little economic revenue, is better than turning your hopes to a community that is unknown. So they tend to gravitate around this first enterprise”* (Int.11 - InMigrazione director)

It is clear, today, that though initially the condition of subordination in which a worker finds himself is based on this, it is not the only contributing factor. The practice of getting labour triggers two different dynamics. One, as we have just seen, depends on the worker himself, inclined to nurture a feeling of gratitude and indebtedness to the employer, giving rise to a dynamic that involves an unbalanced power relationship between employer and worker. In addition, production times and the organisation of local businesses mean that intense work is required from teams of labourers for certain periods of the year. For this reason, labourers rotate from one company to another and this initial bond tends to weaken over time. This leads to an employer losing his reference status. So, although the relationship is still unbalanced, it becomes more fragmented. This fragmentation only exacerbates the isolation of the worker and his vulnerability. From the legal point of view, this vulnerability manifests itself in the worker’s inability to formalise his legal position. In fact, a worker cannot prove that he has worked continuously for the same employer, since their papers show that they have worked piecemeal for different companies in the Pontina area.

The other aspect is closely related to the cultural context of the Agro Pontino, a context characterized, on the one hand, by informal labour relations and, on the other, by a pervasive culture of illegality at all levels. In fact, a new investigation - which has now reached the trial stage at the court of Latina - showed that false or unauthorised agricultural enterprises took advantage of the 2011 procedures for the emergence of undeclared work. *“Workers who made an application were asked to pay between € 3000 and € 5000”,* the employer would make his application, and then *“did not show up at the Immigration Office or often did not have the income requirements for a successful application”* (Int. 8 - Lawyer).

In this case, too, this mechanism is a trick played on Indian workers, a mechanism that occurs in a context of illegality, which also makes use of Indian middlemen to negotiate and come to an agreement with criminal networks that find obliging local entrepreneurs. We shall now take a closer look at the role of these “occasional middlemen”, placing them within the web of relationships that Indian Sikhs have with the local community. In particular, we shall not give a value judgment but contextualize them within the complex dynamics produced, in part, by the legislative frameworks and administrative provisions, in which individuals seek to gain a personal advantage.



## 4.2 Middlemen, illegality and exploitation

What we would like to highlight in this section is that the unlawful acts of Indian and Italian middlemen are committed within a context that is unclear, in which those who dupe Indian labourers in the Agro Pontino act, it has to be said, in a legal framework characterized by a continuous production of laws that are unnecessarily onerous and often inapplicable, only complicating the lives of immigrants and their relationship with the institutions. For over a decade, the regulatory system - starting with law 189/2002 (known as the Bossi–Fini law) - has created and continues to create opportunities for blackmailing immigrant workers.

According to our respondents, this regulatory framework continues to operate on the construction of the figure of the middleman, as a bridge and indispensable link between the supply and demand of labour within a production system characterized by small and medium-sized enterprises whose production system habitually relies on undeclared work and who feel entitled and encouraged to employ workers without a contract, thanks to a system of hiring immigrant farm labourers that is inadequate. In the following section, we shall try to illustrate the complexities and the different points of view, pointing out that in the production system of the Agro Pontino, all stakeholders benefit, albeit to varying degrees, from the employment of “middlemen”.

The decision to refer to this important figure with the term “middleman” rather than “caporale” is due to elements of different. One is connected to local custom and the testimonies of Indian labourers and key respondents. In fact, only one respondent used the word “carporale” to refer to the person who procures work. While labourers used the circumlocution “good friend and bad friend” to distinguish two different relationships, one of disinterested friendship and the another of opportunity and advantage for one of the two parties. The other element is due to a classification criterion that identifies the “caporale”, in the countryside of Southern Italy, as the person who carries out several functions, including that of accompanist and service provider, in a much larger radius of operation<sup>29</sup>, in which the ‘caporale’ and labourer are linked by relationship of dependency, a pervasive practice not present in the context being studied here.

Starting with the **point of view of employers**, requests for the Punjabi to provide other labourers for the Pontine enterprises have become a common practice because of the need to recruit new workers. Local enterprises would not know where to look, because there is no public employment exchange in agriculture and although local unions are trying to address this situation, the use of “informal mediation” in a legislative framework which limits illegal entry is not only tolerated but seems to be the only viable alternative, particularly for small and medium local entrepreneurs. “*So there are these seasonal flows, which is not so easy, it all very complicated. This guy must come here from India, he has to get a passport [...], making use of the “flow decree”, I myself do not understand anything! But how do our entrepreneurs do it?? It shouldn’t be like this! We have to be joking? This just helps crooks, it seems to be done on purpose!*” (Int.4- President)

The middleman also plays an essential role in later stages, after the first job. They give directions on the work to be done, they are instructors, foremen who communicate and translate the instructions

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<sup>29</sup> E. Pugliese (edited by), *Immigrazione e diritti violati. I lavoratori immigrati nell’agricoltura del Mezzogiorno*, Ediesse Editore, 2013.

given by the entrepreneur on the work to be carried out. *“The employer has two requirements: not to get involved with the Indian crowd, and to make sure everything works. Not knowing each other's languages, he asks one of the workers to translate. Then, over time, this person takes on a certain role, for example, he is the one who recruits a team to go and work in a given field”* (Int.11 - InMigrazione director). They also provide a kind of guarantee for the workers vis-à-vis the employer. In this way, employers can rely on the services of workers for whom they have “references” and who have been trained and are disciplined. In this sense, the middleman is also responsible for the conduct of the labourer.

Over time, this function has also taken on a certain economic importance. *“Generally the Indian ‘caporale’, or middleman, who carries out this type of function is paid on average more than the simple labourer. He is the one who works on a tractor and not directly in the fields, the one who does not work in greenhouses, especially in summer when it's hot, but works outside or in the warehouse, so his role is different from that of a simple labourer”*. It is not the same as in other cases in southern Italy, where they take a cut of a labourer's earnings. The employer pays the middleman for his services of mediation, worker training and “guarantor”. [...] *He gets money from the boss [...] I get € 3 (an hour) and he (instead gets) € 4 per hour”* (Int.19, foreign worker). *“But the largest share of the caporale's income comes directly by the employer, that is, you be a ‘caporale’, I won't pay you a labourer's wage of €4 but € 5. So he has no interest in profiting also from the labourers”* (Int.1 - Secretary General FLAI CGIL)

From the **point of view of the labourers**, the middleman is the person who finds them work in an enterprise, finds them accommodation on first arriving in the Agro Pontino. In some cases, the middleman is in contact with labourers throughout the period and, as seen above, also gives them instructions on the work to be done. The middleman is responsible for recruiting teams of workers in the busiest times of production, when teams of labourers have to do the same work in many local enterprises, and it is the middleman who organizes working groups and the move from one enterprise and another. *“Friends find us work. There are good friends and “bad friends”. He and the other friends are the ones who tell us where to go: work here, work there”* (Int.16, foreign worker)

As regards work, he is an instructor, and at the same time a linguistic interpreter. But this link, which makes a labourer dependent on the instructions of his middleman, breaks in a banal way when the labourer learns to speak Italian. *“There's the boss that tells me what I need to do [...] But when I started to speak Italian it was better [...] then I spoke directly to the boss, and I said I wanted more work, now I work 8 hours a day “* (Int.17 foreign worker).

The middleman introduces a labourer into the Agro Pontina environment without having any kind of competence as regards immigration. Over time, this aspect, as we shall see, makes the labourer dependant on middleman. Forms of blackmail and harassment practiced by middlemen on labourers, as recounted by respondents at the time of the survey, involve usury. As noted earlier, according to local practice, labourers are paid weekly or monthly by the employer. For two years now, labourers have been complaining of long delays in payment, up to three months late. Either a part is paid when the product is sold, or just one month is paid up to 2/3 months late. The labourers are thus unable to meet daily expenses and are forced to turn to the middleman to pay, for example, the rent. So the middleman also makes money in a later phase, when a labourer is hard up. *“They won't borrow money from their family but ask the middlemen. An Indian will lend € 200/300, which, in four months time, leads to the practice of loansharking and this activity certainly exists!”* (Int.11 – InMigrazione director).

This aspect highlights how various parties profit from the vulnerability of labourers. But the fact remains that the middleman plays a fundamental role. He can meet the demand for labour in the absence of other mechanisms and he can guarantee an immigrant worker a number of essential services, both work related and personal. This dual economic and social function means that the role of the middleman, in social contexts where there are no alternative institutionally recognized mechanisms, is still important and has even become more powerful, as a result of a persistently dysfunctional labour market. On the other hand, the existing legal framework does not enable workers to seek guarantees from institutions and to make use of regulatory tools, though operational and theoretically accessible to them. A law that does not allow you to stay in the country unless you have a regular employment contract, which is not issued unless you have a permit to stay, confines illegal immigrant workers to a vicious circle of illegality and inclines them to view the middleman, often a compatriot who is not always moved by feelings of solidarity, as an institution to turn to for help and not a superfluous and, at times, duplicitous mechanism that is potentially avoidable. In conclusion, the legal recognition of undeclared immigrant labour could trigger a virtuous process that could enable these workers to escape from the world of illegality and labour exploitation.

## **5. Actors and actions to prevent and combat labour exploitation in agriculture**

In view of the scenario outlined above, in this chapter we shall present some actions taken and proposals made in the interviews conducted during the field research<sup>30</sup>. Before describing the actions taken by individual actors, we shall outline some major findings from field research on the role of the actors and the consequent actions taken in order to bring out and address the problem of labour exploitation in agriculture. In particular, we found:

- a) a weak system of *governance*, where local unions and associations have often operated independently and in isolation from local and national institutions;
- b) an absence of local or national policies organically directed at combating the phenomenon of labour exploitation in the Agro Pontino;
- c) individual policy interventions that seem to be a response to exceptional and emergency events rather than organic policies and strategies that precede them and prevent them from happening;
- d) a lack of cooperation from local institutional actors vis-à-vis research activities; in some cases, the existence of the phenomenon of immigrant labour exploitation in the area was even denied;
- e) a few early signs of convergence on these issues between local and regional actors.

### **5.1. Actors: actions taken and proposals made**

As will be seen in the following paragraphs, the proposals made and actions taken by local socio-institutional actors in the area<sup>31</sup> mostly address common issues such as: illegal work, regulations; welfare; the work placement system; individual and collective protection; support for “law-abiding” enterprises.

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<sup>30</sup> The proposals and actions mentioned, and attributed to a single actor, could also be the result of collaborative relationships between a number of other stakeholders who we were unable to interview, despite being seen as key actors in this research and for this reason repeatedly contacted. As a result, any activities undertaken were not observed.

<sup>31</sup> The actors involved in the research included social partners (trade unions and employers' associations), local associations and local institutions (Regions and ASL).

## *Social partners*

The trade unions have constantly been involved in the process of combatting and bringing into the open the labour exploitation of immigrant workers in the province of Latina. Since the arrival of the first Indian workers in the Agro Pontino, in the early 2000s, FLAI CGIL<sup>32</sup> has carried out effective actions and initiatives which have managed to break the barrier of natural distrust, gaining their trust and increasing participation. To address the language problem, the union first found a mediator who could act as a bridge with the Sikh community, followed by intense activity of translation into their native language of documents and acts (e.g. laws of greatest interest, national labour contract, etc.), so that they could be informed of their rights. This activity was followed by the launch of free Italian language courses at the union offices of Borgo Hermada, where there is a high concentration of Indian workers. Participants were given the opportunity of acquiring language levels certified by CPT and the Lazio Region. Again, in its offices of Borgo Hermada, FLAI CGIL opened an information and legal assistance desk, which is also staffed by a cultural mediator, attracting about two hundred workers per day. The union's closeness to the Sikh community can also be seen in its continuous participation, for over ten years, in religious services on Sunday in the temples. In this way, the union has managed to gain the trust of workers, to the extent that union members have even been permitted to speak during the religious services, often in front of over a thousand people, thus having the opportunity to inform them of their rights. Many initiatives have been promoted by the union to raise awareness among public institutions of the condition of labour exploitation to which the Indian workers are subjected.

### A. The emergence of contractual irregularities and undeclared labour

One of the causes of the severe labour exploitation of Indian workers employed in agriculture in the province of Latina are contractual irregularities. Inspections carried out directly in the enterprises do not always succeed in verifying the regularity of employment contracts and the working and health conditions of workers. This is due both to the objective difficulties of conducting comprehensive monitoring of a large number of companies (due to the limited resources available to inspection bodies) and the methods of control: from an accounting point of view, the pay-packets are, in fact, regular. To overcome these limitations, the union has proposed the use of **congruence indexes**: parameters that define the relationship between the quantity and quality of goods and services offered by employers and the amount of hours worked, as a tool to direct controls. *“Given that there are parameters called congruence indexes: crops per hectare, which are public, on the Internet ... is it congruous for 50 workers to have harvested X tons of tomatoes? Is the hectare-crop ratio correct? If so, a certain type of control will be carried out, if not an inspection should be made”*. (Int.2, FLAI CGIL)

Another proposal made by the unions concerns a **public employment exchange**, a sort of register of agricultural workers displayed in a public place: town hall, prefecture, job centre, where companies can apply for workers - a system for combining demand and supply of labour. Any company applying to the employment exchange would get tax relief or another type of benefit, managed through the Ente Bilaterale per l'agricoltura<sup>33</sup>. This, according to the unions, would

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<sup>32</sup> Federazione Lavoratori Agro Industria della CGIL (Federation of Agro Industry Workers).

<sup>33</sup> FISLAS is an organization that brings together employers' associations (Confagricoltura for farmers, Coldiretti for small farmers and the CIA - Italian Farmers Confederation, for small and medium-sized enterprises) and unions, in particular the CGIL, CISL and UIL.

facilitate the emergence of undeclared work, and would break the bond of subordination between the worker and ‘caporale’.

*“If I make a special law which states that any agricultural business that uses the public employment exchange scheme to hire workers will be given tax relief by the region, rather than the municipality, this could be a way of stopping the practice of recruitment through ‘caporali’.”* (Int.2, FLAI CGIL)

Confagricultura promotes initiatives such as **collective recruitments for groups of enterprises**<sup>34</sup>, to counteract the illegal practice of using middlemen to procure workmen.

*“We are promoting collective recruitments. The fact that many businesses are turning to us is significant in that we are striving to establish a virtuous cycle in this regard”* (Int.4 – Confagricoltura Latina).

Other union proposals concern **regulatory areas**. In particular, EU Directive no. 52 2009 regarding action against employers of illegally staying third-country nationals<sup>35</sup> and the directive of the Ministry of Labour on inspection services and supervisory activities (2008).

In the first case, the union believes that *applications for legalisation* could cover thousands of cases. However, the main weakness of the provision is that it is the employer that is supposed to report the illegal hiring of labourers, which precludes any possibility of following up the formal application procedures.

*“A law was made in which employers could legalise the status of undeclared workers by admitting to having employed them. This cost them about 1,500 euros, including the paperwork and fine. In most cases, the € 1,500 were paid by the workers who gave the money to the employers. The employers produced the documentation at the desks and then forgot all about it. So, what happened was that the immigration desks would repeatedly ask the employers to provide additional documentation or convened them for an interview, which they did not attend. After sending out three warning, the application would be rejected definitively. They got their money, they lost interest. [...] The law states that information can only be given to the people who make the application, namely the employers who extort the money”.* (Int.2, Flai Cgil)

In the second case (inspection services and supervisory activities), the union's proposal is to set a *deadline* for the Territorial Labour Directorate to carry out an inspection at an enterprise after receiving a complaint, a deadline not envisaged at present.

To date, in fact, any complaint of irregular working status submitted to the territorial labour directorate places workers in a vulnerable position vis-à-vis the employer, who is immediately informed of the complaint and may, if he so requests, be informed of the identity of the person who filed it. In this system, considering the time that passes between the filing of a complaint and an inspection at the enterprise, two possible risk scenarios emerge: a) a worker who has filed the complaint, or any witnesses, may no longer be present in the area because his residence permit has expired, or perhaps because he has decided to move elsewhere in search of better working conditions;

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<sup>34</sup> Article. 9, paragraph 11, of Decree Law no. 76/2013 (converted with amendments by Law no. 99/2013), introduced into our legal system group or network recruitment, ie the recruitment of a single worker by a number of companies that have to comply with certain regulations. Agricultural enterprises, including cooperatives, those belonging to the same group, ie having the same owner or individuals linked by a bond of consanguinity or third degree of kinship, may jointly hire employees to carry out work in their enterprises. Joint recruitment can also be used by companies linked by a network contract, when at least 50 percent of them are agricultural enterprises.

<sup>35</sup> The Directive was implemented in Italy through Legislative Decree July 16, 2002.

b) the worker who reported his undeclared status is left unprotected vis-à-vis his employer and other employers, who may decide to marginalize and exclude him from the labour market. If the system can prove difficult for legal non-EU workers, it becomes impractical for anyone illegally residing in Italy, which is the case for a considerably high number of agricultural workers in the Province of Latina. In fact, if it is a worker who is in Italy illegally that reports the state of exploitation to which he is subjected, the Territorial Labour Directorate, through its police department, is required to repatriate him, which makes it highly unlikely that any complaint will be filed.

*“Since 2008<sup>36</sup>, the union has been able to do very little without the express consent of the worker. If a non-EU citizen does not come to me, which they will never do because they are scared, and tells me to report the situation, I cannot go to the office of the Territorial Labour Directorate and say that that a company is exploiting immigrant labour, even though I know it is a fact. These people will never speak, because they are blackmailed. If they talk, they are excluded from everything and this means having no contacts, no help [...]. (Int.3 – Fai Cisl).*

Finally, another union proposal concerns the **welfare sector**, which to date is open to possible abuses and fraud. The union proposes an amendment to the law so that an employer is required to send a *daily communication* to the INPS so that the work performed may be tracked and monitored.

*“If I have a contract for three months, the employer should be obliged to inform INPS every day if the employee has worked on that day or not” (Int.3 – Fai Cisl).*

In fact, agricultural work, more than other sectors, is strongly influenced by seasonality; it follows that only at the beginning of the season can an employer determine approximately how many days of work will be required of each worker. For this reason, an employer is obliged to submit a form every three months to the INPS that indicates the number of days a labourer has been hired to work.

*“Welfare in agriculture is a bit different, it is a type of welfare not found in other sectors and there are loopholes as regards undeclared labour. The intention is positive: in agriculture you do not work every day - there are the seasons, the weather, the hours of daylight to take into account. Generally, companies give two contracts: one until June 30 and the other from July 1 until December 31, which means that I shall presumably need this worker from January to June for 50 days. The employer does not communicate the days of work to the INPS every day but every three months. So, if there is an inspection today and you are found working, your papers will be in order, since no days are indicated, it only thing that matters is that I have given you a contract at the beginning of the year”. (Int.3 – Fai Cisl)*

This system, in addition to being a breeding ground for the proliferation of illegal labour, is also a ploy to get unemployment benefit illegally, a way of defrauding the INPS and taxpayers. In some cases, what is often defined as a “balanced” pay-package is actually an agreement between the parties, the employer and the worker, each deriving an advantage from this particular form of contractual illegality.

*“There are people who work every day of the year, even on Saturdays and Sundays but the sum of the days paid in the pay-package are never more than 150 days, because that way I get unemployment benefit. Then I get money from the company, some is paid off the books. If I say I have worked 150 days, I pay taxes for only 26 weeks, so I get unemployment benefit. Since it seems*

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<sup>36</sup> The reference is to the Directive 18 September 2008: "Inspection services and surveillance activities", issued by the Minister of Labour.

*that I have no income for tax purposes, I also get other benefits, and in agricultural welfare 52 days of social security contributions count as a full year” (Int.3 – Fai Cisl).*

### B. Strengthen communication and information to remove forms of social isolation

As has been widely illustrated in this report, the Sikh community in the province of Latina make a concrete contribution to the area’s economic and social growth and development. However, this has not led to a positive integration process. The lack of dedicated services, and the consequent communication difficulties between Indians and Italians, greatly amplifies social isolation and exposes the former to fraud and forms of labour exploitation<sup>37</sup>.

All this produces a cultural and social barrier, behind which, and in spite of themselves, they are confined. Few move out of their confines. They do not know what institutions there are and the purpose they serve, hence their distrust of those who represent them. Often they do not know their rights, which are passed off as “favours” by their exploiters.

The first actions taken by the local associations and unions involved trying to break down this barrier by communicating with them. For example, any information that could affect them was translated into their language and leaflets were pinned up in places frequented by them. *“The difficulty was communicating with these workers. We began by translating leaflets, laws, rights” (Int.1 - FLAI CGIL).* Through constant work, the associations and trade unions started to overcome the natural distrust of this community, and slowly gained their trust ... *“For ten years we have been going to their temples every Sunday” (Int.1 – Flai Cgil).*

### C. Protecting law-abiding companies

In addition to leaving workers unprotected, undeclared work breeds a system of unfair competition between companies, placing law-abiding ones at a disadvantage in the market. The underground economy includes production of goods and services that do not figure in national statistics, because they are linked to phenomena of undeclared work and tax and social security evasion.

*“There are law-abiding companies that in our opinion have to deal with unfair competition from those who bend the rules as regards tax, recruitment, complaints, payment of contributions. A product without rules can be sold at very competitive rates and this is a problem for companies who pay contributions for thousands of working days, who give payslips, who give workers a chance to take leave. So we, as an organization, keep a watchful eye because many of our companies go bankrupt because they cannot compete in a market where products are made without any rules (Int.4 – Confagricoltura Latina).*

In this system, the risk is that law-abiding companies will try to copy the forms and characteristics of the illegal economy adopted by companies that break regulations.

*“What is happening is that instead of generating a mechanism by which law-abiding businesses join together and convince others not to use these illegal practices, they too begin to consider the advantages of negotiating wages with foreign workers, and in some cases this has already happened” (Int.2 – Flai Cgil).*

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<sup>37</sup> In Migrazione, Punjab. *Fotografia delle quotidiane difficoltà di una comunità migrante invisibile*, January 2013, [www.inmigrazione.it](http://www.inmigrazione.it)

Hitherto, law-abiding companies have not tried to establish an independent association to represent them and give them visibility, nor have there been any big demonstrations against the underground economy and the condition of illegality by which ‘deviant’ businesses benefit to the detriment of others. Thus, we need to identify mechanisms that provide incentives for businesses that abide by the rules, that make them recognisable to the consumer, through a *logo*, for example. Companies that comply with all the rules, those that give contractual and occupational security, should be granted a financial contribution or a tax rebate or another type of benefit. These are the sort of proposals being made by the unions.

*“If you are an honest employer in the province of Latina, it is hard to survive because of unfair competition. We want to set up something similar to Liguria’s “il fiore giusto” – fair flower - companies that respect the rights of workers receive from the chamber of commerce a logo that says ‘fiore giusto’. So a person who buys the product and sees the logo knows that it has been produced without exploiting anyone.”* (Int.3 – Fai Cisl).

### *Local associations*

#### A. Bringing into the open contractual irregularities and undeclared labour

The phenomenon of illegal hiring is also combatted through criminal prosecution<sup>38</sup>. To this effect, the association InMigrazione, for example, supports a proposal to include the **crime of illegal hiring** in **Law 416bis**, which governs the crime of criminal association, given the recruitment methods, mediation, exploitation and subordination, and sometimes violence that are practiced in the Pontina area and, more generally, in much of Italy<sup>39</sup>. Other proposals regard the introduction of a public employment exchange and stricter rules to combat the illegal hiring system, for which the law currently in force is considered significant but ineffective, given the widespread nature of the phenomenon, and thus needs improving. One weakness is the difficulty of catching someone actually committing the crime, the second concerns the fact that the onus falls on the exploited worker to report a situation of exploitation, and exploited immigrants who need to work will be unwilling either to do this or follow all the bureaucratic procedures required up to the start of the trial.

*“We found a worker who had not been paid for two years, working for free and who was being kept by the community that fed him. InMigrazione and FLAI CGIL persuaded him to report the situation but the hearing was set for one and a half years’ later. So what did this person do? He went to work in Brescia, which means that when the time comes for the trial we shall have to get him to come back, but will he come? Three witnesses are needed, who must also remain in Lazio for a year and a half, and this is unlikely to happen. All this makes it difficult to implement any effective action to fight the phenomenon”.* (Int.11 – InMigrazione director).

#### B. Protecting law-abiding companies

To guarantee more space in the distribution of products and provide independent channels for companies that choose not to be shackled by a system dominated by middlemen, direct contact should be fostered between producers and retailers, overriding the channels of intermediation and the possible illegalities concealed within them.

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<sup>38</sup> Article 12 DL August 13, 2011, no. 138, converted with amendments by Law 14 September 2011, no. 148, introduced into the Italian penal code the crime of illicit brokering and labour exploitation.

<sup>39</sup> In Migrazione, *Sfruttati a tempo indeterminato*, op cit.



*“We have projects. One in particular, launched by the Coop, involves about fifty local cooperatives supplying products to the Coop without the need for any intermediaries. In this way, businesses have found a channel to supply large retailers, thus receiving support for their activities”.* (Int.12 – Libera reporter)

### C. Combatting the activities of organized crime

Phenomena linked to criminal organizations and the mafia are becoming increasingly widespread in the Pontina area. In fact, as pointed out in the DNA report<sup>40</sup>, there is a progressive and silent infiltration of mafia organizations in the economic and business community. The province of Latina has always been infiltrated by organized criminal groups, especially from Campania, tempted by the geographical proximity, and the less strict police controls, to expand their operations to Southern Lazio. To monitor and curb infiltrations into the economic and commercial community, the Interior Ministry has included the province of Latina in the project “Inter-Police Force Asset Investigation Desk”. It is in view of the risks associated with the infiltration of organized crime in the province that, since 2011, proposals have been advanced by political forces and the InMigrazione association to set up an anti-mafia investigative department in the Pontina area, boosting at the same time the numbers of police and the judiciary.

#### *The Lazio Region*

### A. Combatting and bringing into the open contractual irregularities and undeclared work

In a recent **bill**<sup>41</sup>, the Lazio region proposed a law to combat and bring into the open undeclared work in agriculture. In particular, the proposal covers the areas of supervision, control and territorial economic development. Specifically, the key points of the bill include: a) the identification of congruence indexes: parameters that define the relationship between the surface area of an enterprise, the amount of goods and services offered by employers and the amount of hours worked. The congruence indices can be used to map the area and direct controls, through the collaboration of the Region, social partners, universities and labour inspectors; b) employers’ compliance with laws and collective contracts in exchange for regional benefits. Regional funding and incentives for employers will be immediately revoked should they fail to comply with the obligation of submitting to the territorial employment centre documentation containing the date of employment of any new workers no later than the day before they actually start working for the business. In addition to the cancellation of funding, any employer not complying with this requirement will have to return the amounts received and will be excluded, for a period up to three years, from the granting of loans or other benefits. In addition, when applying for benefits and for the duration of the loans, employers must provide a copy of their annual VAT statement and single employment ledger; c) the establishment of job availability lists for the agricultural sector at provincial job centres, in which workers can add their names to be hired or rehired in the region’s agricultural enterprises. This measure aims to address the problem of illegal hiring. Also, a legality rating is to be established for enterprises and companies called “*Bollino/logo di legalità e qualità della regione Lazio*” (Lazio Region legality and quality stamp/logo), which will accompany agricultural products and will be used

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<sup>40</sup> Direzione Nazionale Antimafia, Annual Report, 1 July 2012-30 June 2013, January 2014.

<sup>41</sup> Draft regional law 127 of 27 January 2014, “Changes to regional law 18 September 2007 no. 16 (Provisions aimed at labour protection, combatting and bringing into the open undeclared work). Laws for the emergence of undeclared employment in agriculture. At the time of writing, the bill was being discussed in Commission VIII - Agriculture, which could result in changes to the text of the original proposal.

as an evaluation index for the granting of loans and financial aid provided by the Region and associated institutions.

### B. Remove forms of social isolation

Recently<sup>42</sup> the InMigrazione Bella Farnia Project was presented, thanks to the Lazio region and the contribution of FLAI-CGIL, whereby a multipurpose centre will be set up in the residential complex of Bella Farnia, home to a considerable number of Indian labourers. The aim of the project is to provide the Indian community of the Pontina area with the fundamental services for social inclusion<sup>43</sup>, with the aim of breaking their social isolation and cultural ghettoization, which is a contributory cause of the conditions of exploitation that primarily characterize work in agricultural fields.

### *The Local Health Centre*

#### A. Access to healthcare and preventing accidents at work

With regard to access to healthcare in the province, in November 2005 the ASL opened an STP clinic (temporary foreign residents) for the *Organizzazione e Gestione delle Emergenze Sanitarie Immigrati* in the city of Latina<sup>44</sup>, in partnership with Famiglia Migrante volunteers. In 2007, in response to an increased need for healthcare and to ensure greater and more widespread territorial coverage, the local health authority extended the STP network by opening a further five outpatient clinics<sup>45</sup>.

*“We have clinics in Latina, Terracina, Sabaudia, Pontinia, Fondi for temporary resident foreigners. We put them there because these municipalities have the most agricultural workers. These clinics offer free services, vaccinations, information, and cultural mediators to liaise with them”.* (Int.5 – Director ASL Latina)

Many **accidents** occurring in the **workplace** in the Pontina area, some very serious according to our interlocutors, are not reported or reported as accidents in the home and never in the workplace. To keep track of this type of injury, the Latina ASL, in cooperation with the Carabinieri and local police forces, signed a **protocol with A&E**, so that every injury that is considered suspect, and thought to be due to an accident at work, is communicated to the ASL, which sends inspectors to verify the cause of the accident and, if it is established that the accident took place at work, a procedure is implemented that leads to the identification of the employer, with the help, if necessary, of the Carabinieri.

*“Today, with the cooperation of the police and local police forces, a protocol has been established with A&E: we are notified immediately of anyone admitted to A&E (throughout the province) with an injury thought to be caused by an accident at work. The emergency service calls us and I send an inspector to check things and try to convince them ...”* (Int.5 – Director ASL Latina)

Among the various actions taken in 2012, a **Convention** was signed between the regional INAIL Offices of Lazio, the Latina ASL and FISLAS Latina (Joint Committee for the management of the

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<sup>42</sup> The project was submitted on 20 October 2014 in Borgo Piave.

<sup>43</sup> The project includes the following services: Italian language courses for adults of the Indian community in the Pontina area; a social services and registry desk; provision of correct socio-legal information and specific legal assistance.

<sup>44</sup> Structure for the coordination of health activities for foreign citizens.

<sup>45</sup> Aprilia, Sabaudia, Pontinia, Terracina and Fondi.

integrated medical fund for the farm workers of the Province of Latina), which provides for the implementation of a project for health and safety at work for farm workers in the Pontina area: **“Sicurezza in agricoltura” (Safety in Agriculture)**. It includes: training and information courses held directly in the fields and on farms for both employers and agricultural workers, to reduce the occurrence of accidents and occupational diseases; technical experts (agronomists, etc.) that travel to farms to identify risk situations, such as the use of pesticides, and check the use, maintenance and compliance of agricultural vehicles, the compliance of facilities (electrical system, dormitories for workers, etc.), and give advice on safety in the workplace. The project also includes training for outside experts. Different areas are targeted each year: in 2014 Latina, Sabaudia and Pontinia. In 2013, about sixty companies in the north of the province of Latina took part in the activities.

## 5.2. Networking to combat the problem of labour exploitation

Bearing in mind the objective difficulties caused by the lack of resources to carry out checks, the various local actors should act in synergy to combat the problem of severe labour exploitation of foreign workers in the province of Latina, implementing measures that raise awareness in the local community and planning cultural integration initiatives. Policy-making should be the result of an incremental process and research should focus on the processes and interactions of multiple actors, public and private, collective and individual, so that solutions can be found for the problems affecting the community.

Collaboration between local actors is underway and coordination tables have been set up. For example, representatives of the **ASL, DTL, INPS and INAIL** sit around a table every three months and discuss the annual schedule of monitoring activities. The table provides for joint ASL and DTL supervisory activities, establishing the areas that most require action, identified as a result of investigations into the presence of undeclared work.

Coordination tables and actors working in synergy seem to be the strategy currently being pursued. Indeed, most of the area’s social and political institutional actors attended the Territorial Council for Immigration meeting, held on June 16, 2014, at the Prefecture of Latina, to discuss the labour exploitation of immigrants employed in agriculture in the province of Latina. The meeting was attended by the Prefect, the heads of the Financial Police, Carabinieri, the State Forestry Department and the Latina Police, the Lazio Region Labour Councillor, representatives of INPS, Inail, Asl and DTL, the mayor of Sabaudia and exponents of voluntary associations and the trade unions. The actors at the meeting agreed to set up **working group-task force**<sup>46</sup> to programme and share initiatives aimed at combating undeclared work and illegal hiring in agriculture, especially with regard to local Indian residents.

However, it should be mentioned that, despite the above recent political and institutional initiatives, often the associations and trade unions active in the Pontina area operate independently and in isolation in their efforts to carry out and promote initiatives to raise awareness, report illegal

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<sup>46</sup> The Task Force, established in October 2014, is made up of representatives of the following entities: Latina Prefecture; the departments of Labour, Social Policy and Sport, Economic Development and Production, Agriculture, Hunting and Fishing in the Lazio region; the Municipality of Sabaudia; Latina Police Department; Provincial Command of the Carabinieri; Financial Police; Provincial Command of the State Forestry Department; Chamber of Commerce; Territorial Labour Directorate; ASL; INPS; INAIL; Italian Confederation of Farmers; Confagricoltura; CGIL; CISL-ANOLF; UIL; UGL; Association for the Interaction of Immigrants in Latina (AIII).

situations, foster integration, provide information and put forward proposals, highlighting a lack of synergy with both local and national institutions.

What emerges from the research, and which affects policy-makers and the *policy making* process for other phenomena and contexts, both locally and nationally, is the difficulty of adopting an incremental decision making model to identify and analyse phenomena, formulate draft *policies* that are organic and shared with other stakeholders, evaluate results and take decisions. On the contrary, the actions planned and the initiatives undertaken seem to be those taken in response to emergencies.

For this reason, networking would be a particularly desirable practice to set up, involving all local political-institutional forces and associations that take an active part in bringing into the open and combating the phenomenon of labour exploitation in agriculture, and this is the direction that our research will now follow.