




PANDEMIC OF EXPLOITATION IN EUROPEAN TRUCKING

VNB-ITF-IUF Report on
European road transport

June 2020



Companies are exploiting Covid-19 to further cut transport prices, pay, conditions and health and safety. Long before Covid-19 hit Europe, the road transport industry was already sick, plagued by the exploitation of drivers and human rights abuses. The coronavirus pandemic, however, has exacerbated the abuse, with a pandemic of exploitation spreading through European trucking.

Truck drivers in Europe are highly exposed to the impacts of Covid-19.¹ The lives and welfare of many truck drivers and road users in Europe are in danger. Decades of subcontracting and deregulation have facilitated and hidden the exploitation of drivers in the trucking industry. Multinational customers of transport services have continued to demand lower transport prices. Transport prices and wages are no longer safe. Many multinational companies are uninterested or unaware of which trucking companies are moving their goods, the exploitation that subcontractors often rely on, and the health and safety risks involved. This created the perfect storm for even greater exploitation during the Covid-19 crisis.

During this crisis, strong, reliable supply chains are needed. An industry built on exploitation, unsafe work, and human rights abuse is not strong, reliable or sustainable. Governments, multinational companies and trucking companies must take responsibility for the protection of drivers to safely move goods essential for the survival and recovery of the European economy and society.

The investigation has uncovered several issues common in the industry before the Covid-19 crisis:

- Drivers are enticed to work in the European Union (EU) from the Ukraine, Belarus, Uzbekistan, Turkey, the Philippines and other **non-EU countries**;

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- They are employed on **Eastern European contracts** despite almost exclusively working in Western Europe. They are often forced to sign **contracts in languages they cannot read**;
 - Employers are **moving groups of drivers by minibus** to Western Europe to begin their work;
 - Non-resident drivers are **paid** average fixed salaries of around **€100-600 per month**, and many drivers are **denied pay** for their previous work;
 - Drivers **rest, sleep, eat and live in their vehicles** for months continuously;
 - Drivers are briefed and supplied with **false documentation to mislead authorities** about their employment status, and are **told not to answer questions** on driving and resting times;
 - Drivers were threatened with **violence and financial penalties** for complaining about health and safety, pay and other issues;
 - **Human trafficking** is a growing problem in the industry. Victims from outside the EU are trafficked into Eastern Europe, work in Western Europe, and often find themselves stranded without the financial means to return home; and,
 - Employers exploit the **lack of checks and controls** of road transport and labour and human rights regulations by enforcement authorities and multinational customers at the top of supply chains.

1. Insert link to accompanying film

A number of additional issues that threaten the health, safety and welfare of drivers during the Covid-19 crisis have also been discovered:

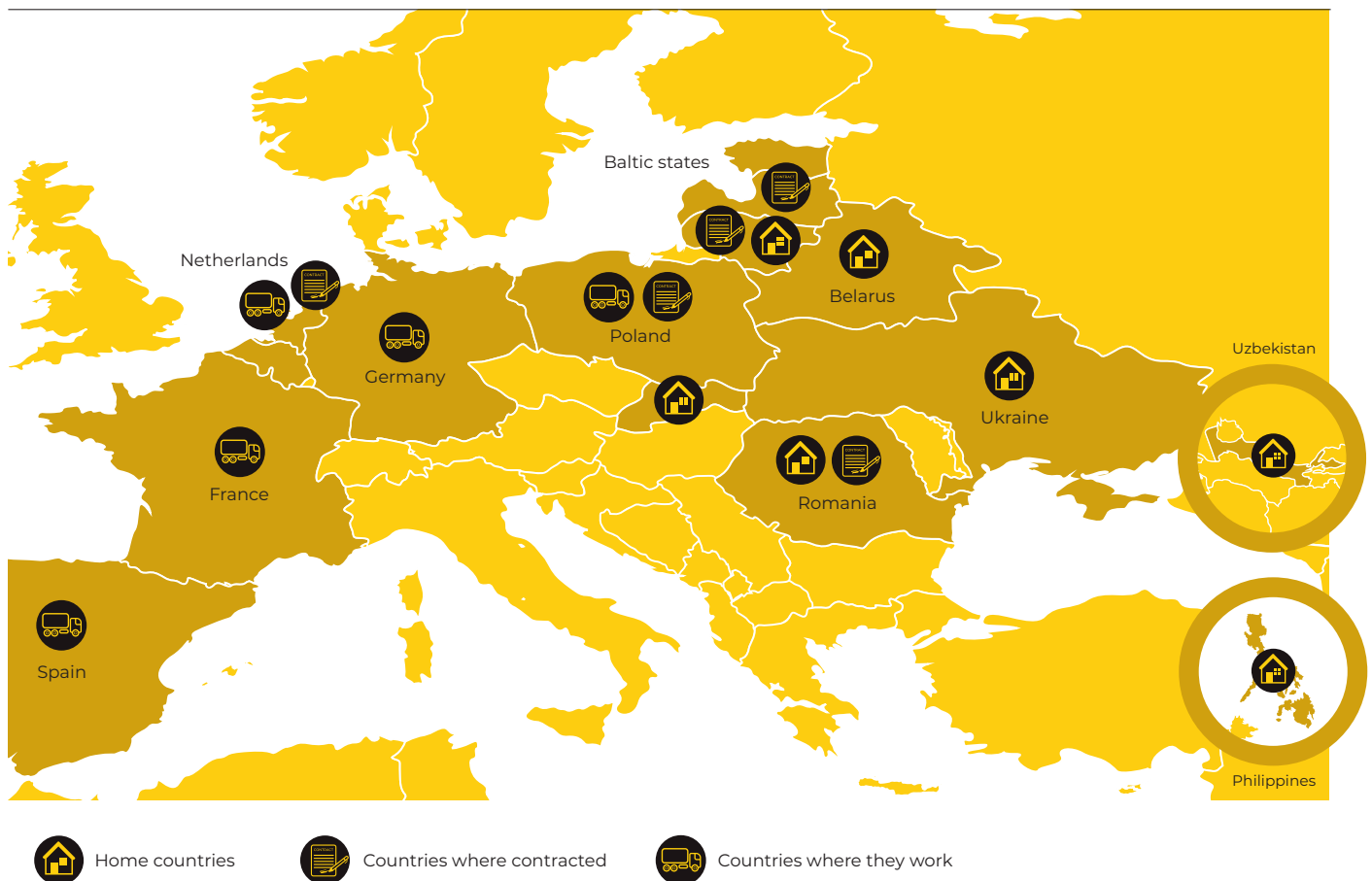
- Multinational customers and transport companies are **exploiting the crisis to reduce transport prices and driver pay respectively**;
- Drivers are being provided with **little or no personal and protective equipment (PPE)**, and when they are informed about the risks, drivers are being asked to find and buy their own PPE;
- Exemptions to driving and resting time regulations have led to **employers misleading and coercing drivers into working dangerous hours** and ignoring the risks of driver fatigue;
- Drivers are effectively forced to stay with their vehicles in places with **no access to clean water, functioning toilets or free showers**;
- They are being **denied access to sanitation facilities**; and,
- They are **not receiving sick pay** and employers ask drivers to take unpaid leave when they are sick.

Drivers interviewed are moving the goods of some of the biggest multinational companies and brands in the world. Drivers are either employed by small subcontractors at the bottom of complex supply chains, or by some of the biggest transport companies in Europe that are directly contracted by multinational companies.

The information and stories in this emergency report were collected by the FNV-VNB,² during the 2020 Covid-19 crisis. The findings of this report are based on various testimonies, documents and data gathered from drivers and other sources across the industry, and across a number of European countries.

'Socially distanced' field investigation and desk research strategies and techniques were used to collect this information, different to those normally used by VNB. The information and stories contained in this report provide case studies of the broader impact of Covid-19 on drivers. The information has been made anonymous to protect the identities and employment of the drivers involved.

THE ROUTE TO EXPLOITATION IN EUROPEAN TRUCKING



2. VNB is the road transport research and enforcement foundation, founded by the Dutch trade union, FNV

Employment status and place of work

Before the Covid-19 crisis, there was a shortage of truck drivers across the EU. Instead of raising wages, improving standards and employing drivers in the country they work, road transport companies developed new exploitative business models. Trucking companies began employing non-EU drivers in lower-wage EU countries, to work in higher-wage EU countries.

Drivers interviewed are employed on Eastern European contracts but almost exclusively work in higher-wage countries in Western Europe. Employers often do not provide drivers with contracts in languages they understand, and/or exploit their unawareness of their rights in the countries they are employed in.

Non-EU drivers often borrow money to travel to the EU in the hope of finding the decent job they have been promised. When entering the EU, these workers quickly realise how vulnerable they are. They sign a contract in a language they do not understand, in a country they cannot speak the language of, and are unable to ask for help. The financial investment drivers have already made to reach Europe means they have no way out. Before drivers sign their contract, trucking companies have already begun to mislead them and strip them of the rights they are entitled to in the countries they are contractually employed in.

As soon as they have signed the paperwork, employers then move groups of drivers in minivans to Western European truck parks. Drivers pick up their Eastern European-registered trucks and begin working.

Now they are working in a higher-wage country, employers often instruct drivers to mislead auditors and police. Non-resident drivers interviewed revealed that they are given false documentation stating that drivers' contracts and wages respect local Western European laws.³ Unable to read the language the documents are written in; drivers are again unaware of the rights they are entitled to in their place of work.

Before the Covid-19 crisis, drivers were already vulnerable. But now, these business models risk transmitting the virus amongst the drivers they exploit and the people they come into contact with.

Driver A, a Ukrainian driver employed in the Baltic States, was interviewed having already been driving for months. He stated during a Western European police report:

*"I'm transported from the Baltics in a minivan with several other drivers to Western Europe to pick up my truck. I was promised to stay on the road for only three months, but I was forced to stay way longer this time during Covid-19. Instead of paying me the agreed salary, the company only paid me a few hundred Euros per month. I've never received a pay slip. When I do get paid, it's always less, without any explanation."*⁴

Driver B, a Romanian driver employed on a Romanian contract by a Polish subsidiary of a Dutch company, stated:

*"In the first weeks of Covid-19, me and my colleagues got in an employer's minibus from Romania to the Netherlands where we have our base [sic] to start working. We were not allowed to cross the Romanian-Hungarian border because of Covid-19. We have tried it two times. The company cut our salary and after I requested my pay, I was fired."*⁵

Romanian Driver C is employed on a Romanian contract to transport fruit between Spain and Norway for a Spanish food transport company.⁶ Although working exclusively between Spain and Norway, **Driver C** receives Romanian pay, social security, health insurance and daily allowances for subsistence.

Employers exploiting non-resident drivers pay the lower wages, tax and social security payments of the countries that drivers' contracts are based in. Non-resident drivers rarely have access to justice or collective bargaining.

This is nothing new in the industry. However, during the Covid-19 crisis, the false employment status of non-resident drivers has additional and grave health, safety and financial impacts on them and their families.

3. April 2020

4. May 2020

5. April 2020

6. April 2020

Prices

During this coronavirus crisis, some multinational customers and logistics companies are demanding lower trucking prices, and trucking companies are paying lower wages.⁷ A multinational company contacted several of its transport providers referring to the impact of Covid-19, falls in fuel prices, and changes in demand:

*"Due to the pandemic we see drop in transport pricing in the EU. We request you to reduce your transport prices and inform us about the options."*⁸

The German Federal Association for Freight Transport Logistics and Disposal (BGL), the national road transport employers' organisation, has warned of the threats posed by prices being offered on online freight fulfilment platforms. The BGL stated that, "these offers are illegal as they are no longer compatible with regulations concerning minimum wages and cabotage".⁹

Driver D, from Belarus, stated:

"I'm employed in Lithuania and drive a Lithuanian truck. Ninety percent of the time I do cabotage operations inside of Germany and break the cabotage rules. During the few months on the road, I only received a few hundred Euros per month, just enough to survive and buy food."

It is the most vulnerable drivers that ultimately bear the cost for the fall of road transport prices during this crisis, in the form of lower pay, worsening conditions and poor health and safety.

Pay

Before Covid-19, the non-resident drivers interviewed, working in Western Europe, were on average paid a salary of around €100-600 per month. This does not include additional tax-free daily allowances (per diems) for food and subsistence.¹⁰ Daily allowances are often based on verbal commitments from employers and are often lowered by arbitrary deductions for unexplained reasons.

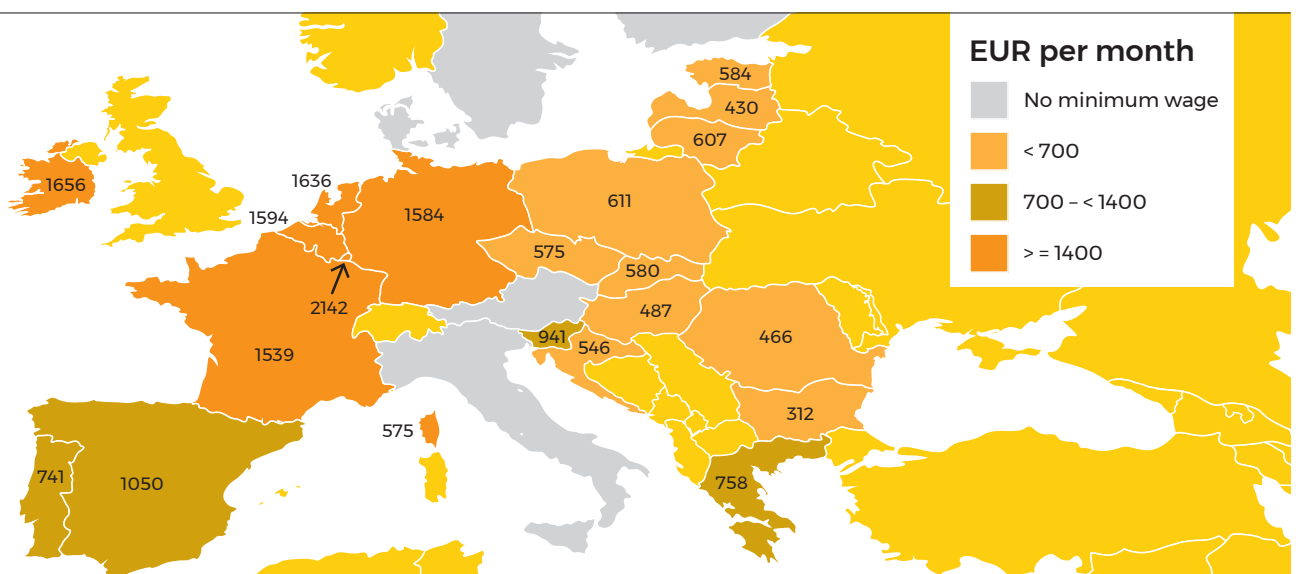
The low wages infrequently paid to non-resident drivers on the road or socially isolating at home is often not enough to feed themselves and their families. **Driver C** explained:

*"I have a Romanian contract with a Romanian minimum wage, but I don't drive in Romania. If I'm driving for six weeks non-stop [sic], the total amount of money they pay me per month is about €2,000 [including daily allowances]. During Covid-19 I cannot get out of Romania to do my job. At the moment my employer pays me 70% of my [minimum wage] of €350 per month. This is not a living wage for me and my family."*¹¹

He receives a €350 per month salary and, if he is lucky he receives the total sum of €2,000 per month for his salary, travel costs and his daily allowance for food and subsistence. However, to support his family, most of his daily allowances are sent home. When he has been able to leave Romania to work, **Driver C** works for 6 weeks away from home, eating, sleeping, washing and living in his vehicle to ensure he can send enough money home to his family to survive.

DISPARITIES IN MINIMUM WAGES ACROSS THE EU

source: <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/DDN-20200203-2>



7. April 2020

8. April 2020

9. http://www.bgl-ev.de/web/medien/presse/article_archiv.htm&news=3413&year=2020

10. 2018-2020

11. March 2020

Driver E, is a Ukrainian driver employed by a Lithuanian company. The company has a fleet of thousands of trucks working only outside of Lithuania. He reported that:

*"When me and my colleagues where recruited by the company they offered us a salary of €68 per day. During my employment, I have never had a payslip to see how the salary is calculated. During Covid-19, everybody talks about the importance of us drivers distributing food and medicine. We have more work than we've ever had. However, our company told us that they will reduce our variable pay. Now it seems that my salary is about €23 per day and the rest is paid as a tax-free daily allowance that the company will decrease using the excuse of Covid-19."*¹²

Irresponsible employers are exploiting how stretched and under-resourced enforcement authorities are. These companies know they can exploit drivers with impunity. Several Filipino drivers interviewed were contractually employed in Poland but only worked in Western Europe.¹³ Since January 2020, these workers have not received a salary. Filipino **Driver F** stated:

*"During Covid-19 me and my colleagues are doing transports [sic] in Western Europe. But our employer tells us that he cannot pay our salaries because his invoices are not being paid by the operator we work for."*¹⁴

Another group of Filipino drivers interviewed were victims of human trafficking in Poland in 2019. Now, they were employed by a new company in Romania that promised them a decent job as drivers in the Netherlands. Instead, they were stranded in Romania without enough food, money or a way out. Filipino **Driver G**, explained:

*"We still have a live working contract with our company, but I'm sad to say that I only received €50 allowance for food consumption. I've been trying to ask...beg [sic] the owner of the company for support especially in terms of food...but unfortunately this did not happen."*¹⁵

Driver E's Lithuanian employer issued the following communication to its drivers working in Western Europe to announce a pay cut and a reduction of drivers' daily allowances:

"Today, due to the risk of spreading Covid-19, many of our clients have stopped dispatching goods, factories and shops are closing throughout Europe, Russia and Scandinavia, and the unemployment level is rising. In the past our business has grown, but now our chief aim is to ensure that trucks do not remain idle, that they receive goods to transport, and that no jobs are lost. With this aim, we are taking cheaper goods, reducing prices and cutting expenditure on all areas of our activity in all the countries where we operate.

*But this crisis will end, and to enable us all to survive it together, we are reducing the daily allowances for drivers in all fleets as from [date redacted]."*¹⁶

A different Eastern European company sent a similar statement to its drivers, explaining the temporary measures it was taking during the Covid-19 crisis:

*"I'm reaching out to all drivers, hoping for your understanding. For the duration of the worldwide epidemic, a driver's salary will be reduced. As from 1 April, a driver's salary will be €1,300. A co-drivers salary remains unchanged. This applies for the duration of the epidemic only. There is less work every day, transport prices are going down, and lorries are standing idle. We're driving for any money to keep going during this difficult time. Anyone who wants to, can go home on leave at his own expense until this epidemic ends."*¹⁷

Drivers interviewed working for this company stated that they had not received the €1,300 promised to them by the company. Instead, they received a few hundred Euros, just enough for food but not enough to go home and were forced to continue working.¹⁸

12. April 2020

13. April 2020

14. April 2020

15. May 2020

16. April 2020

17. April 2020

18. May-June 2020; <https://www.youtube.com/watch?v=Z4LOLVdf4dY>

Driving and resting time

In the EU, the driving and resting time regulation should be the strongest protection for drivers, road safety and fair competition. This regulation is clear and strong, but lacks enforcement across the EU. Trucking companies can force their drivers to violate driving and resting time rules and commit fraud on a daily basis with impunity. Drivers are forced to live illegally in their trucks for months, drive too long, rest too little, and use other drivers' tachograph cards to mislead enforcement authorities.¹⁹

Driver H from Uzbekistan is employed by an Eastern European subsidiary of a German logistics company with thousands of trucks, stated:

"My employer forces me to use tachograph cards of other drivers to manipulate driving and resting time. If we are out of driving time someone from the French or German office will come to a parking area to hand out the cards we must use."²⁰

Despite checks being carried out by authorities at the French and German bases of the subsidiaries, the fraudulent manipulation of driving and resting time data and exploitation of drivers continues.

Ukrainian **Driver I** explained:

"If we do our weekly rest in France and Germany the company gives us false hotel invoices pretending we slept in a hotel, instead of sleeping in our trucks for months. They also want us to work without tachograph registration or use cards from other drivers. They force us to work during our rest breaks. In France, I was forced to drive a broken truck. Because I was unable to drive it, the company sent a minivan with 2 drivers from Uzbekistan. They left me in France and I had to hitch-hike home. The authorities were not there to record my statements."²¹

The European Commission has decided to partially relax regulations during the Covid-19 crisis.²² All drivers interviewed in this report see this relaxation as illusory, as the regulation was not followed or enforced before the crisis. In some cases, employers even claim that all regulations have been relaxed. A group of non-EU drivers shared their employer's computer communication to all of the company's 500 trucks and 800 drivers:

"Total working time is as much as the situation requires with a break of only 24 hours on weekends, the only exception is if the vehicle is already in place; operations within one country (cabotage) as many times as you like; these measures are temporary and only as long as there are operational difficulties, we ask for your understanding."²³

Before and during the pandemic, companies often provide their drivers with documents that they should share with authorities if they are stopped and checked. One document given to drivers told authorities that they cannot ask certain questions about their drivers' weekly resting breaks.²⁴ This document was a statement by the European Commission on roadside checks. Drivers often cannot read the language the documents are written in, and they are briefed to not answer questions and to contact the company.

Asian **Driver J** was employed in Slovakia but drove his truck in Western Europe, subcontracted by several logistics companies from the West. He has now been recognised as a victim of human trafficking in a Western European country:

"I lived for months in my truck and did not receive my salary. I was stopped on the road in [country redacted] and the company was penalised. The company did not want to pay the penalty and left me in the truck parking area for several days. Later on the employer came in the middle of the night, pulled me out of my truck and put a Serbian driver in the truck to replace me. I was left in the parking area in the rain, in the middle of the night."²⁵

19. 2018-2020

20. May 2020

21. February 2020

22. European Commission, DG Move, 30.03.20

23. March 2020

24. May 2020

25. December 2019

Health and safety

Non-resident drivers are forced to live a 'nomadic' lifestyle. They travel continuously for months, with no accommodation or fixed sanitation facilities provided. They cook in and around their cabins and when employers refuse to repair heating systems, drivers sometimes resort to using camping gas equipment inside the truck to cook or stay warm. Ukrainian **Driver K** explained:

*"We kept warm by keeping the gas cylinder burning overnight, with the fire on. It's risky, but we would freeze otherwise. If you leave just like that, there will be penalties. This makes you a hostage in this situation."*²⁶

Drivers are either underinsured or not insured, and often self-medicate when ill or injured. They are forced to stay in their trucks as they do not have the funds to seek accommodation elsewhere. Those that complain to employers are often financially or physically threatened.

Driver L and his colleagues received the following recorded message from their employer:

*"But if you are not going to Bremerhaven, I will break your neck...The police they are idiots. They don't care about you. They care only about the money. Where will they run away from me. I will catch them even in the Philippines."*²⁷

As a result, drivers are under constant psychological pressure on the road. This threatens the safety and lives of drivers and other European road users driving alongside forty-tonne trucks.

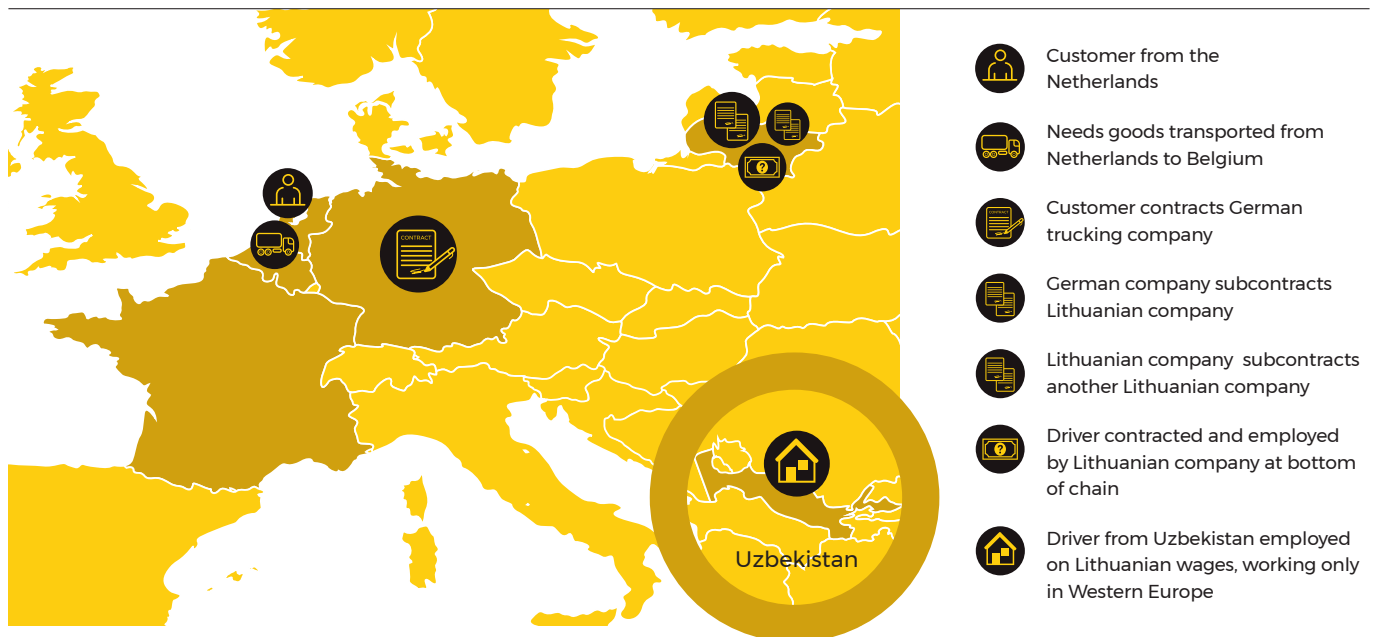
During the Covid-19 crisis, governments and authorities have emphasised the importance of workers using PPE and sanitation measures. Exploitative trucking companies that violated the rights of drivers before the Covid-19 crisis, do not provide drivers with sufficient PPE or sanitation facilities. They also do not inform drivers about the additional health and safety risks posed by Covid-19.

Most drivers interviewed are being asked to find and buy their own PPE. Romanian **Driver M** works across Western Europe for a Romanian subsidiary of a Dutch transport company. He is employed on a Romanian contract paying him a €350 per month salary. He works for six weeks continuously, living in his vehicle. For this six-week shift, his employer provided him with two plastic gloves and one face mask.²⁸

Russian **Driver N** works for a Lithuanian company but works in France:

*"The company did not provide any information on how to protect ourselves. I bought my own PPE. They only had the concern that drivers did not have any contact with people in the office of the company's base when we exchanged our documents."*²⁹

CONTRACTING CHAIN OF EXPLOITATION



26. January-May 2020

27. 2019

28. April 2020

29. May 2020



Most non-resident drivers interviewed are effectively forced to stay with their vehicles in places with no access to clean water, functioning toilets or free showers at some point. This was fairly common for non-resident drivers from EU-12 and non-EU countries before the outbreak of Covid-19.

Non-resident drivers rarely receive sick pay and their employer records them as taking unpaid leave when they are unable to work. Drivers reported that some employers are advising that they only stay at home if they have fever.³⁰

Training and certification

In the EU, all drivers are legally required to have 'Code 95' training and certification. Many non-EU drivers are unaware of these requirements. Exploitative trucking companies demand that drivers pay for their certification and provide drivers with certificates without the necessary training.

Ukrainian **Driver O** explained:

*"When we arrived no one had any training. We paid €80 [for our training and certification] and literally two weeks later we were given our 'Code 95' certification in a truck parking areas in Rotterdam, in the Netherlands."*³¹

Turkish **Driver P** was recruited in Turkey for a job in the Netherlands. Instead, his contract was based in Eastern Europe:

*"I was sat on the plane from Turkey to Eastern Europe. My employer picked me up from the airport and drove me straight to the Netherlands. However, I'm employed in Eastern Europe and have a working permit for an Eastern European country. I have a 'Code 95' certificate, but have never received any training. The only time I have been in my country of employment was when my employer picked me up from the airport to drive me to the Netherlands."*³²

The industry is full of anecdotes of fake driving licenses being used by drivers working for exploitative trucking companies. Although research did not focus on falsified driving licences, the investigation team was able to acquire a false licence in Ukraine.



Investigators tested the ease by which drivers and employers could get hold of fake driving licences and were granted this licence.

30. April 2020

31. December 2019

32. February 2020

