Changing labour standards and ‘subordinated inclusion’

Thai migrant workers in the Swedish forest berry industry

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The forest berry industry in the north of Sweden operates within a highly competitive global market for nutritious wild berries and is heavily dependent on seasonal migrant workers. Based on unique survey material with Thai berry pickers, this chapter analyses the actual wage levels and costs of these workers after a series of changing laws and regulations surrounding migration and labour standards in Sweden. Labour standards improved in Sweden in 2010 with the implementation of collective agreements and work contracts for non-European Economic Area (EEA) wild berry pickers, the only country employing such standards within this type of industry. We examine how, despite these improvements, Thai migrant berry pickers continue to be exploited in a process that we theorise as *subordinated inclusion*. The concept, as advanced by Mulinari and Neergaard (2004), captures a migrant position with formal inclusion and right to negotiated wages ‘on paper,’ while in actual practice the migrant workers’ position on the Swedish labour market remains subordinated. Our focus is on outcomes in terms of actual wages and costs, while we also place our analysis in a context of an industry characterised by peripherality and changing geographies of production and consumption. We found that one third of the workers in the survey reported earnings below the level of income they are entitled to according to the collective agreement. The results also showed that the earnings were substantially lower than what was given in some of our previous interview studies. One reason for this might be that, in semi-structured interview situations, informants want to highlight their earnings in a more positive light by referring to their most successful years in Sweden. We also found that the costs for migrants surrounding berry picking are high given the short period the pickers work in Sweden. The concept of subordinated inclusion is useful for understanding the outcome of our data analyses: workers are included with formal work contracts and a collective agreement, but subordinated in terms of actual earnings

and protections. The result of the survey, given that one third of the workers earned less than the guaranteed wage, showed that this formal inclusion of the workers has not worked out in practice.

The changes in the globalising labour markets and the varying forms of conditions and access to rights granted to different groups of migrant workers in relation to national systems provide examples of severe employment inequalities worldwide (ILO 2014, Keeley 2015). Conditions around employment differentiate rights and protections in complex ways, which lead to insecure everyday life situations, in particular for temporary migrant workers. Work in rural economic sectors such as agriculture, forestry, or industries of non-timber forest products (NTFP) links increasingly to global value chains and their institutional, ideological, and economic dynamics. Groups of workers in these businesses find themselves in insecure situations and are exposed to unpredictable risks. There are nevertheless important examples where there have been improvements in labour standards in previously unregulated rural sectors such as NTFP industries. One such example is, as mentioned, the new regulations established in 2010 in the Swedish forest berry industry, subsequent to a turbulent berry season in 2009 (Axelsson and Hedberg 2018, Wingborg 2011). Negotiations and a government decision led to a new standard for this industry, stipulating that non-EEA temporary labour migrants working as berry pickers are entitled to a work contract and wage levels according to union bargaining and collective agreements. The collective agreement applied to the sector – after years of non-commitment from Swedish unions – was finally negotiated between the Swedish Municipal Workers union and the Federation of Swedish Forestry and Agricultural Employers in 2009 and came into practice from 2010 and onwards (Hedberg 2016).

Our previous research on this sector (Axelsson and Hedberg 2018, Eriksson and Tollefsen 2013, 2015, 2018, Hedberg 2013, 2014) indicates successive regulatory improvements and proclaimed ambitions to come to terms with irregularities in the forest berry industry. Nevertheless, it proves difficult to find evidence of sustainable forms of organisation and assumed responsibility for labour conditions in the sector (see also Wingborg 2019). A strike performed in 2013 by 150 berry pickers in front of the Swedish Municipal Workers' office in the city of Umeå demonstrated how the berry pickers used their formal work contracts to claim their rights when the employer did not pay them (Eriksson and Tollefsen 2015). Even though the capacity and resources of the union were insufficient to handle the situation and the pickers lost the battle in the end, the strike nevertheless illustrated the potential power of unionisation and the importance of placing the protests in a strategically visible location. This particular case revealed an alarming weakness of Swedish institutions and labour unions in protecting migrant workers in a situation when work contracts and collective agreements already were in place. Our analysis showed how most of the organised resistance against the maltreatment took place outside of conventional Swedish unionism, involving a Thai NGO, a Thai trade

union, and International Labour Organization representatives. Yet, despite deploying varying forms of resistance, the pickers lacked social and cultural capital to negotiate and defend their wage-labour jobs and were disassociated from 'ordinary' Swedish labour struggles (*ibid.*). Following Neergaard and Mulinari (2004), in our 2015 study we theorised their position as *subordinated inclusion* given that on paper they had full access to rights and protections, were represented as 'usable for low-skilled work' (Neergaard 2009, 218), and had legitimate claims to the wage through collective bargaining. In practice, however, their inclusion proved subordinated and their contracted wages were lost. In the present chapter, we explore a new set of empirical data to analyse the effects of the 2010 labour standard regulation, with specific focus on actual wages and the nature/extent of inclusion under collective agreements. We found that the concept of subordinated inclusion was again useful for understanding the outcomes. In previous research we have also analysed the situation of migrant workers as being linked to the transnational employment relations that prerequisite Thai berry picking in Sweden, since transnational construction enables the firms to circumvent national regulations (Axelsson and Hedberg 2018).

Since 2011, based on qualitative interview material, we have documented how the level of open conflicts has decreased in the sector, despite remaining structural issues (see also Wingborg 2015, 2019). Industry actors now consider the situation for temporary migrant workers in Sweden as improved and for the most part largely solved. Firms, trade unions, and the government agencies recognise that there have been problems but repeatedly state that labour protection now works well because the necessary steps have been taken. In their argumentation, they refer to the work contracts and the collective agreement. However, while the employer side argues that Sweden's 2008 policy on labour migration, which is enshrined in the Aliens Act (2005, 716), now functions as intended, the Swedish Trade Union Confederation (Sw. LO) maintains that the law needs to be reformed as systematic exploitations and irregularities persist (LO 2013, 2018). The Swedish Trade Union Confederation and other unions are worried about the situation for temporary migrant workers in the urban service and construction sectors (LO 2013, HRF 2012). However, they agree with the employer side that the berry sector situation is largely solved. In fact, both the employer and the union sides frequently exclude the berry pickers in their argumentation when they debate the functioning of the 2008 law, despite them being the largest group of temporary migrant workers (Migrationsverket 2014, 2015). The employer side focuses on the skilled temporary migrants to the IT sector, while the union highlights unskilled temporary migrants in urban sectors (LO 2013). Swedish media debates in 2019 illustrate the polarised positions. 'Labor immigration works better than ever,' argue Reh binder and Svanborg-Sjövall (2019) from the market liberal think-tank Timbro, while Wingborg (2019) writing for the progressive news platform *Dagens Arena* states, 'Increasingly harsh conditions for Thai berry pickers'

(Wingborg 2019). As we will see below, these different positions connect to the unique construction enshrined in amendments of the Aliens Act in December 2008, under which all temporary migrants (skilled or unskilled, in shortage or non-shortage economic sectors) are subject to the same employer-driven regulations (Emilsson 2014). The aim of this chapter is to analyse the conditions of temporary migrants working in the berry industry, with specific focus on their wages, in the wake of the changing laws and regulations surrounding migration and labour standards described above.

Following on our previous work, this study builds upon several interview studies and original survey data with 165 Thai berry pickers regarding their actual income from the berry industry. We analyse the outcome theoretically, drawing on scholarship on subordinated inclusion and building on our previous use of this concept in analysing the 2013 strike (Eriksson and Tollefsen 2015). After presenting the results, we conclude by discussing the interconnections between this industry and the subordinated inclusion of rural migrant workers within the spatial context of a neoliberal Swedish migration regime.

Methodology

The present study is based on unique, original survey data with Thai berry pickers in combination with our previously performed interview studies with various actors in the berry business. The survey was performed in order to complement our previous knowledge on Thai berry pickers with extensive data in order to get a comprehensive picture of their costs and earnings from work in Sweden (see Hedberg *et al.* 2019). The survey gives a detailed and standardised picture of a relatively large number of workers. In addition, we have performed multi-sited ethnographic studies in both Thailand and Sweden, which includes interviews with a range of actors.

The survey consists of standardised interviews with 165 berry pickers. It was performed in 2016 in the home villages of the respondents by a locally based interview team, who could speak the local dialect. The respondents were selected based on geographical criteria and then snowballed through the informants' networks, a methodology that is valid due to the fact that the berry pickers arrive from geographically concentrated areas. The main cohort of informants were interviewed in the province Chaiyaphum, primarily the district Kaeng Khro, which is known to be the 'cradle' for Thai berry pickers travelling to Sweden. The snowballing selection closely reflects the networking strategies that the industry is using in the recruitment of workers, however, it also means that the material is skewed in the sense that one transnational recruitment chain is overrepresented. The prerequisite for taking part in the survey was that the respondents had been active as berry pickers in Sweden at any time, and the questions regarded the last time they had been in Sweden. For the majority of the informants, 82 per cent, that year represented the

previous season (2015). Almost all respondents (95 per cent) had been active after 2010, which is the year of the collective agreement.

The qualitative interview material consists of various sets of ethnographic studies, mainly based on interviews that have been performed from 2011 to 2019. The studies concern interviews with Thai berry pickers, Thai and Swedish authorities, Thai and Swedish berry companies, and Swedish trade unions. For the analysis of this chapter, most of these interviews serve to give a general knowledge of the berry industry. Two major sets of interviews with the berry pickers, however, more directly inform the interpretation of the results. The first set of interviews consist of semi-structured interviews with around 40 berry pickers, who mainly were selected through geographical snowballing in their home villages. Some of them were also found on recommendation from the Swedish berry companies. The interviews concerned their work as berry pickers, including earnings from work, and were performed with interpreters who could speak the local dialect, and then translated to English. The second set of interviews was gathered during and after a strike by Thai berry pickers in Sweden in 2013. It consists of brief participant observation of the events during the strike, and 10 interviews with strikers and other Thai labour migrants in Thailand and in Sweden in 2016. The interviewees were all men between the ages of 30 and 70. They all came from the Manchakiri district in Isan, which is one of the areas from which many of the pickers come (Wingborg 2011); most were even from the same area in the district and were thus family and friends who knew each other before coming to Sweden. All interviews were semi-structured with thematic questions that covered the interviewees' thoughts on work, earnings, working conditions, labour rights, and employers. We have published elsewhere broader analyses of these interviews (Axelsson and Hedberg 2018, Eriksson and Tollefsen 2015). Here, we draw mainly on information regarding wages and working conditions. While the material was rich and multifaceted, there were themes that recurred and provided narratives of importance for understanding the berry industry (Gubrium and Holstein 2003).

Subordinated inclusion

Several theoretical concepts have been developed in order to capture the differentiated ways migrant workers are treated in national labour markets and in order to distinguish between varying forms of inclusion and exclusion. Feminist and migration scholars have theorised how states in a differentiated manner can simultaneously include and exclude groups of people, for example migrant workers (Anthias and Yuval-Davis 1992, Hall 1986, Castles 1995, Knocke 2003, Ålund and Schierup 1991, McCall 2001, Neergaard 2009). The concept of differential inclusion (Mezzadra and Neilson 2012, De Genova *et al.* 2014) captures how labour migrants may be physically present within a nation-state and yet at the same time excluded from labour market rights

and protections (see also Allen and Axelsson 2019). Baban *et al.* (2016) use the concept of differential inclusion in their research on Syrian refugees in Turkey to bring to the forefront ‘links that produce different gradations of precarity and status such as when access to social citizenship rights opens and closes’ (49). The authors point out how the ambiguous status granted to Syrians in Turkey place them in a context where they experience subordination and exploitation, which contributes to their differential inclusion. In line with De Genova *et al.* (2014), Baban *et al.* argue that differential inclusion can lead to marginalisation of certain groups of migrants and to new social divisions, including encouragement of pathways to certain types of subordinated migrant statuses. Allen and Axelsson (2019) contribute to this theorising by providing a temporal dimension and advancing a topological reading of two forms of regulated time-spaces which simultaneously include and exclude migrant workers. The more precise ways that migrant workers are included and/or excluded in national labour markets have not been subject so often to extensive empirical studies, examining for instance how formal rights in many cases may be lacking in practice due to contemporary border management practices.

In our previous work (Eriksson and Tollefsen 2015), as well as in the present chapter, we use the concept of subordinated inclusion as advanced by Mulinari and Neergaard (2004) in their research on immigrant unionists in Sweden. They showed the historical and contemporary difficulty workers with migrant backgrounds have in gaining legitimacy and recognition as part of the Swedish working class, or in being seen as ‘Swedish workers.’ Subordinated inclusion is a concept that captures the phenomenon of recognition of the strengthening of labour standards and access to negotiated collective agreements (inclusion), but in practice not being able to fully enjoy those rights (subordination). We found the concept useful for understanding how the entitled collective agreement and work contracts work out in practice in our case. Thai migrant workers in the Swedish forest berry industry are legally present in Sweden, entitled to wages according to collective agreements, are seen as legitimate workers ‘usable for low-skilled work’ (Neergaard 2009, 218) (inclusion), and therefore secured in terms of formal wages and labour standards. The analysis of the data showed, however, that actual fulfilment of the collective agreement is lacking (subordination). While inclusion/exclusion has many dimensions, we see fair wages under collective agreements as particularly important as a concrete measurement/indication of inclusion in the Swedish workforce. Here we put emphasis on entitlements to negotiated wages by the parties under collective bargaining, as it is a cornerstone of the Swedish/Nordic labour market model (as opposed to models with state legislated minimum wages). Building on Mulinari and Neergaard (2004), we also argue for the importance of discourses of peripherality and global industry actors in the production and processes of migrant positions and subordinated inclusion of workers within nation-states. Other researchers

have used the concept of subordinated inclusion to capture restricted access to a number of welfare benefits such as housing or social services, but also how labour market rights and protections are differentially granted (Castles 1995, McCall 2001).

A new Swedish migration regime

We contribute to research on temporary rural labour migration, access to rights and protections and globalising labour markets. In processes of mobility across borders for work in rural sectors, typically dependent on a migrant workforce, there has been a change in the shape and composition of citizenship towards precariousness, as analysed by scholars in various fields (Mezzadra and Neilson 2012, Schierup *et al.* 2006, Neergaard ed. 2009). Mezzadra and Neilson (2012) discuss the changes in terms of a new social composition of the workforce and a new constitution of labour markets – which they describe as changes in ‘the production and reproduction of the very fabric of citizenship’ (61). In their analysis, they go back to what they call the dyadic figure of the citizen-worker, from Marshall (1950), assuming social rights of citizenship intimately connected to the dynamics of the national labour market. In contemporary capitalism, the nexus of citizenship and labour is fundamentally challenged, but Mezzadra and Neilson argue, nevertheless, that the nexus is not fully ruptured. Scandinavian social democratic welfare states, in particular Sweden, long rejected as politically unacceptable EU proposals for extending models of temporary contract labour (Castles *et al.* 2006). While the citizen-worker nexus historically has been particularly strong in the Swedish labour market system, in previous research we have argued, following many other scholars, that contemporary developments have undermined previous labour protective regulations, in favour of neo-liberal deregulations (Thörnqvist and Woolfson 2012, Herzfeld Olsson 2018, Schierup and Åhlund 2011). Nevertheless, scholars also point out the persistent existence of situations with ‘paths to citizenship that pass coercively through the labor contract’ (Mezzadra and Neilson 2012, 61). In this sense, the 2010 new migrant labour standards for the wild berry industry is particularly interesting. It is a case of newly introduced labour contracts, where they did not exist previously in a previously unregulated NTFP sector. It is questionable, however, whether these labour contracts in any way resemble a path towards full access to rights of citizenship, entitled to workers on par with national labour market standards.

In fact, ‘both citizens and workers have been invested by diffuse processes of division and multiplication, and migration has played crucial roles within these processes’ (*ibid.*, 62). This is a development that Tsing (2009) has theorised as the emergence of new figurations of labour under supply chain capitalism, the Swedish wild berry industry is a topical example (see further Eriksson *et al.* 2019). Tsing argues that diversity is structurally central to

contemporary capitalism, and sector-specific supply chains produce relevant figurations of the capital–labour relationship, and thus changing forms of inclusion. Legally admitted temporary migrant workers in the berry industry are ‘included through specific labor practices’ (Allen and Axelsson 2019, 118) formed under a new Swedish migration regime.

High costs and insecure earnings for temporary migrants

We put the survey results in dialogue with our previous studies and qualitative data from interviews. After analysing the effects of the 2010 collective agreements on actual wages, we use the concept of subordinated inclusion to understand the outcomes. In their subordinated position in the transnational employment setting, the workers may either be unaware of their rights due to their disempowered position in the recruitment chain, as was the case in the first set of interviews (Hedberg *et al.* 2019) or they may be unable to defend and negotiate their rights (Eriksson and Tollefsen 2015). The latter is shown in our second set of interviews with workers who went on strike in 2013, where substandard living and working conditions were confirmed, and where their sense of powerlessness was expressed towards the industry as well as towards labour standard regulations. Yet, the quotation below may also illustrate these workers’ resistance and agency.

They took our car keys, they were afraid we should join the others and go on strike. [One of the pickers] needed to go to the hospital, he was beaten by a Thai who work for them. In the end, we were also threatened by the Swedes in Hällnäs, we simply needed to leave, they would never pay us.

(Somchai, a man in his 50s, interviewed 2016 in Sweden)

One of the key issues that has been debated in relation to rural migrant workers in Sweden (Andersson *et al.* 2013, Rydman and Hökerberg 2009, Wingborg 2011, 2014), and also internationally (Yimprasert 2010, 2014, Saltmarsh 2010, *Economist* 2012), is how much the workers are earning, and if the earnings are substantial or not. In the Norwegian context, Rye and Andrzejewska (2010) found that eastern European migrant farm workers experienced far poorer wages and working conditions than prescribed by regulations on minimum standard for migrants in Norway, following EU enlargement. Whereas some of our previous studies have given a relatively positive view on the earnings as an alternative source of income for Thai migrant workers (Hedberg 2013, Hedberg 2015), other studies have shown how the subordination of the workers have resulted in low and insecure earnings (Eriksson and Tollefsen 2018, Vogiazides and Hedberg 2013). While both of these latter studies may contain parts of the explanation for the low earnings of many Thai berry pickers, the results from our present survey show that the earnings often are

Table 8.1 Costs and earnings of Thai berry pickers (per season)

	Mean (USD)	Median (USD)	Standard deviation (USD)
Total costs	3,955	3,902	568
Total earnings	5,915	5,621	1,704
Earnings after deductions	1,960	1,719	1,136
Earnings after deductions per month	840	737	487

Source: Thai-Swedish survey 2016 (Hedberg *et al.* 2019)

substantially lower than what was given in some of the previously performed interview studies. We think that one reason for this might be that, in semi-structured interview situations, informants want to highlight their earnings in a more positive light by referring to their most successful years in Sweden.

The analysis of the survey shows that the earnings for Thai berry pickers many times were considerably lower than the collective agreement had stipulated. Whereas the total costs, which included both a fee paid to the Thai staffing agency and costs for accommodation and food in Sweden, were rather homogeneous, the earnings varied significantly among the workers (Table 8.1; Figure 8.1). The high standard deviation signals that there is a wide distribution of earnings, which varied between 7,645 USD and -971 USD for one season. Accordingly, there are both 'top pickers,' who earn an extra annual income while working in Sweden, and a few workers who returned indebted. The firm with the highest number of workers, which was overrepresented in the study, had mainly workers in the middle categories of earnings. Accordingly, this skewness of the sample does not explain the high variation in earnings. When the total costs had been deducted, the mean earnings were 1,960 USD. This is the sum that the worker receives in his (or sometimes her) hand, which is why earnings after deductions is the calculation that the workers themselves are considering. When comparing the mean earnings with the guaranteed wage in the work contract, the earnings were slightly higher. The guaranteed wage was 2,340 USD/month, and in order to compare this with earnings after deductions, we have deducted the total costs also from the guaranteed wage, which explains why the equivalent guaranteed wage is 645 USD/month.

However, the wide distribution of earnings is central to understand that behind the mean value a high number of workers actually earned less than the guaranteed wage. In fact, one third of the workers belonged to this category. A clue to why this may be the case can be found in the interviews where the workers describe how their car keys may be confiscated for a couple of days or weeks during some seasons, hence they are forbidden to pick berries during this time and are not getting paid. The firms refer to 'full fridges,'

Figure 8.1 The distribution of reported earnings (USD) after deductions (n=152)

this stands for a sudden mismatch in export and import, demand and supply. This indicates how the global character of the industry contributes to the subordinated inclusion to which the Thai workers are subject.

We have been paying back on our loans, and right now we are about to start to earn money. We don't understand why we have to stop working now. The only explanations we got was that the fridges in the storehouse are already full of berries.

(Interview with male berry picker in Fredrika, Sweden 2016)

This incongruence between actually received earnings and the entitled guaranteed wage may have its roots in the parallel system of payment which exists in the berry business. Since the beginning of Thai berry picking in Sweden, which started on an informal, networked basis in the 1980s (Hedberg 2016), the praxis has been to pay the workers on a piece rate. The earnings hence were directly related to the number of kilos the workers had picked. This system is explained by the history of the berry-picking activity, which for a long time was not viewed as an industry but as an opportunity for poor people living in

deprived sparsely populated areas, often in northern Sweden, to earn an extra income (Eriksson and Tollefsen 2018).

Before 2010, when the workers had no collective agreement to lean against, this comprised a quite fortunate system for the business, which took small economic risks, but put the workers in a precarious position without a safety net. This also explains the unfortunate season 2009, when a lack of berries in Sweden and an all-time high number of international workers in the country made a substantial number of them return home indebted (Yimprasert 2010). The problematic season of 2009 also explains the timing of the introduction of the collective agreement in the berry business, which was in 2010, when Swedish authorities realised the unbearable situation (Axelsson and Hedberg 2018). According to the berry business, after 2010 the payment would be a combination of the old system with the guaranteed wage. That is, the workers would still be paid on a piece rate, but they would at the very least be guaranteed the wage that was stipulated in the collective agreement. The idea behind this system, which never has been formalised in a document, was that the incitement of the piece rate would be combined with an economic safety net.

The result of the survey, given that one third of the workers earned less than the guaranteed wage, shows that this formal inclusion of the workers has not worked out in practice. This can also be seen in the light of how the informants themselves responded that their payment had been made. According to table 1.2, only 18 per cent responded that they were paid according to the parallel system of payment as outlined above. Instead, 28 per cent say that they were in fact paid on a piece rate, and the majority responded that their payment was the guaranteed wage only. That the latter is a direct falsity is a matter of fact for anyone who has been in contact with the berry business, and is confirmed in interviews with all parties, including the trade union, since piece rate is the dominant payment system. Our qualitative interviews also tell us that the motivation of the workers is to earn as much as possible, to be 'a number-one picker,' and the guaranteed wage would not suffice these expectations.

The informal knowledge that came out in the performance of the survey, however, gives important guidance for interpreting the result. The survey

Table 8.2 Distribution of berry pickers by system of payment

	<i>Number of workers</i>	<i>Per cent of total number of workers</i>
Payment per kilo berries picked	46	27.9
Guaranteed wage	89	53.9
Payment per kilo and guaranteed minimum wage	30	18.2
Total	165	100.0

Source: Thai-Swedish survey 2016 (Hedberg *et al.* 2019)

interviewer explained to us that in fact the staffing agencies had informed many of the workers that they were entitled to a guaranteed wage, but that they had to choose between one of the two ways of payment. This is also information that we have received in other interview studies with berry pickers.

Since the workers were motivated to earn substantially more than what was stipulated in the collective agreement, they signed the formal contract with the guaranteed wage, which they knew that they had to sign in order to be accepted to work in Sweden. Simultaneously, however, they agreed with the staffing agency to work on a piece rate. According to the survey interviewer, 'they're fine with this arrangement, [...since] they believed that they would earn more money by having "payment per kilo of berries picked."' But in our interviews the workers also address what they view as a great injustice; that the prices of berries any time may drop due to world market prices. The above is an example of how the process of negotiation works, and how inter-dependent migrants and brokers are in the actual practices and production of migration routes, which differs greatly from the view that governments have on migrants (Deshingkar 2019).

Based on this information, we interpret that the majority responding that they were paid the guaranteed wage did so because they knew that this was expected with respect to their signed contract. The lowest interpretation of Table 8.2 hence would be that 28 per cent would not have received the guaranteed wage if they had been entitled to it, whereas the highest interpretation would be that as many as four out of five of the respondents would not have received this wage.

If we combine this with the result of the earnings, we can nonetheless conclude that the attempted inclusion of the workers into the Swedish labour market system of negotiated guaranteed wages, to a high degree, did not work out. Since one third of the workers earned less than the guaranteed wage, a substantial part of the workers would have been *de facto* better off economically with the guaranteed wage than with payment on piece rate.

Conclusions

The results point to a continued subordinated inclusion of temporary migrant workers. They are included in terms of the formal access to rights and protections, but it is a subordinated inclusion since, despite a collective agreement on wages and a labour contract, and a recognition of being 'usable low-wage workers' in the Swedish labour market, the fulfilment of the rights is lacking in practice. In contrast to migrant workers recruited to urban service sectors, where there is no labour shortage and workers arrive on false premises and often based on illegal trade in work contracts, the recruitment of temporary workers to the wild berry industry is usually legitimised in public discourses. They are included given a presumed shortage of workers in a remote NTFP sector, in which unemployment statistics never have been

registered. The fact that this NTFP sector was previously completely unregulated is important in this context because it stands out as a 'special case' with its newly introduced regulations. Most other labour market sectors in the Swedish welfare state historically have to a high degree been monitored and regulated by trade unions, employer organisations, and work authorities, but are currently instead undergoing deregulation or reregulation under neoliberal conditions. These differences between sectors regarding migrant workers connect to the contrasting views referred to above on whether the 2008 law 'works well' or not. As mentioned before, under the Aliens Act of 2008, all temporary migrants (skilled or unskilled, in shortage or non-shortage economic sectors) are subject to the same employer-driven regulations (Emilsson 2014), regardless of their varying historical and geographical contexts.

We thus argue that the non-fulfilment of the negotiated wages, and therefore subordination in the labour market of legally admitted temporary migrant workers, also has to do with the sector's characteristics as rural, peripheral, and natural resource base, as well as the transnational construction of employment relations (Axelsson and Hedberg 2018). The berry pickers are thus 'included through specific labour practices' (Allen and Axelsson 2019, 118) but in practice subordinated in terms of access to stipulated wages and protections.

Land-based, peripheral, and natural resource dependent industries seem particularly problematic in terms of how labour issues are handled and resolved. Workers are needed on a regular basis, the sectors are usually labour intensive, and markets are often relatively established, with end products in demand on local, regional, and global markets. Nevertheless, there is often an ad hoc, erratic, preliminary, and random organisation of work in these sectors, where each season is largely confronted as if happening for the first time. Parts of the picture are also unpredictable aspects such as the weather and the changing rules set out by governments, in our case Sweden and Thailand. There is a mix of continuity and novelty in the wild berry industry, with workers arriving in Sweden repeated times and a few large actors who have managed a system of logistics for decades, on the one hand, combined with new companies, new workers, and new logistic solutions, on the other hand. Another aspect of the subordinate inclusion of temporary workers in the berry industry has to do with the changing geographies of production and consumption in the industry (Eriksson and Tollefsen 2018, Axelsson and Hedberg 2019). The berry pickers' earnings are dependent on the fluctuating demand of berries on the world market and big actors are able to put pressure on smaller ones to reduce their costs often at the expense of workers' salaries. Researchers on global markets and sourcing of non-timber forest products (NTFP), of which forest berries is a part, have pointed out how these products usually lack forms of governing or management in legal terms (Laird *et al.* 2010). This chapter also points specifically at the informality of the parallel payment system, which all actors know exist, but which has never

been formalised in a document. Hence, it is easy for the Thai staffing agencies to urge the workers to ‘choose’ between a traditional system of payment and a formally stated and negotiated system of payment. It is typical that workers within NTFP sectors belong to already marginalised groups in society and that there are high risks of illegal harvesting, logging, and fraudulent economic behavior, as well as maltreatment of the labour force.

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