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# THE WAGES OF FEAR: RISK, SAFETY AND UNDOCUMENTED WORK







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# PREFACE

‘I have a family and if I have a choice between working illegally or starving my family I will work illegal ... I will never let my family starve.’

These are the words of one of the so-called ‘failed’ asylum seekers interviewed in this report. Their ‘failed’ status comes from rejected asylum claims which are more often than not the consequences of inhumane asylum laws in the UK.

‘The Wages of Fear: risk, safety and undocumented work’ is an extremely important contribution to the research on the experiences of undocumented migrant workers in the UK, of which there is little. These undocumented migrant workers are the lifeblood of the UK economy doing the work that others are unwilling to undertake. Those interviewed are destitute after financial support has been withdrawn or are on very basic levels of support. They are in limbo – unable to return to their countries of origin for a variety of reasons yet barely able to subsist here.

Jon Burnett and David Whyte expose the institutionalised exploitation of the undocumented and their powerlessness to improve their working conditions or pay. As the report states, too little is known about what happens to people who are forced to work clandestinely/illegally in order to survive and eke out the most basic existence in the UK. Those interviewed here in one northern city provide a snapshot of what is without doubt being replicated across the UK, in factories, takeaways, shops, the construction industry and other places where the undocumented can find work. The work is often dangerous, unregulated and very poorly paid.

There is little support available for such workers. They cannot complain if they are badly treated, overworked or underpaid. This is a form of modern day slavery. These are people who are failed repeatedly by a state that cares for nothing other than feeding the economy with cheap labour – no matter what the human cost.

The experiences of the undocumented, who are the most vulnerable in our society and in most need of protection, should be a lesson to us all.

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**The Wages of Fear: risk, safety and undocumented work**

# **INTRODUCTION**

## INTRODUCTION

reforms that allows a period of 18 months of summary imprisonment of ‘irregular migrants’ combined with a five year ban on re-entry (Burnett, 2008: 26).

These strategies, as we indicate above, are often politically driven. For whilst irregular migration is made the target of a concerted set of policies and directives aimed at control, expulsion, and management, it is important to note that it is these same mechanisms that establish what counts as ‘regularity’ and ‘irregularity’ in the first place. There are no valid estimates of the number of irregular migrants in the world, but there are many indicators to suggest that their number is increasing. The International Labour Organization (ILO, 2004) suggests that up to 15% of migrants are ‘irregular’. And whereas in 1960 there were over 75 million people who were classed by the United Nations as ‘international migrants’, by 2005 this number had increased to 190 million (United Nations, 2006). Using the ILO estimate, this would suggest that, in 2005, there were up to 30 million irregular migrants across the globe. In the same year, within the UK, Home Office research suggested that irregular migrants made up to a maximum of one in every 100 hundred of the population (Branigan, 2005: 1). Whilst, in 2009, research published by the Greater London Authority estimated that approximately 618,000 irregular migrants live in the UK (Gordon et al, 2009).

The report that follows focuses on one small sub-category of this section of the populace. It is based on detailed interviews with fourteen people<sup>2</sup> who are all seeking asylum but, having had their claims refused, are left in a form of limbo. Refused asylum seekers<sup>3</sup> are not allowed to work, have no access to housing, little access to statutory services, and in many cases little optimism for what the future holds. Some of the people interviewed here have been destitute for years. Some of them have experienced destitution, but at the time of writing are receiving some form of support as a result of fresh evidence having been submitted to the Home Office regarding their claim for asylum. But all of them share one thing in common in that, regardless of what the government has ruled in relation to their asylum claim, they are too afraid to return home to face violence, torture, and potentially death. As such, in an attempt to eke out an existence, they have entered the labour market as undocumented workers.

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<sup>2</sup>Details of who those people are and how they were identified are included in Appendix 1 of this report.

<sup>3</sup> Before their claim has been decided asylum seekers are not allowed to work, and normally receive entitlements in the form of accommodation and cash support set at 70% of income support. If an asylum claim is refused all support is withdrawn from the individual after 21 days. With no right to work, no access to accommodation, and no welfare entitlements, refused asylum seekers are pushed into destitution. The immigration status of respondents at the time of interview may not have been the same as when the respondent was working. Some respondents, for example, worked only when they had all of their financial support removed after their claim for asylum was refused.

## INTRODUCTION

and a consciously constructed labour market segment systematically produce the experiences that are documented here.

This report begins to unravel a story that is normally only told in the context of catastrophic events such as the Morecambe Bay disaster.<sup>4</sup> But what follows provides a more mundane way of interpreting the dangers that migrant workers face. For, as the data analysed here reveals, those risks are everyday, routine, and in many ways part of the normalised experience of undocumented workers in the UK.

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<sup>4</sup> On 5th February 2004, 23 cockle pickers were drowned at Morecambe Bay on the Lancashire coast. This was the worst single industrial disaster in Britain since Piper Alpha. The dead were all irregular migrant workers from China who had been put to work on the highly profitable cockle beds of the Fylde coast (see Tombs and Whyte, 2007).

## **THE NEW FLEXICURITY**

The introduction of 'flexibility' into the labour market has been a feature of successive UK governments since the 1970s (Monastiriotis, 2006: 9-10) and has been proposed as a means of delivering competitiveness in a globalised economy (HM Treasury, 2005). The growth in the informal economy that has occurred in recent years is tied to the UK governments demand for flexible labour markets (Castles, 2006: 745). Thus:

[G]reater flexibility means that firms are able to adjust prices, output, employment and investment more quickly in response to shocks and changes in macroeconomic policy. (HM Treasury, 2005: Para 2.10)

Government ministers have consistently argued that the provision of minimum employment standards that are sensitive to business conditions is a precursor to attracting foreign direct investment (for example, McFadden, 2007). The new Government's coalition agreement commits it to extending the "right" to flexible working to all employees (Hansard, 3rd June 2010 : Column 558). Thus, flexibility often translates in real terms as exemptions from working conditions such as guaranteed minimum working hours, paid leave and so on. Flexibility, from the current government's perspective, is seen as a way of guarding against the loss of autonomy implied by the globalisation of markets. Flexibilisation has under this government been a key plank of welfare reform and has been seen as central to the development of a broader set of welfare-to-work policies (Peck and Theodore, 2000 and 2001).

To a greater or lesser extent, flexible working has been adopted by all EU member nations. According to the Flexible Working Survey 2007, based on interviews across Europe, flexible working practices have been introduced at such a pace that they are now considered the norm (Puybaraud, 2007). In January 2008 IDC, a subsidiary of the transnational global technology company IDG (the International Data Group), estimated that by 2011 up to one billion people across the world will be classed as 'mobile workers' (IDC, 2008: 1). As a major employer of such workers, the IDC welcomed this prospect, since organisations that deploy 'mobile solutions...enjoy a strategic competitive advantage over their competitors who have not invested in integrating mobility into their cultural roadmap' (ibid). 'Flexibilisation' is therefore seen as an essential response to global economic conditions. Moreover, it is often presented as mutually advantageous for both employers and employees. Claims supporting this consensus are based on the promise that flexibilisation can be:

[B]eneficial both to employers who need to adapt to changing technologies and

## **'FLEXIBILISATION' AND PRECARIOUS WORKING**

of under- or over-supply. Instead, retailers and manufacturers order 'just in time' from wherever is cheapest around the globe, waiting for their barcode scanning to tell them how much consumers are buying. Instant communications allow them to relay what they need at a moment's notice. Modern transport networks enable them to have it delivered with unprecedented speed. To survive in this brave new world, today's supplier must leap to in equally short order, so they pass the risk down the line to those at the bottom, to labourers who are turned on and off like a tap to meet fluctuating demand. And if necessary they must be kept hard at it until the orders are finished.

The realities of the precarious conditions that migrant workers face in the labour market very directly undermine the 'flexicurity' ideal of a mutual interest between employers and employees. Existing as a 'surplus population', migrant labour is utilised to form 'short-term, non-binding, sub-contracted workforces which can be hired and fired at will and are constantly threatened with replacement...' (Kundnani, 2007b: 1). Indeed, it might be said that the reality of flexibilisation is precisely the opposite of that claimed by the idea of flexicurity, for it is the processes that are supposed to improve 'work-life balance' (longer working hours, exemptions from paid leave, irregular wage structure and temporary employment contracts) that actually intensify insecurity and precariousness for workers.

The concept of precarity<sup>5</sup> embraces the structural features of an economic insecurity that is mediated and reinforced by particular forms of labour commodification (i.e. the labour market) on one hand alongside the production of alienation, risk of injury and death and other forms of exploitation and inequality experienced directly as a consequence of working on the other. As a concept, it takes account of how gendered and racialised inequalities reinforce and are reinforced by particular patterns of work. Put simply, the concept of precarity enables us to understand how general (labour market) and particular (labour process) forms of exploitation are brought together by flexible working. Undocumented workers are by no means the only workers occupying positions of precarity. But as Neilson and Rossiter (2005) have suggested, the undocumented migrant is the exemplary precarious worker. This point is explored in more detail in the next chapter.

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<sup>5</sup> Taken from the French term *precarité*, the notion of precarity in the context of the labour market has been utilised since the 1980s but, according to Neilson and Rossiter (2005) only began to gather popularity within Western European countries since the beginning of the 21st Century. As Lima (2006) has shown, precariousness is by no means unique to the late 20th Century, but its terminological emergence has marked a concerted focus upon attempts to develop analyses of casualisation and flexibility as central components of globalisation.

## **STRUCTURED VULNERABILITY**

In this chapter we explore in more detail how the labour market and the labour process structures the precariousness of undocumented or irregular migrants' working lives. The experiences of workers recorded and analysed in this chapter provides background on labour market conditions and employment practices that are necessary to more fully understand their experience of health and safety conditions in the workplace.

## **TEMPORARY WORK**

Working as an undocumented worker, as the interview respondents in this study all asserted, often means having no contract of employment, and no regular pattern of working hours and times. All fourteen respondents emphasised how their working lives have been marked by instability and insecurity. A job that provides work for more than 6 months is rare, and when work is secured, the hours worked each week can differ enormously. The reasons for this vary. But of central importance is the structural position that undocumented workers occupy in the labour market.

Undocumented workers must show their willingness to work as and when required. Bekele, for example, worked for an employment agency where they assisted him in falsifying a national insurance number to secure employment. Ready to work, he was told to turn up at the agency early every morning to see what was available. As he explained:

You just sit in the office till nine in the morning. You go at six in the morning, and sit there waiting for a job. They have employers who work with them continuously and somebody rings and says 'I need people'.

In such a context there was never any guarantee that work would be available. And when it was, it would only be for such a time that was required by the employer, often to meet upturns in supplier demands. Bekele explained the bluntness of this framework and discussed how, for example, one job he had from this agency lasted just two days: 'Then it stopped, they didn't need people anymore. Maybe they do now, I don't know. When they do, they [the agency] ring and people go'.

Existing as a 'just in time' workforce, in this way undocumented workers provide employers with a pliable pool of labour – easily hired and easily fired. Such experiences were commonly related by respondents.

## **INTENSITY OF WORK**

Undocumented working is therefore marked by insecurity and uncertainty. Hours worked may be curtailed when labour is no longer needed, and there may be periods

## **STRUCTURED VULNERABILITY**

that ‘all the rest are paid at the NMW [national minimum wage] rate, if I paid them all the same, I might as well not employ illegal workers’.

Abdul recalled his first labouring job in the UK:

I was working for somebody and they didn’t give me any money at all...Sometimes people are like that. For the first time I came to this country, in London, there were three of us and we came back and they didn’t pay.

Hamad also reported that he had been forced to work for no money at all:

[O]ne week when I was homeless, a week when it was raining and I had nowhere to stay, I asked a friend if he knew anybody who could give me some work. He introduced me to this one guy who was a builder, he used to go to broken houses and repair them. And he said ‘you come work for me’. I told him I had nowhere to stay and he said ‘Ok, I will find you a room. You stay a week with me’. He found me the room; it was very broken with no light. It was the only option though to protect me from the cold and the rain. He said that it was only for one week and on the Friday I asked him for my money. He said, ‘sorry I can’t give you any money’. So I had been working for him a week and I asked him why he couldn’t give me any money. He said ‘you have been staying with me, in my accommodation, this is my house. You don’t have any place and it is better than anything you have – rain and cold’. Maybe if I had anything he would have paid me, maybe £2.50 or something. It was a very hard job, that turned out to be digging the roads. So it was hard, but what was I supposed to do? I can’t complain, I can’t go to the police, because I am not allowed to do it.

With no access to welfare benefits there is no safety net for undocumented workers and it remains difficult for ‘refused’ asylum seekers to access medical treatment. For most of our respondents, being ill is not something that can be afforded. In Bekele’s case, he was eventually forced to beg for the money to pay for (private) acupuncture to ease the pain stemming from a head injury.

## **THE THREAT OF DESTITUTION AS A DISCIPLINARY MECHANISM**

The destitution that often follows a claim for asylum being refused, quite literally forces people into work in order to survive. As Richard explained:

I have a family and if I have a choice between working illegally or starving my family I will work illegal. Whether they catch me or not, I will never let my family starve. We apply hundreds of times to get work papers but they always say no. The reason?

## STRUCTURED VULNERABILITY

[T]he shop owner was very badly treating us. He didn't pay good. He was using us too much, for more than 14 hours a day. It was for £25 and if we were late for just half an hour he would take £5 from our wages.

Wage manipulation of this kind can have a devastating impact upon people who are paid well below the minimum wage, and exist far beyond the poverty line. Yet mechanisms of redress are virtually non-existent and employees are aware that complaining may risk dismissal. The consequences of a lack of organised representation are reinforced by the fact that there are many others in a similarly vulnerable position waiting to take the place of undocumented workers who leave their employment. Richard was bold enough to challenge his employer about the level of his wages and explained 'I complained every day but he didn't care. He said "if you want to go then just go. There are a thousand people out there wanting this job"'.

Predicaments such as the one that Richard found himself in are reinforced by policies which effectively criminalise undocumented workers for supporting themselves through work. It is the constant risk of detection by the authorities that intensifies the vulnerability of workers to arbitrary decisions by their employers. But it was not only in 'cash in hand' jobs that such problems arose. As Bekele reported:

Well I was owed £600 from the agency [that he was working for]. I was paid the week after I worked and one week I had worked six days, and four the week after, which was 10 days overall. Also they used to pay holiday money when you worked three months straight. I was owed this, about £600. The day before I was going to be paid he [the employment agent] rang me to come into the office. In those days... he used to have a lot of illegal people. He knew everything really. He didn't really ask for many documents. He gave me a false NI number. So he rang me, I used to get a pay slip, and the payslip had already come. He already knew I didn't have real documents. I went there and he looked like he knew nothing but he was friendly, he knew me. They would ring us every night before work, to tell us when to start and everything. If he said 'no you can't work', I understand that. Almost 90% of his workers have no papers. I went with three other people and my friend went first and he was owed £60 and the boss said he needed proof of documents in two weeks time, but he paid him the £60. He called me next and said he had checked my documents. The documents, they just photocopy a Home Office letter to say you can stay and put in a false name. He said he had checked my documents and knew it was not right. He said if I could get the right document I could keep my job and get my money. But I was owed £600.

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The data from the interviews also revealed how employees were disempowered and made structurally vulnerable by their legal status. It is to the exploration of this crucial issue that the chapter now turns.

### THE DISCIPLINARY POWER OF LEGAL STATUS

Whilst the vagaries of the market may be a key reason underpinning the insecurity of undocumented work, as stated above, it is not the only reason. As Bekele's experience in the previous section indicated, the legal status (or lack of legal status) of undocumented workers is a major factor in the reproduction of their vulnerability. In our sample of workers, legal status was acutely important. All but one of the respondents in this research were refused asylum seekers, and a number of interviewees were working quite simply to stave off literal destitution. In all cases, they were breaking the law by taking up employment. Hamad related this predicament:

If you don't have the paper, wherever you go you will never get treated the same as other people. They will shout at you, scream at you, pushing you to work really hard... we never ever complain to anybody. If we [do then] we just get sacked as he has more workers waiting.

For undocumented workers their labour is threatened not only by the whims of their employers, but also of being caught by the government and the caution that our interviewees consequently exercised was not unfounded. The government has funnelled significant resources into preventing undocumented working and in 2007 the government set out a 'seven point plan' to 'shut down illegal working' (Home Office, 2007: 3) of which a key strand was increased enforcement activities. These activities were bolstered, in 2008, by the creation of a 'watch list' of immigration offenders to be tracked down and local immigration teams were established to assist in this process (Home Office, 2008b). One of the implications of this intensified immigration control was, for our respondents, a concomitant intensification of the risks that were being taken by working without papers.

With their labour rendered a criminal act, some of the interviewees here could have been removed from the country if caught working. For others, as Peter explained, taking up employment could lead to financial penalties:

I myself have been caught twice. The first time they cut some of my NASS [National Asylum Support Service] money. Then you used to get about £38 a week. It got cut down to about £29. They said it will stay like that till 2015, until the money that I had earned had been repaid! That's what they tried to

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...the only thing we can find is black jobs, building, chicken and chips or whatever. And these people they do not ask for nothing, they treat you really badly, even for £2 [per hour]. You can't ask them for money. If you ask them two or three times, the next day you go, you are fired. And where do you go? There is nobody to look after you. So you have to keep quiet.

Complaining, or organising any form of action against mistreatment or work conditions is consequently avoided by many of those who cannot risk discovery by the authorities. 'We can't complain because we are doing a 'black job', Amir explained. 'We can't do anything, we don't want trouble. We had trouble, that's why we came here. We don't want any more trouble'. And even where employers do not know that their staff do not have permission to work any abuse that undocumented workers suffer may nonetheless be borne in silence.

For all of the reasons outlined in this chapter, then, undocumented workers are frequently given the worst tasks to do and subordinated within their places of work. Or as Joseph put it 'if they know you haven't got a paper they treat you different. They give you the crap jobs'.

This report has so far analysed the precarious position of workers in general, and has indicated how their working lives are made precarious at the level of the labour market and at the level of the workplace. It has also demonstrated how this precariousness is intensified by coercive state practices that are aimed at controlling immigration. The following chapter explores the specific effects of this structural vulnerability upon health and safety conditions experienced by workers.

## THE VIOLENT CONSEQUENCES OF PRECARIOUS WORK

There is little conclusive evidence that migrant workers are intrinsically more at risk of injury and death than other workers. What is known is that migrant work tends to be concentrated in sectors that are casualised and, by definition, relatively dangerous (Lee and Wrench, 2000; Wrench and Lee, 2002). And within the most dangerous sectors, migrant workers tend to be particularly vulnerable. One recent study showed that migrant workers are at least twice as likely to be killed in the UK construction industry (Centre for Corporate Accountability, 2009).

In the UK employers are universally bound by health and safety law, regardless of the status of their workers. Furthermore the Health and Safety Executive and local authority safety enforcement departments are responsible for protecting all workers. In other words, in law there is no distinction made between the regulatory protections granted to documented and undocumented workers.

In practice, however, undocumented workers are much less likely to be aware of or benefit from legal provisions put in place to protect them. As Warshaw (1998: 24.11) notes:

The informal or ‘undocumented’ sector includes workers who agree to work ‘off the books’ – that is, without any formal registration or employer/employee arrangement...The employer’s responsibility for informal worker’s health and safety is only implicit, at best, and is often denied.

Risks to the health of undocumented workers are constituted by the precarious nature of the labour market and labour process. It is in this context that we have to understand the very high rate of injuries workers are exposed to. Nine respondents reported having been injured (sometimes on multiple occasions) or having been made acutely ill by work. Two respondents who had not been injured themselves reported having witnessed a workmate being injured.

Injuries resulting from work reported in the interviews are set out as follows:

Chemical irritation/burn	3
Burn as a result of scalding by water/cooking oil	2
Burn as a result of exposure to oven	1
Crushing	2
Injury as a result of fall	1
Injury as a result of heavy lifting	1
Cut requiring stiches	1

## THE VIOLENT CONSEQUENCES OF PRECARIOUS WORK

between a system of consultation through safety reps elected by the workforce or a system of direct consultation. Yet none of our respondents reported having been involved in any workplace safety consultation mechanism.

Respondents drew attention to a range of problems in relation to their ability to raise safety issues with their employer on a day to day business. Only two of our respondents reported having been able to raise safety issues with their employer freely in any of the jobs they had in the UK. Richard reported:

We couldn't open our mouths because the point is we have no right to open our mouths. If we did open our mouths, if we did talk, we would be just asked to leave work. Like I told you, there are thousands waiting outside for our jobs. Thousands of people who cannot legally work, they are waiting for a chance to get any work.

Tommy pointed out a rather different dimension to the silencing of undocumented workers. He experienced some racist insults during his work leafleting the streets and noted how his ability to defend himself was undermined by his status: 'You can't say anything because you are not legal.'

The only form of consultation was reported by Peter who explained how safety concerns were channelled through the agency he worked for, rather than being dealt with in the workplace:

If you are on a building site and something goes wrong, you have to come back to the office in the evening to get paid. Before you get paid, you have to sign this sheet where you make all complaints and whatever....Occasionally it worked. Sometimes you would get sent back to the same job. Or sometimes they would say 'if you don't do it, then we will send someone else.' There is always someone else to take your job.

Lack of safety equipment was reported by almost all respondents. The key piece of legislation in relation to the use of protective equipment in the workplace is the Personal Protective Equipment at Work Regulations (1992). In law, personal protective equipment should be supplied that is appropriate for the task and for the substances to which it is applied. A failure to comply with those regulations was indicated in almost all cases. Abdul, for example, worked in a freezer storage unit and was not provided with any specialist warm clothing. All of those who had worked on building sites and almost all of those who worked in other sectors reported that they were expected to provide their own safety equipment.

## THE VIOLENT CONSEQUENCES OF PRECARIOUS WORK

Well it depends how bad you are. If you are dying, then you would have no choice but to call them. If it's not an excessive injury, if it's not a massive injury then no because you don't want to fuck your job. You don't want anyone to know you are working.

Similarly, Mike noted that emergency services would not be called unless the injury was a life-threatening one:

Even if you get some injury that you keep, you do not inform anybody else because you don't have the right to do that job....Unless someone is unconscious. You would be obliged to announce that to save a life. Otherwise you keep it secret.

Mohammad, working as a kitchen porter, suffered serious scalding when a pan of boiling water was spilled over his arm. He requested that an ambulance be called, but his employer refused. Instead, his fellow workers bandaged his arm. Mohammed couldn't use his arm for eight weeks afterwards and when he returned to work, his employer told him that he had been replaced and could not have his old job back.

It is common for workers attending hospital to invent a story about their injury to prevent anyone finding out it was sustained at work. According to Richard:

I know one guy who was working with me in the shop where I was. A fridge freezer fell on his legs and he had no papers, no insurance, no nothing, so they just took him down to the hospital, said he was a friend and that he had fallen down in the house.

Respondents reported that both employers and employees would avoid calling emergency services to ensure that they would not risk detection by the authorities. Several workers reported covering up their own injuries as well as those of fellow workers. Hamad, recalling a serious incident that was not reported, explained:

I used to work in a chicken and chips place and this guy burned himself, his face his body...with oil. He put some water in the place where you cook chips by mistake and it started burning his face, his body. Now maybe half his face is gone, and he can't do anything. If the doctor asks he will just say he has been cooking.

In this case, no emergency services were called. Hamad explained why:

...if you don't have papers, you can't call the police, you can't call an ambulance, because they will come to the accident and they will ask you who you are. If the police know who you are then you could get into trouble. Better that you

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# **CONCLUSION**

## CONCLUSION

for safe working practices and the provision of safety training. Second, risks to workers are created because immigration raids, rather than health and safety raids constitute the greatest threat to the existence of a firm employing undocumented workers. The UK Health and Safety Executive is woefully overstretched as it is, and for almost a decade now has faced intensified political attacks upon its ability to enforce the law in the 'regular' sectors (Tombs and Whyte, 2008). The task of protecting undocumented workers is one that is currently way beyond its means. It is therefore not the Health and Safety Executive but the UK Border Agency that the most exploitative employers fear. Under such conditions, securing compliance with universal health and safety legislation is barely feasible.

In a grotesque twist of the idea that flexibilisation can satisfy the mutual interests of employers and employees, some respondents reported that they needed to be constantly on the move between jobs, to avoid discovery by the authorities and its consequences (at best the loss of their livelihood and at worst, deportation). The desire for flexibilisation in our sample is therefore not born out of a desire for a particular type of lifestyle, and is not a consequence of the free choice of workers, but is a result of the ever present threat of state violence. Flexibilisation in this context can only be understood as a process that results from the structural degradation of working conditions on the one hand, and the violence of immigration control strategies on the other.

The vulnerability of undocumented workers is structured by a combination of government policies on labour market regulation and border control. As we have seen, this political combination has brutal consequences for undocumented workers: there can be no doubt that systematic disregard for basic safety rights has exposed workers to unbearably high thresholds of risk of injury and death; and often severe injuries are hidden by employers and by workers themselves to the point that emergency treatment is eschewed for fear of discovery.

This pattern of structural subordination cannot be simply understood, as the government would have it, as a consequence of rogue employers who tarnish the reputation of the majority of responsible businesses (Home Office, 2008c). Neither can it be blamed upon language difficulties or cultural differences (Anderson and Rogaly, 2005). And it certainly cannot be blamed upon the choices made by irregular migrants themselves. Undocumented workers are injured and killed by intensified working conditions, conditions that are re-enforced by a lack of legal protections.

It is the political strategy followed by state institutions that ensures those legal protections are not upheld and in turn are systematically undermined by this brutal combination of labour market and immigration policy. We cannot know whether

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Interviewee	Age	Nationality	Gender	Immigration Status	Present employment at time of Interview	Has the interviewee been injured at work?	Number of jobs done in the UK	Wages
Mohammad	25-29	Sudanese	Male	Refused asylum seeker - section 4 support	Not working	Yes	1	£30 a day - 12 hours a day (£2.50 p/h)
Bekele	25-29	Ethiopian	Male	Refused asylum seeker - section 4 support	Not working	No	1 and numerous with an agency	£5.25p/h (highest amount) - one job £5p/h but the agency
Abdul	25-29	Iranian	Male	Refused asylum seeker - no support	Working	Yes	Unsure - 5+	Between £30 - £40 per day, working 8-10 hours a day
Hamad	20-24	Sudanese	Male	Refused asylum seeker - section 4 support	Not working	Yes	Unsure - 5+	Highest £3 p/h. Lowest £2.50 p/h
Amir	40-44	Iranian	Male	Refused asylum seeker - no support	Working	Yes	Unsure - less than 5	12 hours or more a day for £40 (3.33 p/h maximum)
Peter	25-29	Zimbabwean	Male	Refused asylum seeker - section 4 support	Not working	Yes	Unsure - 5+	Minimum wage 'or slightly above if you were lucky'

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