WORKERS’ ABUSE AT DHL IS UNACCEPTABLE!

WE DEMAND RESPECT!
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Mission

UNI Global Union and ITF are campaigning to ensure that Deutsche Post DHL world wide acknowledges its social responsibility as an international employer. Working with Deutsche Post DHL workers and their unions throughout the world, we are demanding that the company deploy a consistent worldwide social policy that recognizes and respects labour rights.
The campaign

Workers at Deutsche PostDHL are fed up. In several DHL locations the working conditions are considered poor, workers' rights are not fully respected and unions aren't recognised. The consequences are very serious: apparent unjust sackings, harassment and discrimination, problems with subcontracted employees, instances of bad faith from the company and the use of lie detectors. Union members it appears are very often the main victims of these actions.

DHL workers face a company that despite its signing of the UN Global Compact and its corporate code of conduct, does not fully respect their rights to join a union and to bargain for a decent collective contract. This is just one of the reasons why two Global Union Federations, the ITF and UNI Global Union, have launched a campaign demanding respect for workers. For the second consecutive year, workers are demanding RESPECT and asking the CEO of the company, Frank Appel, “What are you waiting for, Frank?”

The campaign is calling for:

• A global agreement for a global company.
• The just treatment of all workers, to include full union rights and the application of best practice standards in the business.
• Solutions to issues that affect workers agreed by the parties concerned, including social partners. Redundancies are not an option.
• Men and women who work in DHL to be consulted on and have access to information on the company’s strategy, its aims and activities.

Who we are

The International Transport Workers’ Federation (ITF) and UNI Global Union form part of the Global Unions family and are allied with the International Trade Union Confederation. The ITF represents almost five million transport workers and UNI Global Union represents 2.5 million postal sector workers around the globe. Both stand up for workers whose rights are undermined by multinational corporations.

The company

DHL is owned by Deutsche Post, the privatised company that came out of the German postal service in the 1990s.

DHL is the brand for international postal services and logistics, and is one of the so-called “big five” global delivery companies (along with UPS, FedEx, TNT and GeoPost). The parent group is a massive employer, ranked the eleventh biggest in the world. It is also ranked 86 in the most recent Fortune 500 list of the largest global companies. DHL’s international network links more than 220 countries and territories worldwide and employs more than 400,000 workers.

Like many companies, DHL has a good relationship with unions in its home country, though this differs from area to area – and, in some regions, it is downright bad!

“The majority of DHL workers do not have a union, a collective contract or real workers’ rights. DHL with its headquarters in Germany has a works council structure there, a European Works Council and a history in Europe of worker consultation,” says Neil Anderson, Head of UNI post and logistics. “This is a company that should be operating this way in the rest of the world, and it isn’t.”
Conclusion

DHL employees want to do their part to ensure a strong future for the company. But DHL management must discuss issues openly and consult its workers and their trade unions. That’s the only way to guarantee the long-term success of the business. The DHL Worker’ Network, which has been formed to protect the rights of DHL employees, is demanding the company lives up to its principles of corporate social responsibility.

Workers want the company to:

- **Respect workers** – they deliver the results!
- **Respect trade unions** – they are workers’ collective voice worldwide!
- **Respect the value of a global agreement** – a true contract for a global company!

Workers in DHL, join the DHL Workers’ Network and support the campaign!

Workers in UPS, Fedex, TNT, and other global delivery companies, we have Workers’ action networks for you too!

Visit: [www.respect4workers.org](http://www.respect4workers.org)
Since 2006, Marco has been working as a DHL workers’ delegate for the Italian Transport Federation of Workers, FILT CGIL. He deals with logistics companies involved in the transportation of goods via airports and using cooperatives of porters—such as DHL. Before working for the union, Marco was a shop steward for FILT CGIL and was working as a ramp worker for DHL Aviation in Italy. Through his experiences in DHL and in the union, Marco has noted some important issues (concerning outsourcing, relations with subcontractors and the problem of non-declared workers.)

The main issue that Marco emphasized concerned subcontractors, how DHL checks these companies and how, generally speaking, more and more work is outsourced.

In Italy, there are 4,000 DHL employees and 8,000 subcontracted workers, of which 5,000 are porters, who are quite lowly-paid. That is not the problem. The issue is about wages, as one worker costs 22,000 Euros per year rather than 35,000 Euros as it should be. The problem is that DHL and others seem to take advantage of a system of subcontracting whereby they appear not to assume responsibility for those workers employed by the subcontractors. Under Italian law, those companies that use the services of subcontracted cooperatives are legally bound to ensure the correct payment of these workers. The drawback is that if the union is unable to uncover the bad working conditions of these workers, the company saves money, and even if the union discovers them, the company is only liable to pay for the individual case, rather than being forced to pay for the other underpaid workers.

For example, Marco tells the story about ten cooperative workers working at DHL freight in Bergamo. When DHL freight operation was closed down, workers were transferred to the new DHL Express gateway in Azzano, following the “DHL convergence project”. It is understood that these workers were undeclared and underpaid. Of course, DHL didn’t know about this. Marco says, “DHL said that they would resolve the problem not by declaring these workers, but simply by paying them for the work that was done”. Finally, the union reached an agreement with DHL to ensure that the workers received the correct wage.

The problem, as Marco says, is that hundreds of workers are allegedly used by DHL through subcontractors’ cooperatives to make deliveries by road under illegal contracts. It is understood that one of these cooperatives is Isonzo multiservice, which delivers goods on behalf of DHL Express throughout the north of Italy. Some of these cases have been exposed and back pay has been won through the Italian Labour courts. Of course, the issue is not only with DHL, but also with other companies such as UPS and TNT.

Marco believes that even if UPS agreed to meet him in September 2010, there remains a national problem about wages in the delivery system and a serious dumping problem for those law-abiding companies that recognise the collective national contract.

The union can force the companies to respect the law, but laws are not strong enough to protect workers! For Marco, that’s why the theme of social responsibility is very important.
When Sharisse was diagnosed with leukaemia in January 2009, she was hopeful that DHL, as her employer, would be sympathetic. Unfortunately, she was dismissed later that year. Her union believes this was a direct result of her illness and the need to take time off.

Sharisse was regularly out of the office whilst receiving treatment. But despite her illness, she still came into work as much as possible. “In the last two months, I received a verbal warning for not looking after the work of my colleague,” she says. “They called me into their office, said my emails weren’t up to par and that I had been missing conference calls.”

The company put Sharisse on six months’ probation. According to Sharisse, they offered her a deal: if she resigned they would pay her health insurance until January 2010. Sharisse says she was confused: “I missed the conference calls because I was off sick. But they’re telling me I’m not being dismissed because of sickness. If my work wasn’t up to par and it wasn’t because of sickness, why offer me a deal?” “Despite being ill, I still tried to come to work and do my best.”

Sharisse was finally dismissed on 4 September. She hasn’t been paid since, the cost of living in Bermuda is high, and her situation is very difficult.

The Bermuda Industrial Union (BIU) has been campaigning for an agreement in DHL since 2007, when it received certification for workers at the branch. Louis Somner, divisional organiser, says, “The company has stated Sharisse was fired for not completing tasks. But everyone knows that if you’re going through an illness like leukaemia you have some rough days.”

Sharisse’s case is just one of many, says Somner. He believes the company has used delaying tactics to prevent the union from bargaining collectively. “We reached 95 per cent agreement,” says Somner, “but the last issue was wages, and the company has gone to the labour department to try and decertify us.

As of 22 October, the BIU was still awaiting a response from DHL Bermuda’s lawyer as to whether they are going to reinstate Sharisse. Sharisse’s family is considering taking her plight to the local media and retaining a lawyer. The union will continue to fight on for her and other workers.

Anna is a union organiser working at EPMU Wellington in New Zealand. She tells us about two issues happening at DHL in her country.

The first issue concerns the negotiations for a wage increase. The union has been negotiating with the company since November 2009, but it was only in May 2010 that the management decided to come back with an offer of a 2.5% increase plus a further 2.5% increase in order to achieve a two year deal. But they’ve attached a condition to it that hasn’t been mentioned since the beginning of the negotiations - DHL have refused to backdate the agreement and will only pay from the date the employees agree to accept the collective agreement. Management, conversely, have had their pay increased in April. Moreover, in the collective agreement, the company has refused to print the DHL redundancy policy, saying they’ll pay the standard DHL policy if redundancies occur, but insisting that a much lower one should be put in.

The second issue is a special one - because it was finally resolved! At DHL Global Forwarding in Auckland, there was strong evidence to suggest that serious discrimination against women was taking place. For months before the May 2010 offer, DHL refused to allow women employees to be covered by the collective agreement. These women – mostly from Polynesia - work as admin or clerical staff or in other relatively low-paid positions. They were “passed over” according to the local management, who refused to allow them to be covered by the collective agreement. Male employees working in the warehouse, however, continued to benefit from collective agreement coverage.
Gavin and Mario work for the Canadian Auto Workers’ union (CAW) which represents close to 2500 DHL workers across Canada. Gavin, as the National Representative and Mario, as National DHL Corporate Council Chairperson and DHL-BC Unit Chairperson, have been experiencing DHL management’s behaviour and its bad faith.

They say that in 2008, when the global recession was at its height, DHL decided to close down the US domestic operations. Shortly after that, at the end of the year and at the beginning of 2009, the CAW entered bargaining on a national level with DHL. A new CEO from France delivered the following message personally to the CAW Bargaining Committees, that if no agreement was reached between the company and the union, the Canadian operations would be closed down. Key demands of DHL included flexibility in scheduling, massive contracting out and a change to a new payment methodology. After the union worked hard on these issues, an agreement was reached in good faith and ratified by the members. "However, since that time, we feel that management is deliberately undermining the agreement" say Gavin and Mario. "We have had many disputes over who is eligible for severance, grievances are piling up that are not being resolved in a fair and expeditious manner, and management seems to have taken an indifferent approach to labour relations."

One of the biggest issues between DHL and the CAW relates to the implementation of the new payment methodology contained in the agreement. The union bargained an 80/20 split on this formula which means that 80% of Owner Operators would receive the same or more under the new system while 20% could potentially see a reduction in earnings down to a firm minimum bi-weekly guarantee. But the company didn’t move forward to implement the new methodology in the time frame agreed to. It became apparent to the union that the company management could not hit the 80/20 target without drastically increasing its payroll costs. Instead of paying up as negotiated, DHL tried to come up with different interpretations of the methodology by introducing a system of "subsidies" and finally imposed a 60/40 split. At the same time, the company put out an information bulletin to the members apparently designed to undermine the union and with a completely bizarre interpretation of the agreement. Another issue concerns the massive reroutes DHL undertook and the increase of the length of routes to beyond 10 hours (including load time) as bargained.

"Our members have lost faith in the company and are threatening to take matters in their own hands. If this situation is not resolved soon, we fear that matters will completely go out of control"

Gavin McGarrigle and Mario Santos, Canada.

As Gavin and Mario say, “We know what was bargained and believe the company knows this as well and simply chooses to ignore it because it does not like the outcome.” As a result of this situation, there has been a complete breakdown in labour relations across the country, union members have lost faith in the company and are threatening to take matters in...
their own hands. In Calgary, CAW members recently walked off the job to protest against management’s indifference to the massive impact these reroutes were having on their lives. Members returned to work after receiving an undertaking from the company to address the immediate concern and a commitment that no disciplinary procedures would result from the walkout.

In June 2010, Senior Union officials met with senior DHL officials and the Canadian CEO to try to resolve the situation before it spiralled out of control. They were unable to reach a decision and the company seemed disinclined to improve its relationship with the union.

The CAW has since advanced the payment methodology and route time grievances to arbitration and will be seeking full redress plus interest on behalf of its members. “We are extremely disappointed that the Company does not seem to be truly interested in living up to the agreement that was negotiated or in taking real steps to improve labour relations in Canada”, conclude Gavin and Mario.

At the beginning of September, a meeting was organised in Guatemala by the ITF Regional Office. This meeting was attended by representatives of UNI Global Union, Danish union 3F and SIELAS-affiliated DHL workers in Panama. Its purpose was for these union representatives to meet and inform USTAC’s (Unión Sindical de Trabajadores de la Aeronáutica Civil) members, that the company respects workers’ rights and neither harasses union members nor engages in anti-union activities. USTAC’s members are fearful that they will be harassed by DHL.

Mario, who planned to attend the meeting, was dismissed by the local manager, who accused him of trying to create a union. Moreover, other workers were required to sign a letter accusing him of “encouraging” them to form one. This is clearly an example of intolerance and anti-union harassment perpetrated by the DHL Manager in Guatemala and contrary to DHL’s policies which claim to respect the principles of the “Declaration on Fundamental Principles and Rights at Work, 1998” from the International Labour Organization. Moreover, DHL’s HR policy says “we support diversity and tolerance amongst our employees […] we expect people to treat each other with respect”.

In this situation DHL Deutsche Post’s CEO should urgently lead an investigation into this violation of corporate policy and human and labour rights, and to put right the unfair damage suffered by Mario who is enduring harassment as a result of trade union intolerance in Guatemala.
Elias started working at DHL’s Breinigsville facility in Pennsylvania, in January 2006. With the majority of his co-workers they decided to organize in collaboration with the American Postal Workers Union (APWU). Indeed, their rights weren’t fully respected at the company, as workers faced disrespect from the management who have been reported to insult workers; particularly Latino employees. But workers were also afraid of being sacked at any time, and for example didn’t report when they got hurt during their work – that happened a lot, because safety conditions were really bad - fearing they would get fired.

Since the workers began to work to organize, the DHL management has been aggressively countering workers’ efforts in many ways. The company began issuing anti-union flyers and literature and holding captive-audience meetings even before employees sought a National Labour Relations Board election. For the first time the management communicated not only in English but also in Spanish and even hired a Spanish-speaking consultant to give anti-union information. DHL’s management tried to discredit the APWU and any project of organizing, making them look illegal and giving personal interpretation of the law so as to make it sound very bad for workers to join a union. Elisa, a colleague of Elias, says that during one of his interviews, the management said that if they join a union and go on strike, the company would permanently replace them. The day before the NLRB election, her supervisor took her aside and told her not to vote for the union, that it was very risky, and that it would just bring trouble. Then, he did the same thing with everyone.

When Elias and other workers were handing out union leaflets in the parking lot - not in work areas nor during working time - the company called the police apparently to intimidate workers, knowing that it could be a real threat for immigrant workers. But the police did nothing as union representatives were within their rights. Shortly after that, Elias was removed from his job and was made to do other jobs which were much more physical such as unloading trucks. Moreover, his paid working time has been cut to 3 hours per day.

A few months later, for the first time, his supervisor made him sign a very negative evaluation of his work. The Administrative law judge declared these actions against Elias as being “discriminatory” because of his union activities.

Union supporters at DHL Breinigsville lost the vote in September 2007, but one of the NLRB’s Administrative Law Judge stated that workers free choice was destroyed by DHL’s interference, restraint, and coercion, and ordered a new election. DHL’s closure of the Beinigsville facility in the early 2009 stripped away any possibility of vindicating these particular workers’ rights.

DHL’s comments on this are; there is “positive labour relations” at other company’s locations in the US, and in other union organizing efforts in various parts of the country “there were no allegations against the company such as those made by the APWU”. A DHL communication declared, “The APWU does not care about your best interests […] Respect and dignity come from communication and cooperation among all of us… not from a union contract! […] Do you really want to share your pay cheque […] with the union?”

The NLRB reasserted in August 2010 the judge’s conclusions of 2008 concerning DHL’s unfair labour practices. They also agreed that the results of the election of 2007 should be set aside and that a second election should be directed.

One of our colleagues from Costa Rica works as a subcontracted forklift driver at a DHL Customs Warehouse, through the “Asociación de DHL”, a DHL created business-sponsored workers’ association known as “Solidarismo”. His working hours are from 7am to 5pm, Monday to Friday, and he’s paid around 430 USD per month, from which the company deducts insurance payments. There’s a bonus system in operation at DHL in Costa Rica, which is based on certain criteria - for example, if a worker manages not to break or drop any crates at all for three months, he/she will be entitled to food vouchers, worth between US$9- US$18. However, these vouchers are worth less than the ones awarded to workers directly employed by DHL and are only valid in down-market shops.

When he joined DHL, our colleague was on a two-month “rolling” contract for the first two years. It was then, proposed that he should be on a “permanent” contract. In fact, as a subcontracted worker, he has no permanent contract, and can be immediately sacked without notice at DHL’s or “Solidarismo’s” discretion. This happened to one of his co-workers, who was sent on holiday to use up the leave he had, and was then fired upon his return. Our colleague isn’t happy in his job. He feels he’s underpaid as he has to carry out many more tasks than just driving a forklift. He also feels insecure as he knows he can be sacked at any time, but the unjust treatment of DHL’s employees goes far beyond this.

DHL contracts state that lie detectors may be used. To be hired, new direct workers have to accept the use of the lie detector by signing a ‘voluntary’ agreement. Should there be a robbery, or there be any suspicion of theft suspected workers may have to undergo a lie detector test – a refusal can mean dismissal. Moreover, it is possible to have taken the test and then be fired without ever knowing the results. One of our colleague’s friends had to take the test four times, repeatedly asked the same questions and made to feel like a thief, despite being innocent, as proven by the fact that he’s still employed by DHL.

If you had better wages, you’d be there more, your attitude to work would be different, sometimes you have no money and a lot of work and you get tired, not just physical tiredness also mental tiredness because you know you have no money, and you may have a bill to pay and you can’t it is a bit de-motivating.

subcontracted worker, Costa Rica.

Worker’s story: Costa Rica
Liver is a National Chairperson and shop steward at DHL Express. He is also a SATAWU Deputy Provincial Chairperson in Gauteng Province in South Africa. During his nine years working at DHL, he has allegedly witnessed many workers’ rights violations, such as discrimination, harassment, unjust sackings and improper behaviour of the police. Lie detectors are also in use.

Liver’s union has tried to agree a collective bargaining agreement with DHL Supply Chain and have even sent a draft document, though this remained unsigned. Let’s see how DHL treats its employees. If you want to be hired by DHL Supply Chain in South Africa, you’ll first have to undergo a lie detector test. It’s one of their terms and conditions of employment. In DHL Express, refusal can mean that you will either be accused or charged under the DHL disciplinary procedure with a “breach of trust”.

Should you find it impossible to praise your local DHL management to the skies during your Employees’ Survey, they may kindly assist you in doing so, by filling it in themselves. No wonder DHL scores itself so highly on employee satisfaction! You could also be subjected to discrimination, harassment and be dismissed at any time without any reason except for the colour of your skin or because you are a member of a union. This happened to two shop stewards in Limpopo that were called “kaffirs”, accused of bringing the union into the DHL Supply Chain in the region and were finally dismissed. This sort of thing is reported as happening across the whole country, from the Western Cape to Gauteng Province. On one occasion after the shop stewards raised concerns about lack of water supplied to workers, they were told to drink it from the toilet and sacked. DHL management was especially irritated by this case as the employees concerned involved the union.

Finally, should you be unfortunate enough to be hijacked while doing your job and transporting DHL’s products don’t be surprised if you’re arrested by the DHL management’s police friends and forced to undergo a lie detector test. It’s the only way to be sure you didn’t organise the attack. You also may have to give a few personal things to the police for their trouble, such as your cell phone.

So, would you like to work for DHL?
Joao has been working at DHL Express in Portugal since 1994, and is now working at DHL Aviation. Joao has also been a member of his union, SNTCT, since 2001 and a member of the national board since 2004. Through his experience as a DHL employee and a union member, Joao highlights two important issues.

First, in Portugal, DHL’s management usually doesn’t recognise unions, and as a result, never has any kind of meaningful negotiations with them. If we ask DHL Portugal, they will say they have a collective agreement, but it’s not that simple. DHL has an agreement with a union involved in maritime, fishing and tourism sectors, rather than, with a union specialising in the “Express” areas of transport, or involved in the postal or communications sectors. The decision was taken to choose this union instead of SNTCT, which represents more employees in DHL Portugal. Not only is the agreement very weak regarding job descriptions and salaries, but it also has little to do with the reality of day-to-day operations in DHL. Joao says that DHL management in his sector refuses to collaborate with his union to sign the same agreement as a basis to start bargaining, and also refuses to agree amendments to the agreement to reflect the reality.

Another big issue at DHL Portugal are the reported incidents of harassment. “There’s no collective lay offs at the company in my country”, says Joao. Also, very few people are dismissed. That’s good news, isn’t it? No, we fear that it’s just because it’s the workers who resign after these alleged incidents. The management are known to pressure employees and sit them down at an empty table without any work until they resign. There is evidence to suggest that they intimidate a lot of union representatives and employees who join the unions to make an example of them to other workers. To ensure the message is clear, the management has cut bonuses and frozen pay rises for union members. If union members do get a rise, then it’s always less than that of other workers. To illustrate the situation, Joao says that because he’s a union leader he receives less money than he did 17 years ago, and less than other co-workers with the same years’ service.

Joao is concerned about the quality of service which is decreasing in this kind of atmosphere, “everybody complains at DHL, workers and clients, and because of the Deutsche Post DHL global cost-cutting strategy, they are cutting jobs, and have come to the point, where they are making inroads into vital parts of the infrastructure”. As a consequence, it is believed that on average, one worker is doing the job of two, and certain times can even do the job of three or four people. Naturally, because everybody’s overworked,

“ It’s true that our clients are our gold, but without a good work environment and motivated and united workers, there will be a dark future of constantly losing clients and cutting jobs

Joao Possidonio, DHL Aviation, Portugal

because wages are not increasing, and because there’s no overtime payments, workers are tired and the relationships between them are stretched to the limit. Moreover, the integration between DHL branches apparently creates situations where some co-workers with the same job and with the same responsibilities receive different salaries.

All these bad working conditions demotivate and create splits between the workers, potentially worsening the quality of DHL’s service to the clients. This will increase bad economic results for the company. Joao believes that since he has been working at DHL, the working environment and the quality of service is getting worse every year, even when they think it has reached rock-bottom.
Lakshmanan started working at DHL in 1995 as a courier employed in the Chennai branch. In 1999, after he founded a union, he started having problems with a management that victimized union activists. Shortly after that, he became one of the many DHL workers unjustly fired.

In 2002, when Lakshmanan and the Bangalore General Secretary organized a meeting in Chennai and in Bombay to start a countrywide union federation, they also wanted to meet the management who refused. When DHL was taken over by Deutsche Post, it is understood that the management decided to clamp down on the union's activities all over India. Since then, the pressure on union activists is unceasing, with names of union officers collected throughout the entire country; the Bangalore General Secretary has been dismissed and union members are either suspended or transferred hundreds or thousands of kilometres away from their families. DHL management in India never negotiated with the unions and simply doesn't want any relations with them. The message is clear - new DHL employees now receive a letter saying that should they join a union, they will be dismissed.

In October 2003, Lakshmanan was notified of his dismissal in a letter, without any explanation or enquiry. DHL accused him of unfair and false charges - theft and illegal money-making. The company brought the complaint to the police when the case went to the media and the management provided the press with false information. After causing considerable distress to him and his family, the police finally closed the complaint in June 2005 – listing it as “undetectable / mistake of fact”.

Today, Lakshmanan is working with the ITF as an organizer in logistics. He’s still suffering from the case which has affected his career, making it harder for him to find a job and has impacted upon his own reputation and personal life. Fortunately, the union has been giving him a lot of support.

For your information

Some of the issues at DHL in India concern actions taken by local managers as - labour activists have been dismissed or exiled to work at locations often more than 1,000 kilometres away from their homes and families.

http://www.itfglobal.org/global-delivery/index.cfm/newsdetail/4696/region/1/order/1

Tussle for Justice, Be solidarity. Don’t be scared by any decision taken by the management against union. Be united to fight against any union members’ issues and tribulations.

Lakshmanan Bhaskara, GDCS, India.
We are taking a campaign to the company to get good workers’ rights and proper worker participation globally.

Neil Anderson, Head of UNI post and logistics

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