

Romanian drivers complain of exploitation

**Florentin Cassonnet
and Laura Maria-Ilie**

Journalists

Diego Ravier

Photographer

The bulk of international road transport in the European Union (EU) is performed by hundreds of thousands of east European drivers, primarily Poles, Lithuanians and Romanians. The fact that they are cheaper than their colleagues from the west means that hauliers can operate at lower cost and with higher profits, but the drivers work in conditions that sometimes border on modern slavery. Under its 'Mobility Package', the European Commission is trying to change the rules of the game to put an end to social dumping and the systematic exploitation of drivers. The reform is a major test for the EU, which will have to prove itself to businesses, the Member States and European workers, while having already been accused of merely remedying the driver shortage in the west at the expense of the east.

It's Monday evening. Constantin Troncota, age 36, has finished his day's work. Nine hours of driving, six clients – four in the Netherlands, one in Belgium and the last one in Germany. If you include loading and unloading, it adds up to 12 hours of work. He has a shower at the service station, and makes something to eat next to his truck, a meal that he'll share with three other Romanian drivers who've stopped at this German motorway rest area for the night. This evening, he'll watch a film in his cab before going to bed on the bunk behind his seat. Then he'll be back on the road tomorrow morning.

Constantin earns 3 000 euros a month, but he had a tough time getting it. It took five different German firms making arrangements to pay some of his wages on the side, or failing to honour his requests for leave by withholding his last wage packet, before he decided to resign. He went to court and

was able to recover only some of his dues, less legal fees. 'And I speak German, I'm educated and can stand up for myself. Just imagine what it's like for people who don't have the resources that I have. As far as I'm concerned, drivers are subject to continual abuses.' He finally found an employer who abides by the law, but to earn his good wage he still has to work 12 hours of work per day, and 15 hours twice a week. 'I don't think it's normal to work 15 hours, it can cause accidents,' he says. For instance, fatigue causes a temporary dip in visual acuity, as he found out at a medical appointment at the end of a working day. Nonetheless, his employer presses him to make full use of all his working hours. There's a driver shortage, and you have to extract full value from the available workforce.

There are several hundreds of thousands of east European drivers like Constantin

who work under these difficult conditions. There's a lack of lorry parks for their statutory breaks, and a lack of infrastructure (showers, toilet facilities, kitchens) to enable them to live a decent working life when they're on the road for months on end without going home, among other factors. 'This job is proof that modern slavery still exists and that there are abusive, unscrupulous bosses who will wear drivers down psychologically to the point that they're an accident risk, making them time bombs,' complains Claudiu, who prefers to remain anonymous. 'No one will do anything for us,' says Tiberiu. 'We'll fall by the wayside one after the other, and those of us who live long enough to draw our pensions will end up spending the lot on medical bills.' Heart attacks, back problems, circulatory issues, diabetes, obesity to name but a few. The average life expectancy for Romanian lorry drivers is 60.

‘This job is proof that modern slavery still exists.’

↓ In a truck parking lot in Nordrhein-Westfalen (Germany), drivers arriving from Romania cross paths with those returning home.
Photo: © Diego Ravier

The other side of the social dumping coin

Why are Romanian drivers so prized by western businesses? Quite simply because they are cheaper. In order to take advantage of the opportunity they present, western transporter businesses have opened subsidiaries in Romania so that they can recruit drivers on Romanian labour contracts, which are often paid at the minimum wage (less than 400 euros per month), and the bulk of the remuneration is paid as a *per diem*, in other words a daily subsistence cost for living on the move, often by way of a cash payment in Romania. The advantage: low wage costs for the employer, as *per diem* are subject to tax only if above a rate of 87.5 euros/day. The drivers earn up to 2 500-3 000 euros per month, an attractive sum in Romania, to work central and western European routes.

The result is that the road transport sector is caught in a predicament at the heart of the European project that Brussels is struggling to resolve: social dumping, namely the practice whereby businesses in the west, as well as those in the east, take advantage of

the differences across the EU in wages, taxes and social contributions. Shortly after 2004 and again after 2007, when Romania and 11 other central and eastern European countries joined the EU, many found these differences were to their advantage: businesses were able to lower their costs and increase their profits, while workers from the east were suddenly earning wages equivalent to several times the annual norm for their country of origin. But the other side of the coin soon surfaced: for businesses and workers in the west, it was unfair competition from the east; for workers in the east, it was exploitation at work without the benefits of the protections and terms extended to their western counterparts, all the while sacrificing their family life, their health and their retirement.

In order to put this problem right, in August 2020 the European Commission adopted a Mobility Package and allowed the Member States until 21 February 2022 to bring their legislation into line with the new measures. In addition to a ban on spending the weekly rest period in the vehicle cabin, the flagship measures include drivers returning to their place of residence





↩ Truck cabs have reduced spaces that are customised to create the maximum possible comfort.

↪ In two days, this driver will be back home with his family in Romania. He sometimes spends up to three weeks on the road.

Photos: © Diego Ravier

Poor working conditions and labour shortages

‘People want different things,’ says Luciana Țintoșan, age 48, who holds two university degrees and has been a driver since 2015. ‘There are too few drivers who want to go home every four weeks. In my firm, you do three months on the road and a month at home, and that suits me fine.’ For her, ‘it should all be people-based’, even if their working conditions ‘will never be up to the right standard’. The issue? The dearth of drivers all over Europe is pushing businesses to exploit the existing workforce regardless of the law or working conditions. The sector is trapped in a vicious circle that is dragging everything to the bottom. The most resilient among them ultimately find a post that is broadly satisfactory after several bad experiences. ‘I’m lucky at the moment: my boss is an ex driver, he understands us,’ says Luciana, who despite this is employed on the minimum wage by a Romanian subsidiary of a Dutch business. ‘The fact is, I felt exploited by the [Romanian] firm I used to work for. I had no holiday, during the breaks you had to load up or unload, the conditions were crucifying.’

When we raise the issue of exploitation, the drivers are torn, both irritated by the system but not wanting to be regarded as victims. Yes, there’s exploitation, but it’s also up to them to turn down bad contracts. ‘It’s hard to give up driving when you’re earning 2 500 euros a month,’ Luciana explains. ‘And there’s the love of it, you get attached to the truck. It’s like a drug. People in the street just see a metal box, but you have your own bit of luxury inside, and, believe you me, you get attached to it.’ By dint of spending most of their time in the cabin, it also becomes their home: they fill it with their energy, their hopes and their sorrows; they seal friendships at the roadside with others who share this way of life, imbued as it is with a degree of freedom and the scent of continuous adventure. ‘You cry, you have a moan, you drive on, you’re buffeted by the wind, rain, storms, you take your money, that gives you some hope, and on you go,’ Luciana says.

‘When you work three months straight, you go into a sort of trance, you stop feeling anything,’ explains Daniel Dănăciță, 51,



or employer’s operational centre every four weeks, returning lorries to their country of registration every eight weeks, and aligning posted workers’ wages with the local wages in the countries where they work. The aim is to introduce more equitable trading conditions for European transporters and to improve drivers’ working conditions.

However, on the ground, few Romanian drivers are fully in favour of the measures. In Constantin’s view, the measures were taken at European level with no input from the people in the job. For example, drivers must now manually enter on their tachograph the

symbol for a country they have entered: a few days ago, Constantin crossed the Dutch border, the first parking place was two kilometres from the border, and he missed it, meaning his tachograph did not have the correct symbol, thus risking a fine of 220 euros. Yesterday, he saw on social media that a Romanian colleague driving in France had been fined 1 910 euros by the French authorities for not returning home after four weeks, prompting others to disclose fines that had recently been meted out to them. This illustrates the fact that drivers are at the sharp end of enforcement of the new measures.

who lives in Spain although his family is in Romania. 'And we can see each other using social media.' Daniel's journey gives us a glimpse of the consequences of the Mobility Package on the labour market. When employed on a Romanian contract by the Romanian subsidiary of a Spanish business, he would work 28 days and go home for a week, as required under the new European provisions. 'I earned less than I wanted, so I got myself employed on a Spanish contract, and I stay in Spain.' In his view, many businesses will withdraw from Romania. His used to have 1 000 HGVs registered there but now has no more than 300.

'There's the love of it; you get attached to your truck.'

↓ In the evening, a can of food is usually opened in the cab, but on occasion, sausages and fries are shared between colleagues.
Photo: © Diego Ravier

Bankruptcy in the offing for east European transport firms?

This is the fear of the owners' unions. 'The Mobility Package threatens the survival of a good number of transport firms, many of them SMEs,' says Roxana Ilie, a representative of the National Union of Road Hauliers from Romania (UNTRR). 'The road transport sector is the chief exporter of services for Romania, worth more than five billion euros a year. It's also one of the main employers, with 350 000 employees. Romania ranks third for cabotage in Europe after Poland and Lithuania.'

Adrian Dinu, age 41, is the owner of International Drinks Est Europe SRL. How has his SME been impacted by the Mobility Package? 'There's no way we can meet the new conditions. We don't have the budget to withstand this, establish bases in Germany or the Netherlands. We're going to have to close. What with drivers' wages, the price of fuel and soaring insurance, we'd have to hike our prices by 50% to survive, and we can't do that without losing our customers. Only large businesses will survive.' Adrian is resigned to it and is making preparations

to close his business, return the lorries he was leasing and look for another job. For him, the transport journey is over.

'They want to kill off Romanian businesses to force us to move to Germany, France, Spain and do the work that their young people don't want to do. We're workers, that's it,' says Sorin Goea, age 29, who works in Adrian Dinu's firm. He says that the average age of drivers in the west is 50 and that the young people don't want to do a job where they have to live in a lorry, eat out of a mess tin, and shower in service stations. 'Romanian businesses just can't compete with what western businesses are offering: more money, sometimes housing for the whole family, and even a job for the wife, in an abattoir for example,' says Sorin, who has seen packages along these lines for several years. The Mobility Package was designed to resolve the labour shortage issue in western Europe, but it's likely to further exacerbate the already acute shortage in Romania.

Will the exodus from Romania grow? Sociologist Aurelian Muntean doesn't believe it will, much, not in the long term at any rate. 'When social protection and wages have risen in Romania, closing the gap



↳ Chris's truck is parked in an industrial yard on the outskirts of Timisoara (Romania). He travels three times a week to Braşov transporting mostly automotive components.
Photo: © Diego Ravier



'It makes me feel sick to see so many people leaving Romania. We need drivers here too.'

with western Europe, people will have less reason to emigrate,' he says. To his mind, the Mobility Package will force a rise in wages directly, because hauliers will have to comply with the new regulations, and indirectly, because the general labour shortage means they have to offer better wages in order to attract and retain drivers. But he notes the frustration of businesses at the top-down manner in which the reform has been imposed. It has generated resistance and led to demonstrations by Romanian hauliers, who demanded negotiations with the government, but 'their impact was extremely low given that European rules take precedence over national law. That's why businesses have already identified broadly legal mechanisms to get round some of the directives' requirements.'

Romanian exodus and social dumping in Europe

Elena Franduş gets bogged down in the economic factors. Drivers' rights are what she steers by, and she defends them through her small Union of Transport Workers (SLT), an affiliate of the European Transport Workers' Federation (ETF). 'Since Romania joined the EU, professional drivers have been hired on the minimum wage as if they were unskilled, and have been exploited throughout the rest of Europe. It's legal slavery,' she comments. 'The owners are responsible: until they pay enough and offer good working conditions, there won't be enough workers.' Her view is that the regulatory framework should be ramped up to improve working conditions and attract what the sector needs: young people. The challenge is to make a vicious circle into a virtuous one, and it is in that light that this particular European policy will be judged.

The strength of her position is borne of her experience. Before founding her union

in 2010, Elena Franduş was the human resources manager of an Austrian transport business. 'I saw all the unfairness. Many employers want to get rich quick and joke about losing staff. The drivers would say to me, "Elena, no one is looking out for us." The firm had licences in Czechia and the Netherlands, and the Romanian drivers could see they weren't treated in the same way as their colleagues, who had organised in a union. So we summoned up the courage and went for it.' It went badly: the Austrian firm sent someone over to intimidate them, Elena Franduş was physically assaulted and spent 11 days in hospital. 'There were 750 employees at the time, some of them were sent to Czechia and the others were sacked. We went to court, the employer was arrested, his lorries immobilised and his transport licence withdrawn.'

Since then, she's been leading a union attack on social dumping which has become inseparable from another phenomenon: the exodus. 'The situation in Romania is critical. I have brothers and sisters, nephews and nieces who have left because they just couldn't make ends meet here, and they are qualified people.' Three million Romanians have left their country since 2007. 'People go where life is better,' Elena says. 'I'm patriotic – I know it's not fashionable any more, but it makes me feel sick to see so many people leaving Romania. We need drivers here too.' ●