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Emerging topologies of transnational employment: ‘Posting’ Thai workers in Sweden’s wild berry industry beyond regulatory reach

Linn Axelsson

Department of Human Geography, Stockholm University, Sweden

Charlotta Hedberg

Department of Geography and Economic History, Umeå University, Sweden

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Emerging topologies of transnational employment:

‘Posting’ Thai workers in Sweden’s wild berry

industry beyond regulatory reach

This paper suggests a need to pay closer attention to the fact that employment is increasingly stretched across several regulatory regimes. This may help explain why governments, which rely on *national* legislative frameworks, struggle to protect the interests of *transnationally* mobile low-skilled workers. By adopting a topological approach to state regulation and authority, the paper demonstrates how powerful actors have reconfigured employment in Sweden’s wild berry industry in a spatial sense by engaging transnational subcontractors. It argues that transnational subcontracting inserts distance into employment relationships, thereby creating precarious migrant workers whose simultaneous absence and presence in several regulatory regimes places them partly beyond the regulatory reach of any one nation-state or nationally based trade union. The paper also argues that the Swedish government’s response to precarious working conditions in the wild berry industry can be understood as a series of attempts aimed at bringing transnational employment relationships within its regulatory reach. Drawing on topological spatial vocabulary, it shows how these attempts are less about the movement of state infrastructure into transnational space than about the stretching and folding of space itself, in an attempt to establish a powerful Swedish presence across distance. On the other hand, the paper concludes that transnational subcontracting opens up a space which enables wild berry actors to circumvent regulations and, as such, it remains very difficult for the Swedish government to reach into employment relationships in this industry.

Keywords: precarious work; migrant workers; seasonal agriculture; transnational employment; topology; regulatory reach

1. Introduction

The intersections between migration and precarious employment have been widely debated in geography and beyond (e.g. Buckley, McPhee and Rogaly, 2016; Coe, 2013; Ellis, Wright and Parks, 2007; Lewis et al., 2014; McDowell, Batnitzky and Dyer, 2009; Vosko, 2006; Wills et al., 2010). This literature has made key contributions to deepen the understanding of how states place migrant workers in a precarious position by excluding them from certain key rights enjoyed by citizens (e.g. Fudge, 2012; May et al., 2007; Preibisch, 2010; Wills et al., 2010). This body of work argues that, as migrant workers are the subject of immigration policies, they are particularly vulnerable to exploitation, especially when their right of presence in the host country, or the prospect of returning the following season, depends on retaining a good relationship with a specific employer (e.g. Anderson, 2010; Axelsson, Malmberg and Zhang, 2017; Bonanno and Calvancanti, 2014; Seo and Skelton, 2016).

This paper aims to refocus this debate by drawing attention to an under-studied group of lower-skilled migrant workers: those who are ‘posted’ across borders as dependent employees of transnational subcontractors (McDowell, Batnitzky and Dyer, 2008). ‘Posted’ workers are increasingly common in construction (Baey and Yeoh, 2015; Buckley, 2012; Thörnqvist and Woolfson, 2012; Wagner, 2015), the meat and shipbuilding industries (Lillie and Wagner, 2015), the service industry (McDowell, Batnitzky and Dyer, 2008) and, as this paper will demonstrate, agriculture (also see Barrientos, 2013). By focusing on ‘posted’ workers, whose employer is registered in a different country to the one where they work, we aim to shift the attention away from the production of precarious through immigration policy. Instead the paper aims to explore the difficulties governments may face in having to rely on *national* legislative frameworks to protect the interests of *transnationally* mobile migrant workers. The

terms and conditions of these workers are partly determined by regulatory frameworks in the country they are sent from, rather than the country to which they are ‘posted’. Thus, from a labour protection point of view, transnationally stretched employment can produce a precarious situation for migrant workers who are simultaneously present and absent in the country where they are working, and whose rights are consequently difficult to protect.

To make this argument, the paper draws on a case study of Thai workers ‘posted’ into Sweden’s wild berry industry. Farmers from north-eastern Thailand were originally brought to Sweden in the 1980s and 1990s by Thai marriage migrants to pick wild blueberries, lingonberries and cloudberry in Sweden’s forests on an informal basis (Hedberg, 2016). In the 2000s, however, the wild berry industry was completely restructured and now involves a close-knit network of wholesalers, wild berry companies and local managers in Sweden on the one hand, and Thai staffing agencies and local brokers in Thailand on the other (Hedberg, 2013). At the same time, employment was ‘outsourced’ to Thai staffing agencies which ‘post’ their workers to Sweden on a seasonal basis through a highly regulated work permit system (Swedish Migration Board, 2009b).

The restructuring of the wild berry industry has resulted in greater pressure on workers to pick large quantities of berries. Working hours are excessive, with ‘posted’ wild berry pickers often working 12 to 19 hours, six days a week. At the same time, they are being charged ever increasing fees for the opportunity to pick wild berries in Sweden (Eriksson and Tollefsen, 2013; Vogiazides and Hedberg, 2013; Woolfson, Herzfeld Olsson and Thörnqvist, 2012; Wingborg, 2011). Accordingly, there have been concerns in both the Swedish and the international media about precarious or even exploitative working conditions in the wild berry

industry (e.g. Andersson, 2013; *The Economist*, 2012; Rydman and Hökerberg, 2009; Saltmarsh, 2010).

We argue that a topological appreciation of employment and state authority could offer a route into understanding why it is so difficult to protect the interests of transnationally mobile workers such as the Thai wild berry pickers in Sweden. In geography, topology has gained prominence in recent years as a less rigid approach to space than that offered by Euclidean geometry (for an overview, see Martin and Secor, 2014). Topology has been used, for example, “to disrupt commonsensical assumptions about distance and proximity” (Martin and Secor, 2014:426), as well as absence and presence (e.g. Law and Mol, 2001; Sigvardsdotter, 2013). In a topological account, “relations of presence and absence are routinely reconfigured so that the gap between ‘here’ and ‘there’ is measured less by miles or kilometres and more by the social relationships, exchanges and interactions involved” (Allen, 2011:284). The main interest of this paper lies in how topology could help understand the difficulties involved in exerting an influence over employment relationships that cut across distance, and which are therefore partly beyond the *regulatory reach* of national labour legislation (Barrientos, 2013; Lillie and Wagner, 2015) and traditional models of trade union organisation (Wills, 2009).

In order to examine the consequences of an altered geography of employment for labour protection, the following account draws on John Allen’s (2016:11) conceptualisation of topological reach as a relational arrangement which enables powerful actors to “distort the relationship between near and far ... in ways that draw some things closer while pushing others further away”. It first attempts to show what a topological take on the intersections between migration and precarious employment might look like when the focus is shifted to the spatial reconfiguration of employment and to the state’s ability to reach into arrangements which are

stretched transnationally. It then draws on the case of ‘posted’ Thai workers to show how transnational subcontracting has altered employment in Sweden’s wild berry industry in a spatial sense, creating precarious migrant workers. It illustrates how these workers’ simultaneous presence and absence in two regulatory regimes places them partly *beyond* the regulatory reach of any one nation-state or nationally based trade union. Finally, the paper explores the Swedish government’s attempts to respond to the negative publicity around exploitation in the wild berry industry. We argue that this can be understood as a series of attempts to bring increasingly transnational employment relationships *within* closer reach. Moreover, we show how these attempts are less about the movement of state enforcement infrastructure *into* transnational space, as has been argued in the nascent literature on transnational migration management, for example (see e.g. Collyer and King, 2015; Mountz and Loyd, 2014), and more about the stretching and folding of space itself in order to establish a powerful presence across distance (see Allen, 2016).

2. Transnational employment beyond regulatory reach

Labour markets, in the Swedish wild berry industry and elsewhere, are increasingly characterised by both the flexibilisation and transnationalisation of their workforce. It is common at both the higher and lower end of the labour market for employment to be lifted out of organisations and placed with a subcontractor such as a staffing agency (Bonanno and Cavalcanti, 2004; Coe, Jones and Ward, 2010; Kritzinger, Barrientos and Rossouw, 2004; Lille and Wagner, 2015; McDowell, Batnitzky and Dyer, 2008, 2009; Peck and Theodore, 2001; Rogaly, 2008; Wills, 2009). From a labour protection perspective, subcontracted employment is significant because, as Jane Wills (2009:444) has argued, it “is a particularly effective way for employers to cut costs,

shed responsibility, increase flexibility and disempower the workforce”. Research on precarious work has highlighted the disproportionate clustering of *migrant* workers in jobs and segments of the labour market characterised by insecure, subcontracted employment (e.g. Coe, 2013; May et al., 2007; McDowell, Batnitzky and Dyer, 2009; Wills, et al., 2010). Migrant workers with only temporary residence rights, including the growing number of low-skilled workers who circulate around the globe to meet seasonal demands in agriculture and fluctuations in production, represent a particularly vulnerable workforce which is easily disciplined into accepting precarious working conditions (e.g. Barrientos, 2013; Bonanno and Calvancanti, 2014; Fudge, 2012; Preibisch and Otero, 2014). Thus, a key finding of this body of research is that governments, through their immigration policies, intentionally or inadvertently create precarious migrant workers (e.g. Anderson, 2010; Fudge, 2012; May et al., 2007).

In order to understand more fully the tenuous position of transnationally mobile workers, in particular Thai wild berry pickers in Sweden, we argue that there is a need to shift attention away from the impact of immigration policy and the production of a system of precarious migrant workers. It should move instead towards the spatial processes of flexibilisation and transnationalisation of labour and how these, in turn, impact on the ability of governments to reach into increasingly complicated transnational arrangements. In fact, our specific interest in subcontracting involves the way in which it reconfigures employment spatially by introducing a third party, the subcontractor, into the employment relationship. The ‘triangular employment relationships’ (Theron, Godfrey, Lewis and Pienaar, 2005) created through subcontracting are characterised by workers who are no longer directly employed by the organisation where they carry out their day-to-day work, but by an employer located elsewhere. These workers therefore have no contractual relationship with the organisation on whose site

they work. In other words, subcontracting increases the *distance* between workers and what Wills (2009:444) calls the “ultimate” or “real” employer (see also Coe, Jones and Ward, 2010; McDowell, Batnitzky and Dyer, 2009).

Economic geography has drawn attention to the spatial transformation of work (e.g. Castree et al., 2004; Jones, 2008b). Instead of remaining a local practice confined to specific and clearly defined workplaces, work is increasingly global in its scope, and links together places, employers and workers in global production networks on a planet-wide scale (Barrientos, 2013; Coe et al., 2004). In turn this means that subcontracting is not confined within nation-states. Instead, workers such as the Thai wild berry pickers who are the focus of this paper are increasingly ‘posted’ across borders to provide just-in-time, easily replaceable labour which arrives when it is needed and is shipped back as soon as the job is complete (Jordan and Duvell, 2002). We suggest that this transnationalisation of the workforce serves to recast employment relationships even further in a spatial sense. Indeed, by engaging transnational subcontractors who ‘post’ their employees to another country, corporations such as powerful wild berry industry actors strategically lift employment out of a particular regulatory regime, not just out of the organisation itself. Throughout the duration of their contract, ‘posted’ workers remain employed in the country where the subcontractor is registered and, in consequence, their terms and conditions are partly determined by regulatory frameworks in the country they are sent from, rather than the country they are ‘posted’ to.

This strategy, which Nathan Lillie and Inez Wagner (2015) call regime shopping, enables corporations to arbitrate between two or more legislative frameworks and opt out of the receiving country’s labour protections. They do so by placing employment in a nation-state where employment conditions are less favourable, where workers have lower salary

expectations, where the costs of social security are lower and workers' rights are weaker.

Transnational subcontracting therefore spatially stretches employment even further by placing it in a different regulatory regime.

The transnational stretching of employment is consequential, because most national labour legislation and traditional models of trade union organisation assert a direct relationship between worker and employer where it is possible to hold employers responsible for the welfare of workers (Barrientos, 2013; Wagner, 2015; Wills, 2009). The placing of employment into a different regulatory regime effectively breaks this relationship. Furthermore, it is particularly difficult to ensure that actors who operate on a transnational scale comply with such regulations. According to Wagner (2015:693), it is not uncommon for transnational actors to adhere officially "to the rules, thus leaving them formally intact", but at the same time conceal their attempts to bend the rules "behind a façade of conformity".

While labour protection remains firmly moored in national legislation, there is growing evidence that state infrastructure has moved across or into transnational space (Collyer and King, 2015; Hyndman and Mountz, 2007; Mountz and Loyd, 2014) in an effort to manage increasingly intricate transnational activities. To use the language of Saskia Sassen (2006), such infrastructure has been detached from territory and re-embedded elsewhere. Much of the theoretical inspiration for understanding transnational migration management comes from critical border studies literature which has drawn attention to the loosening relationship between state territories and immigration controls. According to this literature, immigration controls are conducted in a wide range of locations both inside and beyond state territories (e.g. Bialasiewicz, 2012; Coleman, 2007; Mountz, 2011). The placing of border enforcement infrastructure at points

of embarkation or in transit countries, for example, has been interpreted as states attempting to extend their reach beyond their own territory (Collyer and King, 2015; Sassen, 2006).

The literature on subcontracting and the literature on transnational migration management thus tell us that both employment and state authority are being spatially reconfigured. However, the literature in both these areas struggles to account fully for these spatial shifts and their consequences in terms of the position of transnationally mobile workers such as the ‘posted’ Thai workers in Sweden’s wild berry industry. Similarly, while there have been attempts in economic geography to adopt a relational approach to economic activities and regional development, and to move beyond an understanding of distance and proximity as a series of mappable lines (see for example Hess, 2004; Jones, 2008a, 2014; Yeung, 2005), there is a lingering sense of territoriality in accounts of globally ‘hooked-up’ firms and economic regions. In this paper, we argue that a topological vocabulary could help provide a more comprehensive explanation for the spatial shifts which place transnationally mobile workers in an increasingly tenuous position where their rights are difficult to protect.

As noted in the introduction, the less rigid spatial imagery offered by topology has attracted the attention of geographers in recent years (see Martin and Secor, 2014). Topologically speaking, space is not a surface across which employment relationships or border infrastructure, for example, can be extended. Instead, topology suggests that space itself may be stretched, folded or twisted in ways which alter the relationships between near and far (see Allen, 2011, 2016). Topological thinking thus suggests that there is a need to understand *distance* differently, for example the distances which are inserted into employment relationships when transnational subcontractors are engaged, or the distances between ‘posted’ workers and national frameworks for labour protection. Equally, exerting an *influence* over transnationally stretched employment is

not merely about the extension of state power outwards beyond its own territory. Instead, influence is about establishing a *presence*, either directly or indirectly, through the folding and stretching of space itself (Allen, 2016).

We suggest that Allen's (2011, 2016; Allen and Cochrane, 2010) concept of topological *reach* could be used to account for distance in transnational employment relationships and the ability of governments to influence them. For Allen, power in a topological context involves the ability to place certain possibilities or outcomes beyond or within reach. Thus, by engaging transnational subcontractors, powerful corporations such as wild berry companies partly place employment in the Swedish wild berry industry *beyond* the regulatory reach of national frameworks for labour protection. In doing so, they also place 'posted' migrant workers, such as the Thai wild berry pickers, in a somewhat paradoxical position of simultaneous presence and absence in both the receiving country and the sending country. By this, we mean that while these workers are physically present on a day-to-day basis in Sweden, the outsourcing of employment to Thai staffing agencies based in a different regulatory regime means that they are fully or partly absent from Sweden from a labour protection point of view. Furthermore, the 'posted' Thai workers remain legally present in Thailand while they are working in Sweden, in the sense that they fully or partly fall under its labour laws. Yet, for the duration of their overseas contract they remain physically absent from the country where their formal employer—the Thai staffing agency—is based.

The distances which are inserted into employment relationships when corporations engage transnational subcontractors are therefore not primarily physical in an extended metric way. Instead, the distorted employment relationships created through transnational subcontracting intensify the detachment of workers from the organisations where they carry out

their day-to-day work (see Barrientos, 2013). In this way, they create a precarious and highly mobile migrant workforce, whose interests may be fully or partly beyond the regulatory reach of any one government or nationally based trade union.

Our emphasis on intensive, rather than extensive, distances should not be taken as an indication that physical proximity and distance are irrelevant to the precarious position of Thai workers ‘posted’ to Sweden. If the working conditions do not meet their expectations, it may be far more difficult for a Thai worker to leave Sweden than for a Polish berry picker, for example, as a costly long-haul flight is involved if the Thai worker decides to go home. Yet we would suggest that the relational distances involved in transnational employment remain central to an understanding of why ‘posted’ Thai workers are in a precarious position in the first place, and equally, why it is so difficult for the Swedish state and trade unions to exert any influence over their working conditions.

If distance, as suggested above, is understood as the workers’ simultaneous presence and absence in several regulatory regimes, then physical proximity has little relevance in terms of a government’s ability to influence their working conditions. According to Allen (2016), state actors may have a relational presence while being physically distant or, conversely, be physically present but fail to exert influence. Consequently, exerting an influence over working conditions in the Swedish wild berry industry, for example, requires governments to attempt to bring transnationally stretched relationships *within* their regulatory reach. Indeed, in highlighting governments which make their authority felt across distance, Allen does not envisage state infrastructure being extended outwards across a flat surface. Instead, they establish leverage intensively by making their presence felt in ways which dissolve, rather than traverse, the distance between the sending country and the receiving country.

For example, governments may for example, seek to make their authority felt in a *direct* way by establishing a physical, *detached* presence beyond their territory (Allen, 2016). They might do this by placing some of their regulatory infrastructure in another country or, as in the Swedish case, by attempting to bring Thai subcontractors within the direct reach of Swedish trade unions by requiring Thai staffing agencies to register a branch in a European Union member state in order to operate in Sweden. Government bodies may also attempt to draw transnationally stretched employment within their regulatory reach by establishing an *indirect*, *mediated* presence in the territory of another state (ibid). In the Swedish case, the Swedish Migration Board—the government agency in charge of work permit applications and, by extension, assessing working conditions in the wild berry industry—has sought to establish this form of mediated presence in Thailand by co-opting Swedish wild berry companies to influence their Thai subcontractors. Both strategies, if successful, are about dissolving rather than traversing the gap between transnational migrant workers on the one hand, and governments and trade unions on the other. They achieve this by folding in transnational subcontractors or through the stretching of state authority to Thailand.

Below, we first explore the mechanisms through which employment in the Swedish wild berry industry has been stretched transnationally, placing it beyond regulatory reach. Secondly, we consider some of the spatial strategies through which the Swedish state has sought to bring these transnational employment relations back within its regulatory reach. However, as this paper will demonstrate, transnational subcontracting opens up a space for powerful wild berry actors to circumvent regulations and, as such, it remains very difficult for the Swedish government to reach into employment relationships in the wild berry industry. Before exploring

this in more detail, however, we provide some information about the material on which this paper is based.

3. Methodology

This paper is inspired by the methodology outlined in transnational migration studies, which argues that migration is a dual process taking place through the contextual relations in two or more locales simultaneously (e.g. Wimmer and Glick Schiller, 2003). Multi-sited ethnography (Marcus, 1995) thus provides a way of examining transnational migration processes. In order to understand the mechanisms which determine the position of so-called ‘posted’ workers, it is also necessary to analyse national legal frameworks (Wagner, 2015). Thus, the empirical investigation which informs this paper has primarily focused on transnational linkages and processes in the wild berry industry, national frameworks for labour protection and working conditions in the wild berry industry.

Fieldwork was conducted in Sweden between 2011 and 2013, and in Thailand in 2012, 2013 and 2016. Around 50 interviews were conducted with state officials in Sweden and Thailand, Swedish trade union representatives, wild berry wholesalers and companies, local managers and representatives of Thai staffing agencies. We also visited the villages in north-eastern Thailand from which farmers travel to Sweden on a seasonal basis to work in the wild berry industry, and conducted around 40 interviews with wild berry pickers and supporting staff. Additionally, observations were made at the wild berry pickers’ place of work in Sweden: the forest where they pick wild berries and the camp where berries are weighed at the end of the working day.

4. Placing employment in the wild berry industry beyond regulatory reach...

Wild berries have been picked commercially in Sweden for over 100 years. Local populations used to pick small quantities of wild blueberries, lingonberries and cloudberries, which they sold to small-scale wild berry buyers, particularly in northern Sweden, an area currently characterised by low population density, out-migration and limited employment opportunities. In the 1970s, Polish nationals started coming to Sweden during the summer months to pick wild berries and, as noted earlier, in the 1980s farmers from north-eastern Thailand followed suit. Thai women living in northern Sweden brokered their journeys and organised their stay in Sweden. Just as the local population had been doing for decades, the Polish and Thai wild berry pickers relied on the Swedish right of public access (*sw. Allemansrätten*), an ancient custom now inscribed in Swedish law, which guarantees public access to private land and the right to pick wild berries, mushrooms and certain plants. The Polish and Thai berry pickers also sold the wild berries they gathered to local buyers (Hedberg, 2016; Wingborg, 2015).

The Swedish wild berry industry was completely transformed in the 1990s and 2000s when the market value of the berries increased due to the high levels of antioxidants found in Scandinavian wild berries. Sweden is now one of the main providers of wild berries to the global market. Around 4,000 Thai nationals and an unknown number of European wild berry pickers harvest between 15,000 and 24,000 tonnes of wild blueberries a year. The berries are exported to destinations like China, where the antioxidants are extracted and used in cosmetics, supplements and other health-care products (Hedberg, 2013; Jonsson and Uddstål, 2002; Wingborg, 2015).

The expansion has recast relationships in the Swedish wild berry industry. Informal, small-scale wild berry picking by Thai farmers on tourist visas has been replaced by

large-scale harvesting by Thai nationals on work visas. The formalisation of the Swedish wild berry industry has also led to employment being ‘outsourced’ to Thailand. As a result, Thai wild berry pickers are not directly employed by the Swedish wild berry company they work for while they are in Sweden. Instead, they are the employees of Thai staffing agencies which ‘post’ them to Sweden during the wild berry season. These staffing agencies collaborate closely with local brokers in villages in north-eastern Thailand to select wild berry pickers before each season. Before ‘posting’ their workers to Sweden, they also organise pre-departure training, gather documentation and submit applications for work permits to the Swedish Migration Board, the government agency responsible for the work permit application process. For this service, the ‘posted’ workers pay a significant fee (Hedberg, Axelsson and Abella, forthcoming). In Sweden, wild berry companies and a raft of local managers organise the berry pickers’ accommodation, food and transportation. They weigh the berries at the end of each working day, keep records of the quantity of wild berries picked by each worker, and sell the yield to wholesalers. The wholesalers, in turn, sell the berries to food companies and Asian producers of cosmetics and health-care products (see Figure 1; also Hedberg, 2013).

[Figure 1 about here]

In this section, we first explore how employment was stretched to Thailand, and then turn our attention to the difficulties associated with reaching into transnationally stretched employment relationships.

Outsourcing of employment in the Swedish wild berry industry was the direct result of a tax review in 2005, when the Swedish Tax Agency concluded that wild berry picking should be seen as work. Consequently, Thai wild berry pickers were required to pay what is known as special income tax for non-residents (*sw. särskild inkomstskatt för utomlands bosatta*),

and the Swedish companies which invited them to Sweden to pick the berries had to pay employer contributions (Swedish Migration Board, 2009b). According to a Swedish wild berry entrepreneur, the tax review triggered “a crisis in the business—a big, big crisis” (Interview, 2012). At the time, none of the wild berry actors knew how to deal with the new situation. As a result, a main actor in the industry in 2006, who had employed Thai wild berry pickers directly, faced financial difficulties when he was unable to pay the employer contributions.

The tax issue was resolved the following year when wild berry pickers who were employed by a staffing agency based outside the European Economic Area (EEA), rather than by a Swedish wild berry company, were exempted from requirements to pay income tax, provided they were ‘posted’ to Sweden for a period not exceeding six months. The companies which invited them to work in Sweden were exempted from the requirement to pay employer contributions (Swedish Migration Board, 2009b).

A key actor in this process was the Forest Berry Interest Association (*sw.* Skogsbärbranschens Intresseförening, SBIF). This business organisation was established by the Swedish wild berry industry in 2002 in an attempt to scale up the industry and outmanoeuvre the independent Thai women entrepreneurs who had first been inviting their friends and relatives and then larger numbers of workers to Sweden. SBIF was able to position itself as a powerful actor in the industry, and was in close dialogue with the Swedish government and its agencies about the consequences of the tax review. These agencies included, but were not limited to the Swedish Tax Agency, the Ministry of Finance, the Swedish Migration Board and the former National Labour Market Board. These were the meetings which discussed whether outsourcing employment of wild berry pickers and associated staff to Thai staffing agencies could provide the solution to the difficulties the industry was facing following the tax review (Interviews with a

Swedish wild berry company, 2012, and the chair of SBIF at the time, 2013; Swedish Migration Board, 2009b; The Swedish Trade Union Confederation, 2009).

As a result, since 2007 the vast majority of Sweden's wild berry actors have contracted out recruitment and employment of wild berry pickers and supporting staff to Thai staffing agencies which, in turn, 'post' their workers to Sweden. Situating employment in Thailand has enabled Swedish wild berry actors to opt out of certain regulations pertaining to tax. This act of regime shopping (Lillie and Wagner, 2015), which involves the detachment of workers from their ultimate employer (Wills, 2009)—the Swedish wild berry company—has served to insert distance into employment relationships, which now stretch across Sweden and Thailand. In doing so, it has placed 'posted' Thai workers partly beyond the regulatory reach of Swedish national labour legislation and trade unions.

The precarious position of 'posted' workers in the wild berry industry became evident in 2009, for example, when almost 6,000 farmers from north-eastern Thailand arrived in northern Sweden to pick wild berries. This was approximately 2,500 more Thai nationals than had been contracted to work in the wild berry industry the previous year. Yet in 2009, low wild berry yields meant that the 'posted' Thai workers found themselves having to drive long distances and walk deep into the forest to find berries to pick. The lack of wild berries in 2009 was particularly problematic because the Thai berry pickers were contracted to work on a piece rate. This meant that they received a certain sum per kilo of wild berries picked. The price depended on the world-market price which, in turn, was determined by factors such as the amount of wild berries available in a particular season and the general demand from global importers. Payment on piece rates represents both an opportunity and a risk for workers in the wild berry industry, who might return with substantial earnings if the berry season is good but

with no earnings, or even in debt, if the season is poor (see e.g. Baey and Yeoh, 2015; Lewis et al., 2015; Strauss and McGrath, 2016, on the role of debt in increasing precarity). The lack of wild berries in 2009 soon made the Thai workers realise that they would not be able to pick enough berries to cover the costs of living in Sweden and repaying the loans they had taken out to pay the staffing agencies' fees. On 23rd August, a group of around 400 despondent workers left their camp and drove to Luleå, a town in northern Sweden where Thailand's Labour Minister was on an official visit, to express their grievances. Over the following days and weeks, most of the 400 workers returned to Thailand where their struggle for justice began (Vanaspong, 2012).ⁱ

A short introduction to the Swedish model of industrial relations is necessary in order to understand why the 'posted' Thai workers felt compelled to return to Thailand to fight for justice, rather than stay in Sweden where their ultimate employer—the Swedish wild berry company—was based. The tradition of self-regulation is a distinctive feature of industrial relations in Sweden. The social labour market partners meet, bargain and settle disputes in a peaceful fashion, independently of government. The collective agreement is the cornerstone of the Swedish model for industrial relations, and has a special status in the Swedish labour market and in labour law, especially since there is no legislated minimum wage in Sweden. Instead, salaries are set in local and industry-wide negotiations between the labour market parties. In the absence of a collective agreement, there is no minimum wage (Fahlbeck and Mulder, 2009).

As noted earlier, national labour legislation and traditional models of trade union organisation generally assert a direct relationship between worker and employer representatives (e.g. Wills, 2009). The 'outsourcing' of employment to Thailand, we argue, distorted this relationship and effectively disabled the Swedish model of industrial relations. Indeed, at the time, there was no collective agreement in the wild berry industry simply because there was no

partner with whom a Swedish trade union could sign a collective agreement or against whom they could take action. A representative for the Swedish Municipal Workers' Union (sw. Sveriges Kommunalarbetareförbund), the trade union designated to represent the interests of all non-EEA wild berry pickers following the 2009 season, noted that:

In concrete terms it is very strange [that there is no employer in Sweden]. There are all sorts of problems and there is no employer here [in Sweden]. The main wild berry companies are not the employers. Usually when there is a problem we approach the employer. [In this case,] the staffing agencies in Thailand are the employers. (Interview with the Swedish Municipal Workers' Union, 2011, authors' translation from Swedish)

In other words, while they were physically present in Sweden's forests on a day-to-day basis, from an industrial relations point of view during the 2009 season 'posted' Thai workers were completely absent. Accordingly, they could not claim the right to a minimum wage, and there was little that any trade union could do to assist them.

The second piece of legislation which regulates the terms and conditions of *migrant* workers, and which could potentially have been used to protect the interests of the 'posted' Thai workers, is immigration law (e.g. Anderson, 2010). Indeed, around the time of the tax review, the Swedish Migration Board concluded that non-EEA nationals were required to apply for a work permit to work as wild berry pickers or supporting staff in Sweden's forests on a commercial basis. However, in 2009, the lack of a collective agreement in the wild berry industry, and the fact that the employers (the Thai staffing agencies) had no representation in Sweden, meant that the Swedish Migration Board exempted seasonal work in the wild berry industry from the new regulations. Instead, the Swedish embassies in Bangkok, Kiev and Shanghai were authorised to issue work permits to wild berry pickers employed by overseas staffing agencies (Swedish Migration Board, 2009b). The SBIF was assigned a key role in the work permit application

process. For example, the embassies were instructed only to grant work permits to workers who were employed by a staffing agency contracted by one of the SBIF's members, and the workers' terms and conditions had to be approved by the SBIF before a work permit could be granted (Swedish Migration Board, 2009a).

Importantly for the argument we pursue here, the SBIF's requirements did not include any guarantee that workers in the wild berry industry would earn a particular salary (Jacobsson, 2009). Instead, as noted earlier, their salaries were based on the quantity of wild berries they picked at the world-market price. Taken together, this meant that the 2009 'posted' Thai workers had no claim to the salary set in collective agreements for the work they had undertaken in Sweden, or to the minimum salary requirements for migrant workers stipulated in Sweden's immigration law. Consequently, they had little choice but to return to Thailand to fight their case.

On their return to Thailand, the workers formed a committee to file a complaint against three Thai staffing agencies with the Ministry of Labour, the Prime Minister, Parliament and the Department of Special Investigation, a department of the Ministry of Justice tasked with investigating certain 'special cases'. The workers also set up camp outside the Prime Minister's office and organised a march to the Swedish embassy in Bangkok in an attempt to draw attention to their situation. Lengthy negotiations followed. The first took place between the Thai staffing agencies and the Ministry of Labour, who represented the interests of the workers. The other negotiations took place in the Labour Court in July 2011. However, the 2009 wild berry pickers' fight for justice ended without any of them receiving full compensation almost two years after they had first arrived in Sweden (Vanaspong, 2012).

By unpacking the complex spatial reconfiguration of employment in the wild berry industry, this section has highlighted how the ‘outsourcing’ of employment to Thai subcontractors positioned Thai wild berry pickers as more or less absent in Sweden from an industrial relations point of view. They were now defined as labour rather than tourists, yet when employment in the wild berry industry was stretched transnationally, the relational distances inserted between wild berry actors, employers and workers, or indeed between migrant workers and national labour protection legislation, placed the ‘posted’ workers in a position where their only option was to return to Thailand to make a complaint against their employer, their government and the Swedish state.

However, the ‘posted’ Thai workers’ plight did not go unnoticed in Sweden. The Swedish media reported widely on the exploitative working conditions in the wild berry industry (e.g. *Aftonbladet*, 2009; Rydman and Hökerberg, 2009; *Svenska Dagbladet*, 2009), and in the autumn of 2009 the issue was taken to the highest political level (see e.g. Records of Proceedings in the Chamber 2008/09:141). For example, Patrik Björck MP, representing the opposition at the time, said:

This summer we have witnessed the consequences of the government’s labour market policies. People from poor countries are ruthlessly exploited; they go into debt, they lack rights and are working for very low or no pay. [---] The global world we now live in brings new challenges. [...] That people would be flying halfway across the globe to pick wild berries in our forests is something we could hardly have imagined 20 years ago. But we need to learn how to deal with this. [---] If Swedish regulations allow people to be in debt and without rights in Swedish forests there is no doubt that the government must take action. (Records of Proceedings in the Chamber 2008/09: 141, authors’ translation from Swedish)

The next section will consider some of the spatial strategies adopted by the Swedish Migration Board in an attempt to reach into transnationally stretched employment in the wild berry industry, and to respond to the negative publicity following the 2009 season.

5. ... and drawing it back within regulatory reach

The chaotic 2009 wild berry season was followed by a series of changes to how Sweden admits non-EEA wild berry pickers. These changes sought in different ways to intensify the Swedish Migration Board's regulatory reach beyond Sweden's immediate jurisdiction, and to dissolve the distance between 'posted' workers and the Swedish government and the Swedish Municipal Workers' Union. This section explores two of these strategies. The first involved establishing a simultaneous, detached Thai presence in Sweden, and a Swedish presence in Thailand. The second strategy involved establishing an indirect, mediated presence in Thailand by co-opting Swedish wild berry actors into enforcing some of Sweden's labour migration regulations. Finally, the section takes a closer look at the 2013 wild berry season, during which 'posted' Thai workers once again struggled to be paid for the work they had undertaken in Sweden. This is intended to illustrate how difficult it remains, despite these efforts, to reach into transnationally stretched employment relationships.

5.1 The simultaneous, detached presence of Thailand in Sweden and Sweden in Thailand

As noted in the previous section, the 2009 'posted' Thai workers had no claim to a minimum wage in Sweden because they were not covered by a collective agreement. One of the Swedish Migration Board's first moves following the 2009 wild berry season was thus an attempt to draw 'posted' workers within closer reach of Swedish trade unions. Consequently, non-EEA wild berry pickers were included in the Agreement on Agriculture (*sw.* Jordbruksavtalet) in 2010—a

collective agreement between the Swedish Municipal Workers' Union and the Federation of Swedish Forestry and Agricultural Employers (sw. Skogs- och lantarbetsgivareförbundet). From an industrial relations point of view, this move established a presence of Thai and other non-EEA wild berry pickers in Sweden, and from this point on the Swedish Municipal Workers' Union represented their interests.

This was followed by the so-called local branch requirement in 2011, according to which non-EEA staffing agencies were required to register in an EU member state and maintain staff in Sweden during the wild berry season in order for the Swedish Migration Board to grant admission to their employees. According to the Swedish Migration Board, the local branch requirement aimed to draw Thai and other non-EEA staffing agencies within closer reach of Swedish trade unions:

Another change [we implemented] was the requirement to register a branch in Sweden, because it was a problem that the Swedish Migration Board accepted staffing agencies which were registered in third countries. It is incredibly difficult for the Swedish Municipal Workers' Union, which is the trade union responsible for them, to take action against an agency in Vietnam, for example. In particular, [it is difficult for a trade union] to find [out] who is in charge [of this staffing agency]. So now we require staffing agencies to register a local branch. [...] The Local Branch Act [sw. Lag (1992:160) om utländska filialer m.m.] is very clear that there has to be a registered agent (Swedish Migration Board, 2011, authors' translation from Swedish).

Thus, by 'folding in' non-EEA staffing agencies, and thereby establishing a *detached* Thai presence within Sweden's jurisdictional reach, the local branch requirement sought to give the Swedish Municipal Workers' Union direct influence on transnational subcontracted employment in the wild berry industry. According to a representative for the Swedish Municipal Workers' Union, "what changed when the Swedish Migration Board introduced the local branch requirement... it was very good for us. Now, there is a person we can talk to" (Interview, 2011).

Another way in which the Swedish Migration Board attempted to fold in its authority directly, and bring ‘posted’ Thai workers within closer reach was by subjecting work permit applications from wild berry pickers to the same administrative procedure as all other work permit applications, and by bringing the processing of these applications back to Sweden. Since 2010, the Swedish Migration Board’s work permit units, rather than the embassies in Bangkok, Shanghai and Kiev, have processed all applications from actors in the wild berry business (Swedish Migration Board, 2010).

At the same time, the Swedish Migration Board continues to make its presence felt in Thailand in a detached way through the presence of the Swedish embassy in Bangkok. The embassy plays an important role in the process of reaching into transnationally stretched employment in the wild berry industry by dissolving the distance between Swedish regulations and Thai staffing agencies. For example, the Swedish Migration Board sometimes utilises the Swedish embassy as a source of information about Thai staffing agencies. According to a former Swedish Migration Board employee:

I could get help from the embassy because in 2013, I think, that there popped up some new companies and we weren’t sure how serious they were, and then we could contact the embassy to see: have you heard of this [staffing agency] or who are the persons in that, on the board of that company? Because sometimes they make new constellations where they start a new company, but it’s the same persons who are starting it, just a new name. But I think the embassy is aware of that and might recognise some names and can inform the Migration Agency. (Interview, 2016)

Furthermore, the Swedish embassy communicates Swedish labour migration policy and the Swedish Migration Board’s requirements on employment and working conditions in the wild berry industry to Thai staffing agencies in various ways. For example, every year the embassy sends Thai staffing agencies the Swedish Migration Board’s information about the upcoming

season, along with any regulatory changes (Swedish Migration Board, 2013; Interviews with the Swedish embassy and the Swedish Migration Board, 2016), thereby stretching Swedish regulations directly to Thailand.

5.2. Co-opting Swedish wild berry actors into enforcing Swedish regulations in Thailand

The Swedish Migration Board also seeks to reach into transnationally stretched employment in the wild berry industry by establishing a more mediated, indirect presence in Thailand. It achieves this by co-opting Swedish wild berry actors into enforcing some of Sweden's regulations in Thailand.

As noted earlier, one of the main issues during the 2009 season was the fact that the Thai wild berry pickers were contracted to work on a piece rate during a season when the wild berry harvest was exceptionally poor. Thus, one of the measures introduced by the Swedish Migration Board in an attempt to protect workers in the wild berry industry was to introduce a guaranteed salary. From this point on, non-EEA wild berry pickers were entitled to the minimum salary stipulated in the Agreement on Agriculture, regardless of the quantity of wild berries they picked or whether their employer had signed the collective agreement (Interview, Swedish Migration Board, 2011; Swedish Migration Board, 2015).

However, despite these measures, problems in the wild berry industry continued. In 2010, the owner of a Swedish wild berry company withdrew all funds from the company's account, leaving 162 Thai berry pickers without payment (Vanaspong, 2012). As a result, the Swedish Migration Board conducted a more thorough overhaul of the admission process. Indeed, the 2010 season had proved that imposing a guaranteed salary was not sufficient. The wild berry actors also had to have the ability to pay that salary. Starting in 2011, all Swedish wild berry

actors were therefore required to present evidence of liquid assets to the Swedish Migration Board in order to be granted work permits. Swedish wild berry actors who had previously invited non-EEA nationals to work in Sweden also had to prove that the workers had been paid that year (Swedish Migration Board, 2015).

The so-called bank guarantee thus meant that, unless Swedish wild berry actors were able to present evidence of these payments to the Swedish Migration Board, they would not be granted permission to invite non-EEA wild berry pickers the following year (Interview, Swedish Migration Board, 2011). While the ‘posted’ workers’ employer—the Thai staffing agency—is directly responsible for the payment of salaries, in practice the responsibility for demonstrating an ability to pay them generally falls upon *Swedish* wild berry actors. As one of the Swedish Migration Board’s ‘posted’ representatives to Thailand said, “We cannot take responsibility for the management of Thai companies. That is up to Thailand. We can [only] control Swedish companies and the demands we place upon them” (Interview, 2016).

By creating an incentive for Swedish wild berry actors to exert an influence over their Thai subcontractors, the Swedish Migration Board thus seeks to co-opt these actors into enforcing some of Sweden’s regulations in Thailand, thereby establishing a mediated Swedish presence there. Some Swedish wild berry actors take a number of measures to verify that appropriate salaries are paid into the ‘posted’ workers’ bank accounts. One, for example, claims in its corporate social responsibility policy that it collects evidence from all contracted Thai staffing agencies showing that every worker was paid an appropriate salary, and they do not renew a contract with a staffing agency which fails to provide such evidence. Representatives of another main player in the Swedish wild berry industry claim they have repeatedly visited Thailand to discuss working conditions in the industry with Thailand’s Department of

Employment (DOE), the governmental body responsible for Thai overseas workers (Wingborg, 2013).

According to a representative for a Thai staffing agency, the DOE, in turn, met with Thai staffing agencies to advise them, among other things, that they “must guarantee two months’ salary for the workers who go to Sweden. People cannot lose money” (Interview, 2016). The DOE also requested that all Thai staffing agencies report the salaries they have paid each worker and, as the representative for the staffing agency said, “If the workers have not earned enough the DOE will tell the Thai companies to pay them more” (ibid). Importantly for the argument we pursue here, these checks are made on the workers’ return to Thailand. Our point is therefore that while these measures do not necessarily bring the employment relationship between the Thai staffing agency and the ‘posted’ workers within the Swedish Migration Board’s direct regulatory reach, by imposing certain requirements on actors who want to bring non-EEA wild berry pickers to Sweden the Swedish Migration Board is attempting to stretch its authority in an indirect, *mediated* way into Thailand.

5.3 Failing to reach?

While there is evidence that the working conditions in the Swedish wild berry industry have improved in recent years (Wingborg, 2015; Interviews with Kommunal and the Swedish embassy, 2016), whether the strategies outlined above will successfully draw employment and working conditions in the industry within regulatory reach depends to a large extent on the willingness of actors in the wild berry business to abide by the rules. Swedish wild berry actors and Thai staffing agencies work closely together, and if both parties agree, there is scope to circumvent regulations behind a façade of conformity (see Wagner, 2015). This can be done, for example, by registering a new staffing agency under a different name to avoid having to report

the previous year's salaries to the DOE and the Swedish Migration Board, or by submitting false salary reports. In this section, we take a look at the 2013 season, which demonstrated just how difficult it is to reach into transnationally stretched employment.

On 10th September 2013, employees of M Phoenix Enterprises—a Thai-registered staffing agency with a local branch in Sweden, which had been contracted by the Swedish wild berry actor Ståls plantering & röjning AB to provide pickers and associated staff—went on strike outside the Swedish Municipal Workers' Union's local branch office in the Swedish town of Umeå (Andersson, 2013; Färnbo, 2013; Lindkvist, 2013). Ståls, in turn, had a contract with the Latvian wild berry merchant Sparlats. It was Sparlats which had guaranteed the 'posted' Thai workers' salaries in their work permit applications to the Swedish Migration Board.

According to one of the workers, M Phoenix Enterprises had agreed to pay the 'posted' workers on the 15th and 30th of every month. When the first and second paydays went by without any money being transferred to the workers' bank accounts, the workers decided to spend the very last of their money on fuel, and drove to Umeå in an attempt to draw attention to their situation (Interview, January 2016). Trade union representatives urged the workers to return to the camp so that they would not be accused of taking absence without leave (Bergström, 2013). They then asked representatives of the local branch of M Phoenix Enterprises to present payslips and records of any deductions made for food, accommodation and fuel (Röstlund, 2013). However, the workers refused to leave, and after 10 days of deadlock, and the tragic suicide of one of the workers, representatives of Thailand's DOE arrived in Sweden to assist them (Interviews with Thailand Overseas Employment Administration, Department of Special Investigation, January and February 2016; see also Axelsson, Hedberg, Malmberg and Zhang, 2013 on how a lack of understanding of labour disputes in the Swedish context could be adding

to the precarious position of migrant workers). At this point, despite expressing a desire to file a case in Sweden against their employer (M Phoenix Enterprises), the workers felt pressured into returning to Thailand because they were told it would be better to file a case against a Thai staffing agency in Thailand (Yimprasert, 2014).

Thus, in this instance, the local branch requirement did little to strengthen the workers' position. In fact, despite the inclusion of wild berry pickers in the Agreement on Agriculture, the introduction of the local branch requirement, the guaranteed salary and the so-called bank guarantee, there was still space for wild berry actors to circumvent Swedish regulations.

It also shows that the problems faced by 'posted' workers arise to a large extent from their simultaneous presence and absence within two legal systems which deal with workers' complaints in different ways. The inclusion of non-EEA wild berry pickers in the Agreement on Agriculture meant that the workers were entitled to the same protection as other agricultural workers in Sweden. On the other hand, the trade union was unable to assist them due to difficulties associated with proving that the workers had been promised payment in advance, showing whether payments had been made and difficulties establishing dialogue with the local branch of M Phoenix Enterprises. Moreover, the 2013 case shows the difficulties 'posted' workers can experience when they attempt to claim their rights, in this case when they tried to claim their payment while they were still present in Sweden. The challenges they encountered in doing so had far-reaching consequences. Their return to Thailand effectively put an end to any possibility of their continuing to work in Sweden, as they had to earn enough money to repay their debts.

When the workers were back in Thailand, legal proceedings commenced. A civil case was filed at a regional Labour Court in one of Thailand's north-eastern provinces. At the end of these negotiations, and after deductions had been made for a range of costs including airfares, work permit applications, and food and accommodation in Sweden, employees of M Phoenix Enterprises received 1,500 THB (40 EUR) each for the work they had undertaken in Sweden (Interviews with the Ministry of Labour and the Department of Special Investigation, January and February, 2016).

Another issue which receives less attention is the prevalence of double contracts in the wild berry industry. These also place 'posted' workers partly beyond regulatory reach. According to Wagner (2015), double contracts are a common characteristic of transnationally subcontracted employment and enable transnational actors to appear to be complying with regulations when they are circumventing them. According to interviews with Thai wild berry pickers, they often have to choose between the guaranteed minimum salary in the collective agreement or payment on piece rates. Faced with this choice, many opt for payment on piece rates because they think that they can earn more than the guaranteed salary by picking more berries (see also Hedberg, Axelsson and Abella, forthcoming). According to one Swedish wild berry actor, more than 1,000 workers were not correctly paid in 2012 (Interview, 2013).

By focusing on the Swedish Migration Board's different responses to the problems faced by some non-EEA wild berry pickers working in Sweden, and the negative publicity that followed the 2009 wild berry season, this section has sought to highlight how regulatory reach can be established both directly and indirectly through the folding and stretching of space itself. The 2013 wild berry season and the prevalence of double contracts also show that the industry continues to engage in regime shopping. The case of 'posted' workers in the Swedish wild berry

industry thus highlights the limitations of national regulatory frameworks when it comes to protecting the interests of transnationally mobile workers.

6. Conclusion

Time and again, the media reports on the exploitation of migrant workers. Previous research has emphasised the role of immigration policy and the commercial dynamics of global outsourcing in producing precarious migrant workers. In this paper, we have chosen to shift the focus to the spatial reconfiguration of employment associated with the global circulation of lower-skilled workers, and the difficulties experienced by governments and trade unions operating within national regulatory regimes when they attempt to protect the interests of transnationally mobile workers.

In order to explain the precarious position of low-skilled ‘posted’ workers such as Thai wild berry pickers in Sweden’s forests, we turned to the literature on subcontracting and nascent work on transnational migration management. While these sets of literature have provided important insights into the spatial reconfiguration of employment and state authority, in our view neither set of literature is able to account fully for these spatial shifts. Instead, we have sought to demonstrate how a topological vocabulary can help capture the distances inserted not only into employment relationships when transnational subcontractors are engaged, but also between ‘posted’ workers and national frameworks for labour protection. The simultaneous presence and absence of these workers in a number of different regulatory regimes serves to place them partly beyond the regulatory reach of any one nation-state or nationally based trade union, as illustrated by the 2009 wild berry season in Sweden. Thus, when distance is defined as absence or presence in a particular regulatory regime, rather than as a spatial metric, it can

capture the difficulties associated with full protection of the interests of workers who are ‘posted’ across borders as dependent employees of transnational subcontractors.

We have also sought to demonstrate how a topological take on state authority can help progress the debate about the relationship between states and precarious migrant workers. We consider that approaching the issue from this angle involves departing from the idea that states, through immigration law, simply intensify the precarious position of migrant workers. Instead, it places at the centre government attempts to exert influence over increasingly intricate transnational arrangements. In this paper, we have argued that John Allen’s (2016) topological vocabulary is particularly useful in capturing the Swedish government’s attempts at reaching into transnational employment in the wild berry industry. The paper has illustrated how these attempts aim to establish a powerful presence across distance, either directly by folding in transnational actors, or indirectly through the stretching of the Swedish government’s authority to Thailand. If successful, these strategies will dissolve the gap between transnational migrant workers on the one hand, and governments and trade unions on the other.

However, the case of ‘posted’ Thai workers in Sweden’s wild berry industry illustrates that there are limits to how far Sweden’s framework for labour protection can reach in the way it is currently set up. The 2013 wild berry season demonstrated that there is still a gap between ‘posted’ Thai workers and Sweden’s framework for the protection of migrant workers. This space, in which precarious working conditions continue to arise, is the outcome of regulatory gaps as well as the tendency of transnational corporations to make use of the limits of national regulatory frameworks. Only by asserting a more direct influence over Thai staffing agencies can the Swedish government draw ‘posted’ Thai workers in Sweden’s wild berry industry closer within its reach. They may be able to achieve this by imposing requirements

which shift the financial risk from the wild berry pickers to the staffing agencies, or by circumventing Thai staffing agencies in the recruitment process altogether, for example by engaging other types of transnational actors such as the International Organization for Migration.

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¹ Data are uncertain, but according to a report from the Thai Labour Campaign, as many as 80 per cent of the 2009 workers returned to Thailand in debt (NAT, 2009).