

news



Dear readers,

For women not from EU countries and without high qualifications, the special permit for cabaret dancers is virtually the only possibility to work legally in Switzerland.

Since its foundation in 1985, the FIZ has been active by consulting and lobbying for the interests of cabaret dancers in Switzerland. Since then, hundreds of dancers have been advised and accompanied. In the last year alone, the FIZ supported 126 cabaret dancers with respect to legal problems regarding work and residence in Switzerland or violence experienced on the job. 14 of these dancers were victims of trafficking.

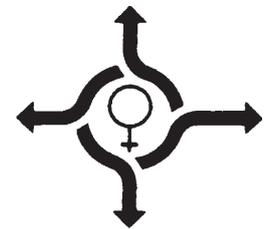
For years now, the consulting centre of the FIZ has observed significant abuses in the cabaret sector. The women often don't receive their wages or are forced into prostitution. Last year, we therefore commissioned the research institute SFM to conduct a scientific study on the living and working situation of cabaret dancers. Based on its results, we worked out initial operational solutions toward lasting improvements of the dancers' working conditions and published them in a publication of our own (p. 5).

Though the cabaret dancers' situation is often difficult, it is clear to the FIZ that abolishing the dancers' status would mean that the women would have to work illegally in the sex business, thus being even more dependent and exploitable. Accordingly, the FIZ pragmatically advocates legal jobs for women in the cabaret sector.

Concurrently, these women have to be conceded more rights, among them better employment conditions and the possibility to change to another work sector.

Since the beginning of the 1990s, the FIZ has been negotiating with representatives of cabarets and placement agencies, with the Swiss Federal Office for Migration (BFM), and the Swiss State Secretariat for Economic Affairs (SECO) to obtain better working conditions for dancers. The number of women seeking advice at the FIZ and at other consulting centres, as well as the reports about abuses and irregularities, have not decreased. The goal of this newsletter is to provide women who come to Switzerland as cabaret dancers with the necessary information concerning their rights. One needs to know those rights to defend oneself.

Doro Winkler



FIZ

Information center
for women from
Asia, Africa,
Latin America and
Eastern Europe

SFM Study

Precarious Working Cond

The SFM study on working and living conditions of cabaret dancers in Switzerland shows up a large gap between legal stipulations and the job reality of cabaret dancers.

In recent years, once and again new measures for a better protection of dancers were introduced. These referred in particular to migrants from non-EU/non-EFTA states with a Permit L. Women with this type of permission are allowed to work as striptease dancers in a cabaret for a maximum of 8 months per year, most often they have a new employer every month and hence also a new job contract.

The working and residence conditions with regard to a Permit L are specifically laid down. It is, for instance, explicitly mentioned in the job contract that the dancers must neither prompt guests to consume alcohol nor offer sexual services. One of the most important results of the SFM study is that in spite of these numerous legal stipulations, the job reality of the cabaret dancers is quite different.

Forbidden Services

Almost all cabaret dancers pursue activities that are not laid down in the contract, or even explicitly forbidden. Actual working times, for instance, differ from those defined in the contract. Many women work longer and more frequently and, during these times, have fewer and shorter dancing shows than the contract specifies.

Also, the prompting of customers to con-

sume alcohol – though forbidden – is omnipresent in the cabaret sector. Dancers mention extended alcohol consumption as the biggest problem in their work.

«What is laid down in the work contract and what we actually do are two completely different things. Everything is different. I tell you, we are not in the cabaret for the show, the show doesn't interest anybody. What is of interest is the champagne. Drinking champagne and animating customers is my actual work. This is the rule in cabarets. If I do a nice show but do not drink champagne, I will receive complaints and will not get another contract. Such is this business.» (dancer from the Ukraine)

Another illegal task is sexual services. Many women report different forms of sexual services, which they perform in 'séparées', i.e. in separate rooms in the cabarets, or in other private rooms.

«As far as sexual services are concerned, they are our main source of earnings. Without these wages, it wouldn't pay to come here.» (dancer from Russia)

This may complicate the dancers' situation. It is through these additional services that women render themselves liable to prosecution and can thus be put under pressure.

Frequently, payment irregularities occur.

The legally defined minimum net wage amounts to between CHF 2200 and CHF 2300, according to canton. In view of the cost of living in Switzerland, this is very little. Almost all dancers report to getting less salary than contractually agreed upon.

The following dancer explains how she happened to get less salary than agreed upon: «I signed the pay slip before counting the money, which I received in an envelope. When I checked later, 800 francs were missing. What could I do – I had signed already.» (dancer from the Dominican Republic)

Causes

One big problem is the dancers' low level of information regarding their work. To be able to defend oneself, one has to know one's rights and duties. The study shows that the dancers' information about their concrete working conditions and the contractual regulations are often erroneous or incomplete.

Another problem is the difficulty encountered in enforcing existing laws. Most cantons only make reactive checks in the cabaret sector. This means that the authorities have to be informed about offences against the regulations before they react by means of inspections or sanctions. Since, however, such abuses rarely become known to the authorities, inspections seldom take place. With a proactive model, authorities would regularly supervise cabarets to ensure compliance with the laws.

There are two further important factors: many dancers don't see their additional

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services as something negative. After all, they came to Switzerland with the hope of earning an income. In this instance, the women are prepared to provide these additional services because this could mean additional financial means. A dancer from Ukraine formulates it clearly:

«Compared to the possibility to earn more money, I really don't find these irregularities that serious.»

On the other hand, cabaret owners, agencies and customers also put pressure on the women. Some cabaret dancers provide these additional services because they have no other choice. To the question of whether they have ever been forced to do work other than that agreed upon in the contract, more than half the women answered with Yes. 56 % of them stated that they have been forced to drink alcohol during their job.

Often, cabaret dancers also reported fearing a reduction in wages if they didn't reach a certain level of champagne sales. Almost one third of the women reported that they had been forced to go to the 'séparée' – hence to prostitute themselves. Most women, however, find themselves between these two extremes. They find their situation determined by the interaction of their own economic interests and external pressure.

Not all dancers are equally able to cope with this difficult situation. Especially the «new ones» – i.e. the dancers who come to Switzerland for the first time – are vulnerable. They know little about the actual working conditions and their rights and have not yet been able to build up a network of social support; they are therefore

particularly at risk to fall victim to pressure and exploitation.

Permits and Protection

The study also focused on the question whether women with a more secure residence status – i.e. women from EU or EFTA states as well as dancers with a permit to stay the whole year or with the residence permit (Permit B or C) – would have greater possibilities to defend themselves in case of abuse than women with precarious short-term residence permits linked to the employer (Permit L).

The data show that each of the more long-term types of permits, which entail more rights, also has a higher protection potential, which, in turn, means a better job situation for the women. Women from EU/EFTA states and women with a Permit B or C have greater resources at their disposal than women with an L Permit. Furthermore, «experienced» dancers with an L Permit are in a better situation than newcomers with an L Permit. Cabaret dancers without legal working and residence permits are exposed to the worst conditions, with few possibilities to defend themselves against these. Thus, the type of permit directly influences the level of precariousness of the job.

Conclusion

Working and living conditions of cabaret dancers in Switzerland are very precarious. This means that there is little job security, that the women have little influence on the supervision of their working situation, and that protection regulations are insufficient and wages not

high enough to secure the women's existence. An improvement of the situation, however, cannot be attained by further or more detailed regulations, but only by granting more rights to the dancers.

Fabienne Stants and Janine Dahinden

Based on an article in the «FIZ-Rundbrief No. 39», adapted by Doro Winkler and Susanne Bachmann

More Rights for Better Working and Residence C

Additional protection regulations and increased inspections do not suffice to remedy the precarious working and living conditions of cabaret dancers. If cabaret dancers are to be effectively protected against irregularities and exploitation, they have to obtain more rights.

Working and living conditions of cabaret dancers are precarious – in spite of a host of regulations and directives for their protection. High alcohol consumption, a precarious residence status, job insecurity, compulsory sexual services, wage irregularities, but also dubious proceedings by the placement agencies make the working routine and the living situation of many dancers very difficult. Based on the results of this SFM study, the FIZ, together with other interested organization partners of ProKoRe*, has developed suggestions for improvements.

In Favour of Maintaining the Special Status of Cabaret Dancers

In spite of the precarious situation ProKoRe, as well as the FIZ, advocate the maintaining of short-term residence permits for cabaret dancers from third-party states because for the women a permit, in comparison to illegality, provides at least some protection. **But cabaret dancers must urgently be granted more rights. Their position has to be strengthened. Only this way can they be protected lastingly against abuse and exploitation.**

Better Residence Conditions for Dancers

To empower cabaret dancers, it is important to provide them with safe residence conditions which don't make them directly dependent on their employer. It is therefore necessary to give them a residence permit for their whole possible stay in Switzerland, independent of their employer. Equally, they should be allowed to change their place of work as well as their work sector during that time. But the new, restrictive law on foreigners, which will come into effect in 2008, prevents an independent residence permit.

Abrogation of the Prohibition of Prostitution

The prohibition of prostitution for cabaret dancers with the short-term L Permit should be cancelled. In this context, the cabaret dancers' independence has to be guaranteed. They should be able to provide such services voluntarily. They must not be contractually obliged to provide sex services. This demand, too, will not be met by the new law on aliens.

Abolishing the Alcohol Model

To ensure that cabaret dancers are not forced to regularly consume alcohol during their work and thereby endangering their health, the existing logic of business economics of cabarets has to be changed. This means that the cabaret's receipts must no longer depend on alcohol consumption alone. Possible solutions would be to raise an entrance fee from guests, or to have guests pay for the time they spend with a cabaret dancer.

Better Information

Women coming to Switzerland for the first time are to be informed by means of an information talk organized by the Swiss consulates and embassies and obligatory training by the cantons about their rights, duties, and potential risks, and their attention drawn to consulting and support offers. Social workers visiting the cabarets are to inform the dancers about their rights, duties, and existing consultation offers. Cabaret managers are to grant these social workers access to the dancers.

Better Supervision of Placement Agencies

Swiss placement agencies are to recruit women directly in their countries of origin. They have to guarantee, and produce a written engagement addressed to the relevant authorities, that dancers will not have to pay double provisions (in addition to the allowed 8 % of a dancer's gross salary paid to the agency). The current

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permission procedure should not only relate to the patent owner but be extended to the staff of information centres of the recruiting agency in Switzerland and abroad.

Proactive Supervision Practice of the Authorities

The authorities should organize their permits and supervision practice according to the proactive model. Each canton should appoint a supervision authority responsible for all areas (supervision of the business, wages, working conditions, etc.). Besides, sanctions should be defined, which would be imposed in case of abuse or problems.

Prospects

We presented these demands at several events and meetings. This year, too, we shall continue to put forward our suggestions for improvements in negotiations and by means of political pressure, and hope thereby to be able to reform the situation.

*Marianne Schertenleib
Doro Winkler*

* ProKoRe (Prostitution – Collective – Reflec-tion) is the Swiss network of organizations, projects, and individuals representing the interests of sex workers. Contact: procore@tiscali.ch



The Study and our Publication

The key part of the study consists of interviews with 70 cabaret dancers. Most of the interviews were held in the women's mother tongues. The interviewed dancers came from 11 countries, the majority of them from Eastern Europe.* In addition, the study includes interviews with 30 experts and key actors, among them representatives of cantonal and national authorities as well as persons in direct contact with the dancers, such as staff of consulting centres or cabaret owners. Firstly, the study focused on the general living and working conditions of the cabaret dancers. Then, everyday practice was compared with legal regulations. Lastly, the question whether there is any relation between the dancers' residence status and their protection was investigated.

Janine Dahinden, Fabienne Stants: «Arbeits- und Lebensbedingungen von Cabaret-Tänzerinnen in der Schweiz» (Working and Residence Conditions of Cabaret Dancers in Switzerland). SFM, 2006; only German

Based on the results of this study, the FIZ worked out initial operational solutions toward lasting improvements of the dancers' working conditions and published them in a publication of their own: *Charlotte Spindler, Marianne Schertenleib: «Champagner, Plüsch und prekäre Arbeit» (Champagne, plush, and precarious work). FIZ, 2006; in German, French or Italian*

* Brazil, Bulgaria, Germany, Dominican Republic, Latvia, Morocco, Moldavia, Romania, Russia, Thailand, and the Ukraine

Drinking Champagne to the Point of Collapse

The story of a cabaret dancer in Switzerland

Julia* is 30 years old and comes from Russia. After her final school-examination, she started language studies at a private college. «It's expensive», she says. «My parents could not give me money, so already in my native country I earned a living by stripping.» Like many Eastern-European dancers, Julia accepted to be recruited for Switzerland.

«The agency I contacted managed everything for me, and then I could fetch my documents at the Swiss embassy. But nobody there told us what our rights and duties in Switzerland would be. Two embassy employees and 100 applicants for a visa, it doesn't leave much room for a talk!»

A small Swiss town was her first station, the next one a night-life district in Zurich. The interiors of the cabarets were always similar: kitsch everywhere, small tables, and the stage with the metal pole at which the women dance. «It was hardest as a newcomer without knowledge of the language, you don't know anything about the working conditions», Julia tells us. Once, a cabaret owner didn't pay her anything at the end of the month and said something about deductions. At other places, she was treated with fairness; she could just present her show and didn't have to prompt men to drink. «The champagne is the major problem», Julia says. «I knew that one was obliged to drink champagne in Switzerland, but not that the turnover of cabarets is based on it. The bottle costs between CHF 500 and CHF 700. Most women do not particularly like to drink champagne, but you have to. At times, you succeed in

surreptitiously emptying your glass somewhere, but many customers become aware of it and get angry. Then they refuse to pay, and finally the 500 francs are deducted from your salary. In the worst case, the owner threatens not to renew your contract. This means that at the end of the month you have no job and no shelter.» Julia is not surprised that women do not defend themselves more often. «There is a deep-seated mistrust against authorities and the police.» She personally defended herself successfully against a boss but by doing so, she became very unpopular. Even today, she is still afraid of the people in cabaret business.

Julia hadn't imagined that such working conditions existed in Switzerland. She would consider it better if dancers could work on their own account. Entrance fees, too, would be better than drinking to

raise the turnover, she thinks. «Tickets of different colours could be sold, according to the service and length of time the customer spends with a dancer. Of course, the most expensive ones would be those for a 'séparée' or hotel. After closing-time, the manager could pay the dancers their share in cash. This is the way it is done in Hong Kong and other Asian countries.»

Julia herself has left the world of cabarets. She is now studying economy at university and later, would like to work for an international organization or company. She earns her living with a part-time job as a secretary.

*Charlotte Spindler,
taken from: WOZ No. 34, 24/8/2006*

* Personal data have been kept anonymous

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