

## Relations industrielles / Industrial Relations



### From Faceless to In-Your-Face Bosses: Work in Neo-Feudal America

*Coerced: Work under Threat of Punishment.* By Erin Hatton (2020) Oakland: University of California Press, 281 pages. ISBN: 978-0-520-30539-7.

*Bite Back: People Taking on Corporate Food and Winning.* Edited by Saru Jayaraman and Kathryn De Master (2020) Oakland: University of California Press, 312 pages. ISBN: 978-0-520-28936-9.

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Volume 75, Number 4, Fall 2020

URI: <https://id.erudit.org/iderudit/1074566ar>

DOI: <https://doi.org/10.7202/1074566ar>

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#### Publisher(s)

Département des relations industrielles de l'Université Laval

#### ISSN

0034-379X (print)

1703-8138 (digital)

[Explore this journal](#)

#### Cite this document

Dabscheck, B. (2020). From Faceless to In-Your-Face Bosses: Work in Neo-Feudal America / *Coerced: Work under Threat of Punishment.* By Erin Hatton (2020) Oakland: University of California Press, 281 pages. ISBN: 978-0-520-30539-7. / *Bite Back: People Taking on Corporate Food and Winning.* Edited by Saru Jayaraman and Kathryn De Master (2020) Oakland: University of California Press, 312 pages. ISBN: 978-0-520-28936-9. / *Hustle and Gig: Struggling and Surviving in the Sharing Economy.* By Alexandra J. Ravenelle (2019) Oakland: University of California Press, 273 pages. ISBN: 978-0-520-30056-9. / *Uberland: How Algorithms Are Rewriting the Rules of Work.* By Alex Rosenblat (2018) Oakland: University of California Press, 271 pages. ISBN: 978-0-520-29857-6. / *Bandage, Sort and Hustle: Ambulance Crews on the Front Line of Human Suffering.* By Josh Seim (2020) Oakland: University of California Press, 249 pages. ISBN: 978-0-520-30023-1. *Relations industrielles / Industrial Relations*, 75(4), 818-833. <https://doi.org/10.7202/1074566ar>

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**A CONTRARIO**

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Braham Dabscheck

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**Introduction**

Beginning in 2018, the University of California Press has published a series of books under the general title of "Labor in a Time of Crisis". They examine employment and related issues of those who engage with Uber, TaskRabbit, Kitchensurfing and Airbnb;<sup>1</sup> food workers;<sup>2</sup> prisoners, workfare workers (welfare recipients), college athletes, science graduate students;<sup>3</sup> and ambulance crews.<sup>4</sup>

A press release promoting these books said they “explore...contemporary challenges embedded in the [American] labor system.”<sup>5</sup>

Uber, formed in San Francisco in 2009, utilises smart phone apps in providing driver services (ridesharing or ridehailing) for consumers. It grew quickly and by 2018 operated in over 630 cities world-wide, with three million drivers on its books. Alex Rosenblat reported in 2015, it was estimated that 15.8 per cent of the American workforce were gig workers. (Rosenblat, 25). Alexandria Ravenelle reports that, in 2016, nearly a quarter of American adults had earned income in the ‘platform economy’ over the last year (Ravenelle, 7).

While Uber will lease cars to drivers, its business model rests on drivers providing their own vehicles. Alex Rosenblat, an ethnographer who also works as a journalist, says Uber identifies ‘drivers as “partners” with messages like “be your own boss” and “get paid in fares for driving on your own schedule”’ (Rosenblat, 31). Uber also holds out the allure of entrepreneurship to drivers. “The idea is that anyone can make it in America, and if they do, its because of their own hard work. Uber’s employment narrative builds on this cultural consensus and says that anyone can be an entrepreneur if they partner with Uber.” (Rosenblat, 75-6). In *Uberland* Rosenblat demonstrates this is nothing more than a myth with Uber exercising overarching and unaccountable control over the work and income of drivers.

Rosenblat conducted research on Uber; and to a lesser extent fellow ride-sharing/roadhailing company Lyft, from 2014 to 2018. Her research combined interviews with 125 drivers, ‘field’ observations riding along with 400 drivers in 25 cities across the USA and Canada, and spending “hours every single day for years reading the text of drivers” forum posts about their anxieties and advice to warnings against passenger scams’ (Rosenblat, 13). She distinguishes between three types of drivers—hobbyists, part-time and full-time.

Hall and Kruger found that 53 per cent of Uber drivers drive 1 to 15 hours a week, 30 per cent 16 to 34 hours, 12 per cent 35 to 49 hours, and 5 per cent over 50 hours.<sup>6</sup> Those who work 1 to 15 hours are Rosenblat’s hobbyists who are either retired or “professionals in other fields” who drive to either supplement their income or for something to do. Part-timers pick up Uber work because of the need to generate income during career transition, they value flexibility or because it is better than other ‘bad’ jobs. There is a high turnover rate of gig workers with the majority of Uber driving being performed by full-timers. Rosenblat maintains that Uber pits the full-timers against the part-timers and hobbyists. She says:

For full-time drivers, the part-timers function a bit like scabs: occasional drivers are tolerant of working conditions that are anathema to occupational drivers trying to

support their families. Indeed, this divide is actively weaponized by Uber to undermine organizing efforts by occupational drivers to improve their working conditions. (Rosenblat, 53-54)

Rosenblat includes a photo taken from a video on a driver's dashcam where he confronts then Uber CEO Travis Kalanick over Uber "constantly changing his conditions and degrading his take home pay". The exchange became heated and the video went viral. Kalanick resigned several months later in the midst of a series of problems experienced by Uber (Rosenblat, 104-105). The significance of this is that an Uber driver actually had a face to face meeting with a boss, with someone who determined his income and welfare. This is not the lot of Uber drivers.

Their ability to obtain work, and subsequent pay, is determined by their interaction with Uber's app. It is an asymmetric relationship where power and information resides with Uber. Rosenblat documents the various ways in which Uber dominates drivers and eats away at their ability to obtain income. Uber can unilaterally change the amounts it discounts from driver earnings as either a flat amount for securing a ride or as a percentage payment. It can lower the standard/quality of Uber cars. This will mean that those who maintained their cars at a higher standard will be competing with lower standard cars. It can require higher standard premium Uber cars to pick up customers who pay at the rate for lower standard cars. It can have differential pricing for customers and drivers where drivers receive a lower payment for which they are 'entitled'; differential rates for 'richer' and 'poorer' neighbourhoods; and 'mistakes' or inappropriate tax deductions from reimbursements. It has not paid drivers for customers who did not turn up within a specified time (five minutes) allowed for a pickup. Uber has either not included a mechanism for tips, or when it has, has not passed them on to drivers claiming they were a service fee. Full-time drivers work 12 to 14 hour shifts and some sleep in their cars between shifts. Drivers struggle to find restrooms, which can especially be a problem when working a long shift. There is the problem of parking (and parking fees) and paying for food if stopping off at a restaurant; added costs associated with driving. They can be deactivated if they do not accept a high rate of jobs allocated to them and if they do not receive high ratings from customers.

There is no readily available mechanism for drivers to raise grievances or challenge negative ratings by customers. When drivers do complain they will receive automated responses, which begin a drawn out and lengthy period in seeking resolution of the issue. Or Uber will say that the problem has resulted from some glitch or problem associated with its technology. Drivers often feel disinclined to devote the time and energy that is needed to chase down small amounts of money they believe they are owed. Working for Uber is little more

than being reduced to piece rate work, forced to work long shifts with no rights other than that of stopping work and being subject to health risks associated with poor sanitation; a return to Nineteenth Century working conditions in the luxury of your own car.

A major issue associated with Uber, and other ridesharing companies, is the legal status of drivers; are they employees or independent contractors? If they are employees, they are subject to protections afforded under labour legislation, such as minimum wages, unemployment benefits, workers' compensation, health care, social security benefits, antidiscrimination legislation, the right to unionise and participate in collective bargaining. Uber has steadfastly maintained that drivers are independent contractors. Ravenelle points out that by escaping these obligations companies can reduce their costs by approximately 30 per cent (Ravenelle, 191). This, in turn, has negative implications for the revenues of state and local governments who are also forced to cover the health costs of sick and injured workers.

Uber has combined court cases<sup>7</sup> and political lobbying to have legislators declare Uber drivers as independent contractors. Uber and Lyft have successfully lobbied politicians to enact legislation to overcome local attempts to regulate their activities in forty-one states (Rosenblat, 176). Attempts to avoid such regulation reached new heights when they spent over \$205 million on Proposition 22, a referendum held in California on Election Day November 2020, which declared app based drivers were independent contractors. Proposition 22 overturned a state law that would have forced them to employ such drivers, provide them with health care, unemployment and other benefits.<sup>8</sup>

An alternative approach has been adopted in Seattle. It has passed ordinances enabling independent contractors to act collectively and to regulate their working arrangements with companies such as Uber in establishing minimum payments and codes for various issues pertaining to their employment and handling of grievances.<sup>9</sup> The Australian Competition and Consumer Commission has made a determination allowing small businesses and gig workers who generate less than \$10 million annually to participate in collective bargaining; though they will need to obtain permission from the Commission if they wish to initiate a boycott/strike.<sup>10</sup>

Further information on the operation of and working for gig companies is provided by Alexandra Ravenelle in *Hustle and Gig*. Her research is based on two to three hour interviews with 78 individuals; 23 Airbnb, 22 TaskRabbit, 19 Kitchensurfing and 13 Uber workers she conducted in completing her sociology PhD in 2015. Given that Airbnb involves the renting out of space in a home or building—physical capital rather than labour per se—it is not clear it fits into her overall observations concerning gig workers. She situates her analysis within

the historical evolution of work in the United States since the Nineteenth Century. She distinguishes between different ‘ideal’ types of gig workers—strugglers, strivers and success stories.

The strugglers “are workers who have turned to the sharing economy in a fit of desperation. They include the long-term unemployed and undocumented workers, who...struggle to find work”. The strivers “are those who have good jobs and stable lives and who turn to the sharing economy for a bit of added excitement or extra cash”. They sound similar to Rosenbalt’s hobbyists. The success stories “have used the gig economy to create the life they—and many of us—want. They are their own bosses, they control their day-to-day schedule, and the sky seems to be the limit in terms of how much money they can make” (Ravenelle, 10 -11).

Ravenelle found that her success stories came from those of her interviewees who possessed capital—either physical or human—external to the sharing economy. Airbnb were able to cash in on their ownership of property and enhance already ‘high’ incomes. Chefs with high cooking (human capital) skills could obtain extra income outside restaurants or build up their own clientele. Uber drivers, despite owning cars, and TaskRabbit workers were less fortunate (Ravenelle, 160).

Ravenelle reports stories of Airbnb trashed departments that she unearthed via a Google search (Ravenelle, 46). But if we can put Airbnb to one side, her conclusions concerning the lot of her gig workers is similar to that of Rosenblat. They are subject to the whims of their respective app companies. Ravenelle draws particular attention to them being forced to perform dirty and dangerous work (without the provision of protective clothes and equipment), being injured at work and/or health risks, being asked to undertake illegal work (transporting drugs), the possibility of sexual harassment and having access to bathrooms during shifts. Her overall conclusion is:

Despite its focus on emerging technology... the sharing economy is truly a movement to the past. Workers find themselves outside even the most basic workplace protections regarding discrimination and sexual harassment, the right to unionize, and even the right to redress for workplace injuries. The sharing economy is upending generations of workplace protections in the name of disruption and returning to a time when worker exploitation was the norm. (Ravenelle, 6)

*Bite Back* is an edited work, which examines the food industry in America. The production and distribution of food is dominated by large corporations. *Bite Back* provides information on the extent of the power and influence wielded by such corporations and the harm this does to the supply of nourishing food, the health and well-being of both the community and food workers, harm to the en-

vironment and growing inequality, not just in America but across the globe. *Bite Back*'s editors maintain that the book "present[s] a vision for disrupting corporate power through food democracy—a vision in which people affected by decisions made about their food system have voice, power and agency to collectively influence those decisions" (Jayaraman and De Master, 4).

The evidence contained in *Bite Back* concerning food corporations is consistent with the insights of economists concerning the impact of monopolies, oligopolies and cartels. They stifle competition, restrict supply, drive up prices, exploit suppliers, keep wages low, are antipathetic to innovation and use their power to lobby politicians for favourable legislation and have captured regulatory agencies. *Bite Back* is organized into seven sections with dueling chapters. The first chapter identifies a problem, while the second provides material on challenges/responses to the respective problems. The seven sections are seeds, pesticides, extraction (fracking), labour, health (mainly the problem of fast food), hunger (capture by food industry) and trade (food companies destroying food production in the South). The two chapters on labour will be the only one's considered here.

Joann Lo and Jose Oliva, co-directors of the Food Chain Workers Alliance, point out there are 20 million food system workers in America, constituting one-fifth of the private sector workforce and one-sixth of the US workforce. Eighty-six per cent of food workers earn low to poverty level wages and use food stamps more than one and a half times the rate of the rest of the workforce. They work in environments with severe health and safety violations (including dying at work), work long hours with few breaks and do not have access to health benefits (a lot of food processing work—think of cutting up chickens—is monotonous and conducted in wet and cold conditions). Because of the lack of health cover and paid time off when ill or injured, many workers work when they are sick. Lo and Oliva also report examples of stolen wages and how Black, Latino and Asian workers are funneled into lower grade jobs and receive lower pay than Whites. Coloured workers also experience wage theft. Legislation concerning wages, health and safety and discrimination is 'lightly' applied (Jayaraman and De Master, 99-106).

Saru Jayaraman is the Director of the Food Labor Research Center at the University of California, Berkeley and, in 2001, cofounded the Restaurant Opportunities Centers United. He documents a number of examples where food workers experienced success in taking on food corporations. He initially refers to the Coalition of Immokalee Workers who pursued a multifaceted campaign, which included obtaining agreement from those in the supply chain to pay higher prices in improving the wages and working conditions of tomato farm workers in Florida (Jayaraman and De Master, 108).<sup>11</sup>

His major concern is with restaurant workers, especially campaigns for ‘tipped’ employees who earn as little as \$2.13 an hour, which is less than the federal minimum wage of \$7.25 an hour, with the remainder of their income being made up in tips.<sup>12</sup> Most ‘tipped’ employees are women and in addition to receiving low pay and having their tips withheld by restaurants (a particular problem with credit card payments) are subject to sexual harassment. Jayaraman reports:

These women experience three times the poverty of the rest of the US workforce and use food stamps at double the rate [of others]... Ninety percent of workers in this industry report experiencing sexual behavior that is frightening and/or unwarranted... since one in two American adults has worked in this industry at some point in their lifetime, millions of young women start their work lives being encouraged by restaurant management to subject themselves to objectification in order to earn more money in tips. (Jayaraman and De Master, 114)

He provides information on campaigns to have legislators or ballot measures to eliminate the lower wage for tipped workers and to enter into agreements with restaurant chains to pay higher rates and improved working conditions such as paid sick leave, paid family leave and tuition reimbursements. On Election Day 2020, Florida voters approved Amendment 2 which increased the state minimum wage from \$8.56 to \$15 an hour by 2026 (joining California, Connecticut, Illinois, Maryland, Massachusetts, New Jersey and New York).<sup>13</sup> He also examines a campaign of direct action by workers in front of a restaurant chain in New York. The company feared the damage that such protests would do its brand/image and “ended up paying their workers \$4 million in stolen tips and wages, instituted a new human resources department, created a new anti-sexual harassment policy and anti-discriminatory policy (including greater transparency in hiring and promotion) [and] instituted a grievance procedure”. Jayaraman maintains that this campaign not only improved the lot of the 2,000 workers involved in the campaign, but also the entire New York City restaurant industry (Jayaraman and De Master, 112).

In *Coerced*, sociologist Erin Hatton examines the nature of work associated with prisoners, workfare workers (welfare recipients), college athletes (male football and basketball players) and science graduate students in labs. He points out that while these different types of workers perform different tasks, that which they do is not regarded as work and, as a result, they are denied access to protections afforded to other workers under labour laws. Hatton maintains that this allows “their supervisors to have unusually *expansive punitive power* over them” (Hatton, 9, emphasis in original). Hatton’s research is based on interviews, usually of an hour or more, she conducted with 42 workfare workers, 41 former prisoners, 18 athletes and 20 former PhD students, none of whom were from her university. The interviews were conducted over a five-year period.



Hatton acknowledges that, “bosses in all workplaces wield substantial, and expansive, power over their subordinates” (Hatton, 11). However, in the four cases she examines she draws on Ralph Linton’s notion of *status coercion*.<sup>14</sup> She maintains, “supervisors have the power to discharge them from a particular status—as prisoner, welfare recipient, college athlete, or graduate student ‘in good standing’—and thereby derive them of the rights, privileges, and future opportunities that such status occurs” (Hatton, 13).

Prisoners are required to perform work allocated to them by prison officials and are paid a few cents an hour. They are the only exception to the *Thirteenth Amendment* of the *United States Constitution*, which prohibits slavery. Such work may be relatively undemanding such as kitchen work or less pleasant such as cleaning up urine and feces. Refusal to perform work as directed can result in the denial of privileges within the prison, chances of parole, early release, being placed in solitary confinement (‘the box’) and violence (beatings by prison guards). Welfare recipients are required to perform work as a precondition for receiving whatever benefits are available to them under respective state welfare systems. Workfare workers can be required to undertake dangerous work and not be provided with protective clothing and appropriate equipment. To not perform designated work can result in a loss of entitlements such as cash payments, rental and utility assistance and food stamps, for persons already close to or living below the poverty line.

Male basketball and college football players generate huge sums of income for coaches, colleges, the National College Athletic Association and private companies which trade on, until recently, the intellectual property of players (even when they have finished their playing days). Players receive scholarships for their educational expenses and have (traditionally) not been paid for their playing. Most of their time at college is spent playing and training rather than being a student. They are encouraged by coaching staff to do Mickey Mouse courses or subjects which don’t conflict with training. To not abide by the demands of coaches can result in not being chosen for the team, having scholarships cancelled and missing out on the chance of being drafted by a major league team. In addition to this, footballers experience the risk of major injuries (including death) and concussion which can have long term consequences for their health and well-being.<sup>15</sup>

Graduate students work as part of research teams under the direction of senior scholars. They perform experiments and other basic work associated with the production of scientific knowledge and work long hours. Such work enhances the prestige (publications) and income (grants) of tenured scholars, their departments and universities. To fall out with a supervisor can result in not having your name included on publications, not being granted a PhD and being denied a

positive recommendation, which can foul prospects of tenure track employment with a university. Graduate students can be held in this limbo for many years, finding themselves forced into post docs.

Hatton contrasts the situation of prisoners and welfare workers who are socially viewed as *immoral* dependents with those of college athletes and graduate students who are *moral* dependents who benefit from paternalistic intervention of coaches and tenured academics (Hatton, 8). She examines the cultural evolution of these notions and the playing out of the dialectic of coercion and resistance in these different settings. Her interviews revealed that her four types of workers were subject to denigration, racial slurs, bullying, yelling (coaches are famous for what we, in Australia, describe as 'sprays' and picking on individual players for not pulling their weight) and violence (prisons). Hatton also observes:

The possibility of punishment is omnipresent, and even when their bosses do not wield such punitive powers, these workers are well aware of their capacity to do so. This is how coercion works: everyone knows what is possible and such knowledge is usually enough to compel compliance. (Hatton, 27)

Hatton points out that "racial logics have been woven into the[se American] coercive labor regimes". Most prisoners, welfare recipients and college athletes are African Americans; with welfare recipients being predominantly female. She maintains:

cultural constructions (and assumptions) of their Blackness intersect with presumptions of their criminality; or their (not quite deserved) privilege, to justify their bosses' expansive punitive powers over them. Whether they are construed as wayward crooks (as are prisoners and welfare recipients) or as potentially wayward kids (as are college football and basketball players), such workers are framed as needing extensive surveillance, control and discipline...for graduate students, cultural constructions (and assumptions) of their whiteness intersect with presumptions of their (mostly deserved) privilege, to justify but also mitigate their bosses power over them. Rather than wayward kids they are seen as smart novices who require direction and surveillance, perhaps, but not punitive discipline. (Hatton, 21)

Hatton points to other types of workers who are also subject to status coercion. They are parolees, probationers, those with court-ordered debts, foreign guest workers, workers bound by non-compete clauses and "anywhere an employer has power over a worker's social position...It may be particularly prevalent among those who labor in 'total institutions' such as military and religious organizations, in which one's status as Marine Officer or Catholic nun, for example, is equally as important as (or even more important than) one's income" (Hatton, 15-16). She claims that studies of status coercion "can yield new insight into the landscape of work in America" (Hatton, 209).

Josh Seim's *Bandage, Sort, And Hustle* draws on his sociology PhD on ambulance workers completed in 2018. His research combines participant observation with extensive medical records of an (anonymous) ambulance company. He spent a year shadowing ambulance crews in the performance of their work. He then worked as an Emergency Medical Technician (EMT; driver, filler in of forms and minor medical procedures) in learning firsthand what it is to be an ambulance worker.

He provides information on the long hours of ambulance work—they usually work 12 to 14 hour shifts, sometimes with doubles—their general and overwhelming tiredness, the tricks they employ to obtain extra pay (re clocking on and off, not taking meal breaks and receiving extra pay in lieu) and choice of hospitals in discharging patients and which parts of a city to allocate themselves to reduce demands on their shifts. He says that ambulance workers with their frequent exposure to death and danger “suffer posttraumatic stress disorder at high rates and face relatively high chances of suicide and suicidal thoughts” (Seim, 69). He quit as an EMT worker after attending a horrific rape case (Seim, 71).

Seim's major contribution, however, is to provide insight into the attitudes of a group of workers who are responsible for managing and regulating the affairs of those who require help during a medical emergency. While this was never his intent, *Bandage, Sort, And Hustle* dovetails neatly with Hatton's *Coercion*, especially her notion of status coercion; of how decisions are made on the *medical status* of sick and/or injured persons. Seim situates ambulance workers as part of a system which involves vertical interactions with supervisors and management and horizontal interactions with police and nurses (hospitals) in determining the management/regulation of patients. He employs an implicit pluralist model in examining these interactions.

The key to his analysis is a distinction between ‘legit’ and ‘bullshit’ cases. ‘Legit’ cases are where paramedics are able to practice their craft, “to ‘truly help’ people by doing what they are primarily trained and equipped to do”. Paramedics experience strong senses of satisfaction from such work. ‘Bullshit cases’ involve “moving forgettable cases from homes and streets into the hospital for ‘nonemergency problems’ like mild chronic illness exacerbations and empty prescription bottles” (Seim, 26). The majority of ‘bullshit cases’, and their work more generally, come from poor areas populated by minorities. Ambulances have been one of the few services which have not been savaged by the turning away from the welfare state that has pervaded America in recent decades. The poor and marginalized turn to ambulances during times of crisis; they can receive some attention, and a meal (usually a sandwich), medical care and possibly free prescription pills during a short stay at hospital.

Seim sees ambulance crews and nurses providing a “safety net made of gauze”. He draws on the work of Helena Hansen and her colleagues who observe there has been an “increasing medicalization of public support for the poor” in America’s approach to welfare.<sup>16</sup> He adds:

access to public benefits for people with diagnosed disabilities has become a primary strategy of poverty relief in the United States. As such, cash assistance has become significantly limited to those indigent bodies that can be successfully made into patients. Indeed, to be poor and deserving in twenty-first-century America increasingly means to be poor and sick. (Seim, 103)

Ambulance workers, police and nurses have to work out how these ‘bullshit cases’ should be managed. Police will seek to off-load them onto ambulance crews to minimize demands on their resources. Ambulance crews need to work out which hospitals they should be taken to. They may not take them to one close to where a patient lives, or is most ‘appropriate’, because it doesn’t fit in with the crew’s sense of the best way to manage its shift. Ambulance crews and nurses then have to negotiate how best to manage ‘bullshit cases’.

Note ‘bullshit cases’ involve people who are unhealthy and sick, experiencing a crisis of some sort who require or are hoping for help; something short of a major medical catastrophe that requires levels of ‘legit’ care that Seim tells us are desired by ambulance workers. Invariably, these are persons living on the margins of society. In examining interactions of ambulance crews and police, Seim says that they are often involved in “cleansing public places of drunk, drugged or otherwise disordered bodies...Together, crews and cops successfully labor a kind of public sanitation machine that sweeps the streets of select bodies deemed out of place” (Seim, 87). He also refers to how his colleagues compared themselves to sanitation workers, “In some ways, the ambulance is like a street-sweeper, barreling through the county and brushing up matter out of place” (Seim, 113).

Seim describes the jurisdictional struggles between cops, crews and nurses as burden shuffling. He says that for all three, “the bulk of potential or actual ambulance clientele comes with work to be avoided”. What they are all doing “is strategically shuffling bullshit onto someone else.” He adds:

This is a ‘shuffle’ in a double sense. First, it’s an evasive and sometimes sly attempt to *shuffle out* of one’s duty to manage an undesirable case. The point is to hand it to someone else by sneakily bowing out of the situation. Second, in doing the first, this strategy entails a mixing of clientele that’s kind of like *shuffling up* a deck of cards. People don’t disappear as a result of burden shuffling. They are just reordered and then dealt to a different worker. (Seim, 115-116, emphasis in the original)

## **Conclusion: Of Absentee Landlords, Broken Windows, Neoliberal Zombies and Parasitic Trades**

These five books document different aspects of work in contemporary America. The rise of technology companies such as Uber, TaskRabbit and Kitchensurfing who have combined politics and the law to have their workforce deemed as independent contractors, rather than employees, has enabled them to escape various legal obligations afforded to workers and payments to the state such as social security benefits, and unemployment and workers compensation. While there have been some recent victories for food system workers, the overwhelming majority of them work close to or below the poverty line in poor and unsafe working conditions.

Prisoners, workfare workers, college athletes and science graduates are coerced into working for little or no pay. The employers of these types of labour receive a rent from these workers. Seim does not provide details on the income of ambulance drivers due to a commitment he gave to the company and interviewees that they would remain anonymous. Given that his PhD was completed at Berkley, it has been assumed that he worked in California. A search of an Ambulance website in mid-November 2020 revealed the average hourly pay of an ambulance driver in California is \$13.30;<sup>17</sup> it was presumably lower when he conducted his research.

Prisoners work as slaves, Uber, ambulance drivers, science graduates and college athletes work long shifts, app workers experience problems with access to bathrooms and all of these types of employment involve low or uncertain levels of pay. Much of the work is also performed in poor and dangerous working conditions. Except for science graduates and ambulance drivers most of this work is performed by minorities. Immigrant workers dominate Uber driving, food work is performed by a combination of immigrants, Latinos, African Americans and women (especially in restaurants), and prisons, workfare workers and college athletes are predominantly African American. Like most things, issues raised in these respective volumes cannot be divorced from America's long and torturous dance with race.

Working for a technology company where workers receive instructions from an app is akin to working for an absentee landlord who extracts a tithe from their labour and if they do not do as they are told will be banished from the manor.

Ravenelle refers to Kelling and Wilson's "broken windows theory."<sup>18</sup> She says it "suggests that any signs of disorder or deviance—such as a single broken window—will lead to more disorder." (Ravenelle, 151). The essential idea here is that tech companies that 'get away' with the claim they are employing independent contractors and dodge legislative requirements encourage others

to do the same, which inexorably leads to societal breakdown. Others have to cover the costs of income forgone to the state and entitlements that would otherwise be afforded to tech company workers. The state is forced to pick up the costs of medical care and associated expenses when such workers become sick or injured. A similar analysis could be applied to coerced workers. Examples of working for little or nothing (putting aside the practice of coercion) encourages other employers to require employees to pay for training that employers would/should normally expend themselves, demand or expect workers to work for nothing for an initial qualifying period (it might be called work experience for school and college students) and require workers to pay for their own tools or protective equipment.

The free-market revolution associated with neoliberalism has seen those with limited skills forced into low wage jobs or unemployment. This has coincided with an attack on the welfare state which has reduced its ability to provide for those who are unable to withstand the rigours of the market or have been dealt a cruel hand. Jamie Peck has developed the notion of 'zombie neoliberalism'. What Peck has in mind here is that neoliberalism has produced a class of people who lack, or have limited, income and resources. The problem is that while the state, under neoliberalism, doesn't want to and provides them with limited or no help, it is nonetheless forced to deal, manage or regulate them. Peck maintains:

'Dead but dominant', neoliberalism may indeed have entered its zombie phase...the living dead of the free-market revolution continue to walk the earth, though with each resurrection their decidedly uncoordinated gait becomes even more erratic.<sup>19</sup>

Seim's *Bandaged, Sort, And Hustle* and Hatton's *Coerced* document the ways in which 'zombies' are regulated in America. Seim distinguished between 'legit' and 'bullshit cases', and how overstretched and underfunded police, ambulance crews and nurses (hospitals) sought to evade their responsibilities and 'shuffle' bullshit onto others. It was pointed out above that these 'bullshit cases' were people experiencing a health crisis short of needing a major medical intervention. How should we incorporate Hatton's workfare workers and prisoners into their treatment by the American state?

Let us surmise that those organisations and the personnel who regulate welfare recipients and prisoners operate under similar financial restrictions to those of ambulance workers; they may in fact be worse. Let us also surmise that welfare recipients and prisoners would not be regarded as deserving as the 'bullshit cases' of ambulance crews. There may be welfare workers and prisoner officials who see themselves performing craft work, as do ambulance crews with 'legit cases', and experience high degrees of satisfaction when they improve the life prospects of someone under their charge. More likely, they are overwhelmed with too many clients and a lack of resources to solve problems.

We can extend Seim's notion of 'legit' and 'bullshit cases' to include other categories of clients, in descending order. They are 'pleaders', 'con artists' and 'bad asses'. 'Pleaders' are those whose request help in an 'ordered' way. 'Con artists' are those who try to finagle the system. The descriptor 'welfare queen' comes to mind. 'Bad asses' are persons who complain, buck the system and try things on. They need to be 'dealt with' in either taking away a privilege, forcing them to perform dirty and/or dangerous work or putting them in the 'box' and/or inflict violence on them in prison. Following Seim, Peck's zombies find themselves shuffled backwards and forwards between numerous agencies, with their needs and grievances not being taken seriously, 'driven' to hustling, crime, despair.

Sidney and Beatrice Webb in their seminal *Industrial Democracy* referred to 'parasitic trades' and the harmful effect they had on society. A parasitic trade was an area of economic activity which received an 'unfair' advantage not available to others. Economists today would call such an advantage a 'rent'. It could be receiving a bounty from the state, paying low wages, 'coercing' workers to work long hours in dirty and unsafe conditions and not providing them with access to sanitation. The types of work examined in the five volumes here are consistent with this notion of parasitic trades. Tech companies have used the ruse of independent contractors to escape legislative obligations and to make payments to state coffers; food system workers receive payments close to the poverty level, work long hours, experience work injuries and female restaurant workers are subject to sexual harassment; and Hatton's coerced workers are paid little or nothing or are substantially underpaid and overworked. The only exception here might be ambulance drivers; though they work long hours, are continually tired and experience post traumatic stress disorder. They also experience problems finding somewhere to pee during shifts.

The Webbs said that, "if some trades receive a subsidy or bounty, these parasites will expand out of proportion to their real efficiency, and will thus, obtain the use of a larger share of the nation's capital, brains, and manual labor than would otherwise be the case, with the result that the aggregate product will be diminished, and the expansion of the self-supporting trades [who do not receive a subsidy or bounty] will be prematurely checked". This, they said, will result in unchecked competition within cities. They quoted a House of Lords' Committee which said of late Nineteenth Century England, "earnings [are] barely sufficient to sustain existence; hours of labor such as to make the lives of workers periods of almost ceaseless toil, hard and unlovely to the last degree; sanitary conditions injurious to the health of the persons employed and dangerous to the public". Such an observation could equally be applied to contemporary America. The Webbs added:

One degraded or ill-conducted worker will demoralise a family; one disorderly family inexplicably lowers the conduct of a whole street; the low-caste life of a single street spreads its evil influence over the entire quarter; and the slum quarter, connected with the others by a thousand unnoticed threads of human intercourse, subtly deteriorates the standard of health, morality, and the public spirit of the whole city.<sup>20</sup>

These five works document different dimensions of the nature of work in neo-feudal America.

## Notes

- 1 A. Rosenblatt (2018) *Uberland: How Algorithms Are Rewriting the Rules of Work*. Oakland: University of California Press; A. J. Ravenelle (2019) *Hustle and Gig: Struggling and Surviving in the Sharing Economy*. Oakland: University of California Press. Also see J. B. Schor (2020) *After the Gig: How The Sharing Economy Got Hijacked and How to Win it Back*. Oakland: University of California Press which was unavailable at the time of this review.
- 2 S. Jayaraman and K. De Master, Eds. (2020) *Bite Back: People Taking on Corporate Food and Winning*. Oakland: University of California Press.
- 3 E. Hatton (2019) *Coerced: Work under Threat of Punishment*. Oakland: University of California Press.
- 4 J. Seim (2020) *Bandage, Sort, and Hustle: Ambulance Crews on the Front Line of Human Suffering*. Oakland: University of California Press.
- 5 University of California Press, Press Blog, *Labor in a Time of Crisis*, 21 April 2020.
- 6 J. V. Hall and A. B. Kruger (2016) *An Analysis of the Labour Market for Uber's Driver-Partners in the United States*. National Bureau of Economic Research Working Paper Series, Working Paper 22843, November 2016.
- 7 For an account of how American courts have approached this issue and the different stances of Canadian and American courts, see W. B. Gould IV (2017) "The Future of the Gig Economy, Labor Law and The Role of Unions: How Will They Look Going Forward", *Proceedings of the Seventieth Annual Meeting National Academy of Arbitrators*, p. 87-152; U. Coiquand and I. Martin (2020) "Access to Justice for Gig Workers: Contrasting Answers from Canadian and American Courts", *Relations industrielles/Industrial Relations*, 75 (3), p. 582-593.
- 8 J. Wilson (2020) "Uber and Lyft Drivers in California Will Remain Contractors." *The New York Times*, 4 November; C. Said (2020) "Proposition 22 passes: What the Gig Measure Means for Drivers." *San Francisco Chronicle*, 7 November.
- 9 *Seattle City Council Bills and Ordinances, Ordinance 124968*, "An Ordinance relating to taxicab, transportation network company, and for-hire vehicle drivers", Passed December 14, 2015; *Seattle City Council Bills and Ordinances, Ordinance 125977*, "An Ordinance relating to transportation network company driver labor standards; concerning minimum compensation standards for transporting network company", Passed November 25, 2019; *Seattle City Council Bills and Ordinances, Ordinance 126091*, "An Ordinance relating to gig workers in Seattle; establishing labor standard requirements for sick leave and paid sick time for gig workers working in Seattle", Passed June 1, 2020; *Seattle City Council Bills and Ordinances, Ordinance 126189*, "An Ordinance relating to transportation network company driver labor standards; establishing minimum compensation standards for transporting network company standards for transport company drivers," Passed September 29, 2020.



- 10 The Australian Competition and Consumer Commission, Competition and Consumer (Class Exemption – Collective Bargaining Determination 2020, 19 October 2020; D Martin-Guzman (2020) “Collective Bargaining Win a ‘Big Step’ for Gig Workers.” *The Australian Financial Review*, 28 October.
- 11 S. L. Marquis (2017) *I Am Not a Tractor: How Florida Farmworkers Took on the Food Giants and Won*. Ithaca and London: ILR Press/Cornell University Press. For an account of a successful campaign by meatpackers in Alberta, Canada see J. Foster (2018) *Defying Expectations: The Case of UFCW Local 401*. Edmonton: AU Press, Athabasca University.
- 12 For information on federal and state minima, see *Minimum Wages for Tipped Employees*. US Department of Labor, Wage and Hours Division, July 1, 2020.
- 13 E. Rosenberg (2020) “Florida votes to raise the minimum wage to \$15 an hour.” *The Washington Post*, November 4.
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- 16 H. Hansen, P. Bourgois and E. Drucker (2014) “Pathologizing Poverty: New Forms of Diagnosis, Disability and Structural Stigma under Welfare Reform.” *Social Science and Medicine*, 103, 76-83.
- 17 *United Ambulance Driver Salaries in California*. Online at: <indeed.com/comp/United-Ambulance/salaries/drivers/California>, accessed November 14, 2020.
- 18 G. L. Kelling and J. Q. Wilson (1982) “Broken Windows: The Police and Neighbourhood Safety.” *The Atlantic*.
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- 20 S. Webb and B. Webb (1911-First published 1897) *Industrial Democracy*. London, New York, Bombay and Calcutta: Longmans Green, p. 755, 765, 766.