



PREC NIGHTS Deliverable 5.4

# OUT OF SIGHT, NOT OUT OF MIND:

## PREC NIGHTS POLICY BRIEF

1. CALLING FOR A SOCIALLY JUST MODEL OF NIGHTWORK ECONOMY IN EUROPE
2. FOSTERING GENDER EQUALITY AND FIGHTING INVISIBILITY OF NIGHTWORKERS
3. DEMONSTRATING THE POSITIVE IMPACT THAT NIGHTWORKERS HAVE ON NATIONAL, DAYTIME AND NIGHTTIME ECONOMIES IN IRELAND AND EUROPE

### EXECUTIVE SUMMARY

This Policy Brief draws on the findings of the EU-funded PREC NIGHTS project, based at the Institute for Social Science in the 21st Century (ISS21), University College Cork, Ireland. It summarises the issues with nightwork and enables a nuanced understanding of the current state of nightwork in Ireland, and beyond. It recommends actions to reduce the disparities between labour legislation and guidelines on the one hand and the situation on the ground on the other. The results show that, positive, long-lasting effects are dependable on the following actions:

- Improving the working conditions of nightworkers in Europe.
- Recognising nightworkers' contribution to European societies.
- Advocating for their rights to live and work in dignity throughout Europe.

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# CONTEXT

## Existing policy on nightwork needs to change. **Nightworkers need a new deal!**

The emergence of a policy landscape on Night Time Economy (NTE)<sup>1</sup> is accelerating, in terms of current NTE planning and governance developed by local authorities, nighttime industry associations and non-governmental organisations. Worldwide, however, existing NTE Commissions fail to address fully the health risks, inequality, isolation, and exclusion from mainstream society that nightworkers, especially women, face (see exceptions London Assembly 2018, p. 21). This Policy Brief addresses these specific challenges in nightshift or 24/7 cities, and advocates for better rights to societal integration of (women migrant) nightworkers across Europe.

**NIGHTWORK MATTERS.** Nightwork has been part of many industries and services, such as transport, communications, fire brigades, police, the army and hospitals for a long time. Working in the evenings or at night is not a new phenomenon; yet it is an essential form of work for the functioning of our around-the-clock societies.

However, the current labour system in developed societies has been designed for daytime work. This explains why nightwork is erroneously thought to be a supplement to daytime labour and why the problems with nightwork are rarely fixed.

Recognising that nightwork is its own form of work with specific dynamics and problems, especially in post-industrial countries, is long overdue.

Cities play a crucial role in the transformation of the nighttime economies. More than ever, cities are designated as 'nighttime' or '24-hour cities'. Currently, over 60 cities have a designated Nighttime Commission led by a 'night mayor' (Seijas and Gelders 2020; Seijas, Barnett, Salihudin 2024).

Ireland is an ideal location in Europe, as plans to expand its nighttime economy are underway, at the time of writing. Yet, the achievement of positive, real changes for all nightworkers, including women, migrants, people of colour, faces multiple policy barriers.

Lessons can be learned from the Nightworker Charter (2023), which pledged to advance special arrangements for invisible workers in nightshift cities. The purpose of the Charter has been to raise awareness of the issues behind nightwork and contribution of nightworkers to European societies. Dozens of signatories from five continents have signed the Charter to support its agenda.

**'Blue Mondays' in 9-to-5, day jobs, are a grind, but waking up in the evenings or in the middle of the night to go to work is simply dreadful. Eating fast food due to a lack of nighttime eating options is unhealthy, and working all night disrupts the circadian and biological rhythms that prompt us to sleep when it is dark and to stay awake during daylight. Not being able to socialise with friends during daytime and evenings marginalises nightworkers even further.**

<sup>1</sup> 'Night-time economy' is frequently taken to refer to nightlife. While nightlife, has provided the 'dominant discourse' for night studies, it constitutes only one of the four sectors which make up economic activities taking place at night, alongside hospitality, culture and tourism (Roberts 2024; Greater London Authority Economics 2023; Shaw 2014).

## Ireland: Meet the Invisible Workforce

The PRECNIGHTS research project used ethnography as the main method to reach out to Women Migrant Nightworkers (thereafter WMN) and collect data at night, in Dublin and Cork between 2022 and 2023. Ethnography is in-person observation whereby the researcher is at times an observer and at others a participant. The purpose of using mixed ethnographic research methods aimed to capture the lived and felt experiences of WMN.

This approach combined the following instruments: i) night walking (with or without interviewing); ii) notetaking (Stratham 1996; Wacquant 2015); iii) informal and genuine conversations with participants (Jansen and Driessen 2013); iv) interviews and focus groups, which have been v) audio-video (A-V) recorded. The project builds on research that shows that the Irish labour market benefits greatly from the influx of migrants. Over 82,000 foreign born workers (of the total 123,135 PPSN issued in 2019) work in two industries alone – food and accommodation services (e.g. cleaning)<sup>2</sup>. One third of migrant workers work in fast-food venues and takeaways, as outsourced security staff, kitchen assistants and on streets as food couriers contracted by digital platforms. Another third are hospitality workers (e.g., cleaners). EU-wide, the food, beverage sectors and sub-sectors provide **yearly a total revenue of 230,5 million EUR (Gheribi and Bonadonna, 2019).**

In thriving cities like Dublin and Cork, tourists, local businesses, and institutions benefit from, and locals and students enjoy, the vibrant nightlife, culture nights and eating out. These cities have Nighttime Culture Mayors to promote nighttime entertainment habits and cultural offerings. Yet, the realities and rights of ‘workers ... in precarious employment’ are not seen as the Taskforce’s concern.<sup>3</sup> WMN too, fall out of their remit. The multi-layered precarity for Women Migrant Nightworkers in Ireland, in a heavily masculinised nightwork environment, is, it seems, of little concern in this area, even from the newly established Night Culture Mayors.

South American WMN travel to Ireland and often end up working in food sectors, travel and tourism industries. The research shows that some of the documented WMN in Dublin and Cork are on student visas. They are only allowed to work up to a maximum of 20 hours per week meaning that they can hardly pay the rent. The current system forces them to work extra 20-30 hours per week. As EU citizens women migrants who participated in this research, from Romania and Czech Republic, had the right to work, but had limited English language skills. Their route into the Irish labour market, as often found, is via manual work as cleaners in hotels or offices, at night. Safety was one of their main concerns. They also spoke about a work schedule that kept them away from spending time with families and

NIGHTWORKERS MATTER: The nighttime economy relies heavily on migrants doing the ‘graveyard shift’ in many sectors (food services and accommodation), up to 32.6% to 2.0 million in the United Kingdom alone (Office for National Statistics, UK, 2022).

Millions worldwide – including migrants, women and people of colour work ‘graveyard’ shifts. Nightworkers are the ‘other’ workers in relation to the ‘9-5ers’ (Bianchini, 1995) – and because of this, they experience tremendous health impacts, isolation and exclusion from mainstream society.

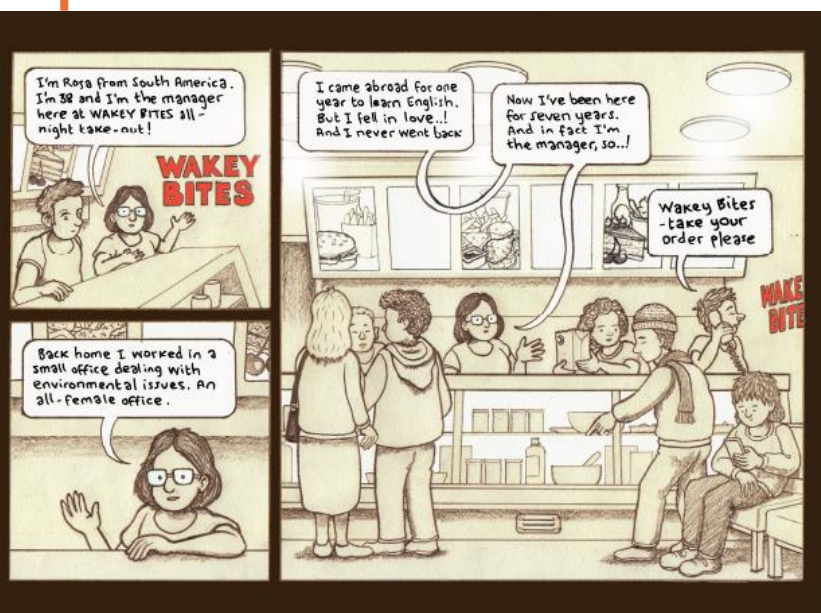
<sup>2</sup> Central Statistics Office (2019). Statistical release, 25 October 2019. Accessed 30.08.2024.

<sup>3</sup> Report of the Night-Time Economy Taskforce (2020/2022). [Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media](https://www.gov.ie/en/publication/d86df-night-time-economy-taskforce/). Online at: <https://www.gov.ie/en/publication/d86df-night-time-economy-taskforce/>. Accessed 31.08.2024.

friends. PRECNIGHTS' findings resonate with other studies (Jarrow Insights, 2023). In the *Working Against the Clock* survey of 2,500 professional night cleaners from 32 countries across 3 continents, 180 participants were from Ireland. The Irish contingent in this survey consisted of an overwhelming 80% women out of which just over 40% were migrants. The survey demonstrates that 106 (or 25.5%) felt unsafe working after dark. More, over 10% were working after dark regularly, and 26.1% worked more than 40 hours per week, spent in multiple jobs (20%). The overall findings portray professional night-time cleaners as worse-off than daytime cleaners, 70% not getting enough sleep, feeling isolated from social and family events due to working on the opposite schedule (nighttime), and 7 in 10 have no choice but to work as night cleaners (Jarrow Insights, 2023).

Building on PRECNIGHTS' and other findings, several recommendations stand out, and are enumerated at the end of this Brief. Noteworthy, to reduce the devastating effects of nighttime and shift work, **essential (night)workers must be offered essential rights** (Bergfeld and Jørgensen, 2023). Put different, not only that employees should have the basic rights to a contract of employment, payslip (statement of pay), and minimum wage, but also **the right to written terms and conditions within five days** ('Day 5 Statement'), mandatory training to be provided by the employer cost-free, and the right to request a transfer to a form of (daytime) employment with more predictable and secure working conditions where available and where not, to receive a reasoned written reply. Additionally, this Brief recommends **implementation of practices** that could lead to **improvement in the working conditions**, such as: raising awareness about the challenges faced by nightworkers: making nightwork voluntary, and giving the workers the right to 'switch off' from nightshifts, offering them daytime shifts instead; improving access to language learning courses, unionising workers, and ensuring easy access to legal aid. Such measures could address structural invisibility and precarity, two barriers to becoming 'no longer invisible' (MacQuarie, apud Bergfeld UNIEuropa, 2024).

**If migrants are welcome for economic benefits to this country, then they should not be rejected as foreigners and discriminated as 'others'. Instead, they should be treated respectfully while on the job – decent working conditions, a living wage, and the right to be seen.**



Read **Rosa's** full story on the [PRECNIGHTS website](#), and explore six more stories, as told by:

**ANA.**  
**DACHA.**  
**ELEONORA.**  
**ILEANA.**  
**JOANA.**  
**RADIPA.**

# THE BENEFITS

Changing policy and nighttime governance and planning approaches to improve working conditions for nightworkers is expected to have a measured impact in three areas: nightwork footprint, supporting society, and democratising nightwork.

## **(Night) Work Footprint**

Creating a nightwork footprint tool (similar to the carbon footprint) would give nighttime governance architectures a measurable tool and a sustainability indicator, as well as motivating factor to be considered by local authorities all over the world, and more specifically in countries like Ireland, where plans to expand the nighttime economy throughout the country are underway.

## **Supporting Broader Society & Democratising Nightwork Economy**

Society at large, the nightwork communities, nighttime advocacy organisations, Night Mayors, and local councils would benefit from involving nightworkers in discussions on how to build better, safer workplaces, worker-centered labour regulations, and nighttime policies.

Local municipalities need to revise current infrastructures and add or improve access to services for nightworkers in urban settings, who are experiencing vulnerability, isolation, and are not retributed accordingly for their (night)work. Nightworkers, women and men, migrants and locals, otherwise residents in the cities where they work in the evening and/or at night, will benefit from being involved in discussions with policy actors and negotiations with employers.

# BARRIERS and SOLUTIONS

## **MISSING THE POLITICIANS' AGENDA**

For political reasons or due to a lack of interest, legislation to prevent employers from contravening labour regulations or inflicting exploitation onto workers do not exist or, where inscribed in the law, are seldomly enforced.

## **Solutions**

- ◆ Devise an EU-wide coordinated approach to enforce and prosecute employers who do not respect labour regulations regarding the rights of nightworkers
- ◆ Coordinate at European level to maximize deterrence of such criminal behaviour on behalf of employers
- ◆ Discourage corporate criminal behaviour, and protect workers' rights

(Adapted from UNI-Europa Manifesto on Collective Bargaining, 2024)



## LACK OF RESOURCES TO ENFORCE LABOUR LAWS AND REGULATIONS

Often Labour Bureau or ‘street-level bureaucrats’ in charge with employer checks face challenges for effective participation. In addition to busy schedules, lack of personnel, lack of funds, actions on-the-ground put additional stress on the staff. There is often a need for more dedicated resources, such as more personnel, transportation vehicles, overtime / out of hours pay to staff.

### Solutions

- ◆ NTE Commissioners should include paid staff allocated to support nightworkers
- ◆ Governance strategies developed by local authorities, nighttime industry associations, and non-governmental organisations, should encourage gold standards in the employment of all nightworkers in all sectors.

## EMPLOYERS FOUND IN CONTRAVENTION

Access to workplaces is generally mediated by the employers, site operators or managing authorities, and less so by corresponding labour authorities (national, regional or local). The latter are absent since such authorities (excluding immigration forces) do not operate at nighttime, but on a 9-5, daytime shift patterns. Yet their role is very important, and instrumental in carrying out checks on employers.

Where managing authorities control access to work sites, actions vary between supporting, simply authorising, or straightforwardly denying (or not providing) the required authorisation for accessing workplaces.

### Solutions

- ◆ Procedures that allow checks on employers should be simple and straightforward
- ◆ Specialised enforcement teams should shadow labour regulators checking employers on-the-ground, at night

## MEET ELEONORA.

**She's 32 years old, from South America, and works as door security officer at Burger Nights.**

Read the full story on [PRECNIGHTS](#).



# RECOMMENDATIONS FOR ACTION

Below are 26 recommended actions identified as possible solutions to address the challenges faced by nightworkers, with a primary focus in three key areas:

## **Make nightwork a stand-alone form of work in legal terms**

1. Implement tougher regulations to reduce disparities between legislation and the actual working conditions of nightworkers.
2. Pay all nightworkers, including migrants and women, equal rates and higher than minimum national daytime wages.
3. Create a collective agreement that guarantees equal rights for equal work for manual, low-paid nightworkers with care responsibilities.
4. Establish nighttime teams and mobile units to monitor employers and enforce legislation to prevent abusive practices and exploitation.
5. Provide paid breaks, support for childcare facilities, and secure safe commuting transport for nightworkers.
6. Pay proportionate daytime 'rest hours' in lieu of nightshift hours.
7. Count temporary workers' nightshift hours towards pension contributions.

## **Addressing the Precarity of Women Nightworkers**

8. Provide specific channels of communication for women to report problems and appeal lower pay rates.
9. Hire all-female guards to protect women at night and implement tools to increase women's safety.
10. Develop and implement gender-sensitive policies that specifically address the unique challenges faced by women migrant nightworkers.
11. Provide safe and reliable transportation options for women migrant nightworkers, especially during late-night shifts.
12. Implement workplace safety measures that address the specific vulnerabilities faced by women migrant nightworkers.
13. Establish reporting mechanisms and support systems to address harassment and abuse in the workplace.
14. Provide empowerment programs and training opportunities for women migrant nightworkers to enhance their skills, knowledge, and career prospects.
15. Ensure that women migrant nightworkers have access to support services such as counselling, legal aid, and healthcare.
16. Raise awareness among employers, co-workers, and the general public about the challenges faced by women migrant nightworkers.
17. Facilitate bridge-talks between nightworkers, unionists, policymakers, researchers, and migrant organizations to address intersecting issues faced by migrant women working at night.
18. Foster collaboration between stakeholders to advocate for the rights and well-being of women migrant nightworkers.

By implementing these measures, we can create a more supportive and inclusive environment for women migrant nightworkers, empowering them to thrive and contribute to the workforce without facing discrimination or exploitation.

## Addressing the inclusion of Migrant Nightworkers

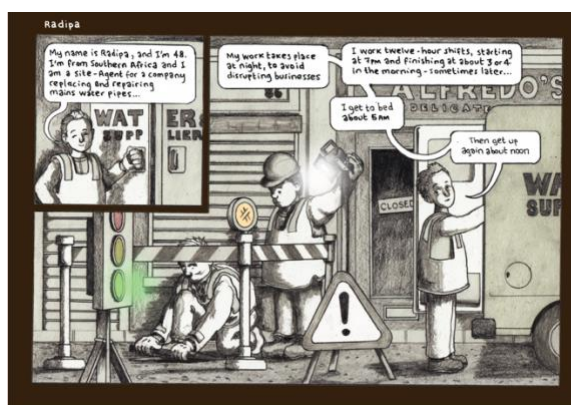
Stakeholders can address the inclusion of migrant nightworkers by taking the following actions:

19. Foster collaboration and partnership between employers, trade unions, policymakers, researchers, and migrant organizations.
20. Provide language support and resources to help migrant nightworkers navigate the work culture.
21. Conduct cultural sensitivity training for employers and co-workers.
22. Ensure access to clear and concise information about rights, workplace policies, and procedures.
23. Implement measures to address discrimination and bias.
24. Develop social integration programs to facilitate integration into the local community.
25. Recognise and value the qualifications and skills of migrant nightworkers.
26. Establish mechanisms for monitoring and enforcing compliance with labour laws and regulations.

## Policy Implications

This Policy Brief fosters actions for making equal and higher pay rates for women and migrant nightworkers a reality, as well as the provision of support for childcare facilities, transportation, and hot food during nightshifts. More specifically, collaborations should be founded first on principles of gender equality to ensure a fair and decent nightwork environment for women migrant nightworkers, in line with the UN2030 Sustainable Development Goal on Gender Equality (SDG #5) and Decent Work and Economic Growth (SDG #8). In addition, this Policy Brief supports the creation of a more inclusive and supportive environment for nightworkers, ensuring that they are recognised, protected, and valued members of European societies for their essential contributions.

By implementing the recommendations of the Policy Brief, the lives and working conditions of nightworkers will improve, their contributions recognised by the mainstream society, and their rights protected and ensured by employers.



## MEET RADIPA.

**She's 48 years old, from Southern Africa.**

**RADIPA works as a site agent for a Dublin-based water company.**

Read the full story on [PRECNIGHTS](#).



## Author biography

Dr Julius-Cezar MacQuarie is Lecturer in Sociology at the Department of Sociology and Criminology, University College Cork. As a Marie Skłodowska Curie Fellow at the Institute for Social Science in the 21<sup>st</sup> Century (ISS21), he conducted [PRECNIGHTS](#) under the mentorship of Dr Caitríona Ní Laoire, hosted by [ISS21 Migration and Integration](#) cluster.

His latest publications | **Out now:** Macquarie, J-C. (2023). [Invisible Migrants: Working the Night shift in 24/7 London. IMISCOE Research Series](#) Order via this [link](#). **Forthcoming 2024:** *A Nightnography of Food Couriers: Precarity and Inequality in After Dark Platform Work*. In: [Urban Nightlife and Contested Spaces: Cultural Encounters After Dusk](#). Amsterdam University Press. Tweet away on X @precnights / @tweetsfromdrjc. Connect via [jmacarie@ucc.ie](mailto:jmacarie@ucc.ie) / [jmacarie@ucc.ie](mailto:jmacarie@ucc.ie).

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