

Dear Brothers and Sisters, dear Colleagues,

On the 10th of June the union activist Barbara E. known as "Emmely", will take her case to the Federal Labour Court in Germany. She was fired after 31 years in her job for allegedly stealing 1,30n Euro, two weeks after organizing a strike.

Her case caused a national controversy in the media and hot debates among politicians in Germany.

June 10th will be an important date for the German workers' movement and the Federal Labour Court's decision will be of high importance for the rights of German workers.

We ask you kindly to sign our international appeal for solidarity by April 30th. It will be published a few weeks before the court's decision will be made known. It is very important for us to receive international support.

You can find a list of international press reports on the case below this email. The appeal for solidarity is attached.

In Solidarity,
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International press reports:

English:

<http://uk.reuters.com/article/idUKTRE51P43F20090226>

<http://www.independent.co.uk/news/world/europe/sacked-for-stealing-euro130-ndash-how-barbara-split-germany-1633422.html>

<http://news.bbc.co.uk/2/hi/europe/7915564.stm>

<http://www.spiegel.de/international/business/0,1518,610083,00.html>

<http://www.thenational.ae/article/20090302/FOREIGN/14016409/1002>

Korean:

http://news.chosun.com/site/data/html_dir/2009/02/28/2009022800100.html?Dep0=chosunmain&Dep1=news&Dep2=headline2&Dep3=h2_01

Chinese:

<http://www.cooloud.org.tw/node/35977>

Russian:

<http://www.lenta.ru/news/2009/02/27/barbara/>

Spanish:

<http://www.elsiglodetorreon.com.mx/noticia/417981.insensibilidad-al-cubo-el-comentario-de-hoy.html>

French:

<http://www.liberation.fr/monde/0101321919-une-caissiere-viree-pour-un-1-30-euro>

http://www.lemonde.fr/archives/article/2009/02/25/allemande-envoyee-pour-avoir-detourne-1-30-euro_1160157_0.html

Swedish:

<http://www.dn.se/nyheter/varlden/kan-ha-forsnillat-14-kronor-fick-sparken-1.807695>

Czech:

http://zpravy.idnes.cz/zpr_archiv.asp?c=A090226_180421_zajimavosti_abr

Dutch:

http://www.volkskrant.nl/economie/article1155062.ece/Vergeten_statiegeldbonnen_kosten_cassiegrave_re_haar_baan

Greek:

<http://www.tvxs.gr/v6308>

Call for Solidarity for Barbara E., sacked in Germany for allegedly stealing 1.30 Euro after 31 years at her job

The case of Barbara E., called “Emmely” by her friends and the press, will be focus of the highest labour court in Germany, the “Bundesarbeitsgericht” on the 10th of June 2010.

Emmely had been working for a supermarket chain store called “Kaisers” for 31 years. The company maintains that she had set aside €1.30 worth of bottle deposits for herself, and that these deposit slips were the property of a customer. The suspicion was never proved, but still Emmely was sacked in February 2008. A few weeks before she was actively participating in an 18-month-long national strike in the retail services sector. She organized the strike in her shop for the service union Verdi and she had been warned by colleagues a few days before that she is on the black list.

The case of Barbara E. created an outcry across and beyond Germany and made it perfectly clear that it makes sense to resist these kinds of employer practices more publicly. Even if Barbara will not win the case, she has managed to stir up a debate on the treatment of workers and the power relations between employees and employers in the workplace in Germany. Due to Barbara’s insistence many other similar cases have been made public. It became a matter of public attention that workers in Germany are being sacked for decades now because of petty charges, such as “stealing” fragments of a euro cent by recharging one’s mobile phone, and that these dismissals are regularly authorized by German labour courts: this is the “Bagatellkündigung,” dismissal for minor causes. At the same time it has become a matter of public attention that the German labour law enables dismissals because of a “grounded suspicion:” that is, there does not have to be any proof presented of the suspicion that the employer voices against the employee. In Barbara’s case, as in many others, these two forms of dismissal are combined.

With these instruments of dismissal by suspicion and the dismissal for minor causes, mainly insubordinate and inconvenient workers are bullied and removed from their workplaces. With these instruments, the resistance of workers is being attacked.

Workers are affected by the economic crisis on a global scale. The employers are using the crisis in order to lay off more workers and to enhance the intensity of labour. The resistance against that is legitimate. If democratic states punish this resistance in an open or hidden way

– as it is the case with the dismissal by suspicion and the dismissal for minor causes – they are siding with the employers.

We support Emmely in her struggle against the German jurisdiction in labour law. We are concerned about the rights of workers in Germany and keep a critical eye on the case of Emmely. We would like to inform our members of Emmely's struggle, the situation of workers in Germany, and the activities of her employer, the Kaisers-Tengelmann AG.

First Name / Last Name ; Union / Country ; Position / Committee ; Date / Logo / Signature