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# The informal tactics of the Bangladeshi student migrant restaurant workers in Sweden: Crime or Survival Strategies?

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## Abstract

*This thesis inquiries into the reasons and consequences of the relationships between formal and informal laws with a particular focus on the Bangladeshi student migrant restaurant workers' everyday encounters of informality within Bangladeshi-owned restaurants in Sweden. Consequently, this study interleaved in socio-legal scholarships of informality. Departing from the pure legal centric emphasis on migration labour studies to understand the whys and wherefores and consequences of the migrant workers' work conditions, this study investigates the migrant workers' encounters of informality and laws regulating their working conditions from broader perspectives. In view of that, this study relied on the analysis of empirical data collected through in-depth interviews and ethnographic observations. The data is collected from the Bangladeshi student migrant restaurant workers who work in Bangladeshi-owned restaurants in different cities of Sweden. The interviews and the ethnographic field observations took place from February 2021 to April 2021. The concept of 'informality', 'legal culture', and 'legal violence' are used as analytic frameworks to analyze the empirical data to understand the reasons for the Bangladeshi student migrant workers' engagement in informality, informal norms, practices within the Swedish legal system. This study suggests that focusing only on the pure legal centralistic perceptions might not be self-sufficient to explain the Bangladeshi student migrant workers' intents and efforts to (non)compliance with the formal legal system of Sweden. As a result, to examine the complications of handling the issues related to the reasons of engaging in and depending on informal norms, practices, and social networks by the Bangladeshi student migrant restaurant workers in the legal environment of Sweden needs to be developed and understood on reason-based roots.*

**Keywords:** Informality, Legal violence, Legal culture, Migrant labour exploitation, Swedish migration law, Restaurant workers in Sweden.

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## List of Abbreviations

<b>EEA</b>	European Economic Area
<b>EU</b>	European Union
<b>FRA</b>	Agency for Fundamental Rights
<b>HP</b>	Higher education credit
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>PR</b>	Permanent residency
<b>SEK</b>	Currency code for the Swedish krona
<b>SMA</b>	Swedish Migration Authority
<b>SWEA</b>	Swedish Work Environment Authority
<b>USA</b>	The United States of America

# CHAPTER ONE

## Introduction

### 1.1 Background, purpose, and research questions:

According to the ILO, more than forty million people are victims of modern slavery globally, while nearly twenty-five million people are affected by forced labour.<sup>1</sup> In the restaurant industry modern slavery and forced labour is not uncommon.<sup>2</sup> All over the world, including Sweden, a noteworthy proportion of hard labour is carried out by the workers of the restaurant industries (ILO 2016). It is assumed that Europe is one of the hotspots of labour exploitation when it comes to the restaurant industry (ibid). However, the Swedish labour law has tried to maintain decent working conditions and established a government agency named Swedish Work Environment Authority (SWEA). The main goal of SWEA is to ensure the well-being of the employees. On the other hand, the anti-discrimination legislation of Sweden states that everyone has the right to be treated equally regardless of ethnicity, religion, gender, age, sexual orientation, or functional disabilities. According to SWEA, the rights of the workers are one of the foundations of the modern Swedish labour market. In the Swedish labour market, the powerful and pro-active labour unions by collective bargaining try to safeguard a working environment where the health and safety of employees are the main goals. Swedish labour law states that all migrant workers, including foreign student workers, have the same rights as other workers. Because of a high standard of life and job environment, Sweden has become a popular destination among Bangladeshi students over the years.

According to a report of the EU, the assessed retention rate of the international students in Sweden is nearly seven percent (Attracting and retaining international students in the EU- Country Report Sweden, 2018). A large portion of these retained students in Sweden are from developing countries and these students face many challenges to get jobs in the mainstream Swedish labour market (ibid). In Sweden, academic studies are often possible in English for international students. However, after studies, the international students discover their paucity of knowledge of Swedish along with the lack of private and professional networks to get in touch with employers to find jobs in their own sectors (ibid). According to Swedish migration law, after completing studies, the migrant students are legally entitled to stay in Sweden subject to fulfilling several requirements. At this backdrop, after finishing their studies,

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<sup>1</sup> For details, please see: ILO, Forced labour, modern slavery and human trafficking, available at: <https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

<sup>2</sup> Ibid.

a good number of Bangladeshi students try to settle in Sweden permanently with a dream of a bright future and secured life. The most common way to try to settle in Sweden for Bangladeshi students is to apply for work permit visas. According to Swedish migration law, if someone can maintain a work permit visa for four years, in that time he/she becomes entitled to apply for PR. According to the website of the Swedish Migration Agency (SMA), international students can apply for work permits if they want to stay and work in Sweden after completing their studies at a Swedish university. Students can apply for a work permit visa through the SMA without leaving Sweden before their residence permit for studies expires.<sup>3</sup> The offer of employment of the students must fulfill some conditions, e.g., the offer of employment must mention that the salary is at least on par with those set by Swedish collective agreements (for some types of employees, e.g., cleaners or restaurant workers, the minimum amount starts from SEK 13000 or, \$ 1565 before taxes<sup>4</sup>); the employee (the student) must be covered by four insurances (namely, health insurance, life insurance, occupational injury insurance, and occupational pension insurance), the worker union must approve the offer of employment, the student worker must get paid vacation of 25 days every year, etc.

If someone carefully analyzes the requirements established by the Swedish migration law, he/she might contend that accomplishing and fulfilling these requirements is challenging for many migrant workers, including Bangladeshi student migrant restaurant workers. Details of the (explicit) conditions and requirements of work permit visas are attached in Appendix III and IV. Studies suggest that the requirements set by the Swedish migration law and the Swedish labour law for the migrant workers to get work permit visas are designed in a way so that they can have a standard living condition in Sweden (Ruhs, 2013). However, arguably, there is the scope to debate that the Swedish migration law and Swedish labour law probably have “unintended adverse effects (legal violence)” (Menjívar & Abrego, 2012)” on the working life and conditions of Bangladeshi student migrant workers in Sweden.

In this given background, some students from Bangladesh who want to apply for work permit visa(s) and want to stay in Sweden permanently try to find jobs in their respective fields of study. However, many migrant students fail to get a job in their respective sectors (Edwards, 2019). Therefore, they try to get jobs in other areas, however, most of them fail again

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<sup>3</sup> For details, please see: Residence permit for looking for work after studies, available at:

<https://www.migrationsverket.se/English/Private-individuals/Studying-and-researching-in-Sweden/Looking-for-work-after-studies.html>

<sup>4</sup> SEK is the currency code for the Swedish krona. 1 American dollar is equivalent to (more or less) 8.30 SEK. In this thesis, in many places, I have used Swedish krona. Therefore, for calculating SEK into dollar, the readers might take this point into consideration. I will use SEK instead of dollar as I found it more convenient for this study.

(ibid). As a last resort to survive and stay in Sweden, many Bangladeshi student migrants try to get jobs in *Indian restaurants* which are largely owned by the Bangladeshi people (Dulal, 2016). For this study, I have made a thorough search and inquiries to the SWEA to know the number of *Indian restaurants* in Sweden. Nonetheless, I have got no particular data regarding the number of *Indian restaurants* in Sweden. To this end, to generate ideas for this study, I have personally visited 46 *Indian restaurants* in different cities of Sweden and found that among these 46 restaurants, 31 restaurants are owned by the Bangladeshi people which means that many Indian restaurants are owned by the Bangladeshi people. All over Sweden, the generic term *Indiska Restaurang* is used to describe *Indian restaurants*. For this thesis, *Indiska Restaurang* will be used as synonymous with Bangladeshi-owned restaurants in Sweden. Many Bangladeshi students have been working in these Bangladeshi-owned restaurants in search of secured lives, livelihoods and with the dream of staying in Sweden permanently (ibid).

News published in the mainstream Swedish media claim that many Bangladeshi students who work in Bangladeshi-owned restaurants face numerous difficulties to continue their jobs and work permit visas, i.e, a recent incident published in the mainstream Swedish media claimed that a Bangladeshi worker had been working seven days a week for 36 Swedish krona (SEK) an hour and he was also forced to sleep in the storage room of the restaurant, whereas, the owner of the restaurant has been living in his luxury villa valued at 16 million SEK.<sup>5</sup> There are also reports that the Bangladeshi student migrant restaurant workers hardly reveal their work conditions and helplessness to anyone or any law enforcement agencies for some known and unknown reasons.<sup>6</sup> In Sweden, the Bangladeshi student migrant restaurant workers accept low wages, difficult work conditions, long work shifts of more than 10 to 12 hours per day without any day off, and with negligible facilities.<sup>7</sup> Despite all of these, getting a job in these restaurants is not easy and these workers need to rely on their social connections to get jobs in these restaurants (Dulal, 2016). Consequently, the students from Bangladesh and other South Asian students (Bangladesh is situated in South Asia) try to re-construct their community and work-life “on their own terms” (Ballard, 1994). Perhaps, this tendency to re-construct their community and work-life on their own terms plays a role for the Bangladeshi student migrant job seekers to rely on Bangladeshi socio-legal culture and social networks to

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<sup>5</sup> For details, please see: Han fick 36 kronor i timmen av Indian Garden – ägaren bor i lyxvilla ( He received 36 kronor an hour from Indian Garden - the owner lives in a luxury villa), available at:

<https://www.etc.se/inrikes/han-fick-36-kronor-i-timmen-av-indian-garden-agaren-bor-i-lyxvilla>

<sup>6</sup> Ibid.

<sup>7</sup> For details, please see: Employees: Must pay to work at Indian Garden, available at:

<https://www.expressen.se/dinapengar/anstallda-maste-betala-for-att-jobba-pa-indian-garden/>

get jobs in Bangladeshi owned-restaurants in Sweden. Although, mere presumptions might lead us to think that the Bangladeshi student migrant job seekers in Sweden rely on their Bangladeshi socio-legal culture to get jobs. However, a systematic literature review reveals that the influence and control of the Bangladeshi socio-legal culture and orders in the daily lives of nearly thirteen million Bangladeshi migrants workers all over the world (including student migrant workers in Sweden) are significantly understudied (Rezaul Karim, Islam, & Talukder, 2020).

A systematic literature review shows that there is a considerable amount of academic studies worldwide on migration and exploitative working conditions of migrant workers. Yet, there is a lack of knowledge about the reasons and impact of informal norms and practices in the restaurant industry, especially, working conditions and labour rights of the student migrant workers from Bangladesh in Sweden. I contend that there is a need to investigate the working life and circumstances of the student migrant workers from broader socio-legal perspectives to add new knowledge to the existing student migration scholarships. The probable challenges the student migrant workers face in their lives as workers in a welfare country like Sweden may help us to see the Swedish labour market and migration law from a different perspective. A systematic study of the academic literature also indicates that there are hardly any academic investigations related to the Bangladeshi student migrant restaurant workers in Sweden. Accordingly, this thesis focuses on the Bangladeshi student migrant restaurant workers in Sweden. At these surroundings and contexts, this thesis aims to reveal the working conditions and situations of the Bangladeshi student migrant restaurant workers with particular attention to focus on the relationships between state law and informality in Sweden. This thesis seeks to accomplish this aim by interviews and ethnographically attending to the daily experiences of Bangladeshi students who work in different cities of Sweden in Bangladeshi-owned restaurants.<sup>8</sup> The overarching research question of this thesis thus the following:

- How can the Bangladeshi student migrant restaurant workers' everyday encounters of informality and the laws that regulate their working conditions be understood from a perspective of legal culture and legal violence?

This overarching question is divided into the following sub-questions:

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<sup>8</sup> For the safety of my participants and me, I have removed all the possible tracing markers. Consequently, I have not mentioned the names of the cities or names of the restaurants where they work. The details is given in methodology chapter.

- How the Swedish labour law and migration law impact the Bangladeshi student migrant restaurant workers' working conditions at the Bangladeshi-owned restaurants in Sweden?
- What consequences do the survival arguments have for the likelihood to improve the work environment in the Bangladeshi-owned restaurants in Sweden?
- Which role does the legal culture play in shaping the cope up strategies of the Bangladeshi student migrant restaurant workers within the Swedish legal system?

## **1.2 Arrangement of the thesis:**

The structure of this thesis is arranged in the following chapters. After this introduction chapter (Chapter One), Chapter Two clarifies in what sense the frequent terms and concepts are used in this thesis. Chapter Three provides a systematic literature review. This literature review focuses on the migrant workers' situations in Sweden, Nordic countries, and other different countries in the world. In this chapter, I have presented a systematic literature review to examine the scholarly literature that has focused on the situation of the migration workers with particular attention on the restaurant industry. This literature review has helped me to find out the research gap(s) and it was useful to engage with the mainstream debates. Chapter Four presents the theoretical framework of the thesis which is based on three concepts: legal culture, legal violence, and informality. In Chapter Five, I have discussed the outlines of the study design and the methodology. In Chapter Six, I have engaged in critically analyzing the empirical data. Chapter Seven of this thesis is based on the final discussion and concluding remarks where I have discussed primary empirical and theoretical findings as well as the significance of the thesis for policymaking.

## CHAPTER TWO

### Key terms and concepts:

This chapter is divided into two parts. The first part is based on the key terms and concepts that I have used in several places of this thesis. I have often referred to and used some terms and concepts, e.g., migrants and immigrants, migrant agency, precarity, exploitation, etc. These terms and concepts have varying meanings based on contextualization. Therefore, in what sense these particular terms and concepts are used in this thesis are clarified in this chapter. In the second part, I have discussed the socio-legal context of Bangladesh as this contextual information was needed for the readers of this thesis to be familiar with the analysis of the empirical data.

#### 2.1.1 Migrants and immigrants:

For this thesis, the terms migrants and immigrants are used interchangeably. According to International Organization for Migration (IOM), migrants or immigrants mean the persons who move away from their place of usual residence (home country) and across an international border to a country (host country) of which they are not nationals and try to settle in the host country permanently by fulfilling the legal requirements imposed by the host country.<sup>9</sup>

#### 2.1.2 (Im)migration law:

For this thesis, (im)migration law refers to the Swedish national statutes, regulations, and legal precedents governing (im)migration into and deportation from Sweden.

#### 2.1.3 Precarity:

The term precarity is also used in several places. Although there is a lot of scholarship related to precarity, for this thesis, I have used the term precarity to mean and understand the migrant workers' employment conditions which indicate- high uncertainty of employments that are modulated with insecurity and instability (Waite, 2008) along with other interrelated factors such as -low income, limited social benefits, limited legal rights and low social support (Motakef, 2019). Precarity in employments is a politically induced condition in which a certain group of people is exposed to injury, violence, and even death (Butler, 2009).

#### 2.1.5 Agency of the migrant:

For this thesis, the agency of the migrant is based on the understanding of human agency where the agent is capable of applying some degree of control over the social relations in which one is entangled, which in turn infers the capability to transform those social relations to some degree (Sewell, 1992).

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<sup>9</sup> For details, please see: Who is a migrant? Available at: <https://www.iom.int/who-is-a-migrant>

### **2.1.6 Exploitation:**

For this thesis, exploitation is used as synonymous with the definition of the Oxford dictionary. Accordingly, exploitation takes place when someone is treated unfairly by action or fact to benefit from his/her work.<sup>10</sup> For this thesis, the exploitation of the Bangladeshi student migrant restaurant workers means anything that falls below labour law standards as provided by the Swedish labour law.

### **2.1.7 Vulnerability to exploitation:**

For this thesis, I have used the term vulnerability as the circumstantial situations of the Student migrant workers due to which they are socially, culturally, or linguistically isolated. Because of these circumstantial situations, the Student migrant workers are unable to find employment which leads to losing their work permit visa(s) and deportation from Sweden.

## **2.2 Overview of the socio-legal context, legal culture, and everyday social practices in Bangladesh:**

Bangladesh was a part of the Indian sub-continent from 1757 to 1947 under British rule. As a South Asian country, the people of Bangladesh share an almost similar type of social interactions and practices to the people of other South Asian countries (Gani, 2011). The long colonial legacy of Bangladesh has impacted the lives of the people of Bangladesh in some ways (Shafa, 1989). For example, in Bangladesh, there are rich and elite groups of people who usually enjoy a lot of power. These powerful elites mainly consist of the ruling political elites and they inherit secular views and also cherish Western lifestyles (Gani, 2011). However, the majority of the people of Bangladesh are Muslims who are usually serious about their religion and traditions (ibid). Most of the people of Bangladesh have a strong sense of traditions, kinships, and blood bondages (ibid). For a long period, the social structure of Bangladesh is based on the concept of *Murrobbi(s)* which is almost synonymous with “senior respected citizens” (Shafa, 1989). In Bangladesh, the traditional everyday social order is based on the concept of the *Murrobbi(s)*. Moreover, many social positions in the community are based on mutual values and norms (ibid). In this system, a group of *Murrobbi(s)* hold the powerful positions to take important decisions in their own families and also in the community. Almost 92% of the people of Bangladesh are Muslims by birth and presumably, this has shaped the overall traditionalism of the communities (Riaz, 2020). The Bangladeshi Muslim community is mainly based on the concept of ‘Para or Gram’ (A particular area consisting of few thousand people with its own traditional practices) (Shafa, 1989). The legal culture of the Bangladeshi

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<sup>10</sup> For details, please see: Exploitation, available at: <https://www.oxfordlearnersdictionaries.com/definition/english/exploitation>

Muslim community is almost similar to other Muslim countries where the people of the community rely on several social norms that build the social order and rise solidarity in the community (ibid). In most instances, the social transactions and also sanctions are based on the religious and traditional, and the daily social interactions and culture of a “Para or Gram” are based on reciprocal interest (Gani, 2011). As a result of this, various characteristics of the “collectivistic culture” as argued by Triandis & Gelfand (2012), e.g., unity, coordination, sense of rights, and duties are noticeable within Bangladeshi culture.

The people of Bangladesh usually introduce themselves to each other by mentioning their place of origin, i.e., Para or Gram. Because of this particular sense of community and communal traditions, the people of Bangladesh usually inherit a sense and sincerity to rely on the informal norms and traditions that they have learned from the neighborhood. However, if someone or a group of people do not comply with the norms and rules of the ‘Para or Gram’ at that time that particular person or group of people might face informal sanctions which have even greater force than the State law itself (Gani, 2011). Moreover, because of various daily communications and social interactions in the community, they have developed an “invisible” yet strong bondage with one another and they rush to help one another at whatever time necessary (ibid). The people of Bangladesh have a strong sense of patriotism, though, because of widespread corruption, unemployment, and injustices, they hardly trust the government and the political elites. Bangladesh is economically developing very fast, however, the people of Bangladesh think that only the elite class of people and the corrupt government officials are enjoying good fortune. Because of this, many people of Bangladesh think that it is much better to rely on informal networks and services rather than the State mechanism (ibid). Although, the social rules and norms are unwritten and customary, however, these socially produced informal rules have value to the people of the community of Bangladesh (Shafa, 1989). In Bangladesh, the state legal system has a limited role in everyday lives. Rather, the social norms and rules of the “Para or Gram” have a greater impact and acceptance among people. Accordingly, attempts to realize and understand the Bangladeshi legal culture, deserve to focus on the norms and practices of the “Para or Gram” that govern the concepts of good and bad, right and wrong regarding everyday social behavior and transactions among the people of the Bangladeshi community.

## **CHAPTER THREE**

### **Literature review**

#### **3.1 Synopsis of the Literature review:**

The literature review is structured around the five relevant sections presented in the outline and structured as follows. The first part focuses on migrant workers' situation and working conditions in Sweden. The second part focuses on migrant workers' situation in other Nordic countries (e.g., Denmark, Finland, and Norway). The third part provides a global overview of migrant workers' situation in different countries, especially, in the most popular migrants' destination countries or classic immigration countries, e.g., the USA, Canada, etc. The fourth part provides a review of the socio-legal research on migrant workers. Part five presents an outline of the gap(s) acknowledged in the literature, from empirical viewpoints, and the theoretical perspectives of socio-legal studies. The primary aim of the chapter is to review the scholarly literature that has focused on the situation of the migration workers with particular attention to the restaurant industry. This literature review has helped me to find the dominant views among the investigators related to migration scholarships, to engage with the mainstream debates, and to identify research gap(s) concerning my thesis.

#### **3.2 Migrant workers' overall situation in Sweden**

The academic studies in Sweden related to migrant workers' situation reveal that numerous issues impact the overall situation of the migrant workers' work lives. However, there are conflicting views to determine which reasons are more significant in determining the situation of the migrant workers' work lives. The existing investigation related to the migration studies in Sweden suggests that the main reason for precarity and exploitation in the workplaces occur due to the inadequate responses of the enforcement authorities (Sommers & Woolfson, 2014;Frödin & Kjellberg, 2018). However, the study of Nordlund & Pelling (2012) suggests that new changes of Swedish labour migration law are the main reasons for precarity and exploitation in the workplaces as these new changes have forced the migrant workers to accept low-wage occupations. Nordlund & Pelling (2012) also suggest that small companies or individually owned ventures (e.g., restaurants or cleaning companies) employ low-skilled labour migrants. However, the view of Emilsson(2014) is that both small and large companies might exploit migrant workers (Emilsson, 2014). Dunlavy (2017) has investigated the educational attainments of migrant workers and argued that the over-educational attainments of migrant workers do not help them, rather, many educated migrant workers are compelled to do physically challenging jobs in many instances. In opposition, Emilsson (2014) claims the

competent migrant workers do not suffer from precarity and also there are no significant dissimilarities in working time or sick leave between migrant workers and native Swedes. Language skills are an important factor in getting desirable jobs in Sweden (Emilsson, 2014; Frödin, 2018 ).

Migrant workers who are working in restaurants and cleaning companies appear to be exposed to exploitation due to unequal power between them and the employer and they are being used in an unjust manner (Nielsen & Ware, 1997). On the other hand, Ollus(2016) contends that due to lack of information and vulnerability, all types of migrant workers are dependent on the mercy of the employer and as a result, they never dare to oppose their employers. To understand the overall situation of the migrant workers in Sweden, the investigation of Englund is crucial. In his investigation, Englund has found that Sweden practices exclusion for migrant workers, and the terms for their participation are set by the Swedish government (Englund, 2002). Migrant workers might legally be allowed the same working conditions as Swedish workers, but they are left out from taking part in the Swedish labour market on the same conditions as Swedish workers (Woolfson, Fudge, & Thörnqvist, 2014). The investigation of Woolfson, Fudge, & Thörnqvist ( 2014) contend that the Swedish legal framework for labour immigration is complex; some employers have been taking benefit from the Swedish migration laws and the legal system because of its complex nature. Whereas Dingeldey (2007) assumes that both the employer and employees take advantage of complex Swedish migration and labour laws in various ways. Most of the time, the migrant workers need to take the risk of losing their jobs and all other facilities including losing their work permit visas if they try to raise their voices against exploitation (Ostaijen, Reeger , & Zelano , 2017)). Academic investigation has revealed that in Sweden the migrant workers are sometimes treated as commodities and it happens because of inadequate negotiating positions (Dingeldey, 2007; Ostaijen, Reeger , & Zelano , 2017). In the case of migrant workers who are on work permit visas, are more unprotected to fraud as they do not have any negotiating power over their employment terms (Frödin & Kjellberg, 2018).

### **3.3 Migrant workers' overall situation in other Nordic countries (e.g., Denmark, Finland, and Norway)**

The academic literature studied for migrant workers' overall situation in Nordic countries confirms that migrant workers do not enjoy minimum protection given to all workers in the EU by the Framework Directive (EU) (Rights, 2019; Emilsson, 2016). The academic studies reveal that in the restaurant industry in the Nordic countries the working conditions are poor as the employers use strategies to keep workers in a condition of exploitation which

includes violence and threats, strategies to isolate workers, and restrict their social contacts (Ilsoe, 2020). However, Haandrikman & Hassanen (2014) observed that the labour laws of the Nordic countries are good but the ineffectiveness of the law enforcement agencies is responsible for the exploitation and poor work conditions of the migrant workers. The restaurants and hotels which are owned by the immigrants are unsafe and unhealthy and in these places, the low-skilled workers are more likely to be exposed to adverse working conditions than natives (Orrenius, 2009). However, there are opposite views related to the findings of Orrenius(2009). Ambrosini & Barone (2007) has argued that in the Nordic countries in the establishments of the Nordic people, the migrant workers face adverse working condition because of poor language skills. In the context of the EU and the Nordic countries, only a few studies are conducted on hazardous and physical hardship-related jobs, whereas, nearly 90% of the included studies were conducted in the United States, Australia, and Canada (Ek & Skedinge, 2019). Most of the migrant workers in the Nordic countries suffer from poor housing conditions, lack of opportunity for education, poor health conditions due to low income (Karlsdóttir, Norlén, Rispling, & Randall, 2018). Other contrasting views expressed that low income is not the only factor for the multi-level suffering of the migrants in the Nordic countries, apart from low-income, the migrant workers are marginalized as they are excluded from participation in many areas of social life that are regarded as essential in a given society (Fermin & Kjellstrand, 2005).

Finnish academic studies specify that migrant and immigrant workers experience their work as monotonous more often than native workers as their working tasks are physically demanding and they do not get proper appreciation (Sutela, 2007). However, Swedish studies argue that foreigners are more exposed to strenuous working postures than nationals but that migrant workers experience occupational stress and psychological pressure as less of a problem than native workers (Salminen S, Vartia M & Giorgiani T 2006). Norwegian studies have disclosed that the working conditions of migrant workers are often more unfavorable than those of native workers(ibid). Academic investigations conducted in Denmark suggest that the social climate and relations at the workplace could give rise to special difficulties for migrant workers (Husäler, 2010).

### **3.4 Migrant workers' overall situation in different countries**

According to the ILO's assessments, there are more or less 150 million immigrant workers throughout the world and almost one-third of these workers are the victim of modern-day slavery and inhumane working conditions (ILO Report, 2017). Most immigrant workers throughout the world are engaged in the services sector and in industries where they work in low-skilled and low-paid jobs (Orrenius & Zavodny, 2009). Studies uncover that international

migration exposes individuals to considerable hardship, with implications for health and wellbeing (ibid). On the other hand, Moyce and Schenker (2018) have found that the opportunities that the migrant workers get in the host country override the risk of exploitation, at least to the migrant workers. The investigations of both Guild(2004) and Cholewinski (2005) reveals that the economic need, lack of knowledge of legal provisions, Lack of knowledge of migration rules and procedures, lack of knowledge of the language of the country of work, lack of effective inspections by the authorities are some of the most significant reasons that shape the overall situation of the migrant workers all over the world (Guild, 2004; Cholewinski, 2005). Conversely, Wong and Lee (2003) claim labour exploitation determine the situation of the migrant workers most significantly. In this regard, the view of Husäler (2010) is that migrant workers including student workers are in a specifically vulnerable position due to their residence status in the host country.

### **3.5 Socio-legal researches related to the situation of the migrant workers:**

There are varying socio-legal researches related to the situation of the migrant workers, e.g., the effect of documents and visas in the lives of the migrant workers; the vulnerability of the migrants due to legal absence in the documents, etc. Glesson (2010) investigated the type and nature of the legal status of the migrants; Coutin (2003) has investigated the interactions of the migrants with the formal legal system of the host country. Abrego (2011) has examined the knowledge and experiences of the migrants related to the immigration laws of the host country. Some researchers have focused on how immigration laws produce several categories of migrant illegality” (De Genova 2002; Menjívar 2006; Kubal 2013; Ngai 2014). The investigations of Calavita (1998) and De Genova (2002) reveal that the legal categories of immigrants influence their ability to enjoy various benefits in the host country. The investigations of Farcy and Smit (2019) expose that the enforced temporariness and the conditionality of migrants’ stay increase the risk of precariousness and irregularity irrespective of migrants’ nationality. Dwyer (2016) assumes that socio-legal status determines the differential rights to residence, work, and social welfare that accrue to migrants depending on their particular immigration status. Heyman and Smart(1999) consider that in a country the migrant workers might bypass the state law and engage in informality if they consider it as a better option. Similarly, Urinboyev (2017) suggests that there are informal practices among the migrant workers in some countries (e.g., Russia) in different terms of content, forms, actors, and magnitude, and terms of geographical scope, due to ongoing large-scale migratory processes.

### **3.6 Research gap:**

In many developed countries, including Sweden, there are a good number of restaurant workers. As a result, some academic literature is addressing the living and working conditions of these workers. However, after conducting a systematic literature review, it has been found that there has been a little scholarly investigation of informality in the restaurant industry in Sweden. Whilst the strong presence of the students from a so-called developing country like Bangladesh has become a pervasive phenomenon in Swedish higher education institutions, hardly any research has explored the underlying migration trajectories that facilitate the Bangladeshi students' migration to Sweden which try to address the presence of informality in the student employment in Bangladeshi-owned restaurants. The unique role that the Bangladeshi culture plays in the lives of the Bangladeshi student migrant restaurant workers in engaging informal practices requires investigation as there is no noticeable study related to this.

I consider this research is well-timed to investigate why the Bangladeshi student migrant workers in Sweden engage in informality. Moreover, socio-legal methodologies have been used very limitedly to study why the migrant workers engage in informality and rely on their legal culture and informal norms and practices in the adverse legal environment in the host country. There are also limited studies related to the agency of the migrants and their capability to cope up with the legal restrictions of the host country. Moreover, there are significantly fewer studies related to how migrant student workers organize their day-to-day lives in the host countries. I assume in the restaurant industry of Sweden, there is a notable gap in working-life research. The literature review reveals that there is good scope to investigate this area from empirical, theoretical, and policy perspectives. This research is going to produce new insights on student migration research in the restaurant industry, migrant student workers' work environment research, informality, legal culture, and legal violence within the Swedish national context. From a policy perspective, there is hardly any research on student migrant workers in the restaurant industry in Sweden and as a result of this, Swedish authorities have been facing complications to handle issues related to the regulation of migrant workers in the restaurant industry. Therefore, this thesis might contribute to policies to the problems related to migrant student workers in the restaurant industry and this might also help the Swedish authorities related to the working life of the migrant student workers.

## CHAPTER FOUR

### Developing the theoretical Framework

#### 4.1 Overview of the theoretical framework:

To investigate the research questions of this thesis, a relevant theoretical framework is required. Henceforth, I draw on the concept of legal culture, legal violence, and informality as a theoretical framework. I have combined these three concepts to understand and analyze my empirical data concerning. I contend these three concepts provide useful insights to analyze my empirical data for several reasons which are discussed in the relevant part of this thesis. This chapter is divided into three parts. The first part focuses on the concept of legal culture and how this concept is relevant and useful for analyzing empirical data. The second part of this chapter is based on legal violence. This second part also discusses how the concept of legal violence impacts the analysis of primary data and how this concept is suitable for analyzing the empirical data. The third part centers on the concept of informality and how this concept has contributed to analyzing my primary data.

#### 4.2 Legal culture:

Lawrence Friedman, the acknowledged architect of the term “legal culture” considers legal culture as “the idea, values, attitudes, and opinions which the people in some society hold concerning law and the legal system” (Friedman,1994). He also considers legal culture as attitudes, ideas, beliefs, and expectations related to law (Friedman,1997). Many researchers consider legal culture as one of the most crucial concepts within the field of socio-legal studies. However, it is difficult to give a distinct definition of legal culture due to numerous interpretations of this concept. Nelken argues that defining legal culture is complex and difficult, however, he argues that legal culture is about who someone is and it is not just what someone does (Nelken, 2001). Legal culture presumes that structures of law are embedded within a greater socio-cultural context (Nelken, 2013). Legal culture examines empirical deviations to find out the existence of different concepts of law rather than institute the concept of law (Tamanaha, 2001). There are also ongoing and ever-expanding tensions between the researchers of the legal positivist school and the researchers of the socio-legal school. However, Banakar (2012) considers that legal culture is a broader term that includes both the state legal system as well as traditional legal institutions, moreover, this term includes many informal forms of normative orders.

Kubal (2013) argues that legal culture might be an effective tool to understand how people interpret and relate themselves to law. Kubal (2013) assumes that the legal culture

has a significant role in determining the relationship between the immigrants and the host country's state law. She also argues that the migrant communities' values or attitudes to the host country's state might be distinctive from the values or attitudes which is meant by the host country's state law. Legal culture is helpful in understanding and subsequently researching the similar mechanisms that many international migrants are faced within the context of their beginnings in the host country. Legal culture helps to capture the gradual nature of migrants' legal adaptations in a society (Kubal, 2013). Legal culture also helps us to realize the migrants' legalization strategies by showing how understandings and social interactions of the migrants might partly shape institutions, while institutions and larger social structures provide the foundations for and constraints on individual understanding and social interaction (Ibid). Legal culture also helps to understand how the migrants dispute with the system of the host country (Coutin, 1998). If the migrants of a host country are powerful in that time they dispute with the system to establish themselves in the legal categories, on the other hand, if the migrants are powerless, in that time, they try to use various strategies to fit within the system (ibid).

To understand the responses and reactions of the migrants to the legal system of the host country, the researchers should not just confine themselves to the legal culture of the host country, rather, they need to focus on the perspective of migrants' legal culture, researching their values, attitudes to law and accustomed patterns of legal behaviour (Kubal, 2013). Legal culture is a significant tool to recognize the cultural background of the migrant workers as it takes into account the cultural patterns of values, attitudes to law, and means of dispute resolution stemming from the different legal orders that migrants were socialized to before their arrival and residence in the host country(Ibid). Some researchers argue that people from different parts of the world bring their legal culture to the host country and try to lead their lives on their "on their own terms" (Ballard 1994). Legal culture might be a useful tool to understand the experiences of the migrants and their cultural codes in the host country (Bhattacharya 2008). The legal culture of the migrants and their previous experiences might be beneficial to explore how migrants reserve and re-create their social norms of the country of origin in a new legal environment which eventually helps to articulate a pluralistic legal environment within the host country (Ballard 2007).

Therefore, I consider that the concept of legal culture might be relevant to understand the Swedish socio-legal context from the perspectives of the student migrant workers of Bangladesh who are working in the restaurant industry. The legal culture theory also helps us to understand the different ways the Bangladeshi student migrant restaurant workers take on to cope up with the new legal environment as well as the Swedish migration law(s).

What The Swedish migration law means and what is meant by the Swedish migration law to the ‘Bangladeshi student migrant restaurant workers’ (Chiba 1998; Pirie, 2010). In other words, this legal culture theory might be a helpful tool to understand the responses of the ‘Bangladeshi student migrant restaurant workers’ towards the Swedish migration law in their everyday lives or when they face the SMA; how do they differ in values and attitudes to Swedish migration law, what are their diverse understandings of what the Swedish migration law(s) is (are) meant for them and what different meanings of the legality they might have.

#### **4.3 Legal violence:**

Cecilia Menjívar and Leisy J. Abrego’s ‘legal violence’ concept has been utilized as a framework to understand the unintended effects of the Swedish migration and labour laws on the working life and conditions of Bangladeshi student migrant workers in Sweden. In their work, ‘Legal Violence: Immigration Law and the Lives of Central American Immigrants’ they have formed a foundational basis of the concept of ‘legal violence’. The legal violence concept is comparatively a new concept which primarily reviews the harmful effects of the law that can theoretically hinder and disrupt immigrants’ paths of incorporation (Menjívar & Abrego, 2012). A thorough analysis of the view of Menjívar and Abrego (2012) indicates that the migrant workers who are always pursuing legal recognition of the host country might face and experience ‘legal violence’.

Menjívar & Abrego (2012) have used the term ‘legal violence’ to refer to the effects that are frequently harmful to the livelihood of immigrants within the legal system. According to them, the concept of legal violence integrates the various, mutually underpinning forms of violence that the law makes possible, and by applying the legal violence framework, Menjívar & Abrego (2012) have found several contradictions in the immigration law (e.g., the migration laws make the immigrants accountable to the law but also excludes them from legal protections or rights, as a result of this, many migrants are allowed to live in the nation but not be perceived as part of the nation). The concept of legal violence is thus a suitable framework to investigate the living conditions and experiences of contemporary immigrants as it addresses the distress of the migrant workers resulting from the migration laws of the host country (Menjívar & Abrego, 2012). Moreover, State laws aggressively imposed different types of violence by using formal State mechanisms which are seen as “normal, appropriate and lawful” because it “is the law of the State” (ibid). In many instances, the policy makers and political leaders enact laws that are violent towards the migrant communities and this violent effect may be considered a form of both structural and symbolic violence (ibid). The concept “legal violence” is more suitable to investigate the violent effect on the lives of the migrants imposed

by the State migration laws as this concept deals with how the legal practices which are implemented through formal procedures affect the lives of the migrants adversely (ibid).

Espiritu (1997) and De Genova (2004) contend that legal violence against migrant workers is not a new-fangled phenomenon (Espiritu 1997; De Genova 2004). The migration laws themselves permit some forms of violence against most of the immigrants, especially, the low-skilled migrant workers (Takaki 1989; Espiritu 1997; De Genova 2004). Another assumption of legal violence is observed when the state uses a deliberate tactic to produce cheap migrants so that they can be included in the labor market under a condition of “enforced and extended vulnerability” (De Genova, 2002). Legal violence has multi-pole dimensions, e.g., it denotes the “normalized but cumulatively” detrimental effects of the law on the lives and work of the migrant workers ((Menjívar & Abrego, 2012); or, another form of legal violence is that the immigration laws are usually written and enforced in a way that made it practically impossible for the immigrants to maintain legal status for a certain period (Calavita, 1998). The present-day legal violence is deep-rooted in several distinct aspects or elements of laws at the different levels of the migration policies which enables a climate of insecurity and suffering among individual immigrants and their family members (Menjívar & Abrego, 2012).

The legal status of a migrant worker in the host country is the most crucial part of his/her migrant life (ibid). This legal status is fundamental to the migrant workers; however, both migrant legality and illegality are fashioned legally which might inevitably violate the rights of the migrants which is recognized as “another” dimension of legal violence (Ngai 2007; Armenta 2011). Legal violence also shapes immigrants’ work experiences, e.g., the migrant workers who suffer from the adverse effect of legal violence might earn low wages in jobs with no benefits (Ibid). The legal violence framework can capture the physical, structural, and symbolic violence (Ibid). Some researchers contend that one of the forms of legal violence might be observed in the situation of rigid migration law. If the migration laws are rigid and the workers need to maintain many formal and legal requirements, in that time, the migrant employees might intentionally be subjugated and exploited by the employers (Ngai 2007; Armenta 2011). It is also indicative that if the work permit visa process and requirements are complicated, in that situation, migrant workers would be compelled to approach informal practices. The harder the process of obtaining a work permit was, the more willing migrants would be to informally pay intermediaries (Urinboyev,2020).

Menjívar (2006) argues that the current immigration policies almost all over the world are not sympathetic to the immigrants as the migration policies are “violent” towards the migrants. In most of the developed countries, the current immigration regime encourages

structural and symbolic violence and as a result of this, the migrants and their family members have been affected adversely (Abrego & Lakhani, 2015). Accordingly, the legal violence concept is useful for my thesis because it will help me to find the central role of Swedish migration law as the Swedish migration law has (arguably) accepted and normalized the practices that harm migrant workers. The legal violence framework will also allow us to determine how Swedish migration law(s) has marginalized the students from Bangladesh many of who have completed their Master's level studies from Swedish universities. Thus, the concepts of legal culture and legal violence will provide a relevant analytical lens to understand how the Bangladeshi student migrant restaurant workers encounter informality, exploitation, and precarity within Bangladeshi-owned restaurant and their encounter of law regulating migrants working conditions.

#### **4.4 Informality:**

Academic scholars attributed Keith Hart to be the pioneer of coining the concept of informality (Steiler, 2018). In 1973, this concept was coined by Keith Hart which has several meanings, e.g., relationships that take place between the employees and the employers outside official settings; no presence of formal protocol; practices of getting things done beyond the formal ways, etc (Hart K., 1973). However, the researchers have contended that is difficult to define informality as it has a long history rather than a definition (Ledeneva, 2020). Informality is mainly accepted as an umbrella term that encompasses a variety of social and cultural phenomena that are too complex to be gripped in one single definition (ibid). Informal practices may escape official discourse, but they capture the 'know-how' of what works in the vernacular (ibid). In modern times, informality is considered as world's open secret (ibid). Nonetheless, for this thesis, the concept of informality is used to mean "a variety of activities, unwritten rules, and hidden practices (Hart K., 1973)" that the Bangladeshi student migrant workers rely on in Sweden to comply with the Swedish migration law and labour law so that they can continue their work permit visa(s). By these informal practices, the student migrant workers innovate several ways to fulfill the requirements of maintaining the work permit visa(s). Consequently, this concept of informality has been utilized for this thesis as a framework to understand how the Bangladeshi student migrant workers innovate and rely on a variety of activities, unwritten rules, and hidden practices so that they can survive within the legal environment of Sweden and continue their work permit visas and fulfill the other requirements to stay in Sweden legally by escaping the formal ways of getting things done.

# CHAPTER FIVE

## Methodology

### 5.1 Overview of the research design:

I assume, for this study, perspectives from both subject and researcher were “essential and inevitable, if not treasurable, (Leung, 2015)”. To this end, I was very careful to ensure validity, reliability, and generalizability as they are “gold criteria for this type of research (ibid)”. I have tried to enhance validity in extraction and analysis. For doing so, I have relied on triangulation, (e.g., methodological triangulation, combined data collection methods or, semi-structured interviews, and ethnographic observations) and also multidimensional analysis (Schreier, 2014). To ensure the reliability of this thesis, I was consistent in all possible ways (Drost, 2011). For ensuring the originality of the data, after transcribing the interviews, I have taken feedback from the participants if it has reflected what they wanted to say (Taherdoost, 2016). Although, it was important for this study to ensure generalizability, however, it was also very challenging due to word limit and other limitations. Primarily, I thought to select the participants from three cities of Sweden. However, by selecting participants from three cities, it was difficult to ensure generalizability. To overcome this challenge, I used the simple random sample method in an innovative method and ensured that every interested student migrant restaurant worker from Bangladesh in different cities of Sweden (i.e., my targeted population) has an equal chance of being selected (Details is discussed in the relevant part). For this, I have relied on the ‘Stat Trek’<sup>11</sup> random number generator for selecting the participants. I assume this generalizability is applicable for the Bangladeshi student migrant workers in Sweden, this study does not claim that the findings of this thesis represent the student migrant workers from other countries.

During this coronavirus time, conducting face-to-face semi-structured interviews or staying with the student workers in their shared accommodation for ethnographic observations might seem to be challenging. However, for me, it was not difficult for several reasons, e.g., I was coronavirus positive before the ethnographic observations; I had anti-body and more importantly, I had got vacation on a priority basis because I work with children with special need in Stockholm. The student workers in their accommodation seemed to be happily welcomed me to their shared accommodation as a co-tenant for few days.

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<sup>11</sup> For details, please see: Random number generator, available at: <https://stattrek.com/statistics/random-number-generator.aspx>

## **5.2 Selection of the participants and ways to communicate with them:**

The participants for my study (i.e., Bangladeshi student migrant restaurant workers) were not easy to access due to their closed nature (Brewerton & Millward, 2001). However, there are some social media groups based on Facebook and WhatsApp for Bangladeshi students in Sweden where they usually post for seeking help from the student community. I am also a part of this student community and a member of these groups. Therefore, I had posted on these Facebook and WhatsApp groups for conducting interviews for this study. I also mentioned that I want to interview the student workers who got a work permit between January 2017 to December 2020 from a Bangladeshi-owned restaurant. This time-binding was needed for this study as after four years of work permit, the student workers usually apply for PR in Sweden. I got good responses for my posts from these groups and a total of 38 student workers wanted to participate. Thereafter, I communicated with these willing participants by mail and other communication methods and send them the questionnaires, and requested them to think for at least one week if they want to participate in my study. After one week, 32 student workers from all over Sweden replied to me and wanted to participate voluntarily. I had to limit the number of participants to nine due to the word limit of this thesis and probably the repetition of data. I selected them by a simple random sample method.

For ethnographic observations, I have relied on a private Facebook group related to shared accommodations for Bangladeshi students and student workers. In this group, they usually post for new tenants in their shared accommodation. I had frequently searched for shared accommodation so that I can stay with the student workers who have been working in Bangladeshi-owned restaurants. As a student from the Bangladeshi community, it was not highly difficult for me to communicate with these student workers and stay with them for some days. I have communicated with these student workers and I got a good response from them and I stayed in three cities in four places for few weeks for ethnographic observations.

## **5.3 Data collection method(s):**

For this study, I have collected data by using the qualitative method as it is “suitable for this type of study” (Mason, 2018). In line with the theoretical framework(s) as mentioned in the previous chapter, the methodological approach for this project is based on nine semi-structured with the student migrant workers and multi-sited ethnographic observations over the period from February 2021 to April 2021. I assume these two preferred data collection methods were suitable from some viewpoints, e.g., from the ontological,

epistemological and theoretical. Instead of only interviews or only ethnography, I have used this mixed method of data collection for several reasons (e.g., methodological triangulation).

The semi-structured interviews and ethnographic observations of collecting data enabled me to obtain reliable empirical data on the student migrant workers' knowledge, understandings, and experiences of Swedish migration law; various issues and aspects that have stimulated the student migrant workers to engage in informality; the student migrant workers' reliance on the migrant agency to cope up with the requirements of Swedish migration laws; the student migrant workers' arrangements with the employers of the Bangladeshi owned restaurants in Sweden, the student migrant workers' activities to create an information technology as well as a smartphone-based social network which help them to maintain relationships both in Sweden and Bangladesh to imitate their social norms and practices that they have inherited from Bangladesh.

### **5.3.1 Semi-structured interviews:**

Mason argues that interviews help to investigate the experiences of private and public lives of different categories of people (Mason, 2018). As this study is empirical, nine in-depth semi-structured interviews were conducted with the participants to collect empirical data. The interviews lasted for 45 minutes to one hour. I assume a sample size of nine interviews was suitable for this study, especially, considering the time frame. There was also the possibility that the data might be encumbered because of the large volume of rich data produced. The production of rich data might not always give the best result because of the overflow of similar data, however, in the situation of data overload the researcher needs to realize if more interviews might help or not (King, 2004).

I have asked several open-ended questions to the participants which covered six different themes (the questionnaire is given in Appendix II). The themes which were covered by these open-ended questions include- a) the educational and demographic questions related to the student migrant workers b) the employment process of the student migrant workers and the working conditions in the Bangladeshi restaurants; c) the knowledge, understanding, and experiences with Swedish migration law by the student migrant workers; d) the strategies and tactics that the student migrant workers follow to maintain their work permit visa(s) in Sweden; e) the legal culture of Bangladesh and the experiences of the student migrant workers related to the Swedish migration law; f) the role of the student migrant workers' social networks and relationships in Sweden.

### **5.3.2 Ethnography:**

Ethnography might be descriptive, or even, in the form of a story-telling (Walker 1981). Ethnography is usually a silent conversation between the ethnographer and the participants which assures reflexivity (Hegelund 2005). Informal conversations take place between the ethnographer and the participants in observation fieldwork as they engage in extemporaneous communications. In ethnography, the participants are not merely passive objects rather they are considered as actors. Anthropologist Clifford Geertz in his book “The Interpretation of Cultures (1973)” has measured that the most essential characteristic of ethnography is the so-called “thick description” (e.g., a narrative of human social actions that describes not only physical behaviors but also the context as interpreted by the actors and as a result of this, the outsider(s) get the opportunity to apprehend it better).

The ethnographic study that I have conducted with the Bangladeshi student migrant workers who have been working in the restaurants owned by the Bangladeshi people in Sweden was based on these discernments. These considerations have helped me to get a “thick description” of the multifaceted sequence of events that took place in the Bangladeshi student migrant workers’ progression to start working in the restaurants owned by the Bangladeshi people in Sweden. All through my ethnographic observations, I have tried to observe the participants in a manner so that I can get usual and sudden exposures. Moreover, I have considered the Student migrant workers as experts on their working life situations and how they meet the requirements of Swedish migration law. I have explored the day-to-day activities of the Bangladeshi student migrant restaurant workers in “closed settings”, it helped me to observe how the daily activities of the members of a society are accustomed to some rules, habits, and norms (Sjöberg, 2011).

For this study, there was a primary doubt that the participants might act and behave differently with the awareness that I am observing them, however, within a couple of days, everything became normal and as usual, as the Bangladeshi student migrant restaurant workers realized that I am also from the same background. My role was passive (a distant observer) which allowed me to have more space for careful observation and note-taking for my studies. Since the aim of my thesis is to explore the Bangladeshi student migrant restaurant workers’ everyday encounters of informality within Bangladeshi-owned restaurants and their encounter of law regulating migrants’ working conditions, I have accessed the information by observations. Observation is a good technique for ethnographic research as it explores the relationship between formal and informal norm systems (Blundo & Oliver de Sardan, 2006). The primary data by ethnography were collected from four locations which are situated in four

cities of Sweden (I am not mentioning the names of the cities because of the safety of my participants). The reason for selecting these four locations is that many Bangaldehysi student migrant workers work and live in these places.

#### **5.4 Method of analyzing the data:**

For analyzing the data, I considered that the qualitative thematic analysis method was appropriate as it allowed me to identify, analyze and write a report following the themes which were existent in the collected data (Bryman, 2016). Consequently, the collected data for this study has been analyzed manually by me utilizing the qualitative thematic analysis method. I have relied on a deductive as it is suitable for the collected data that is generated through semi-structured and ethnographic observations (Mason, 2018). For this, I have relied on Braun and Clarke's (2008) proposed six steps process of using thematical analysis. For this purpose, I have read my collected data for serval times and be familiar with it. Then, I have systematically coded my data that helped to generate the themes. Thereafter, I have reviewed the themes few times. Afterward, I had named the themes and lastly, I had analyzed the collected data for this thesis.

#### **5.5 Ethical Issues:**

I adhered to and upheld confidentiality, privacy and anonymity, informed consent, and voluntary participation. Some precautions were taken throughout the research due to this. I have assured the anonymity and the confidentiality of the information provided by the participants. All my participants were fully informed related to the purpose of my study. Moreover, I have taken written informed consent which was counter-signed by the participants and me. I have changed all the names of the participants and at the same time, I have hidden the locations of the participants in most generic terms (e.g., a worker in a city of Sweden). Moreover, I have removed all types of identification marks in all possible ways to ensure "not to harm" the participants.

##### **5.5.1 Reflexivity and positionality :**

As an interviewer and observer, my positionality and reflexivity were crucial and I was careful of this. As I am also a student, therefore, there was a possibility that I might be biased towards the participants because I share that same background as them, however, I have tried my best so that I could be free from my biases and assumptions. My role as a researcher was passive, leaving the participants the freedom to speak about their life stories without interruption. I have also deliberately set aside my presuppositions about the phenomenon under investigation (Madill, 2000). As a research, I hold the responsibility to make sure that my assumptions, expectations, and beliefs should not affect the overall process of my research, e.g.,

from the advancement of developing the research question(s) to the final discussion. I have also ensured that my relationship with the interviewees has not impacted the production of the research.

### **5.5.2 Confidentiality:**

As a researcher, it was my duty to safeguard that the information provided by the participants is not shared with others who do not have any stake in the research (Mason, 2018). Henceforth, I have used the collected data and information only for this research. At all levels of my interactions with the participants, I have explained my aim of the interactions with them and I have also asked for permission if I can record their interviews. I requested feedback from the participants after transcribing the interviews and research output and they have given their feedback as well. The third parties are allowed to use the data only for research purposes and I have also clarified this to my participants.

### **5.5.3 Safety of the researcher and the participants:**

As a researcher, it was my responsibility to ensure my safety and the safety of the participants. All through the process of collecting the data, I was careful to ensure my safety and the safety of the participants. Some recent events related to the exploitation of the Bangladeshi migrant student workers have been published in the mainstream Swedish media which has also significantly reduced the risks for me and my participants as it is exposed as an open secret now among the Bangladeshi community in Sweden and other concerned.

### **5.6 Limitations:**

All the data were collected in Bangla and then translated into English. In this process, there was a challenge for interpretive and meaning inaccuracies between what was originally said by the interviewees and what was translated. However, to avoid these problems, after transcribing the interviews, I have communicated with the participants again and they have offered feedback on their interviews, which has helped me to overcome the likelihoods of discrepancy in the meaning of what was indicated and stated by the participants. One of the limitations of my study is to ensure diversity. All of my nine participants were male as I have not got any response from the female student migrant workers who worked in the Bangladeshi-owned restaurants. However, my informal inquiry in this regard has helped me to understand the female students from Bangladesh very rarely prefer to work in Bangladeshi-owned restaurants. I could not also find out the reasons why the female students usually do not prefer to work in Bangladeshi-owned restaurants. However, my informal conversations with male workers and other relevant inquiries have led me to assume that the female workers usually do not prefer to work in Bangladeshi-owned restaurants because of various safety-related issues (e.g., sexual harassment or insecurity).

## CHAPTER SIX

### Primary Data and Analysis

This chapter is divided into three relevant parts. The first part is centered on interactions between informality and laws from the perspectives of legal culture; the second part is grounded on interactions between informality the perspectives of legal violence. The third part provides a critical overview of the analysis of the primary data. I assume this splitting up into three-part was useful for the sympathetic analysis of the collected data.

#### **6.1 Interactions between informality and laws from the perspectives of legal culture:**

The people from South Asia most instances try to re-construct their community life “on their own terms” (Ballard, 1994). The people of Bangladesh are no exception to the tendency of building their community life “on their own norms and practices”. The people from South Asia incline to follow their own social, cultural, and legal orders, and means of dispute resolution to solve their challenges in daily lives (Ibid). I assume this observation reveals insightful insights into the influence of the socio-legal culture of Bangladeshi migrant workers in Sweden. For example, in the Bangladeshi community in Sweden, there are some ‘Murrobbi’ (e.g. old but influential and powerful people) who came originally from Bangladesh and have been living in Sweden for a long time. Interestingly, these Bangladeshi ‘Murrobbi(s)’ have been holding their previous respectable and influential positions here in Sweden as well among the Bangladeshi people. A common pattern of the interviews that I have conducted with my participants reveals that some Bangladeshi student migrant restaurant workers (hereinafter, I have used student migrant workers in several places to denote Bangladeshi student migrant restaurant workers) rely on the recommendations and influences of these ‘Murrobbi (s)’ and other social connections to get a job and even handle the complications of their workplace. One of the excerpts from my conducted interview is relevant in this context:

*“After finishing my studies in a Swedish university, I tried my best to get a job in many places and I was not successful to get a job. Then, I communicated with my parents and other relatives in Bangladesh. They told me to meet with Mr. Rahman, who has been living in Sweden for 42 years. Mr. Rahman is a respectable man and he is influential among the Bangladeshi community in Sweden. Mr. Rahman is my uncle from my father’s side. I met him and told him my situation. He promised to solve my problem and said that he will manage a job for me. After few days, he took me to a Bangladeshi restaurant. The owner of the restaurant agreed to give me a job that will fulfill the requirements of the Swedish migration law in the paper. However, in reality, the owner and my uncle (Mr. Rahman) agreed that I will get only*

6500 SEK (almost \$782) per month, I will have to work 10 hours six-day a week, which means, for working almost 260 hours in a month I will receive a salary of 6500 SEK, almost 25 SEK (\$3) per hour. The Swedish law is to pay a minimum of 125 SEK per hour. We agreed that the owner will send twenty thousand SEK per month to my bank account so that I can show the SMA that I am fulfilling the requirements of the Swedish migration law. However, within one week, I will have to give him back 13500 SEK to the owner. I happily agreed as I knew, it is a win-win situation for both of us. I need a job that will fulfill the requirements of the SMA, the owner needs cheap labour to make a good profit and flourish his business. However, after four months, the owner stopped giving me salaries. I informed the matter to my Murrobbi (Uncle, Mr. Rahman), he was very furious hearing this and directly came to the restaurant. He threatened to ruin the reputation of the owner both in Bangladesh and in Sweden among the Bangladeshi communities. The owner became extremely scared and gave back my salary on the same day. After that incident, I am getting my promised salary on regular basis without any further problem. I have been working in this restaurant for two years and five months and after one year and seven months I will apply for the PR and when I will get it, I will quit this job.” **(This excerpt is taken from the interview of Jamal who is a student migrant worker in Sweden).**

This interview reveals an interesting fact that the migrant workers and other people of the Bangladeshi community in Sweden maintain their inherited socio-legal culture of Bangladesh. Instead of relying on formal Swedish legal institutions, the student migrant workers rely on the judgeship of the *Murrobbi(s)*. In any problem in the workplace or the community, these *Murrobbi(s)* play the role of the arbitrators which eventually creates a parallel legal order in Sweden apart from the formal Swedish legal system and legal institutions. It might also be assumed that the Bangladeshi migrant workers in Sweden rely on the Bangladeshi legal culture and they also transport the rules, norms, social transactions, reciprocal interest, and relations when they move abroad. It might be observed that informal social networks continue to play a decisive role both in Bangladesh and abroad (for instance, Sweden). It might be also perceived that the Bangladeshi student migrant workers ingress and acclimate their legal culture abroad, especially, they rely on their legal culture in circumstances where the State law of the host country does not help them adequately to ensure their secured livelihoods and professional lives.

My primary data has revealed the migrant student workers have a poor command of the Swedish language which limits their chances to find a good job in the Swedish labour market as language skills are an important factor in getting desirable jobs in Sweden (Emilsson,

2014). These have contributed to adopting alternative paths to employment in the Bangladeshi-owned restaurant based on connections and social networking within the student migrant workers. Moreover, among the student migrant workers, the expectation is that if someone is originally from their 'Para/Gram' networks from Bangladesh, he is supposed to help the new migrant workers in all possible ways. If the new migrant workers are in any problem, the first thing they do is to inform the members of their 'Para/Gram' both here in Sweden and also in Bangladesh via mobile phone, Facebook Messenger, WhatsApp, Viber, or IMO. The other migrant workers try to help the new migrant workers in different possible ways. They help the new migrant workers from their original 'Para/Gram' because if they do not help in that time, it will bring shame to his family members in Bangladesh and his family members will face trouble from the other members of the community in Bangladesh. Moreover, The relations between the restaurant owners and the student migrant workers are organized according to Bangladeshi norms. My primary data has revealed that in Sweden, employment relations in Bangladeshi restaurants are constructed according to Bangladeshi norms and traditions. Moreover, the Swedish law is not followed, and even if it is followed it is followed to merely meet the legal requirements. Informal relations and oral contracts matter more than the law. One of my **ethnographic observations** is relevant in this context:

*“One day, I saw that eight Student migrant workers were discussing a particular matter. Nayem, a migrant worker, was telling to other migrant workers that he is in serious trouble and he does not know how to solve it. Yunus, another migrant worker asked, what is your problem? Nayem said, “My employer is unwilling to give me any salary at all, he is not giving me any facilities as he knows my Swedish is very poor and I will not also get any job anywhere in Sweden. Now, he is saying that we will only fulfill the work permit requirements by paper and he will give me salary in my account according to law. After that, I will have to withdraw the money from my bank account and give back the owner the full amount of money, if I do not do this, he will terminate my contract. What can I do now?” Zahid, another migrant who was present in the conversation said, “Do not worry, I know your owner. He is from our locality and I know most of the close friends of your owner. One of my paternal uncles is the closest friend of the owner of your restaurant. I (migrant, Zahid) will request my uncle in Bangladesh for you and I hope you will get some money to survive.” After four days, I saw that migrant Nayem was thanking migrant Zahid for his help. Migrant Zahid talked with his paternal uncle in Bangladesh and his uncle talked with the owner of the restaurant where Nayem works and the owner has agreed to give him some money so that he can survive in Sweden.”*

In a time of extreme emergency, Bangladeshi students search for jobs both virtually and physically (Dulal, 2016). However, most of the time, the Bangladeshi students rely on their “fnf” (family and friends) networks to cope up with the uncertainties of their lives as migrants (ibid). As a result of these, informality and informal transactions have become a reality in the daily lives of the Bangladeshi migrant workers in Sweden which is evident from my primary data. A common outcome from most of the interviews reveals that the migrant workers usually rely on Bangladeshi culture in Sweden that they have already cultured and habituated with from Bangladesh. For example, one of the participants in an **interview** has said:

*“I always rely on the experiences that I have learned from my society in Bangladesh. I usually use my previous experiences to solve my problems as a migrant. In Sweden, I don’t know whom should I trust and who should not. However, I trust the people whom I know from my country before coming here. My experiences have helped me to learn that there are people from my ‘Para/Gram’ who always give me good advice and even give me financial support if I ask for it from them. You know, I had no skill in the Swedish language, despite this, I got a job as I had some known people in Sweden who have helped me to get a job. Why should not they help us? One day, they were in the same situation as us and they understand our struggles.”* ( **This excerpt is taken from a Bangladeshi student migrant worker’s interview whose name is Kamal**)

The ethnographic observation and interview might help us to understand that the cultural norms and the social practices that they have inherited shape the behavior of the migrants in the host society (Massey & Arango, 1993; Bhugra & Becker, 2005). Cultural inheritances of the migrants might shape the overall behaviors of the migrants in all aspects of their lives (Massey & Arango, 1993). I assume the cultural investigations of the Bangladeshi student migrant workers might help us to understand how they carry their “legal and cultural baggage” (Sigona, 2012) with them in Sweden. My primary data has revealed that the Bangladeshi student migrant workers carry the Bangladeshi socio-legal cultural and normative inventories to Sweden and draw on them to cope up with when dealing with the uncertainties and precarity of their migrant lives and maintain work permit visa(s) and their legal culture also influences their behavior. Additionally, the student workers have their own way of interpreting the Swedish migration and labour law which are not confined to the black letters of law and law’s strict rules of interpretations, rather it is based upon their survival arguments. This denotes the relevancy of legal culture as Kubal (2013) contends that legal culture tries to understand how people interpret and relate themselves to law. One of the common findings from the **interviews** of my study is appropriate to this context:

*“I know what I am doing to maintain my work permit visa might not be appreciated by most of the people. They might think that what I am doing is completely illegal. I don’t care what they think of. I consider, what I am doing is right as I have to live my life. They will not come and help me. Many people will not understand my situation. To fulfill the requirements of the migration law, I have accepted a life full of hardship. What can I do now? I usually meet many Bangladeshi people every day as this is a Bangladeshi-owned restaurant. When I meet people, I usually smile at them and don’t say anything, if they ask me, “how is life in Sweden”, I say it is beautiful and systematic.”* **(This excerpt is taken from a Bangladeshi student migrant worker’s interview whose name is Jamal).**

The student migrant workers try to negotiate with the owners of the Bangladeshi-owned restaurants related to giving them the amount of money (bribe) to get the job in the restaurant. In the context of Bangladesh, giving money (bribe) is so common to get a job, it is like “the sun rises in the east” (Uddin, 2012). Hence, the Bangladeshi student migrant workers’ previous experience of Bangladesh ‘to get a job, I need to pay a bribe’ plays a crucial role here in Sweden as well. One of the patterns which have been detected in the nine interviews is that five participants have given bribes to get a job ranging from one hundred thousand SEK (\$ 8500) to one hundred fifty thousand SEK (\$12500) to the owners of the restaurants. However, despite giving these, none of them have got facilities according to Swedish law. One of the interviews with a participant might reveal this reality noticeably.

*“I have completed my master’s degree from a reputed University in Sweden without any major challenge. During my study period, I fell in love with the well-organized life of Sweden and planned to stay here as I am legally entitled to stay subject to fulfilling some requirements. I was determined to stay in Sweden and did not want to go back to “lawless” Bangladesh. I thought the requirements of earning thirteen thousand SEK should not be a problem for me. Eventually, I met with a Bangladeshi student at a restaurant in the city center who was my corridor mate in the student housing. He wanted to know my update and I told him in detail regarding my desperation to get a job. He told me, “Don’t you know that you can buy a job from Indian, Arabic, Pakistani or Bangladeshi restaurants?” I was shocked to hear this. He also told me that he knows all the owners of Bangladeshi restaurants in this city and gave me a number of an owner who was recruiting workers. After trying several times, I met with the owner of the restaurant and told him in detail about my condition. The owner of the restaurant told me directly, I can solve your problem and you need to pay me one hundred and fifty thousand SEK. I was disappointed to hear this and denied his proposal. After two-three weeks, I went to meet with that Bangladeshi student again to get some suggestions. He told me that*

*without paying a minimum of one hundred and twenty thousand SEK (\$14300), I will not be able to get any job in a Bangladeshi-owned restaurant that might fulfill my requirements. I was in the 9th month of my job searching visa and within 3months, my visa will be expired. I communicated with my parents in Bangladesh and told them my situation. Understanding my desperation, they agreed to give me the amount of money to get a job in a restaurant. I communicated with that particular owner again. He told me that he has no more job to offer me even though I was ready to pay one hundred and fifty thousand SEK (\$17880). However, he told me his friend has a restaurant in the same city and if I want, he might refer me to his friend. I did not want to forfeiture my fortune and agreed to his proposal. After few days, I met with his friend and paid him an undocumented one hundred and fifty thousand SEK. After two days, I went there and got a job at his restaurant as a “Kitchen Assistant” with a monthly salary of thirteen thousand and five hundred SEK per month. I was happy that I will be able to stay in Sweden. I am determined to do this job for four years and thereafter, getting the permanent residence, I will try my fortune in my professional sector.” (This excerpt is taken from a Bangladeshi student migrant worker’s interview whose name is Moin).*

Similarly, in one of my **ethnographic field observations**, I have observed that one new student migrant required a job to apply for a work permit visa. He had been living with seven other migrant workers in a two-room apartment (600 square feet apartment) for the last eight months without any job because of the Coronavirus pandemic situation, it was almost impossible to get a job in the present situation. One day, I saw that the new migrant who required a job was collecting money (taking loan) from other student migrant workers so that he can gather two hundred thousand SEK to get a job in a Bangladeshi owned restaurant where the owner would sell a work contract as well as the offer of employment following the Swedish law which could help the student migrant to apply for work permit visa. Thus, it might be argued that the culture of “getting jobs via bribe” has been exported to Sweden via the student migrant workers, and these students most of the instances follow their home country practices in Sweden too. These various informal transactions to manage the job by bribing denotes that the student migrant workers rely on informal transactions which is one of the sides of legal culture, i.e., informal forms of normative orders (Banakar,2019).

## **6.2 Interactions between informality the perspectives of legal violence:**

In recent years, the anti-migrant sentiments in Swedish society are expanding. Moreover, the recent election result which was held on 9 September 2018 has brought out a strong anti-migrant sentiment. Furthermore, the recent proposals in the Swedish parliament

indicate that more repressive migration control measures might be introduced.<sup>12</sup> As a result of these tendencies, many migrants in Sweden, including Bangladeshi student migrant workers in the restaurant industry live mostly inaccessible lives in their migrant world with few opportunities to interact with the host Swedish society. Because of the complex legal framework for labour immigration of Sweden (Woolfson, Fudge, & Thörnqvist, 2014) some employers have been taking benefit whereas the workers are exploited in various ways.

As mentioned in the introduction chapter the requirements imposed by Swedish migration law have made it difficult to stay in Sweden legally without a work permit visa for the Student migrant workers. However, to maintain these work permit visa(s), many student migrant workers are facing exploitation. Moreover, they face emotional violence resulting from the Swedish legal environment. My empirical data has revealed that for the student migrant workers, the higher labour standards of Swedish migration law have created avenues of a higher level of exploitation. In other words, the Swedish migration laws and labour laws have “opposite and unintended effects (Menjívar & Abrego, 2012)” on the lives of the student migrant workers. One of my participants’ **interview** reveals this adverse effect of Swedish migration and labour law:

*“...After completing my studies at a Swedish university, I had applied to more than 200 places not for an official job rather a hardworking physical job. However, I found no job, whereas, one of my friends has applied nowhere, but he had got a good job, he had his own network and people in Sweden. However, I was desperate to get a job as the Swedish migration office gave me a letter that I need to leave Sweden within three months if I do not fulfill the requirements of the migration law. I communicated with my friends and family regarding this and my brother-in-law from Bangladesh told me that one of his friends is well-established in Sweden and he might help me. After this, I met with my brother-in-law’s friend. He arranged work for me in his restaurant where I was promised to be paid adequately which will fulfill the requirements of Swedish migration law and labour standard. The owner of the restaurant gave me a job contract showing that I will get sixteen thousand and five hundred SEK and for this contract, I had paid one hundred twenty thousand SEK. However, after few days, he told me that he will pay me only five thousand SEK. I had no alternative as I was on a work permit visa from this restaurant. I had no other way but to agree. I started working from 9 am to 10 pm six days a week. After working for few days, I saw that there was a lot of pain in my whole body, my hands were burnt, my body and mind were not supporting anymore. I talked with myself and*

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<sup>12</sup> For details, please see: Swedish government sends new migration bill to parliament, available at: <https://www.thelocal.se/20210430/swedish-government-sends-new-migration-bill-to-parliament/>

*started working again with patience. After all, otherwise, where will I go, what will I eat, where will I stay? I don't know the language, I don't know the road, and I can't do anything. After working there for two years, before my work permit visa extension, I moved to another city and got a new job in a Bangladeshi restaurant. Unfortunately, in my new workplace, everything was the same as the old one...*” (This excerpt is taken from a Bangladeshi student migrant worker's interview whose name is Hossain).

My primary data has revealed that almost all the Bangladeshi student migrant workers who are working in Bangladeshi-owned restaurants admit that they are engaging in informal practices just to cope up with various hazards and uncertainties associated with fulfilling the strict and rigid requirements imposed by the Swedish migration law to continue their work permit visa(s). The student migrant workers have been engaging in informal practices in Sweden because of several reasons, e.g., uncertain outcomes of the work permit visa decision, inadequate and ineffective regulatory intervention in protecting student migrant workers, mistrust of the Swedish migration law due to arbitrary decisions by the visa officers, unfavorable rigid migration policies, lack of employment in the Swedish labour market, social exclusion, almost zero political participation, insufficient legal and social protection schemes, etc. Given the complications and agonies associated with continuing the requirements of the work permit visa, it is a common practice among student migrant workers to obtain work contracts from Bangladeshi-owned restaurants that are prepared according to the legal procedures. These contracts also check the formalities of the Swedish migration and labour laws and relevant procedures. Therefore, it is a real contract in the paper. But, in practice, it is just a paper to comply with the law, and almost nothing in the contracts is followed in real life. Because of this, the Student migrant workers hardly get any benefits that are mentioned in the contracts. It (arguably) indicates the poorly implemented Swedish migration law(s) and dysfunctional SMA. These informal employment strategies specify the presence of a parallel world of student migrant workers in Sweden which is based on its own rationality, implementation mechanisms, and normative order. The student migrant workers assume that it is possible to avoid the functional system of the Swedish migration law(s) and other laws. On the other hand, for doing these, they also need to accept difficult working conditions. One of my conducted interivews validates the above-mentioned discussions:

*“I have completed two master's degrees in three years and I have been on work permit for three years one month. I have not got a job from any place and then requested my khalujan (maternal uncle is called “Khalujan” in Bangla) who has 3 restaurants in one city in Sweden. As I am his closest relative, my khajulan has not taken any money to give me a job. He*

*has helped me to apply for a work permit visa. (Un)fortunately, I have got a work permit visa as an employee from my Khalujan's restaurant. However, for this, I need to do everything for him. Although I have been working in my Khalujan's restaurants ( I need to work in all of his three restaurants), every day, I start my work at 7 am and finish nearly 11 pm. I am my Khalujan's tandoori man (tandoori is a special type of bread), cashier, chopper in the kitchen, kitchen assistant, cleaner of his restaurants and villa, caretaker of his luxurious and expensive villa, a gardener, a math teacher of his 9 years old daughter, dog walker, his sons' and daughter's a city tour guide, the nanny of his 2year old son, guard of his restaurant (I sleep at the storeroom in one of his restaurants), the storekeeper, the manager, and everything .... I wish, I knew it before getting the work permit visa. Sometimes, I feel to commit suicide or at least go back to Bangladesh. Sometimes, I console myself and feel inspired...Only 11 more months, then, I will apply for PR and will be able to come out from this hell..." (This excerpt is taken from a Bangladeshi student migrant worker's interview whose name is Tuhin and he has been working more than three years in a Bangladeshi owned restaurants).*

This interview reveals that the student migrants workers are accepting difficult work conditions so that they can fulfill the requirements of the Swedish migration law and get the PR after a fixed period. This also denotes that the Swedish migration law is normalizing the detrimental effects of its migration law on the lives and work of the student migrant workers with is legal violence (Menji'var & Abrego, 2012). Here the participant's interview has also revealed that he is facing difficult work conditions and challenging work life to maintain his legal status as a worker for a certain period. One form of legal violence is that the immigration laws are usually written and enforced in a way that made it practically impossible for the immigrants to maintain legal status for a certain period (Calavita, 1998). The Bangladeshi student migrant workers embark on living a difficult plight of life for four years to get PR in Sweden so that they do not have to go back to Bangladesh and as such, they can unchain themselves from the fetters of long uncertain life back in the country. However, the Swedish migration law is complex, as it practices exclusion for migrant workers and does not ensure the participation of the migrant workers in the negotiation process (Englund, 2002). Therefore, the student migrant workers usually suffer a lot and they are also compelled to lead a difficult life in Sweden because of Swedish migration and labour law. A common finding from the **interviews** of my primary data indicates that as well:

*"I have been working in a Bangladeshi-owned restaurant in a city in Sweden for 30-40 SEK (\$3.5 to 4.5) per hour. On average, I have to work 10-12 hours seven days a week, I usually work 320 hours a month. If fortunately, I get a day off, I sleep the whole day to make myself fit*

*to work hard for the coming days. I get up early in the morning, usually, 5 am, to start working at the restaurant. After working for 10-12 hours, with a tired body and legs, I fall asleep in the storehouse of the restaurant where I work. Although, on paper, I get all the benefits guaranteed by Swedish labour law according to my offer of employment, however, in reality, I don't get any benefit. I dream, one day I will get the "red passport" of Sweden. The owner of the restaurant is helping me to maintain the work permit requirement on paper and I have been selling my time and labour to him to continue my work permit visa. He is getting something from me and I am also getting something from him. No regret!"* **(This excerpt is taken from a Bangladeshi student migrant worker's interview whose name is Mahmud).**

This interview reveals that the migration law of Sweden and the legal practices in Sweden that are implemented through formal procedures affect the lives of the student migrant workers adversely (Menjívar & Abrego, 2012). In other words, the Swedish migration law is creating (arguably, unintendedly) 'legal violence' in the lives of student migrant workers in many possible ways. One of my **ethnographic observations** reveals this reality as well. One night, I found that a Bangladeshi student worker was talking with his Maa ( Maa is a Bangla word that means mother) related to his semester. In Swedish, semester means paid vacation, according to Swedish labor law and migration policy, a worker who is on a work permit vis must take one month (25 days) paid leave in a year, otherwise, in the future, when he will apply for work permit extension or PR, the migration authority will not extend his work permit visa or he will not get PR as well. The migrant worker whose name is Zainal was telling with his mother. The conversation was :

*"...Maa, the owner has said if I give him eighty thousand SEK (nearly eight hundred thousand Bangladeshi currency or BDT), in that time, he will give me a semester and I will be able to see you. I have told you already if I do not take a semester the Swedish migration office will revoke my work permit visa and they will not allow an extension. I will not get PR and I will have to get back to Bangladesh permanently. Maa, please tell Baba (father) to manage it.... I am not sure if he will employ me again after the semester. Maa, do you know what happened with one of my co-workers? One of my co-workers was in a semester for his wife's pregnancy, when he came back, his job was taken by another worker".*

This ethnographic observation indicates that the Swedish migration law has a violent effect on the lives of the migrant workers as it has created deliberate tactic to produce cheap migrants so that they can be included in the labor market under a condition of "enforced and extended vulnerability" (Espiritu 1997; De Genova 2004). Although, it is apparent that the Swedish welfare governance system tries to ensure rights to the migrant workers, however,

rigid immigration laws and policies and arbitrary decisions by the visa officer have created scopes for relying on informal and illegal tactics. The Swedish migration legal frameworks for the workers premeditated in such a way so that the student migrant workers are legally unable to change their jobs once they are on work permit visas and creates the opportunity for the employers to exploit the workers. As a result of these, the Bangladeshi migrant workers produce unusual tactics that allow creating agency among the Bangladeshi student migrant workers to navigate the Swedish legal system as well as Swedish migration law.

My primary data has revealed that the restrictive Swedish immigration laws and strategies lead to informal benefits to the Bangladeshi restaurant owners as they know that many student migrant workers have limited scope to find a job in the Swedish labour market without their help. As a result, to cope with this constricting legal environment in Sweden, the Bangladeshi student migrant workers usually approach the Bangladeshi restaurant owners who provide genuine job contracts and offer employment in paper to fulfill the requirements of the SMV. However, in reality, the Student migrant workers hardly get any benefit that they are promised in their offer of employment. Furthermore, my empirical data suggests that the owner of the restaurant tries to be sure that the newly appointed student worker will not report his unlawful activities and the precarious employment situation of the restaurant, similarly, the student worker try to make sure that although he will suffer in the restaurant as a worker, however, the owner must give him a contract in the paper which will be sufficient to maintain the work permit visa. However, when a Bangladeshi student worker gets a job in a Bangladeshi-owned restaurant in Sweden by paying (bribing) a good amount of money to the restaurant owner, he usually does not have any formal mechanisms for controlling his offer of employment. As a result, he faces coercion, exploitation, and precarity in his employment place and all of these are taking place because of rigid Swedish migration policies. One of the excerpts from an **interview** is relevant in this context:

*“I paid one hundred eighty thousand SEK to get a job. Now, I have been working for 10 to 12 hours six days a week. The owner of the restaurant behaves with me like a slave. I was mentally prepared that in four coming four years I will have to live a difficult life. However, after working there for two years nine months, the owner of the restaurant called me and told me that he is going to sell the restaurant as he is unable to make any profit. I knew he is telling this just to make some more money from me, it is his old tricks that he has played with his previous workers. Within a few days, he told me that I need to give the taxes for the restaurant as per Swedish law. By law, the owner was supposed to pay my taxes as I am his employee, however, I had been paying my own taxes for the last two years and nine months and the owner*

*was showing that the restaurant is paying taxes for me. Now, I will have to pay the taxes of the “restaurant itself” (In Sweden, there are various types of taxes, e.g., employee taxes, employer taxes, the yearly establishment taxes (here in this scenario, restaurant taxes). It means that the owner is telling me to pay not only my taxes but other taxes of the restaurant as well. I was unable to pay these taxes and I told to the owner. The owner told me that if I do not pay these taxes then he will sell the restaurant. If he sells the restaurant, I will lose my job which means, I will have to leave Sweden forever and all my efforts and money for the last two years and nine-month will go in vain. Eventually, my wife came to know this, and then, she started a job in a Thai Sushi restaurant where she was working previously. My wife is four months pregnant now and she has been working in a difficult situation. She gives me most of her earnings and I also give 70% of my income to manage all the taxes of the restaurant. In summary, my wife and I are working to maintain my work permit visa. I am taking loans from my friends in Sweden to maintain my family. Yet I feel lucky that I have some good friends in Sweden whom I know from Bangladesh and they try to help me as much as possible, although, they are also helpless in many situations”***(This excerpt is taken from a Bangladeshi student migrant worker’s interview whose name is Monir).**

My primary data also reveals that the Swedish model, in which unions and employers extract reciprocal impact in matters of the labour market, appears to have a limited effect on the student migrant workers’ jobs in Bangladeshi-owned restaurants. In Sweden, most of the Bangladeshi restaurants are owned by individual owners who employ few numbers workers and are most often reluctant to be a part of workers’ union and as a result, these owners do not follow the Swedish standard most of the time and the reach of the union to student migrant workers of Bangladesh is unlikely given the survival strategies of the student migrant workers. The necessity of work by the Bangladeshi students makes it difficult to establish collective action between the workers and the labour unions and as a result, the possibility to improve the working conditions of student workers in the restaurant industry seems to be beyond the reach of the worker unions. Moreover, it might be the reason that just to survive and continue to work, the student workers willingly ignored their rights for employment when being forced to pick between their rights and keeping the job. A common pattern of the interview results validates these arguments:

*“I was in the semester for one month. When I came back, my job was taken by another worker. I wanted to report it to the Swedish authority. My closest friends warned me not to do so. They told me, do not be mad with your owner, try to survive at any cost, if the owner of the restaurant terminates you from the job, you will have to go back to Bangladesh.*

*They also told me that the Swedish authority might not be able to help me It will create more problems instead of helping me. If I report it, my co-workers in the restaurant might also face various problems in the future. My friends suggested me to talk with the owner. Consequently, I communicated with the owner. The owner told me that it was not possible to wait for me during the semester. I told him that if you do not employ me again, the Swedish migration authority will terminate my visa and I will have to leave Sweden forever. The owner told me, sorry, I cannot give back your job. I came back to my living place and discussed it with my friends. One of my friends assured to help me. Within two days, he told me that I need to pay one hundred thousand SEK again to get back my job. I knew I am in a big trap. I gave him the SEK again that he wanted and then, the owner terminated the new worker and gave back the job.” (This excerpt is taken from a Bangladeshi student migrant worker’s interview whose name is Alam).*

This a common finding from the other interviews as well. Accordingly, it reveals that in the Bangladeshi-owned restaurants in Sweden, the migrant vulnerability is not uncommon and probably, the well-standard Swedish labour law is somehow ignored or overlooked. A common pattern of the interview excerpts reveals that the student migrant workers think that the Swedish law enforcement agencies will not help them, instead, they will be sent back to Bangladesh if they seek legal support against the owners of the Bangladeshi restaurants. Therefore, it might be seen as one form of legal violence where the migration laws make the immigrants accountable to the law but also excludes them from legal protections or rights, as a result, many migrants are allowed to live in the nation but not be perceived as part of the nation(Menjívar & Abrego, 2012). The primary data of this study also reveals that the Bangladeshi student migrant workers sense insecurity in their everyday life. For this, they try to survive in Sweden in all possible means and ways as they assume that in the future they will get PR in this welfare country which will eventually provide a lifeline for their own lives and their families in Bangladesh. My data has revealed that this hope of getting PR in Sweden has shaped their mentality to accept daily unfairness, manipulation, mistreatment. It is important to realize the more the Swedish migration law tries to impose strict legal requirements, the more innovative and informal strategies the student migrant workers establish to cope up with their precarious livelihoods. The continuous fear of not getting a work permit visa extension in Sweden has compelled the student migrant workers to create informal networks to cope with the threats and worries associated with their uncertain PR dream. One of the excerpts from an interview is relevant in this context:

*“Although according to my offer of employment, I work 6 hours in a day, however, in reality, I have been working a minimum 9-10 hours per day in a week. I get one day off every alternative week. In the summer, I need to work for 12 to 15 hours per day. I do not get any bonus or any extra tips. If any customer gives any tips, I need to give them to the owner and he never gives me a single Swedish krona. When the owner doesn't give any additional facility to me, I say to myself, at least he is doing me a favor by employing me in his restaurant. I can't be demanding anymore. When there is less work pressure in the restaurant, the owner usually asks me, “Can you clean my house or my friend's house?” I always say yes as I have no alternative. Sometimes, in my day off day(s), especially, in the afternoon, the owner calls me and asks, “As you are not working today, can you please take my dog out for a walk?” I always say, “Yes”, no problem. Sometimes, I need to help his family members in their day-to-day work, for example, playing with his kids or helping his wife in the grocery shop to buy groceries. I know, no one is going to help me in Sweden. Even if I seek help from the law enforcement agency in Sweden, I will be forced by them to leave Sweden forever and I will also be blacklisted to enter Europe again. However, to make my restaurant owner satisfied with me, I have proposed him to give reduce my salary so that he does not ask me to do additional work. After that, the owner has reduced my salary to half and I have not said him anything. Nothing troubles me anymore as I have the dream to get a Swedish PR and passport. This PR and passport will solve all the problems of my life” (This excerpt is taken from a Bangladeshi student migrant worker's interview whose name is Moin).*

One of my **ethnographic observations** is also relevant in this context here. I was staying with five other Bangladeshi student workers in a city in Sweden and they knew my purpose of staying with them. One day, one student worker invited me to visit his restaurant for the whole day. On the way to going with him, he told me that he works in this maternal uncle's restaurant and he has paid one hundred thousand SEK to get this job even though he works in his uncle's restaurant. He also told me that his uncle is running the restaurant to help the Bangladeshi student workers who need contracts to maintain work permit visa(s). For helping the Bangladeshi student workers, on average he takes one hundred fifty thousand SEK. We started at the restaurant at 7:00 am and arrived there at 7:40 am. This restaurant sells only lunch and dinner. After arriving at the restaurant, he stored all the goods in the storeroom in almost half an hour. Then, he cleaned the whole restaurant for almost one hour thirty minutes. Thereafter, he went to the kitchen and with other three co-workers (who are also Bangladeshi students) started to prepare the lunch. Thereafter, he worked as a waiter during the whole lunch hour. The lunchtime was finished at 2:30 pm. Then he had his lunch after 2:30 pm. After lunch,

they started to prepare dinner from 3 pm and the dinner started from 4:30 pm. Again, he worked as a waiter at the dinner up to 9:30 pm. After the dinner hour is finished, he took his dinner. Then, he cleaned the whole restaurant including the kitchen, dining place, and two conference rooms. After the cleaning and everything, when we came back to the “sleeping place (most of the student workers call their accommodation as sleeping place as they usually sleep there), it was 12:30 am and he went to sleep nearly 1 pm. His next day started at 7 am as usual.

My empirical data confirms the academic investigations that immigration laws and policies might give us the impression of a varying and frenzied process rather than a coherent policy expected to support the migrant workers (Pécoud, 2010; Törngren & Emilsson, 2020). As a result of this, the uncertain and arbitrary nature of decisions from the SMV has led the Bangladeshi student migrant workers into the territories of informalities and arguably, illegalities. My empirical data has revealed that the formal rules and requirements for marinating work permit visas in Sweden are multifaceted, unpredictable, and frequently vary. Because of these, the Bangladeshi student migrant workers find it extremely challenging to understand the legislative procedures of granting a work permit visa.

The scholarships related to migration studies suggest that if there is a strong rule of law in a country (e.g., Sweden), in that time the migrant workers cannot crook the laws as a result of this, the migrant workers produce informal governance and legal order (Urinboyev, 2020). However, the existing literature has hardly investigated that in a culture of strong rule of law, the rigid migration policies create a violent effect in the lives of the migrant workers. This violent effect eventually forces the migrant workers to engage in informality. Although, the Swedish migration laws have developed gradually to protect the migrant workers, however, it has most probably failed to consider the everyday realities of migrant workers. My primary data has revealed that the Swedish migration law has created contradictory outcomes, especially, because of the uncertainty of interpretation by the migration officers (visa officer/handläggare). According to the Swedish migration law, the visa officer is almost immune to hold responsible to anyone as thus, he/she has wide discretionary power to interpret and implement the Swedish migration law. Consequently, wide-ranging explanations of laws, uninformed enforcements of migration laws have led to helped to develop an informal migration control system in Sweden. Thus, it has become difficult for Bangladeshi student migrant workers to understand the migration policy in Sweden. Because of this uncertainty, the Bangladeshi student workers are always in fear that even if they fulfill the rigid requirements of the Swedish migration law, they might not get their desired and legally entitled PR in Sweden. It might be argued that the Swedish migration law is forcing the migrant workers to

engage in informal practices as in many instances the Swedish migration authority is unpredictable to provide its decisions. To survive in this context in an adverse legal environment, the student migrant workers have produced numerous informal strategies and tactics to trick the legal uncertainties and law enforcement which has arguably created an inconsistency between formal laws of Sweden and informal (illegal) practices of the migrant workers. One of my conducted **interviews** are relevant in this contexts which corroborates my arguments:

*“Before applying for a work permit visa, I was really confused if I am going to get a positive decision or not. Previously, four of my friends with 100% similar offer of employment and job contract also with 100% same salary and facilities have got four different types of decisions, e.g., directly positive; directly negative; neither positive nor negative but wants more documentation; says to go back to home country and apply from the home country. In my situation, with a 100% similar offer of employment, the Swedish migration agency told me to wait for few more months and apply again. I applied four months later and got a positive decision. I don’t understand how it works, I think, the mentality of the visa officer matters most. If the visa officer is in good mood, he will give a positive decision; if his mood is bad, he will give a negative decision. So, what are our alternatives in these types of situations for the students woreks like us? The answer is simple, we always try to find loophoels in the Swedish system and Swedish law ”* **(This excerpt is taken from a Bangladeshi student migrant worker’s interview whose name is Ahmed).**

The empirical data of this thesis demonstrates that the Bangladeshi student migrant workers are suffering due to the rigid migration law of Sweden in various complex ways which are adversely affecting their everyday lives and also shaping their life strategies. Because of their job nature and their engagement in informal activities they face a lot of challenges, however, these challenges inspire them more to use various informal tactics and strategies to fulfill the visa requirements imposed by the Swedish Migration Law. The empirical data also illustrates that the more restrictive and rigid the legal requirements are imposed by the Swedish migration law, the more resilient and resourceful the Bangladeshi student migrant workers try to become to overcome the organizational constrictions of the SMA. To fulfill the requirements of the Swedish migration law and to stay in Sweden, the Bangladeshi migrant workers are becoming more innovative to overcome the constraints to maintain the work permit visa and in doing so, the migrant student community of Bangladesh in Sweden seem to be no longer just a mere passive recipient of the rigid migration policies of Sweden, rather, in the restrictive legal environment of Sweden, they are growing their capabilities by maintaining

informal networks, social connections and their own native legal culture to shape and adapt their daily lives in Sweden. One of my **ethnographic observations** also confirms this:

*“One day I observed that four Bangladeshi student workers were discussing the future rigidity of migration policy and they were saying that day by day the migration law is going to be hard for the student migrants from Bangladesh and they were also tense about the new changes of migration policies that might take place due to coronavirus impact. They were talking in detail what alternative they will use if they face any problem because of the new or proposed changes in the migration law. One migrant worker was saying to other migrant workers, do not worry, we have suffered a lot and we must be ready to suffer a lot. We must discover ways to triumph over the new policies.”*

This ethnographic observation probably indicates that the Bangladeshi student migrant workers are not passive objects but have agency and demonstrate the ability to negotiate with the Swedish migration law, although, they do it informally and indirectly. It might be also argued that the rigid Swedish migration law and anti-migrant policies have compelled the migrant workers to create informal channels to get jobs to fulfill the requirements of the work permit visa and other future opportunities (e.g., PR, Citizenship) which are difficult to obtain in the current Swedish immigration legal framework.

### **6.3 Critical overview of the primary data:**

The student migrant workers use their own social networks and connections and get employed in Bangladeshi-owned restaurants, a strategy that enables them to maintain their work permit visas. The owners of these restaurants help the student migrant workers to fulfill the requirements of the Swedish migration law and thus both parties benefit from this arrangement. By this, the Bangladeshi student migrant enters into informal relations with their employers which enable them to stay in Sweden and fulfill the requirements to maintain work permit visa(s). Without such informal arrangements, it would be very difficult to comply and cope up with the current Swedish migration legal frameworks. Although, seemingly, the Bangladeshi student migrant workers are not politically engaged in the public sphere of Sweden, however, they have been displaying the endeavor to adapt to the adverse circumstances in Sweden and they are also determined to develop new tactics to overcome the new challenges. They are also ready to show spirited resourcefulness by utilizing the ‘agency’ to form and become accustomed to their daily lives and social interactions in a hostile work environment and precarious livelihoods in Sweden. Imposing rigid and tough requirements on the migrant workers does not necessarily mean that the student migrant workers in Sweden lose their agency and aptitude to consolidate the requirements of their daily lives.

In all the ethnographic observations and interviews, I have found that it is difficult for most Bangladeshi restaurant workers to maintain a work permit visa if they want to fulfill the requirements of Swedish labour law and migration law. However, if they do not fulfill these, then, they will be deported from Sweden, this legal uncertainty and complicated work permit visa rules have compelled the Bangladeshi student migrant workers to navigate the system and discover several informal norms and practices. The primary data and its analysis indicate that the because of rigid migration law of Sweden, employers intentionally exploiting the student migrant workers. It is also indicative that if the work permit visa process and requirements are complicated, in that situation, migrant workers would be compelled to approach informal practices. The harder the process of obtaining a work permit was, the more willing migrants would be to informally pay intermediaries (Urinboyev, 2020). However, in most instances, the owner of the Bangladeshi restaurants helps to obtain legally fictitious papers (offer of employment and job contracts) to the student workers to continue their work permit visa. These legally fictitious papers of the student workers work as authentic immigration papers to continue their work permit visa. Conversely, within a couple of months, the owner of the restaurant starts to abuse the student workers because of their vulnerability. The owner of the restaurant knows that the workers have no place to go as they have obtained a work permit visa from his restaurant.

The rigid Swedish migration policies and legal procedures contributed to the growth of informality which denotes a relationship between informality, legal culture, and legal violence at the same time. Because of the adverse effect of law, the student migrant workers are relying on the informal norms which they inherited from their legal and cultural background as being Bangladeshi. The Bangladeshi student migrant workers have been forced to fulfill the legal requirements in ways by buying offers of employment and job contracts as they know that they have no other opportunity to stay in Sweden without this. It means, because of rigid law, they rely on informal norms, and because of relying on informal norms, they have been facing challenges in their workplace, in other words, there are interrelations among informality, legal culture, and legal violence when it comes to the Bangladeshi student migrant workers.

The analysis of this primary data indicates that the Bangladeshi student like migrant workers like Mahmud, Ahmed, Jamal, Kamal, Tuhin, Alam, Monir, Hossain, and Moin have their agencies and they are competent to formulate several strategies to trick the structural constraints imposed by the Swedish migration law(s). They are active and resistant actors capable of discovering various informal tactics to adapt to the restrictive Swedish legal environment. It might also help us to perceive that these migrant workers are producing

informal legal orders to confront the uncertainties created by the Swedish migration law. In an adverse legal environment of Sweden, we cannot directly claim “what” the migrant student workers are doing is “illegal”. Rather, informality might be seen as “an option” (Heyman & Smart, 1999) that the student migrant workers have been using to cope up with the legal uncertainties created by the Swedish migration law. However, in many instances, the roles of informal norms and practices are not “perfect” tactics as it has both helpful and harmful sides. For example, my empirical data has revealed that informality enables the Bangladeshi student migrant workers to get some job opportunities to fulfill the requirements of the work permit visa(s) in Sweden, however, these informal norms and practices, has produced unequal power relations between Bangladesh student migrant workers and the employers of the Bangladeshi restaurants in Sweden. However, I assume that to understand the informality in the Swedish migrant labor market we need to focus on the increasingly restrictive Swedish migration law as this restrictive migration law is forcing the migrant workers to adopt and innovate various informal and illegal strategies to confront and cope up with the legal environment of Sweden. Moreover, grounded on the empirical data presented in this thesis, I would contend that the working life of the Bangladeshi student migrant workers in Sweden needs to be understood not only in terms of their knowledge of Swedish migration laws, and their attempt to be a formal part of Swedish system (PR or Citizenship), but also their capabilities to navigate around laws and their innovative tactics to adjust with the adverse migration policies by engaging in informal norms, practices, and social networks. Although, the practice of informality in Bangladeshi-owned restaurants might be seen as “abnormal and illegal”, nevertheless, these are now popular practices among the student migrant workers in Sweden.

After presenting and analyzing my empirical data, I contend that the empirical data presented in this chapter, should not be understood as an attempt to expose exploitation, torture, or corruption by the Bangladeshi restaurant owners in Sweden. Moreover, it should not be seen as the lifestyle of the Bangladeshi student migrant workers. What is discovered by the data might be seen as the tactics of the Bangladesh workers to cope up with the Swedish migration law and at the same time a demonstration of corruption by the Bangladeshi restaurant owners in Sweden, however, these should also be perceived and recognized as an informal yet actual type of (im)migration governance in Sweden due to its rigid migration policy and difficult legal environment. Consequently, I argue that my data has shown the broader socio-legal context in which the Bangladeshi student migrant workers engage in informality in Sweden. From this standpoint, various informal norms and practices adopted by the Bangladeshi student migrant workers in the context of Sweden should not be implied merely

through the legal centralistic views and perspectives that emphasize the prominence of corruption and illegality. As an alternative standpoint of views, we also need to focus on the “other ways” that account for the role of informal rules and practices in the endeavor of the Bangladeshi student migrant workers to stay in Sweden by fulfilling the strict legal requirements following the Swedish migration law. **Therefore, in my data** analysis chapter, my argument is that the study of the informality of the Bangladeshi student migrant worker in the restaurant industry in Sweden and the owners of the Bangladeshi restaurant should be put forward beyond legal centralistic perspectives that deny the scopes and applications of legal culture and legal violence.

## CHAPTER SEVEN

### Discussion & Concluding Remarks

This chapter is focused on discussing my findings and unique contributions in the light of existing research. This chapter also accents the special outcome of my primary data concerning the socio-legal approach and framework. Moreover, this concluding chapter illustrates how the findings of this thesis are different from other scholars who come from other disciplines. Furthermore, this chapter highlights what new insights this study offer to socio-legal scholarships on legal culture, legal violence, and informality. Additionally, this chapter suggests what implications this thesis has for understanding the migration and migrant labour market in Sweden. Importantly, the basis of discussion and concluding remarks are rooted in an endeavor to provide a possible answer(s) to the research question (s) based on findings. I assume that the possible findings are generally applicable for the Bangladeshi student migrant workers in Sweden, despite the absence of female participants due to non-availability (as discussed in 5.6). However, this study does not claim that the findings of this thesis represent the student migrant workers from other countries, although, this study might have significance for future inquiries in this regard.

The contribution of this thesis is that it has investigated the interactions of legal culture, legal violence, migration law, and informality in the context of Bangladeshi student migrant restaurant workers in Sweden which is comparatively new in the existing migration scholarship. As observed in the literature review chapter, most of the existing literature related to migrant workers is expounded mainly from the legal centralistic perspective or other social and political perspectives. So, given the practical contexts and the realities of the student migrant workers in Sweden as revealed by my empirical data, how should the researchers investigate, recognize, and theorize the informal tactics of the Bangladeshi student migrant restaurant workers in Sweden? Should we solely rely on the existing scholarships? If we analyze these based on dominant legal scholarships, at that time, it might be assumed that what the Bangladeshi student migrant workers have been doing to survive and maintain their work permit visas in Sweden is not legal in line with the black letters of law. I agree that the explanations of the existing scholarships are significant and have produced valuable knowledge. However, my empirical study suggests that it is not enough to directly term the informal practices of the student migrant workers as illegal. Before terming these illegal, we need to consider why the student migrant workers have been maintaining their work permit

visas by accepting exploitation and precarious work conditions. This study has revealed that Bangladeshi migrant student restaurant workers try to escape from the legal violence of Swedish migration law, hence, they have been relying on informal norms and practices. Therefore, the questions need to depart from seeing if the student migrant workers comply with the Swedish migration laws or not, reasonably, the question should be why and how the student migrant workers have been relying on their legal culture in Sweden and engaging in informal norms and practices.

If we analyze the Swedish migration law and labour law, in that time, it might be observed that by engaging in informality and using social networks in reliance with Bangladeshi legal culture to fulfill the requirements of work permit visas (s) are not permitted by the Swedish migration law and labour law. However, if we involve in the methodological triangulation (e.g., ethnographically rooted observations and interviews) to understand the Bangladeshi student migrant workers' whys and wherefores for engaging in informality by using social networks and relying on the Bangladeshi legal culture to maintain their work permit visa(s) in the legal environment of Sweden beyond the legally homogenous standpoints, it might help us to understand the Bangladeshi student migrant restaurant workers' everyday encounters of informality and the laws that regulate their working conditions from a perspective of legal culture and legal violence. Many Bangladeshi student migrant workers fail to fulfill the requirements of the Swedish migration law and labour law because of its inbuilt rigidity and the arbitrary decisions of the migration agency, as a result, the question should not evolve in whether the Bangladeshi student migrant workers comply with the Swedish migration law and labour law. The question, as an alternative, chance about, why and how the Bangladeshi student migrant workers engage in informal norms and practices, how they transport their legal culture in Sweden, why they accept exploitation and precarity in their workplaces.

One of the main contributions of this thesis is its findings that the Swedish labour law and migration law have not impacted favorably to the Bangladeshi student migrant restaurant workers' working conditions at the Bangladeshi-owned restaurants, rather, it has affected adversely. The data exposes that the survival arguments of these workers play important role in the given circumstances, i.e., without being able to manage any job in the mainstream Swedish labour market, the Bangladeshi student migrant workers try to manage jobs in the Bangladeshi-owned restaurants. The primary data of this thesis has contributed to consider the role of informality, informal norms and practices, and the (Bangladeshi) legal culture within the Swedish legal system from a new dimension. The analysis of my primary data validates that the Swedish migration and labour law have unintended effects (Menjívar &

Abrego, 2012) on the working life and conditions of Bangladeshi student migrant workers. The concept of legal violence of Cecilia Menjivar and Leisy J. Abrego's (2012) is based on how the immigration law of the USA adversely affects the central American immigrants' lives. On the other hand, my study has focused on the unintended effects of not only (im)migration law but also both migration law and labour law in the framework of a welfare country like Sweden. The sufferings of the (Bangladeshi) student migrant workers from this viewpoint are not explored before as evident by a systematic literature review. Therefore, relying on a systematic literature review and the analysis of my empirical data, I contend that it is a novel contribution of this thesis to investigate the Swedish migration law and labour law from a multi-intermixed perspective of informality, legal culture, and legal violence related to the work conditions and employments of student migration studies.

Another important contribution of this study is that it reveals the alternative ways that the Bangladeshi student migration workers rely on to overcome the challenges by using their past life experiences and skills (e.g., the Bangladeshi legal culture) which were not studied before in this context. The primary data of this study reveals that from first to last, for example, starting from managing a job by paying bribes (Bangladeshi legal culture) and the dream of quitting the job (because of the adverse effect of Swedish migration and labour law) just after getting the PR in Sweden, the informal norms and practices play a significant role in shaping the cope-up strategies of the Bangladeshi student migrant restaurant workers within the Swedish legal system. Although these findings have similarities with the findings of Coutin (1998) that if the migrants are powerless, in that time, they try to use various strategies to fit within the system, however, this finding is newly confirmed from the perspective of student migration studies in the context of Sweden.

The primary data of this study divulges that the complex visa status system, minimum income requirements, income taxes and other types of taxes, and other complex migration policies impact the working life of the Bangladeshi student migrant workers within the Swedish labour market. In these surroundings, the analysis of my primary data reveals some interesting findings. These findings have provided a potential answer to my main research question(s) and revealed that the Bangladeshi student migrant restaurant workers' everyday encounters of informality and the laws that regulate their working conditions might be possible to understand from a perspective of legal culture and legal violence if the researches are based on beyond the black letters of law and the pure legal centralistic perceptions. Although the Swedish labour law and migration law is (arguably) created for the good of the migrant workers to ensure that they might be able to live a standard life in Sweden, however, to fulfill the legal requirements of the Swedish migration law

and labour law (formal laws) of Sweden to maintain a (fictitious) standard life, many Bangladeshi student migrant workers are compelled to take jobs in the Bangladeshi-owned restaurants where they rely on Bangladeshi socio-legal culture to cope up with the work environment. Moreover, these workers are face exploitation and precarity in their workplaces as getting jobs in the mainstream Swedish labour market is not easy for them. These lead us to find sequential relations among informality, legal culture, and legal violence. For example, the (un)intended effect of the Swedish migration law and labour law have led the Bangladeshi student migrant workers to work in the Bangaldehysi owned restaurants (so that they could maintain the work permit visas and stay in Sweden); in doing so, they need to deal with the Bangladeshi employers by relying on Bangladeshi socio-legal culture and innovative cope up strategies within the Swedish legal system; the employers know that without their help the Bangladeshi student workers will not be able to fulfill the work permit visa requirements in Sweden; eventually the employers take the opportunities created by the Swedish law and thus exploit the workers.

This thesis contends that understanding the Bangladeshi student migration and student migrant labor market in Sweden and the engagement in informality by the Bangladeshi student migrant workers should not be seen just through the lens of illegality. The Swedish authorities need to recognize that beyond the Swedish migration laws, rules, regulations, policies, and institutions, there are “other ways” for the Bangladeshi student migrant workers in the restaurant industry to cope up with the rigid Swedish migration regime. If the Swedish policymakers and the migration authorities want to investigate the complications to handle the issues related to the exploitation and regulation of migrant workers in the restaurant industry, they need to investigate informality beyond the pure legal-centric perspectives. This study also claims that the working life of the Bangladeshi student migrant restaurant workers in Sweden needs to be understood not only in terms of their knowledge of Swedish labour law and migration law, and their effort to be a formal part of the Swedish system (PR or Citizenship), but also their capabilities to navigate around laws and their innovative tactics to adjust with the migration policies of Sweden by engaging and relying upon informal norms, practices, and social networks. At last, this thesis contends that to understand the unique circumstances and the contradictions in a complex work environment of Bangladeshi-owned restaurants in Sweden, the inquiries into the reasons and consequences of the relationships between formal and informal laws and the migrant restaurant workers’ everyday encounters of informality within Bangladeshi-owned restaurants in Sweden from the perspectives of sociology of law has become fundamentally relevant and essential in this modern time.

## References

- Altamirano, A. T. (2000). *Seasons of Migrations to the North A Study of Biographies and Narrative Identities in US-Mexican and Swedish-Chilean Return Movements*. Umeå: GERUM Kulturgeografi .
- Ambrosini , M., & Barone, C. (2007). *Employment and working conditions of migrant workers*. Dublin: European Foundation for the Improvement of Living and Working Conditions.
- Andersson, F., Holzer, H. J., & Julia, J. I. (2005). *Moving Up or Moving On: Who Advances in the Low-wage Labor Market?* New York: Russell Sage Foundation.
- Ardittis, S., & Laczko, F. (2008). Evaluation of the EU Policies in the Field of Migration and Asylum. In S. Ardittis, & F. Laczko, *Assessing the Costs and Impacts of Migration Policy: An International Comparison* (pp. 107-136). Cheshire: Eurasyllum Ltd.
- (2018). *Attracting and retaining international students in the EU- Country Report Sweden*. Stockholm: Migrationsverket (Swedish Migration Agency).
- Ballard, R. (1994). *Desh Pardesh: The South Asian Presence in Britain*. London: C. Hurst.
- Banakar, R. (2012). The Politics of Legal Cultures . *Scandinavian Studies In Law*, 152-175.
- Banakar, R. (2015). *Normativity in Legal Sociology - Methodological Reflections on Law and Regulation in Late Modernity*. Basel: Springer International Publishing.
- Banakar, R. (2019). On Socio-Legal Design. 1-21.
- Bhugra, D., & Becker, M. A. (2005). Migration, cultural bereavement and cultural identity. *World Psychiatry*, 18-24.
- Braun, V., & Clarke, V. (2008). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 77-101. Retrieved from <https://www.tandfonline-com.ludwig.lub.lu.se/doi/pdf/10.1191/1478088706qp063oa?needAccess=true>
- Brewerton, P. M., & Millward, L. J. (2001). *Organizational Research Methods*. London: Sage. doi:<https://dx-doi-org.ludwig.lub.lu.se/10.4135/9781849209533.n6>
- Bryman, A. (2016). *Social Research Methods*. Oxford: Oxford University Press.
- Butler, J. ( 2009, June 8). Performativity, Precarity and Sexual Politics. Madrid: Antropólogos Iberoamericanos en Red (Universidad Complutense de Madrid).
- Cioni, M., & Marco Savioli. (2016). Safety at the workplace: accidents and illnesses. *Work, Employment & Society*, 858-875 .
- Coutin, S. B. (1998). From refugees to immigrants: the legalization strategies of Salvadoran. *International migration review*, 901-925.
- Dingeldey, I. (2007). Between workfare and enablement – The different paths to transformation of the welfare state: A comparative analysis of activating labour market policies. *European Journal Political Research* , 823-851.
- Drost, E. A. (2011). Validity and Reliability in Social Science Research. *Education Research and Perspectives*, 105-123.

- Dulal, M. A. (2016). The Bangladeshi Migrant Community in the Developed Country. In M. A. Dulal, *The socio-economic situation of the Bangladeshi workers in the European Union* (pp. 61-94). Dhaka: University Publication Limited.
- Dunlavy, A. (2017). Migration background characteristics and the association between unemployment and suicide. *European Journal of Public Health*, 1201-1262.
- Edwards, C. (2019, March 21). Readers reveal: What's it really like working in Sweden? Stockholm, Sweden.
- Ek, S., & Skedinge, P. (2019). In C. Lars, & N. S. Gasse, *Integrating Immigrants into the Nordic Labour Markets* (pp. 187-209). Copenhagen: Nordic council of ministers.
- Emilsson, H. (2014). Who gets in and Why. *Nordic Journal of Migration Research* .
- Emilsson, H. (2016). *Paper planes: Labour migration, integration*. Malmö: Holmbergs AB.
- EminKahya. (2007). The effects of job characteristics and working conditions on job performance. *International Journal of Industrial Ergonomics*, 515-523.
- Englund, C. (2002). *Migrants, minorities, and employment in Sweden: Exclusion, discrimination and anti-discrimination* . Stockholm: RAXEN Focal Point for Sweden Expo Foundation .
- Evans, S. T., & Banks, H. M. (1992). Latent functions of employment: variations according to employment status and labour market. In V. C.H.A., & L. G. Jansma , *On the Mysteries of Unemployment. Studies in Operational Regional Science* (pp. 281-295). Dordrecht: Springer.
- Febbrajo, A. (2018). Introduction. In A. Febbrajo, *Law, legal culture and society : mirrored identities of the legal order* (pp. I-XVII). New York: Routledge.
- Fermin, A., & Kjellstrand, S. (2005). *Study on immigration, integration and social cohesion* . Rotterdam: Focus Consultancy Ltd.
- Friedman, L. M. (1994). Is there a Modern Legal Culture. *Ratio Juris*.
- Frödin, O., & Kjellberg, A. (2018). Labor Migration from Third Countries to Swedish Low-wage jobs. *Nordic Journal of Working Life Studies*, 65-85.
- Gani, A. (2011). *The Traditional Lives of the People of Bangladesh*. Dhaka: Universiy Publication Limited.
- Haandrikman, K., & Hassanen, S. (n.d.). *Motives, Onward Migration of African Europeans: Comparing Attitudes to Migration*. 2014: Research Reports in Demography.
- Hagan, J. M. (1998). Social Networks, Gender, and Immigrant Incorporation: Resources and Constraints. *American Sociological Review*, 55-67.
- Hart, H. (2001). The Concept of Law. In D. Dyzenhaus, & A. Ripstein, *Law and Morality: Readings in Legal Philosophy* (pp. 68-80). Toronto: University of Toronto Press.
- Hart, K. (1973). Informal Income Opportunities and Urban Employment in Ghana. *The Journal of Modern African Studies*, 61-89.
- Hauge, L. J., Skogstad , A., & Einarsen, S. (2010). The relative impact of workplace bullying as a social stressor at work. *Scandinavian Journal of Psychology*, 426-433.

- Heyman, J., & Smart, A. (1999). *States and Illegal Practices: An Overview*. Rhode Island: Berg.
- Ilsøe, A. (2020). *Platform work in the Nordic Model: Issues, cases and responses*. Copenhagen: FAOS.
- Karlsdóttir, A., Norlén, G., Rispling, L., & Randall, L. (2018). *State of the Nordic Region 2018 Immigration and Intergation Edition*. Copenhagen: Nordic Council of Ministers.
- King, N. (2004). Using Interviews in Qualitative Research. In C. Cassell, & G. Symon, *Essential Guide to Qualitative Methods in Organizational Research* (pp. 11-22). London: SAGE Publications Ltd.
- Kubal, A. (2013). Migrants' Relationship with Law in the Host Country: Exploring the Role of Legal Culture. *Journal of Intercultural Studies*, 55-72.
- Ledeneva, A. (2020). Towards Understanding of Social and Cultural Complexity. In A. Ledeneva, *The Global Encyclopaedia of Informality, Volume 1*. Saint Philip: Saint Philip Street Press.
- Leung, L. (2015). Validity, reliability, and generalizability in qualitative research. *Journal of Family Medicine and Primary Care*, 324–327.
- Massey, D. S., & Arango, J. (1993). Theories of International Migration: A Review and Appraisal. *Population and Development Review*, 431-466.
- Menjívar, C., & Abrego, L. J. (2012). Legal Violence: Immigration Law and the Lives of Central American Immigrants. *American Journal of Sociology*, 1380-1421.
- Menjívar, C., & Abrego, L. J. (2012). Legal Violence: Immigration Law and the Lives of Central American Immigrants. *American Journal of Sociology*, 1380-1421.
- Motakef, M. (2019). Recognition and precarity of life arrangement: towards an enlarged understanding of precarious working and living conditions. *Journal of Social Theory*, 156-172.
- Nelken, D. (1997). Comparing Legal Cultures: An Introduction. In D. Nelken, *Comparing Legal Cultures*. Sudbury: Dartmouth Publishing .
- Nelken, D. (2001). Towards a Sociology of Legal Adaptation. In D. Nelken, & J. Feest, *Adapting Legal Cultures* (pp. 7-54). Oxford: Hart Publishing.
- Nelken, D. (2013). Comparative Sociology of Law. In R. Banakar, & M. Travers, *Law and Social Theory* (pp. 341-355). Oxford : Hart Publishing.
- Nelken, D. (2013). Comparative Sociology of Law. In R. Banakar, & M. Travers, *Law and Social Theory* (pp. 341-355). Oxford: Hart.
- Nielsen, K., & Ware, R. (1997). *Exploitation*. Atlantic Highlands: Humanities Press International.
- Nordlund, V., & Pelling, L. (2012). The New Way In - A Migrant Perspective. (pp. 1-18). Stockholm: Global Utmaning.
- O'Day, J. F. (1966). Ehrlich's Living Law Revisited-Further Vindication for a Prophet without Honor. *Case Western Reserve Law Review*,. *Case Western Reserve Law Review*, 210-31.
- Ollus, N. (2016). Forced Flexibility and Exploitation: Experiences of Migrant Workers in the Cleaning Industry. *Nordic Journal of Working Life Studies*, 25–45.
- Orrenius, P. M. (2009). Do Immigrants Work In Riskier Jobs? *Demography*, 535–551.

- Ostaijen, M. v., Reeger, U., & Zelano, K. (2017). The commodification of mobile workers in Europe - a comparative perspective on capital and labour in Austria, the Netherlands and Sweden. *Comparative Migration Studies*, 1-22.
- Pavli, A. (Journal of Travel Medicine). Health problems of newly arrived migrants and refugees in Europe. *Journal of Travel Medicine*, 1-8.
- (2019). *Protecting migrant workers from exploitation in the EU: workers' perspectives*. Luxembourg: Publications Office of the European Union.
- Rasmussen, S., Nätti, J., Larsen, T. P., Ilsøe, A., & Garde, A. H. (2019). Nonstandard Employment in the Nordics – Toward Precarious Work? *Nordic Journal of Working Life Studies*, 7-32.
- Rezaul Karim, M., Islam, M. T., & Talukder, B. (2020). COVID-19's impacts on migrant workers from Bangladesh: In search of policy intervention. *Elsevier Public Health Emergency Collection*.
- Riaz, A. (2020). Islam, islamization and politics in Bangladesh. In C. Jaffrelot, & A. A. Mohammad, *Politics and religion in South Asia. Whither secularism?* (pp. 93-115). Paris: Éditions de l'École des hautes études en sciences sociales.
- Rights, E. U. (2019). *Protecting migrant workers from exploitation in the EU: workers' perspectives*. Luxembourg: Publications Office of the European Union.
- Ruhs, M. (2013). Regulating the Admissions and Rights of Migrant Workers. In M. Ruhs, *The Price of Rights: Regulating International Labor Migration* (pp. 91-120). Oxfordshire: Princeton University Press.
- Schreier, M. (2014). Qualitative Data, Analysis, and Design. In U. Flick, *The SAGE Handbook of Qualitative Data Analysis* (pp. 342-386). London: Sage Publications Limited.
- Shafa, A. (1989). *The Legacy of the British Rule in the Indian Sub-continent*. Dhaka: Light House Publication.
- Sigona, N. (2012). 'I have too much baggage': The impacts of legal status on the social worlds of irregular migrants. *Social Anthropology*, 50-65.
- Sjöberg, K. (2011). *The ethnographic encounter - Fieldwork among the Ainu, the Lubicon Cree and Wall Street Brokers*. Lund: Sekel Bokförlag. doi:<https://lup.lub.lu.se/record/2167739>
- Sommers, J., & Woolfson, C. (2014). *The Contradictions of Austerity: The Socio-Economic Costs of the Neoliberal Baltic Model*. New York: Routledge.
- Steiler, I. (2018). What's in a Word? The Conceptual Politics of 'Informal' Street Trade in Dar es Salaam. *Journal of Urban Research*, 1-35.
- Sutela, H. (2007). *Place of work and working conditions – Finland*. Dublin: European Foundation for the Improvement of Living and Working Conditions.
- Taherdoost, H. (2016). Sampling Methods in Research Methodology: How to Choose a Sampling Technique for Research. *International Journal of Academic Research in Management*, 18-27.
- Tamanaha, B. (2001). *A General Jurisprudence of Law and Society*.
- Triandis, H., & Gelfand, M. (2012). A theory of Individualism and Collectivism. *Handbook of theories of social psychology*, 498-520.

- Triandis, H., & Gelfand, M. (2018). A theory of Individualism and collectivism.
- Uddin, M. A. (2012). Different faces and shapes of corruption. In M. A. Uddin, *An empirical study of corruption in Bangladesh* (pp. 154-207). Dhaka: Mohit Brothers Publication.
- Urinboyev, R. (2020). *Migration and Hybrid Political Regimes: Navigating the Legal Landscape in Russia*. California: University of California Press. doi:<https://doi.org/10.1525/luminos.96>
- Waite, L. (2008). A Place and Space for a Critical Geography of Precarity? *Geography Compass*, 412-433.
- Wang, H., Cheng, Z., & Smyth, R. (2013). Happiness and job satisfaction in urban China: a comparative study of two generations of migrants and urban locals. *Research Online*, 1-11.
- Wang, Z., & Jing, X. (2018). Job Satisfaction Among Immigrant Workers: A Review of Determinants. *Social Indicators Research*, 381-401.
- William H. Sewell, J. (1992). A Theory of Structure: Duality, Agency, and Transformation. *American Journal of Sociology*, 1-29. Retrieved from <http://ludwig.lub.lu.se/login?url=https://www.jstor.org/stable/2781191>
- Woolfson, C., Fudge, J., & Thörnqvist, C. (2014). Migrant precarity and future challenges to labour standards in Sweden. *Economic and Industrial Democracy*, 695-715.

## Appendix I

### Interview Consent Form

### Interview Consent Form

**Title of the project:**

The informal tactics of the Bangladeshi student migrant restaurant workers in Sweden: Crime or Survival Strategies?

**Researcher:**

K M Rakibul Islam, Master's student at the Department of Sociology of Law, Lund University, Sweden

**Purpose of the Research:**

This thesis focuses to explore the Bangladeshi student migrant restaurant workers' (Student migrant workers') everyday encounters of informality, exploitation, and precarity within Bangladeshi-owned restaurants and their encounter of law regulating migrants' working conditions in Sweden. This study aims to investigate the explanations of overlooking the labour rights by Student migrant workers and their reasoning for accepting exploitation and poor working conditions.

**What will you do in this research?**

First of all, you need to take time and think if you want to become a participant in this study. If you agree, at that time, as an interviewer, I will ask you some questions related to your day-to-day life activities in your workplace and experiences of Swedish migration laws and the Swedish labour market. I will also ask you some questions related to your process of employment, your interaction with your co-workers, the people you contact in your daily life if you face any problem in your workplace how you overcome it. If you allow, I will record your interview on my mobile phone. If you do not agree to record your interview, at that time, I will write it down in my diary. In the whole interview, you need to say your name, your place of employment, your city, and any other information that you do not want to provide. If you do not want to answer any question, you have the full right to do so. After your interview, I will not use your name in any place or at any time, I will always maintain your privacy. After I have transcribed your interview, if you allow, I will send it to you again to get your suggestions if I have written anything which you have not said or intended.

**How much time will it take?**

The interview will last nearly 45 minutes to 1 hour.

**What are the possible risks?**

I strongly believe that no risk is associated with your participation in the interview. After the interview, you have full right to withdraw and ask me not to use your interview at any time.

**What are the possible benefits?**

As a participant in this interview, you will be able to express your views and tell the story and experience of your work as a migrant in Sweden. You will also be able to express your opinion and experiences related to Swedish migration laws, labour laws, and labour market. Your answer will contribute to a better understanding of the difficulties that the Bangladeshi student migrant restaurant workers face in the restaurants owned by people from Bangladesh.

**Does the researcher ensure confidentiality?**

I, K M Rakibul Islam, must ensure confidentiality and all of your answers to the interview questions will be kept confidential. I guarantee that I will never disclose your identity anywhere. I will use hypothetical common names that are common for the people of Bangladesh, e.g., Ahmed, Tuhin, Jamal, Kamal, etc. If I record your interview after your permission, I must delete it after transcribing it. The data that I will obtain from you will be used solely for academics. At all places, I assure you that your identity will be hidden completely. I will never use your name in any presentation or discussion.

**How to contact the researcher?**

If you have future questions related to my study or your interview, please feel free to contact me: K M Rakibul Islam, Department of Sociology of Law Lund University, Lund, Sweden, email: Email: [kmrakibulislam87@gmail.com](mailto:kmrakibulislam87@gmail.com)

**Agreement between K M Rakibul Islam and Mr. “XYZ”:**

I do hereby declare that the research, K M Rakibul Islam for his academic investigation: “The informal tactics of the Bangladeshi student migrant restaurant workers in Sweden: Crime or Survival Strategies?” has provided me clear information related to the aim of his research. K M Rakibul Islam has explained to me the research project in my understandable terms and words. K M Rakibul Islam has confirmed to me that my name will not be disclosed at any place or anywhere or anytime. K M Rakibul Islam has confirmed to me that he will maintain confidentiality. Henceforth, I have agreed to be an interviewee of K M Rakibul Islam’s academic research project. K M Rakibul Islam has kept one copy of the consent form and also given me another copy of the consent form and both are counter-signed.

---

Participant’s Signature (Not actual signature for my safety)  
Date:

---

Researcher’ Signature (Actual signature)  
Date:

## Appendix II

### **Interview questionnaire**

Dear Participant,

I am grateful to you for your valuable time. This research project the Bangladeshi student migrant restaurant workers' (Student migrant workers) everyday encounters of informality, exploitation, and precarity within Bangladeshi-owned restaurants and their encounter of law regulating migrants' working conditions in Sweden. This study aims to investigate the explanations of overlooking the labour rights by Student migrant workers and their reasoning for accepting exploitation and poor working conditions.

This interview is a part of fulfilling the requirement of my master's degree at the Department of Sociology of Law, Lund University. I, K M Rakibul Islam is the sole investigator of this study.

The name, location, and all other personal details of the interviewee will remain fully confidential and will be completely anonymized. The interview results will be used only for academic purposes. Your honest answers to the interview questions will be highly appreciated as it will be helpful and significant to better understand the difficulties that the Bangladeshi student migrant restaurant workers face in Sweden as migrant workers.

Kindest regards,

K M Rakibul Islam

### **Interview Questions:**

#### **1. General Questions (Ice-breaking questions)**

How are you? How is the Swedish winter? Are you habited with Swedish weather now?

Do you live alone in Sweden or with your family members?

What are your last Educational Institutions and your academic background from Sweden?

How long have you been in Sweden and how long have you been working in a Bangladeshi-owned restaurant?

What is your plan as a migrant? Do you plan to stay in Sweden permanently?

How would you describe your command of the Swedish language? Is the Swedish language helpful for your job or getting a job?

## **2. The role of the Student migrant workers' social networks and relationships in Sweden:**

Do you have Bangladesh friends in your working city? What kind of contacts do you have with people originally from Bangladesh?

Do you have any friends other than Bangladeshi friends? If no, why?

Have your social connections helped you in getting your job or getting information related to your job?

How do you contact other Bangladesh migrants when you need any help?

Do your social connections and social networks support you if you experience or face any challenges or difficulties in your workplace as a migrant? If you get help, who helps you and how do they help you?

Have you ever got any support from Bangladeshi people to solve your workplace problem?

## **3. The employment process of the Student migrant workers and the working conditions in the Bangladeshi restaurants:**

Are you working in your academic field of studies? If no, why are you working in a Bangladeshi-owned restaurant? How have you got your job in a Bangladeshi-owned restaurant in Sweden?

Do you have an offer of employment? Do you get all the facilities according to your job contract? Do you need to do any additional work apart from your duties?

Do you enjoy your work? Do you face any unexpected problems in your job? How the employer and other co-workers treat you? Do you feel secured at your workplace?

Do you know the requirements of the Swedish migration law to maintain your work permit visa? If yes, how do you maintain your work permit visa?

Have you got your job by giving an interview, if yes, how? If, no, how have you got your job?

## **4. The knowledge, understanding, and experiences with Swedish migration law by the Student migrant workers**

What do you know about Swedish migration law related to your work permit?

Have you ever faced any problems from the Swedish migration agency?

Are you satisfied with the process of your work permit visa? If no, why?

## **5. The strategies and tactics that the Student migrant workers follow to maintain their work permit visa(s) in Sweden**

How did you learn about the Swedish migration laws and regulations? As you are on a work permit visa, how do you maintain a work permit visa? Do you face any challenges to maintain your work permit visa? If yes, how do you solve it?

Do you apply any strategies or tactics if you face any expected or unexpected problems to maintain your work permit visa? If yes, how do you solve it?

Are the Swedish migration law and labour law easy and favorable for you and other migrant workers?

Do you know where to ask for help if you face any problems with Swedish migration laws and Swedish labour laws?

If you face any violation of your rights in your workplace, do you report it to the Swedish authority? If yes, how? If no, why not? If you do not report your problem, then, how do you solve your problem?

In your contacts with the Swedish migration agency and visa, officers have what have you experienced? E.g., have you received the decision on time?

#### **6. The legal culture of Bangladesh and the experiences of the Student migrant workers related to the Swedish migration law:**

Do you rely on your home country's culture in Sweden or do you rely on Swedish law?

If you face any problems or challenges in your workplace, do you take support from the Swedish legal institutions? If yes, how? If, no, why not? If, not, then, how do you solve your problems at your workplace?

Do you have an idea about the Bangladeshi culture of bribe? Have you ever tried this? If yes, why and how?

Have you ever given money (bribe) to anyone in Sweden? If yes, whom and why?

#### **7. Conclusion questions**

In your opinion, why are the Student migrant workers accepting exploitation and bad work conditions?

In your opinion or from your experience, why do the Bangladeshi student migrant restaurant workers try to stay in Sweden after their studies?

In your opinion, why do the Bangladeshi student migrant workers want to stay in Sweden, and is it right to do what are you doing to stay in Sweden? If, yes, why?

Is there anything else, which you would like to tell us about the Bangladeshi student migrant restaurant worker's experience in their everyday lives in Sweden?

## Appendix III

### **Requirements for a complete work permit application in Sweden**

(The information is taken from the website of the Swedish migration authority without any modification)

#### **Requirements for a complete application in Sweden:**

In order for the application for a work permit to be handled within the certification process, it must be complete. A decision for a complete application will be made within a maximum of 20 days. The application must be submitted via the web.

#### **For a completely complete application:**

The position should have been advertised in Sweden and the EU for a minimum of ten days in the event of a new recruitment

You should create an offer of employment on the web. The offer must be filled in

You should offer terms of employment that are at least on par with Swedish collective agreements or what is customary in the occupation or industry

You should offer employment that allows the employee to support herself. To satisfy these support requirements, the employee must work to the extent that the salary amounts to at least SEK 13,000 a month before tax

You should have given the relevant trade union organisation an opportunity to comment on the terms of employment in the employment offer the union should have assessed that the employment terms are in line with Swedish collective agreements or what is customary in the occupation or industry copies of the pages in the employee's passport should be attached, which show personal information, photograph, signature, passport number, passport issuing country, the passport's period of validity, bar code on the identification page, and if the employee is authorised to live in countries other than his country of origin

the application fee should be paid a copy of the power of attorney from the employee to the company is attached. In cases where no statement is given by a trade union organisation, or such an organisation refrains from doing so because of the lack of a collective agreement, the Swedish Migration Agency aims to make a decision within 60 working days after receipt of the web application.

## Appendix IV

### **Anställningserbjudande / Offer of Employment in accordance with the Swedish Law:**

The form is available in this link:

[https://www.migrationsverket.se/download/18.5e83388f141c129ba6312eab/1544092730861/anst\\_erbj\\_232011\\_sv.pdf](https://www.migrationsverket.se/download/18.5e83388f141c129ba6312eab/1544092730861/anst_erbj_232011_sv.pdf)

## Anställningserbudande / Offer of Employment

Bilaga till "Ansökan om tillstånd för att arbeta i Sverige", "Ansökan om EU-blåkort för att arbeta i Sverige" och "Ansökan om ICT-tillstånd för att arbeta i Sverige"  
Annex to "Application for a Swedish work permit", "Application for an EU Blue Card for work in Sweden" and "Application for ICT-permit for work in Sweden"

Används även när personer som är anställda utomlands ska arbeta hos en uppdragsgivare i Sverige/Also to be used when persons who are employed abroad will work for a client in Sweden

Myndighetens anteckningar/The authority's notes	
Dossiernummer	Signatur

**OBS! Läs de gula rutorna innan du fyller i blanketten.**

Anställningserbudandet ska fyllas i av dig som är arbetsgivare eller uppdragsgivare i Sverige som erbjuder arbete till personer som är medborgare i ett land utanför EU/EES-området och Schweiz.

Du kan välja att fylla i anställningserbudandet direkt på [www.migrationsverket.se](http://www.migrationsverket.se). Där finns också mer information.

I anställningserbudandet ska det bland annat finnas med ett yttrande från berörd facklig organisation för att ansökan ska vara komplett. Det gäller oavsett om arbetsgivaren tecknat kollektivavtal eller inte. **Om Migrationsverket måste begära in kompletterande uppgifter fördröjs handläggningen.**

Det är sedan arbetstagaren som ska bifoga anställningserbudandet till sin ansökan om tillstånd för att arbeta i Sverige. Uppgifterna i anställningserbudandet är en förutsättning för att verket ska kunna pröva hans eller hennes ansökan. **Det är därför viktigt att alla begärda uppgifter och handlingar finns med.**

Om anställningserbudandet gäller flera personer med samma anställningsvillkor och arbetsuppgifter ska en huvudperson anges på anställningserbudandet och övriga på blanketten "Namnlista", nr 234011.

OBS! Huvudregeln är att arbetstagaren första gången ska ansöka om och få tillståndet beviljat innan han eller hon reser in i Sverige.

### Uppgifter om arbetstagaren/Details of the employee

Efternamn/Last name (family name)		Förnamn (samtliga)/First names (all given names)	
Medborgarskap/Citizenship	Födelsedatum (ev. personnummer)/Date of birth (YYYY-MM-DD, Swedish personal identity ID number if applicable)	Kön/Sex <input type="checkbox"/> Man/Male <input type="checkbox"/> Kvinna/Female	
Examen/utbildning/Degree/education			
<input type="checkbox"/> Anställningserbudandet gäller flera personer/ The Offer of Employment includes several persons Antal/Number ..... (Blanketten "Namnlista" ska bifogas/The form "Namnlista" must be attached)			

### Uppgifter om arbetsgivaren/uppdragsgivaren i Sverige/Details of the employer/client in Sweden

Företagets namn/Company name		Gatuadress/Street address	
Postnummer och ort/Post code and city		Organisationsnummer/Corporate identification number	
Kontaktperson/Contact person	Telefon/Telephone no	E-postadress/E-mail address	
SNI-kod som framgår av företagets registreringsbevis från Skatteverket (fem siffror)/SNI -code shown in the company's registration certificate from the Swedish Tax Agency (five digits)		När startade företagets faktiska verksamhet?/ When did the company start its actual operation? (YYYY-MM-DD)	
Antal anställda i företaget/ Number of employees	Företaget/ombudet är certifierat genom ett särskilt avtal med Migrationsverket /The company/agent is certified by a special agreement with the Migration Agency <input type="checkbox"/> Nej/No <input type="checkbox"/> Ja/Yes Ombud/Agent:.....		

**Uppgifter om arbetet/Details of the job**

Här ska du beskriva arbetsuppgifterna och uppge den yrkesklassificering som arbetet har. Yrkesklassificeringskoden (SSYK) ska ha minst tre siffror. Du hittar SSYK-koder i <a href="#">Statistiska centralbyråns (SCB) yrkesregister/See Statistics Sweden Schedule of Codes</a>	
Yrke (på svenska)/Occupation (in Swedish)	SSYK-kod (minst tre siffror)/SSYK-code (at least three digits)
Beskrivning av arbetsuppgiften/Description of the job	
Ange den anställdes ställning (gäller endast vid ICT-tillstånd)/ State the employees position (only applicable on intra-corporate transfer – ICT)	
<input type="checkbox"/> Chef/manager <input type="checkbox"/> Specialist/Specialist <input type="checkbox"/> Praktikant/Trainee employee	

**Uppgifter om anställningen/Details of the employment**

Här ska du ange om personen är anställd i Sverige eller utomlands och under vilken tid anställningen/uppdraget pågår. Vid <b>nyrekrytering</b> ska du också ange hur och när du annonserade tjänsten inom EU/EES och Schweiz samt uppge referensnummer eller ID-nummer för annonsen. Om du inte har annonserat tjänsten (till exempel när personen ansöker om förlängning och har kvar samma tjänst som tidigare) ska du ange varför. För mer information om kravet på utannonsering se <a href="#">www.migrationsverket.se</a> .	
<b>Anställda i Sverige/Employees in Sweden</b>	
Anställningen avser (ange datum ÅÅÅÅ-MM-DD)/The employment concerns (state date YYYY-MM-DD)	
<input type="checkbox"/> Tidsbegränsad anställning från och med/Fixed-term employment from ..... till och med/until ..... <input type="checkbox"/> Tillsvidareanställning från och med/Permanent employment from .....	
<b>Utannonsering av tjänsten/Advertising of the job</b>	
Har tjänsten annonserats inom EU/EES och Schweiz?/Has the job been advertised in EU/EES and Switzerland?	
<input type="checkbox"/> Ja/Yes Ange var och under vilken period arbetet har annonserats /State where and during which period the job was advertised? Annon-ID (Platsbanken) eller referensnummer (EURES)/Advertise-ID (Platsbanken) or reference number (EURES) ..... <input type="checkbox"/> Nej/No Om arbetet inte annonserats, ange varför./If not advertised, state the reason .....	
<b>Anställda utomlands/Employees outside Sweden</b>	
<input type="checkbox"/> Anställning hos en arbetsgivare utanför Sverige som ingår i samma koncern som företaget i Sverige /Employment with an employer outside Sweden included in the same company group as the company in Sweden <b>Den utländska arbetsgivarens namn/Name of the foreign employer</b> ..... Arbetet beräknas pågå från och med/Fixed-term employment from ..... till och med/until ..... <input type="checkbox"/> Anställning hos en arbetsgivare utanför Sverige som utför arbete åt en svensk uppdragsgivare/Employment with an employer outside Sweden performing work for a Swedish client <b>Den utländska arbetsgivarens namn/Name of the foreign employer</b> ..... Arbetet beräknas pågå från och med/Fixed-term employment from ..... till och med/until .....	
<b>För kulturarbetare och artister/For cultural workers and artists</b>	
OBS! Kulturarbetare och artister ska även bifoga underskrivet kontrakt och turnéplan./NOTE: Cultural workers and artists must also attach a signed contract and tour plan.	
<input type="checkbox"/> Antal faktiska arbetsdagar (gäller endast för kulturarbetare och artister)/Number of actual working days (only for cultural workers and artists) ..... dagar/days	

## Uppgifter om anställningsvillkor/Details on terms of employment

Här ska du ange arbetets omfattning i procent, grundlön per månad, eventuella tillägg och traktamenten samt den sammanlagda inkomsten per månad. För ICT-tillstånd anges ersättning istället för lön. Du ska här också ange om företaget har kollektivavtal och vilket fackförbund som företaget i så fall har tecknat kollektivavtal med samt datum då avtalet undertecknades.

För att en arbetstagare ska kunna få ett EU-blåkort måste lönen vara minst en och en halv gånger en svensk genomsnittslön. Mer information om EU-blåkort och den så kallade lönetröskeln finns på [www.migrationsverket.se](http://www.migrationsverket.se).

### Kollektivavtal/Collective agreement

Omfattas den sökande av kollektivavtal?/Is the applicant covered by a collective agreement?

- Ja/Yes, ange det fackförbund kollektivavtalet är tecknat med/If yes, state the union the collective agreement is signed with ..... från och med/from .....(datum/date)
- Nej/No

### Lön och arbetets omfattning (%) /Salary and extent of work (%)

Arbetet är heltid (100%)/The job is full-time (100%)

Grundlön före skatt (kr/månad)/Base salary before tax (SEK/month)	Eventuella OB-tillägg (kr/månad)/Any supplements for inconvenient hours	Eventuellt traktamente (kr/månad)/Any allowances for expenses (SEK/month)	Sammanlagd inkomst/månad/Total income (SEK/month)
---	---	---	---

Arbetet är deltid (ange % av heltid)/The job is part-time (indicate % of full-time)

Omfattning %/ Extent %	Grundlön före skatt/Base salary before tax(SEK/month)	Eventuella OB-tillägg/Any supplements for inconvenient hours (SEK/month)	Eventuellt traktamente/Any allowances (SEK/month)	Sammanlagd inkomst/månad/Total income (SEK/month)
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### Försäkringar/Insurances

För att Migrationsverket ska kunna bevilja arbetstillstånd måste arbetsgivaren ha tecknat, eller ha för avsikt att teckna, försäkringar som lägst motsvarar det som finns i svenska kollektivavtal när arbetstagaren påbörjar anställningen. Svenska kollektivavtal innehåller sjuk-, trygghets-, liv- och tjänstepensionsförsäkringar.

Finns det, eller kommer företaget att teckna, försäkringar för anställda som är i nivå med kollektivavtal eller praxis inom yrket eller branschen?/Are there or will the company take out insurances for employees that are in line with collective agreements or common practice in the profession or industry?

- Ja, det finns försäkringar. Ange försäkringsskydd och försäkringsbolag/Yes. State the employee's insurance cover and insurance company:
- Sjukförsäkring hos/Health insurance with .....
- Trygghetsförsäkring vid arbetsskada hos/Insurance for occupational injury with .....
- Livförsäkring hos/Life insurance with .....
- Tjänstepensionsförsäkring hos/Pension insurance with .....
- Ja, företaget kommer att, när arbetstagaren påbörjar sin anställning, ha tecknat försäkringar med följande försäkringsbolag:/Yes, the company will, when the employee starts the employment, have taken out insurance with the following insurance companies: .....
- Nej/No

### Övriga upplysningar

Övriga upplysningar/Other information

### Underskrift av arbetsgivare/uppdragsgivare i Sverige/Signature of employer/client in Sweden

Här ska du som arbetsgivare/uppdragsgivare försäkra att de uppgifter som du har lämnat är riktiga. Du måste också försäkra att den sökande är informerad om samtliga anställningsvillkor. Anställningserbjudandet ska skickas till arbetstagaren som sedan bifogar det till sin ansökan.

Den sökande är informerad om samtliga anställningsvillkor./The applicant is informed of all employment conditions.

- Ja/Yes  Nej/No

Jag försäkrar att de uppgifter jag lämnat är riktiga./I declare that the information I have provided is accurate.

Ort och datum/Place and date

Namnteckning/Signature

Namnförtydligande/Printed name

**Yttrande från berörd facklig organisation/Opinion from relevant union**

Yttrandet är en del av anställningserbjudandet. Det är arbetsgivaren som **ska** skaffa yttrandet från den fackliga organisation som organiserar anställda inom det aktuella yrkesområdet. **Det gäller oavsett om arbetsgivaren tecknat kollektivavtal eller inte.** Organisationen bedömer om de erbjudna anställningsvillkoren är i nivå med de villkor som följer av kollektivavtal eller praxis inom yrket eller branschen.

Den fackliga organisationen ska skicka det undertecknade anställningserbjudandet till arbetsgivaren.

**Uppgifter om den fackliga organisationen/Details of the union**

Organisation/Name of the organization	Kontaktperson/Contact person
Uppdrag inom organisationen/Trade union post	Telefonnummer/Telephone number

**Den fackliga organisationens yttrande/The trade union's statement**

Arbetstagarens namn/The employee's name	Yttrandet omfattar även alla personer på bifogad blankett Namnlista/ The statement also includes the persons on the attached form Name list <input type="checkbox"/> Ja/Yes <input type="checkbox"/> Nej/No
Yrke, lön och omfattning enligt anställningserbjudandet/ Occupation, salary and extent of the employment according to the offer of employment	

**Uppgift om kollektivavtal/Details about collective agreement**

- Arbetsgivaren har tecknat kollektivavtal med/ The employer has signed a collective agreement with ..... (ange fackförbund/state union) från och med/from ..... (datum/date)

**Den fackliga organisationens bedömning/The trade union's opinion**

- Villkoren är inte sämre än de villkor som följer av kollektivavtal eller praxis inom yrket eller branschen/ The conditions are not worse than the conditions stipulated under collective agreements or common practice within the profession or industry
- Villkoren är sämre än de villkor som följer av kollektivavtal eller praxis inom yrket eller branschen/ The conditions are worse than the conditions stipulated under collective agreements or common practice within the profession or industry.

**Motivering/Statement**

- Lönen är sämre/ The salary is lower  
Lönenivå enligt avtal/norm är/ Salary conditions according to agreement/norm are ..... kr/månad för heltid/ SEK/month for full-time
- Försäkringar är sämre/ Insurances are worse  
Kommentar/Comment .....
- Villkoren är sämre än vad som gäller för utstationerade arbetstagare enligt lag (1999:678) om utstationering av arbetstagare (gäller endast vid ICT-tillstånd)/ The conditions are worse than the conditions for employees according to Posting of Workers Act (1999:678) (only applicable on intra-corporate transfer - ICT)
- Den fackliga organisationen avstår från att yttra sig/ The union refrains from commenting  
Ange orsak/ State reason .....

**Ytterligare kommentarer/Additional comments:****Underskrift av den fackliga organisationen/Signature of the union**

Ort och datum/Place and date

Facklig representant/Union representative

Namnförtydligande/Printed name

## Kompletterande uppgifter/Additional information

### Gäller för anställning inom vissa branscher och nystartade företag inom alla branscher/For employment in certain sectors and new businesses in all sectors

OBS! Om Migrationsverket måste begära in kompletterande uppgifter fördröjs handläggningen. Därför är det viktigt att alla handlingar är med./Please note! If the Migration Agency has to request additional information, the proceedings will be delayed. It is therefore important that all documents are included.

#### A. Företag inom vissa branscher/Companies in certain sectors

Vissa företag måste komplettera anställningserbjudandet med ytterligare uppgifter. Det gäller för anställningar hos företag i **nedanstående branscher** som har SNI-koder som inleds med angivna siffror (SNI-koden framgår exempelvis av företagets registreringsbevis från Skatteverket). Information om SNI-koder finns hos Statistiska centralbyrån, SCB. Arbetsgivare inom kommun, landsting och stat eller arbetsgivare med fler än 50 anställda behöver inte komplettera anställningserbjudandet med ytterligare uppgifter./Some companies must supplement the offer of employment with additional information. This applies to jobs at companies in **the sectors below** with SNI-codes starting with the specified numbers. (You can find the SNI-code for example in the company's registration certificate from the Swedish Tax Agency (Skatteverket)). Information on SNI-codes is available at Statistics Sweden (Statistiska Centralbyrån, SCB). Employers within municipality, county council and Government or employers where the number of employees is 50 or more do not need to supplement the offer of employment additional information.

- Städ/Cleaning (81290, 81210)
- Hotell- och restaurang (55101, 56)
- Service (9602, 9604, 9609)
- Bygg/Construction (41200, 421, 42990, 43)
- Bemanning/Staffing (782)
- Handel/Trading (471-478)
- Jord- och skogsbruk/Agriculture and forestry (0113, 012, 02102)
- Bilverkstad/Automobile repair (452)
- Personlig assistans/Personal Assistance (88101, 88102)

**Redovisa hur du som arbetsgivare kommer att finansiera löner för den anställde i minst tre månader. Det ska du göra genom att bifoga följande intyg eller handlingar: /Describe how you as an employer will finance the salary for the employee for at least three months. Do this by attaching the following certificates or documents:**

- Balans- och resultatrapporter för innevarande räkenskapsår/Balance sheet and performance report for the current financial year
- Likvida medel på bank eller checkkrediter/Available funds or overdraft credit

**Om du som arbetsgivare tidigare har medverkat i ansökan om arbetstillstånd och anställt medborgare i länder utanför EU/EES och Schweiz ska du bifoga: /If you as an employer previously have taken part in the application for a work permit and have hired nationals from outside the EU/EEA and Switzerland you should attach:**

- Skattekontoextrakt från Skatteverket för de tre senaste månaderna./Tax account extract from the Tax Agency (Skatteverket) for the last three months.

**Om företaget är registrerat i ett land utanför EU/EES och Schweiz och ska bedriva näringsverksamhet i Sverige ska du bifoga: /If the company is registered in a country outside the EU/EEA or Switzerland and will run business operations in Sweden you should attach:**

- Registreringsbevis från Bolagsverket (Bevis om filialregistrering i Sverige i enlighet med lag (1992:160) om utländska filialer m.m.) /Registration certificate from the Swedish Companies Registration Office (Bolagsverket) (Certificate for branch registration in Sweden in accordance with in the Foreign Branch Offices Act (1992:160))

**Kommentar/Comments:**

**B. Nystartade företag inom alla branscher/New businesses in all sectors**

Kompletterande uppgifter ska också lämnas för anställningar hos **nystartade företag inom alla branscher**. Med ett nystartat företag menar vi företag som startat sin faktiska verksamhet under de senaste 12 månaderna./Additional information also has to be given for employment in **new businesses in all sectors**. A new business is a company that has started its actual operations in the past 12 months.

**Redovisa hur du som arbetsgivare kommer att finansiera löner för den anställda i minst tre månader. Det ska du göra genom att bifoga följande intyg eller handlingar: /Describe how you as an employer will finance the salary for the employee for at least three month. Do this by attaching the following certificates or documents:**

- Balans- och resultatrapporter för innevarande räkenskapsår/Balance sheet and performance report for the current financial year
- Likvida medel på bank eller checkkrediter/Available funds or overdraft credit
- Ingångna kontrakt om pågående och kommande uppdrag eller hyra/köp av lokaler/Contracts entered for current and future projects or lease/purchase of premises

**Om du som arbetsgivare tidigare har medverkat i ansökan om arbetstillstånd och anställt medborgare i länder utanför EU/EES och Schweiz ska du bifoga: /If you as an employer previously have taken part in the application for a work permit and have hired nationals from outside the EU/EEA and Switzerland you should attach:**

- Skattekontoutdrag från Skatteverket för de tre senaste månaderna./Tax account extract from the Tax Agency (Skatteverket) for the last three months.

**Om företaget är registrerat i ett land utanför EU/EES och Schweiz och ska bedriva näringsverksamhet i Sverige ska du bifoga: /If the company is registered in a country outside the EU/EEA or Switzerland and will run business operations in Sweden you should attach:**

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**Kommentar/Comments:**