

An Intersectional Analysis of Precarity and Exploitation: Women and LGBTQIA+ Workers in Substate Neoliberal Systems

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Abstract

The intersection of gender and ethnicity or race lies at the root of structural discrimination and racist practices for accessing the labor market and in the workplace. This discrimination is particularly evident for women and LGBTQIA+ individuals who either belong to ethnic minorities or are migrants. However, numerous other social drivers (e.g., age, class, origins) and external factors (e.g., prejudices, gender-based violence) further hinder their participation in the work domain and their attainment of fair labor conditions. This article explores how gender, ethnicity, and race intersect and operate with other conditions and factors to perpetuate the precarity and exploitation of women and LGBTQIA+ individuals who find themselves at the nexus of varied intersectional axes. The discussion centers around two neoliberal substate units in the Global North (South Tyrol, in Italy, and Catalonia, Spain) that register low unemployment rates and high rates of migration and that are home to historical, linguistic, and ethnic minorities. This empirical article provides for an informed debate on the lived experience of precarity and exploitation of women and LGBTQIA+ workers, and an analysis of how neoliberal substate units' labor and gender policies could be reformed.

Keywords

Catalonia; ethnicity; exploitation; gender; intersectionality; LGBTQIA+; precarity; race; social drivers; South Tyrol

1. Introduction

The neoliberal turn, the economic crises of recent decades, and the pandemic have made precarity and exploitation common among the majority of workers in the Global North and Global South. While employment rates in the official labor market tend to be higher in the former than the latter, the quality of

working conditions has overall significantly decreased (Jung et al., 2022; Rodriguez, 2022). Conditions worsen for those sectors of society that find themselves at the nexuses of intersectional axes of discrimination based on gender, ethnicity, race, social class, disability, age, and more. Research has pointed to how precariousness becomes worse for women who already face horizontal and vertical segregation, the pay gap, the pension gap, and other interrelated dimensions of the gender employment gap (Chudnovsky & Reyes Millán, 2021; Jung et al., 2022; Koslowski, 2021). Migrants are usually confronted with racial and ethnic discrimination in hiring and are subject to exploitative labor practices (Lippens et al., 2022; Ortega-Jiménez et al., 2023; Rodriguez, 2022). Lesbian, gay, bisexual, transgender, queer, intersex, asexual, gender diverse, and questioning (LGBTQIA+) individuals generally face remarkable difficulties in finding and securing a job and remain subject to gender and sexual hierarchies that expose them to discriminatory practices in the workplace (Badgett et al., 2021; Del Gobbo, 2023).

In addition, welfare states, which have recently reduced the scope of their services and benefits (Daly, 2020), continue to be constructed on premises such as racial capitalism, andrarchies, heteronormativity, and gender roles (Ciccia & Sainsbury, 2018; Rodriguez, 2022) that reinforce power asymmetries and exclusionary practices that ultimately affect the access of the abovementioned social categories to the job market and good work conditions. In this context, a need exists for intersectional analyses that go beyond single case studies of specific intersections to consider how other axes beyond gender, ethnicity, and race contribute to creating a critical matrix of social inequalities in the labor market (Ciccia & Sainsbury, 2018; Reiss et al., 2023).

This study adheres to the strand of intersectional research by reporting how a variety of social drivers (e.g., age, class, origins) and external factors (e.g., prejudices, gender-based violence) operate and eventually perpetuate the precarity and exploitation of women and LGBTQIA+ individuals. The study thus provides a voice to silenced minorities who live in economic systems that not only tolerate but also deepen inequalities and exclusion (Daly, 2020).

The discussion is situated in two neoliberal substate units in the Global North (South Tyrol, in Italy, and Catalonia, Spain) where gender, ethnicity, and race intersect daily in the work domain. South Tyrol and Catalonia are home to historical-linguistic minorities (Italians, German speakers, and Ladins in South Tyrol; Spaniards, Catalans, and Aranès speakers in Catalonia) whose linguistic rights are well accommodated. This variety has created multilingual environments that may require knowing more than one language to access the labor market. Simultaneously, both units are home to historical Roma and Sinti communities and more recent ones stemming from migration. Also, they register high rates of migration (Carlà, 2018). Their wealthy economies are largely based on tourism, agriculture, and services. While the third sector employs large parts of the middle-class population predominantly from the three historical linguistic groups, the other two sectors require many seasonal workers who are often recruited among those in weaker positions; that is, people with a migratory background, women, and LGBTQIA+ individuals. Indeed, both units register high general employment rates and high rates for women (almost 70% in South Tyrol and 66% in Catalonia; ASTAT, 2023; GenCat, 2022). However, while statistics show a worrying gender pay gap among women (ASTAT, 2021), they do not explain why precarity and exploitation are persistent for women and LGBTQIA+ individuals, especially those with a migratory background. Finally, both units enjoy a high degree of self-government that includes competencies in labor and gender and have strong welfare systems. They have adopted several laws, policies, and action plans for labor and gender equality, but they lack an intersectional approach and are mainly based on gender binary assumptions.

In this article, I use gender, ethnicity, and race as socially constructed concepts that have a plethora of social implications. I use them as fluid and plural concepts rejecting essentialism and assuming further levels of diversity within them. In this sense, I align with poststructuralist/postmodern feminist and queer debates that refer to gender as a plural concept without binary boundaries (Richardson, 2020). I use ethnicity as an articulation of a linguistic community or territory (such as South Tyrol and Catalonia; Meer, 2014) and race as a social phenomenon that creates racial categories that deny equal dignity (Meer, 2014).

I refer to precarious work as “the presence of insufficient wages, absence or reduction of work benefits, insecurity in the duration of the employment relationship, the presence of several employers, and legal and practical obstacles to join a union and bargain collectively” (Chudnovsky & Reyes Millán, 2021, p. 626). Thus, precarity traps workers in uncertainty and produces complex dynamics at different levels (Walsh, 2019). Its etymology has colonial roots (Walsh, 2019). Indeed, it reproduces colonial effects with special regard to people with a migratory background who are subject to racialized dynamics of labor demand and relations of servility (Rodríguez, 2022).

Finally, I refer to exploitation following the International Labour Organization’s indicators related to working excessive days or hours, carrying out hazardous work, receiving low or no salary, suffering wage manipulation, working in terrible conditions, and having no entitlement to social protection, in addition to there being no respect for labor laws or the signed contract (International Labour Organization, n.d.).

Hence, the following sections, after an overview of recent debates and methodology, delve into the lived experiences of precarity and exploitation of women and LGBTQIA+ individuals in South Tyrol and Catalonia and discuss how these neoliberal substate units’ labor and gender policies could be reformed.

2. Recent Debates on Precarity, Exploitation, and Intersectionality

This article situates its discussion in three research fields that have received wide academic attention, and, by extension, are not exempt from ongoing debates. Focusing on Europe, research now understands precarity as a result of neoliberalism and the deregulation of labor markets (Walsh, 2019). This cannot be separated from the scientific analysis of exploitation, which recent literature also has identified as a structural element of the current neoliberal (and deregulated) capitalist systems (Mantouvalou, 2018; Palumbo, 2023). A recent debate tries to move beyond the narrow conceptualization of exploitation, especially at the legal level (Mantouvalou, 2018), and sees it rather as a continuum of varying degrees of unfair labor conditions, including cases in which workers accept such conditions due to precarity and compelling economic needs (Palumbo, 2023). This holds particularly true for those who find themselves at the nexus of several intersecting axes of discrimination such as the women and LGBTQIA+ individuals discussed in this article. Indeed, as Palumbo (2023) stressed, there is a need to capture the diverse subjective and contextual elements of exploitation that, in turn, require intersectional analysis.

In Europe, the studies on intersectionality, championed by Crenshaw (1989, 1991), have mainly developed around social inequality, identity, power and resistance, and religious diversity. Several academics have tackled the intersection of the so-called Big Three (gender, race, and class) but mostly concerning women and migration and taking little consideration of other factors (Davis & Zarkov, 2017). Likewise, scholarly works on the working conditions of LGBTQIA+ individuals have been steadily increasing. The intersection

with age, health, and migration has received attention in the context of the United States (e.g., Badgett et al., 2021), but less so in Europe.

In this frame, this article seeks to contribute to these recent debates by looking at the lived experiences of precarity and exploitation as part of the prism of social inequalities dictated by two substate capitalist and welfare systems in which parts of our societies risk remaining marginalized due to the intersection of gender, race, and ethnicity but also many other drivers and factors. In addition, the article adheres to Hancock's (2019, p. 118) recent "paradigm intersectionality approach" to empirically analyze the complex causalities of specific social inequalities and, at the same time, suggest ideas to transform the legal institutions.

3. Methodology

This article reports part of the research of a larger project that investigates the socioeconomic participation (access to work, education, and social and public services) of women and LGBTQIA+ individuals in South Tyrol and Catalonia. Thus, it has followed the project's socio-legal qualitative methodology (Tomaselli, 2022). The article combines the social sciences' interpretive analysis of individual perceptions (Robson & McCartan, 2016) with the assessment of the implementation and application of legal instruments (Dobinson & Johns, 2014). It thus assesses the results of the analysis of two datasets: primary data stemming from empirical work with civil society organizations (CSOs) and policy experts, and secondary data comprising South Tyrolean and Catalan laws, policies, and action plans in the fields of labor, gender and cultural diversity, equal opportunities, antidiscrimination, and social inclusion.

To collect primary data, I employed one main qualitative research technique: semi-structured interviews. I used a purposive sampling strategy combining quota and snowball sampling (Robson & McCartan, 2016). I aimed to reach out to participants in relative proportions in both substate units and their provinces (Bolzano in South Tyrol; Barcelona, Girona, Lleida/Lerida, and Tarragona in Catalonia). Other participants were subsequently recommended by the first respondents. Results are thus not representative but are indicative of what happens on the ground.

The interviewees were identified based on web and social media searches in South Tyrol and Catalonia. I looked for CSOs dealing with women and LGBTQIA+ rights, awareness raising, and advocacy or providing them assistance in the fields of work, education, services, and other sectors (e.g., gender-based violence). I decided not to work exclusively with trade unions or workers' or employers' associations, not only because of the wider breadth of the project, but also because they tend to know less about LGBTQIA+ and migrant workers and their labor experiences than the CSOs that provide them assistance. Indeed, these CSOs ensure more anonymity and safety to the individuals they assist and usually know more about their situations.

Hence, I identified 29 CSOs in South Tyrol and 111 in Catalonia. This asymmetry is due to the size of the population of these two subnational units: Catalonia has four provinces and is approximately 14 times the population of South Tyrol. Out of these identified CSOs, I selected and invited for either an individual or group interview 26 CSOs in South Tyrol and 82 in Catalonia. I had to invite a high number of CSOs in Catalonia because many never replied or refused to be interviewed. For both South Tyrol and Catalonia, the selection of the CSOs followed these criteria: balance between those formed and run by women and those formed and run by LGBTQIA+ individuals; balance between those addressing local women and LGBTQIA+ individuals

(including, Roma and Sinti) and those targeting mainly women and LGBTQIA+ individuals with a migratory background. Also, for Catalonia, I had additional criteria to reach a proportional ratio for each province: size of the population of each province; number of CSOs that were found in each province; and balance among those dealing with the whole LGBTQIA+ spectrum and those having a specific target, for example, lesbian, transsexual, or asexual individuals only. Moreover, for Barcelona, which, in itself, had the vast majority of identified CSOs, I added an additional criterion that concerned the sector in which the CSOs were acting (e.g., employment, health, youth, families, education). Those CSOs that were eventually excluded from the sample were those that were mainly dealing with cultural issues, those without a physical seat, or those having very few and/or unreliable contact details (e.g., only a generic email address).

I eventually carried out 16 individual or group semi-structured interviews (13 individual and three group interviews) with participants either employed with or volunteering for the identified CSOs in South Tyrol, and 27 in Catalonia (21 individual and six group interviews). Out of the latter, 11 CSOs are working in Barcelona and its province, seven in Tarragona and its province, three in Lleida/Lerida and its province, three in Girona and its province, and three (albeit with a seat in Barcelona) in the whole of Catalonia. In two cases (one in Barcelona and one in South Tyrol), I held two separate interviews with participants working or volunteering in the same CSOs upon their request. All the interviewees reported the lived experiences of the people they assisted.

A large majority of the CSOs that I interviewed are acting or conducting their activities in urban areas, while many work in both rural and urban areas, and only a few focus on rural areas. The majority of the interviewed CSOs receive public funds, at least partially, while some are based on voluntary work only (for further details see Tomaselli, 2023a; see also Table 1 below).

Regarding the identification of policy experts, I used non-probability (or purposive) sampling strategies and quota and snowball sampling (Robson & McCartan, 2016, pp. 279–280). Hence, I carried out a web-based search to identify those Catalan and South Tyrolean public administration bodies that are in charge of protecting and promoting gender and cultural diversity, equal opportunities, antidiscrimination, and social inclusion policies at the substate level. The scope included reaching out to a variety of policy experts who have occupied or continue to occupy key positions in public administration bodies in charge of the abovementioned sectors and policies at the regional level in Catalonia and at the provincial and municipal level in South Tyrol. This asymmetry is due to the fact that, in Catalonia, the competence to deal with gender, diversity, and social inclusion is of the Generalitat de Catalunya at the country level, while in South Tyrol it is dealt with both at the provincial and municipal levels. The snowball sampling allowed me to identify a few more potential participants. I eventually identified 18 policy experts in South Tyrol and eight in Catalonia. This asymmetry, as mentioned, is due to the need to include municipalities in the former substate unit. Out of these policy experts, I selected and invited for an interview 13 in South Tyrol and all eight in Catalonia. Among the former, there were six experts from the four main municipalities and seven from the provincial level. The latter were all current or former civil servants of the Generalitat de Catalunya in the abovementioned sectors. The policy experts that were eventually excluded from the sample in South Tyrol were those that were mainly dealing with education or minors' issues and thus could not contribute regarding issues related to the domains of work and public services. See Table 1 for further details.

Table 1. Number of identified, invited, and interviewed CSOs and policy experts per substate unit.

Participants	South Tyrol	Catalonia
Identified CSOs	29	111
Invited CSOs	26	82
CSOs interviewed	16	27
Total CSOs interviewed		43
Identified policy-experts	19	8
Invited policy-experts	13	8
Policy-experts interviewed	7	3
Total policy-experts interviewed		10

The interview guides for CSOs included questions on access to the labor market, episodes of discrimination at the workplace, and the role of additional social drivers (personal conditions, e.g., age, class) and external factors (e.g., prejudices, gender-based violence). The guides for interviewing the policy experts focused on role, application, pros and cons, and the potential need for reform of the abovementioned local laws, policies, and action plans (see Table 2).

Interviews were held between June 2022 and March 2023 in four languages (Catalan, Italian, German, and Spanish). Then, the interviews were transcribed and thematically analyzed through Nvivo software. I assigned codes by following a deductive but open approach (Creswell, 2012) based on the interview guides. However, I also included additional codes when specific issues were recurrently mentioned by respondents (e.g., transphobia).

I followed the “intercategorical” approach of intersectional analysis McCall (2005) identified, which allows one to not only critically separate social categories, but also explore the inequalities that exist between and across them and make comparisons. Therefore, for the thematic analysis of the CSOs’ interviews, I categorized the codes according to four socially constructed categories: local women, local LGBTQIA+ individuals, women with a migratory background, and LGBTQIA+ individuals with a migratory background. Roma and Sinti women and LGBTQIA+ individuals were included in either local or with a migratory background.

“Local” describes women and LGBTQIA+ citizens of South Tyrol or Catalonia. “With a migratory background” refers to those who had recently migrated into these units, had previously had a nationality different from Italian or Spanish, and/or had one of their parents previously enter South Tyrol or Catalonia as a migrant (European Commission, n.d.). This third case concerns the “second generation.”

All respondents received an information sheet with details regarding the research purposes and the protection of their personal data and data of special categories following the EU Regulation 2016/679 (GDPR). I collected explicit consent to participate voluntarily in the research. Respondents’ personal data have been encrypted and pseudonymized with numerical codes for personal security reasons. Hence, the names of respondents are not disclosed. I have duly applied my institution’s ethical principles and ensured integrity and transparency. During fieldwork, I was also conscious of my positionality and of potential power asymmetries with my respondents, being myself a white, middle-class, female researcher who had grown up in a Western reality. Moreover, given the sensitivity of the research topics

(e.g., gender, ethnicity, race), I maintained a humble and respectful attitude. I also switched to the language the interviewee preferred.

I used a non-probability sampling strategy and a sample size target for selecting the secondary data shown in Table 2.

Table 2. Type and number of policies analyzed per substate unit.

Laws and policies	South Tyrol	Catalonia
Country or regional statute	1	1
Law(s) on equal opportunities between women and men	4	3
Law(s) on LGBTQIA+ rights	0	1
Law(s) on migration and integration	1	1
Law(s) on gender-based violence	1	1
Law(s) on disability	1	1
Provincial policies and action plans on equal opportunities and social inclusion	3	(country-level policies only) 5
Municipal policies and action plans on equal opportunities and social inclusion	2	
Local recovery plans (NextGenerationEU)	1	1
Total laws and policies	14	14

I performed content analysis on these data. First, I familiarized myself with them. Second, I created categories for analysis and codes and tested them to assess reliability. Third, I performed the analysis counting the frequency of the codes (units) that referred to the main social drivers and external factors identified in the abovementioned thematic analysis. This led to the identification of gaps in the local laws, policies, and action plans as reported in section 5.

4. Lived Experiences of Precarity and Exploitation in South Tyrol and Catalonia

Precarity is a frequent condition for local women and LGBTQIA+ individuals in both substate units. It becomes a systematic reality that correlates with exploitation for those with a migratory background.

In this section, I present tables based on the “matrix coding query” feature of NVivo that helps visualize the intersections between lists of codes and thus, for the purpose of this article, show how gender, ethnicity, and/or race intersect and operate with the abovementioned social drivers and external factors. I report also various excerpts from interviews to illustrate how these conditions and factors create critical matrixes that reinforce the conditions of precarity and cause episodes of labor exploitation.

Table 3 shows that interviewees identified sexism, the need for work–life balance and family reconciliation, and division of roles as the main three drivers that not only affect local women’s entry into the labor market but also the conditions necessary for them to remain active workers or access higher positions. As one interviewee put it:

There is this glass ceiling, that is not made of glass, is of reinforced concrete, that makes that women are not promoted. (CSO interview 4)

Indeed, these three drivers are intertwined with gender-based prejudices and stereotypes and mutually reinforce each other thereby creating a critical matrix of domination and oppression vis-à-vis local women that ultimately hinder them from, not only entering the labor market, but also opposing conditions of work precarity and/or exploitation. This domination-oppression matrix is further exacerbated when other drivers such as age, class, and agency intersect. This situation holds particularly true for older and younger women, those coming from poorer sectors of society, or those who have less agency (i.e., self-esteem, autonomy, and ability to act). When these factors combine, women find themselves at the nexus of manifold intersectional forces that repress their attempts to enter the labor market. For instance, women who dedicate most of their life to family care due to the supposed division of family roles—a condition dictated by imposed and interiorized sexism and gender-based stereotypes and prejudices—face impressive difficulties when entering the labor market, especially after a divorce, compounded by the resulting digital gap they frequently have after so long out of the workforce. As one interviewee summarized:

Yes, they [local women] had children and decided that the husband worked, and she took care of the kids. After twenty years, they divorce, and so she is 45–50 years old and has nothing...Moreover, they [local women] have a digital gap because now work conditions have changed...and I see many discriminations because you [woman] are young and have no experience and then perhaps will have children or you are too old, have experience but have children, and then will stay at home with them if they get ill...then there are vacations, you will be absent...like the father [are] unable to do anything. (CSO interview 5)

Another critical example of how the need for work–life balance and family reconciliation, age, and class form a dangerous intersectional matrix of inequality is when a woman is a victim of gender-based violence. She usually needs to relocate and find a new job for security reasons, and she typically takes her child(ren) with her. She thus becomes the sole caregiver, which further hinders her availability to find and secure a job:

Finding a job for these women [victims of gender-based violence] has always been a problem, in the sense that, they have children, right? How can they manage [the childcare] with a job that is often low-skilled? Because women feel they must work. But what are the types of jobs you find more quickly? Those low-skilled that economically do not allow you to live [decently]. (CSO interview 15)

Finally, antigypsyism vis-à-vis Roma and Sinti women, besides being a systematic form of discrimination, becomes a vector to constantly confine them at the intersection of gender and ethnicity, and, thus, to perennial precarity in the labor market. It forces them to opt for informal jobs that are not regulated or stable, which, in turn, leads to episodes of exploitation:

They [Roma and Sinti women] find a job. For instance, at McDonald's or places like that, in big restaurants, where they are heavily exploited....Then they do not stand this treatment...and give up...so precarity...they just earn something for a month or two....Others would stay but cannot do it....[It] is attributed to them if something is missing [and they are fired]. (CSO interview 36)

Table 3. Main factors affecting local women based on NVivo matrixes.

Factors	Access to work	Issues in the workplace	Total
Sexism	31	37	68
Family reconciliation	25	30	55
Family roles' division	26	27	53
Age	36	15	51
Gender-based violence	31	14	45
Antigypsyism	33	8	41
Class	32	8	40
Prejudices/stereotypes	19	20	39
Agency	31	6	37

As reported in Table 4 below, women with a migratory background face racism or are victims of other prejudices, often interlinked with their different origins and their lack of language knowledge. In their case, how the intersection of race and gender oppresses their just access to jobs, as is sadly and widely known, is even more self-evident. However, in the case of South Tyrol and Catalonia, this is further compounded by the need to speak multiple languages to find and secure a stable position. Indeed, those who are not proficient in the idioms spoken in these two multilingual substates are preferred by employers because they cannot claim their labor rights and are thus more easily exploited. Also, women’s origins can create another intersectional axis that affects their possibility to negotiate better working conditions. As exemplified by one interviewee:

It has changed from...the...South American [women], and to the Central Americans. Afterward from Central America, they may have moved on to the Philippines and then to Africans. And currently there are people, women who are African. Why?...They don't complain...they have another language....Normally they speak English or French. But [are] not [valued] in a positive way like, “she is going to communicate with the customers.” No. If you speak English or speak French, or the language you speak, or don't know Spanish, because most people don't know it, the better it is. And even better if she is a single mother or a woman who keeps her children away [in the country of origin] and has to send money [remittances]. This is the profile they are looking for now. And they look for it and find it, of course....These women do not realize [it]. They don't know anything about labor rights, what they should be earning....They do not understand....Companies are becoming more and more abusive....Work has been dehumanized. (CSO interview 8)

Another example of how race, gender, and origins—and the intertwined prejudices and racism based on how they are perceived by employers—create a complex system of oppression that excludes women with a migration background from fair labor conditions is illustrated by this interviewee:

In the fruit sector, there are many violations due to origin, skin color, religious orientation, linked to the fact of being a woman....In the case of women who work in fruit storages, in general, the contract agreement is complied with because they receive the salary set by the agreement. Generally. This does not mean that they [the employers] will not end up paying it....They don't pay the extra hours...and there are cases where they [the women] even do double shifts, although it's prohibited. Because they work six

days a week with double shifts, that’s sixteen hours a day, in some cases....Positions of responsibility often go to men, even if the majority are women....Then comes what I told you about—skin colors. Women from sub-Saharan Africa occupy the lowest positions, as do Arab women. And then, the most responsible positions are held by women who come from Eastern Europe, mainly Romania or Bulgaria. And the coordinators or store managers are always men....But they are not sub-Saharan....They are men from Eastern Europe or they are Catalan....They are “whitey.” (CSO interview 4)

As for local women, another intersectional force may be gender-based violence. However, women with a migratory background face an additional burden due to the lack of family or other type of support. The need to reconcile work duties and family commitments is also crucial. Women with a migratory background are often judged based on sexism regarding their cultures and working capacities. Hence, when gender, race, sexism, and prejudices in their case all intersect with work–life balance, they are forced to accept precarity and exploitation:

Then, well, the fact of also being a migrant woman and then being a black migrant woman also...you are still considered....Either you are poor, or you don’t have a high intellectual level....Sixty, seventy percent of women caregivers...are migrant women, in an irregular situation. Many are living situations of modern slavery, working twenty-four hours a day...without being able to go out, without being able to have hours of rest, without having days off....And then you, in your situation of vulnerability, have no other option than to accept the job and try to survive. (CSO interview 26)

Finally, “second-generation” women, who have typically surpassed linguistic and cultural barriers since they grew up in the two substates, tend to find themselves at the nexus of other intersectional drivers. Gender and race remain key but are compounded with anti-Arab prejudices based on their perceived appearance:

Muslim women who wear the veil continually report the fact that they are unable to access certain jobs due to discrimination, let’s say in relation to the fact that they wear the veil. (CSO interview 6)

Table 4. Main factors affecting women with a migratory background based on NVivo matrixes.

Factors	Second generation	Access to work	Issues in the workplace	Total
Prejudices/racism	12	38	27	77
Languages	6	53	10	69
Gender-based violence	8	42	9	59
Origins	9	30	15	54
Agency	4	33	9	46
Sexism	3	27	14	44
Labor exploitations	0	18	25	43
Family reconciliation	0	31	10	41
Appearance	10	17	10	37

In accordance with the respondents (Table 5 below), local LGBTQIA+ individuals are often victims of direct or indirect discrimination, especially in the workplace. When they are not victims of direct discrimination, they are subject to microaggressions that materialize in derision or jokes, and they may face vertical

segregation. Hence, in their case, a crucial intersection is the nexus of gender and gender-based prejudices and stereotypes based on the imperative of heteronormativity, and the assumptions based on their appearance. As one interviewee observed:

Well, despite it [being] better lately, the problems are always the same....It is about subtle things...comments, jokes....They tell them without thinking because they are well rooted in their minds...and you would say this occurs with elder colleagues. But we see it also with young ones....In the public administration salaries are regulated...but yes, promoting [to higher position] is more difficult....There is the notorious glass ceiling. (CSO interview 25)

In the case of trans people, the gender-heteronormativity matrix becomes even more oppressive due to frequent episodes of transphobia. As explained by these two interviewees:

Trans people...remain the most fragile group....What we notice is that discrimination is more likely to occur, so to speak, in not having the job, so in that phase of the interview....And then we have the whole problem of segregation and many work...[as] shop assistants, hairdressers, clerks...the whole world of catering, especially fast food....They struggle to access different jobs. (CSO interview 1)

The T of trans people, inside the LGTBIAQ+...: They are having more problems, more questions, more discussions....We have addressed certain problems that [involve] trans coworkers....Problems with fellow workers, work teams; the no acceptance of having a trans colleague....[When someone decides], in a given moment, to start the entire [transitioning] process. Well, there is a lot to fight [for], [a lot to] demonstrate, [for example:] take care of the medical service, explain to the bosses or take holidays so as not to have to explain a lot of things. Then, when you reincorporate yourself and have all your steps....Well, your colleagues were used to knowing you with one identity and now, once back, they know you with another. That you are the same person...but...here's where there are problems. (CSO interview 25)

Table 5. Main factors affecting local LGBTQIA+ individuals based on NVivo matrixes.

Factors	Access to work	Issues in the workplace	Focus on trans people	Total
Prejudices/stereotypes	17	35	10	62
Heteronormativity	9	23	9	41
Appearance	12	4	10	26
Transphobia	5	5	10	20
Health issues	9	9	2	20
Age	11	3	5	19
Languages	12	0	5	17

Employers prefer not to hire people who do not have a normative body or appearance. When they do, it is because of legal obligations or fiscal benefits, and the contract is normally not renewed. In addition, LGBTQIA+ individuals' age and knowledge of languages become critical drivers. Therefore, heteronormativity also may couple with the intersectional axis of age and exacerbate the precarious access some LGBTQIA+ individuals, especially trans people, may have in the labor market, as this interviewee explained:

Being present in the business world has not been translated, I believe, into a concrete policy...[apart] from the public administration....They have created a very specific program to help businesses hire trans people....But, obviously, the problem with adopting this as a public aid is that, in the end, it is something temporal....Age always is crucial...especially in those working environments that are more open to hire people from the [LGBTQIA+] community, like fashion, and age can influence negatively. Because we always face this of the [hetero]normativity. (CSO interview 2)

Data regarding LGBTQIA+ individuals with a migratory background (Table 6 below) are less robust than the other categories. In their case, respondents reported that being undocumented allows the proliferation of labor exploitation. This factor intertwines with the language gap that then makes these individuals unable to exercise their rights:

Because being trans, then speaking two languages, increases your probability of finding work, however, eh, let's say, it depends on who you are, it depends on what documents you have, being trans and Italian is one thing, if you are trans and migrated it's another thing....The trans identity is more burdensome. (CSO interview 1)

They are also subject to episodes of racism and other incorrect assumptions and fixed ideas (prejudices) that are often interlinked with imagined ideas around their gender and origins. Finally, class and age are among those personal conditions that expose these individuals, especially those who are transgendered, to increased precarity:

And the work in the agriculture [sector]...is very precarious....[LGBTQIA+] migrant people who come to our job placement service, because they arrive and have no way to earn a living....We have a big problem here...if people come with a [request for] asylum or people with work permits, we can help a little, but we have many cases of migrants who have arrived in the country illegally, let's say. And they are here irregularly....And we can't help them much beyond being able to recommend them: "Look, what can you do, do you speak English? Well, you could give English classes and get paid in black. Or you could give dance lessons." (CSO interview 3)

Therefore, LGBTQIA+ individuals with a migratory background who find themselves at the intersection of gender, race, age, class, and level of education are confined in a system of oppression that is ruled by their legal status, which, if illegal or unclear, forces them to opt for incessant precarity.

Table 6. Main factors affecting LGBTQIA+ individuals with a migratory background based on NVivo matrixes.

Factors	Access to work	Issues in the workplace	Focus on trans people	Total
Legal status	7	2	7	16
Languages	7	1	2	10
Origins	9	0	0	9
Prejudices/racism	7	0	2	9
Class	2	1	5	8
Age	4	0	2	6
Legal status	7	2	7	16

5. The Role of Substate Instruments

The thematic analysis of the interviews with policy experts points to positive and negative aspects of the current labor and gender laws, policies, and action plans. On the one hand, the policy experts reported that South Tyrolean and Catalan substate instruments have the potential to become effective tools to enhance access to the labor market for local women and LGBTQIA+ individuals and those with a migratory background. This potential is particularly true for the South Tyrolean provincial law against mobbing and the Catalan policy on equal treatment within companies, for example. On the other hand, the experts have also identified a general lack of implementation. This nonperformance is mainly due to a lack of economic and/or personnel resources and a lack of commitment by the institutions or other executing bodies:

The law has remained halfway in its development because it has had neither enough financial resources nor enough human resources nor enough operational structure to deploy. And that there has not been enough commitment from public institutions to be able to carry out this development. (Policy expert interview 10)

The situation is further exacerbated by a lack of interdepartmental cooperation or competition. Other areas of local intervention (e.g., traffic and mobility) tend to be prioritized, especially when an action is tangible and visible. This prioritization is intertwined with other local political goals that aim to secure votes for the next elections:

It is evident that certain working groups that have been created in this last period seem more aimed at political propaganda rather than at the real resolution of the problem. (Policy expert interview 4)

A lack of monitoring and evaluation phases further hinders the effectiveness of the local instruments, in both the public and private sectors. A need exists not only for a sanction scheme, but also for a mediation system that can trigger education and reflection on how gender, ethnicity, race, and other factors (e.g., prejudices and stereotypes) intersect and eventually operate, even at the subconscious level:

There should be an ad hoc sanctioning regulation...[but] we have seen many times that an economic sanction is not effective...incorporating mediation, reparation, and pedagogy would be very important an improvement. (Policy expert interview 3)

Bodies in charge of executing the laws and policies are generally formed by members from the middle-class and “white” sectors who tend to have a rather conformist view. The policy experts, although some do belong to the aforementioned sectors, reckon that a mixed composition at managerial and staff levels would be highly beneficial to enhance the applicability and effectiveness of the various measures:

In its composition there is a lack of representation, for example...about migrant women...[and] everything that is the LGBT world...so this is a bit of an element of distortion...[and the law] was a collective effort that gave its result. We obviously would have wanted more and better. (Policy expert interview 5)

Well-trained, well-organized, well-financed offices that are located more locally and in close(r) cooperation with CSOs would also ensure more efficacy in the implementation of laws, policies, and action plans. Local

data on gender and ethnicity, and/or race, are sparingly produced and are used even less to apply or reform the existing instruments, whose current formulation is conventional and ignores intersecting axes. This lack of data is a gap that is present also at the European level. For instance, only the Gender Equality Index (EIGE, 2023) has indicators of intersectional inequalities regarding five social conditions (family type, age groups, education level, birth country, and disability), but it remains trapped in a binary conception.

The content analysis of the secondary data (South Tyrolean and Catalan laws, policies, and action plans in the fields of labor, gender, cultural diversity, equal opportunities, antidiscrimination, and social inclusion) also confirmed the lack of an intersectional approach. These instruments have been designed and are currently applied as if the matters they regulate were stand-alone and unconnected. For instance, the roles of class and agency are ignored. This disjunction implies that the equal opportunities actions or disability laws do not take into consideration how class can hinder women's access to work. Only a few instruments cite intersectionality and its importance (i.e., the action plan of the South Tyrolean municipality of Meran), but they still fail to consider how different axes can intersect and thereby create a matrix of inequality that hinders women's employment. Age finds some recognition in the South Tyrolean equal opportunities and social plans, but none in the Catalan laws and policies, and neither recognize LGBTQIA+ individuals. And vice versa, Catalan instruments tackle racism in at least 6 of the 14 analyzed instruments, while in South Tyrol, this is barely considered (see further in Tomaselli, 2023b).

6. Conclusion

This article has reported the empirical and exploratory results on how gender, ethnicity, race, and other social drivers (e.g., age, class, origins) and external factors (e.g., prejudices, gender-based violence) perpetuate precarity and exploitation for women and LGBTQIA+ individuals through an intersectional lens.

This discussion was situated in South Tyrol (Italy) and Catalonia (Spain) in the frame of a larger project on women and LGBTQIA+ socioeconomic participation. These substate units enjoy high degrees of self-government and wealthy economies and are home to historical-linguistic minorities, including Roma-Sinti communities, and a high proportion of the population has a migratory background. Their local economic systems are neoliberal with strong welfare systems but also strong patriarchal roots. Hence, as reported by interviews with CSOs and policy experts, they tend to reproduce what Ciccia and Sainsbury (2018) and Rodriguez (2022) identified as key elements of these systems: racial capitalism, andrarchies, heteronormativity, and gender roles.

These elements eventually worsen the precariousness of women and LGBTQIA+ workers and create favorable conditions for exploitation. Indeed, local women are trapped in their gender roles, sexism, and the work-life balance that keeps them in precarious positions. This is also true for women with a migratory background, who also face episodes of racism and are often exploited without the possibility of speaking up. Furthermore, it is often overlooked that these situations are exacerbated when these women are victims of gender-based violence. Overall, (cis) men are preferred, creating and recreating andrarchies. Heteronormativity affects the hiring of both local LGBTQIA+ individuals and those with a migratory background and causes discrimination in the workplace. When migratory individuals are undocumented, they are easily exploited. This exploitation is particularly evident for trans people.

Policy-wise, both units have a high level of, albeit not exclusive, powers on labor and gender and their local laws, policies, and action plans do have potential, for instance, to combat gender-based mobbing and promote equal treatment within companies. However, they are ineffectively implemented due to inadequate economic and/or personnel resources and commitment. This is exacerbated by poor interdepartmental cooperation and competition. The units also would need a sanction system that, besides requiring an economic fine, would prompt mediation and gender, ethnic, and race education and reflection. Finally, the substate units would benefit from using more data and, most importantly, by adopting a comprehensive intersectional approach (i.e., with more drivers and factors).

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Conflict of Interests

The author declares no conflict of interests.

Data Availability

All data related to this article are available in the dedicated Zenodo community The Intersection of Gender and Ethnicity in South Tyrol and Catalonia: A Comparative Perspective on the Socioeconomic Participation of Women and LGBTIAQ+ Individuals at: <https://zenodo.org/communities/ingepastproject>

References

- ASTAT. (2021, September 30). *Der Gender Pay Gap aus unselbständiger Beschäftigung—2019/II Gender Pay Gap nel lavoro dipendente—2019*. https://astat.provincia.bz.it/it/news-pubblicazioni-info.asp?news_action=300&news_image_id=1120865
- ASTAT. (2023, March 15). *Erwerbstätigkeit—4. Quartal 2022/Occupazione—4° trimestre 2022*. https://astat.provincia.bz.it/it/news-pubblicazioni-info.asp?news_action=4&news_article_id=674153
- Badgett, M. V. L., Carpenter, C. S., & Sansone, D. (2021). LGBTQ economics. *Journal of Economic Perspectives*, 35(2), 141–170. <https://doi.org/10.1257/jep.35.2.141>
- Carlà, A. (2018). Land of welcome, land of fear: Explaining approaches to ‘new’ diversity in Catalonia and South Tyrol. *Journal of Ethnic and Migration Studies*, 44(7), 1098–1116. <https://doi.org/10.1080/1369183X.2017.1352465>

- Chudnovsky, M., & Reyes Millán, A. (2021). How precarious public jobs are even more precarious for women: The case of Mexican police forces. *Latin American Research Review*, 56(3), 625–641. <https://doi.org/10.25222/larr.833>
- Ciccía, R., & Sainsbury, D. (2018). Gendering welfare state analysis: Tensions between care and paid work. *European Journal of Politics and Gender*, 1(1/2), 93–109. <https://doi.org/10.1332/251510818X15272520831102>
- Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. *The University of Chicago Legal Forum*, 140, 139–167.
- Crenshaw, K. (1991). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review*, 43(6), 1241–1279.
- Creswell, J. W. (2012). *Qualitative inquiry & research design: Choosing among five approaches* (3rd ed.). SAGE.
- Daly, M. (2020). *Gender inequality and welfare states in Europe*. Edward Elgar Publishing. <https://doi.org/10.4337/9781788111263>
- Davis, K., & Zarkov, D. (2017). EJWS retrospective on intersectionality. *European Journal of Women's Studies*, 24(4), 313–320. <https://doi.org/10.1177/1350506817719393>
- Del Gobbo, D. (2023). Queer rights talk: The rhetoric of equality rights for LGBTQ+ peoples. In R. J. Cook & C. M. Quiroga (Eds.), *Frontiers of gender equality. Transnational legal perspectives* (pp. 68–87). University of Pennsylvania Press. <https://doi.org/10.9783/9781512823578>
- Dobinson, I., & Johns, F. (2014). Qualitative legal research. In M. Conville & W. Hong Chui (Eds.), *Research methods for law* (2nd ed., pp. 16–45). Edinburgh University Press.
- EIGE. (2023). *Gender Equality Index*. <https://eige.europa.eu/gender-equality-index/2023>
- European Commission. (n.d.). *Glossary: Person with a migratory background*. https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/person-migratory-background_en
- GenCat. (2022). *Población ocupada y tasa de empleo. Por sexo y grupos de edad Cataluña*. <https://www.idescat.cat/indicadors/?id=anuals&n=10386&tema=treba&lang=es>
- Hancock, A. (2019). Empirical intersectionality: A tale of two approaches. In O. Hankivsky & J. S. Jordan-Zachery (Eds.), *The Palgrave handbook of intersectionality in public policy* (pp. 95–132). Palgrave Macmillan.
- International Labour Organization. (n.d.). *Details of indicators for labour exploitation*. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105035.pdf
- Jung, J., Lippényi, Z., & Mun, E. (2022). Workplace volatility and gender inequality: A comparison of the Netherlands and South Korea. *Socio-Economic Review*, 20(4), 1679–1740. <https://doi.org/10.1093/ser/mwab026>
- Kosłowski, A. (2021). Capturing the gender gap in the scope of parenting related leave policies across nations. *Social Inclusion*, 9(2), 250–261. <https://doi.org/10.17645/si.v9i2.3852>
- Lippens, L., Baert, S., Ghekiere, A., Verhaeghe, P. P., & Derous, E. (2022). Is labour market discrimination against ethnic minorities better explained by taste or statistics? A systematic review of the empirical evidence. *Journal of Ethnic and Migration Studies*, 48(17), 4243–4276. <https://doi.org/10.1080/1369183X.2022.2050191>
- Mantouvalou, V. (2018). Legal construction of structures of exploitation. In H. Collins, G. Lester, & V. Mantouvalou (Eds.), *Philosophical foundations of labour law* (pp. 188–204). Oxford University Press. <https://doi.org/10.1093/oso/9780198825272.003.0011>
- McCall, L. (2005). The complexities of intersectionality. *Signs: Journal of Women in Culture and Society*, 30(3), 1771–1800.

- Meer, N. (2014). *Key concepts in race and ethnicity*. SAGE. <https://doi.org/10.4135/9781473906051>
- Ortega-Jiménez, D., Alvarado, L., Trillo, A., & Bretones, F. D. (2023). Processes of discrimination and humiliation experienced by Ecuadorian immigrant workers in Spain. *Social Inclusion*, 11(2), 48–58. <https://doi.org/10.17645/si.v11i2.6352>
- Palumbo, L. (2023). Vulnerability to exploitation through the lens of intersectionality. *European Journal of Migration and Law*, 25, 421–448. <https://doi.org/10.1163/15718166-12340162>
- Reiss, L. K., Schiffinger, M., Rapp, M. L., & Mayrhofer, W. (2023). Intersectional income inequality: A longitudinal study of class and gender effects on careers. *Culture and Organization*. Advance online publication. <https://doi.org/10.1080/14759551.2023.2232505>
- Richardson, D. (2020). Conceptualising gender. In D. Richardson & V. Robinson (Eds.), *Introducing gender and women studies* (pp. 8–23). Palgrave Macmillan.
- Robson, C., & McCartan, K. (2016). *Real world research* (4th ed.). Wiley.
- Rodriguez, R. M. (2022). Introduction to race, gender and contemporary international labor migration regimes. In L. Saucedo & R. M. Rodriguez (Eds.), *Race, gender and contemporary international labor migration regimes. 21st century coolies?* (pp. 2–20). Edward Elgar Publishing. <https://doi.org/10.4337/9781789902006>
- Tomaselli, A. (2022). *InGEPaST project (WP1) deliverable D.1.2: Short report on fine-tuned methodology*. Zenodo. <https://doi.org/10.5281/zenodo.6531565>
- Tomaselli, A. (2023a). *InGEPaST project (WP2) deliverable D.2.1: Report on the thematic analysis of empirical data*. Zenodo. <https://doi.org/10.5281/zenodo.7907547>
- Tomaselli, A. (2023b). *InGEPaST project (WP3) deliverable D.3.1: Report on policies' analysis*. Zenodo. <https://doi.org/10.5281/zenodo.7907547>
- Walsh, P. (2019). Precarity. *ELT Journal*, 73(4), 459–462. <https://doi.org/10.1093/elt/ccz029>

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