

## **SECOND SOUTH ASIAN CONFERENCE OF WOMEN TRADE UNIONISTS**

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“TOGETHER WE WILL ACHIEVE DECENT WORK AND A BETTER SOUTH ASIA”

### ***Rights @ Work***

***by Pat Horn***

Rights @ Work is a global agenda, the first of the four pillars of Decent Work, which are:

1. realising the fundamental principles and rights at work;
2. creating greater and better employment and income opportunities;
3. extending social protection;
4. promoting social dialogue.

However, to take ownership of our own struggles for Rights @ Work, we have to define what are the rights most important in our own countries and our own workplaces. There are the fundamental rights demanded everywhere, i.e.

- rights to organise;
- recognition of our organisations;
- collective bargaining rights;
- protection from discrimination;
- protection against forced labour and child labour;
- healthy and safe working environment.

However, in regions with undemocratic ruling cultures, decent work also encompasses the rights of all citizens to democracy, equality and quality public services. Quality public services are an integral part of the global agenda of the PSI (Public Services International) and the rest of the trade union movement. For women workers everywhere, the yoke of patriarchal oppression which applies to all the women in the society also extends to the workplace, denying them their rights to decent work. And for workers in the developing world, the rights they need at work may not be the same as those in traditional employment relationships.

### **Changing world of work**

Globalisation has led to continuing changes in labour markets internationally. Traditional wage labour has given way to a number of forms of “a-typical”, precarious, vulnerable and other informalised labour. The newly-informalised labour force works under conditions which resemble those of the more traditional types of informal work, such as petty commodity trading and production.<sup>1</sup> The challenge facing trade unions today is to try to understand the class relations which exist within

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<sup>1</sup> See description of different kinds of work in the informal economy in “Conclusions on Decent Work and the Informal Economy” adopted at the 92<sup>nd</sup> session of the International Labour Conference of the ILO in June 2002 <http://www.ilo.org/public/english/standards/relm/ilc/ilc90/pdf/pr-25res.pdf>

the informal economy – which consists of workers (both workers working for some sort of wage rate, however irregular, as well as own-account workers, including home-based producers, street vendors, waste-collectors, etc.) and also entrepreneurs and employers (including labour-brokers and intermediaries). It is not as straightforward as in the formal economy where workers are simply defined as those who sell their labour power directly to the capitalists. In considering the range of employment and labour relationships which exist in the informal economy, it is possible to identify an element of economic dependence (albeit not necessarily dependence upon a party identified as an employer – particularly in the case of own-account workers) of certain informal economy operators on other actors, such as local authorities, suppliers, owners of property or assets used by them to perform their work, enforcement agents of public policies and laws, even protection racketeers, just to be able to carry out their livelihood activities. It is this element of economic dependence (which can include an employment relationship) which defines the status of workers (as opposed to entrepreneurs) in the informal economy.

Needless to say, women in the informal economy are usually the most economically dependent workers at the bottom of the pile.

### **Patriarchy and the gender division of labour**

Women's work is often considered to be reproductive labour, based specifically on patriarchal household relations, such as the various forms of unpaid work which women are routinely expected to perform in the household or extended family, understood to form the basis of the gender oppression which operates side-by-side with the exploitation of the productive labour of the workers in both feudal and capitalist economies.

Many forms of vulnerable work are the overwhelming preserve of women, such as home-based production, seasonal farm work, domestic work, etc. – as well as the feminisation of various forms of low-paid productive labour in the 20<sup>th</sup> and 21<sup>st</sup> centuries. In Africa and Latin America, street vending and informal market vending is also dominated by women. So how does the exploitation of the unpaid labour of women in the patriarchal household get to extend to the domain of productive labour ?

The world of work as we see it evolving today under global capitalism blurs the distinction between the productive labour performed by women and their reproductive labour – as a result, the main difference between “women's work” and “men's work” is not in its reproductive character, but in the fact that “women's work” is that which has come to have a lesser value, and is therefore paid at a lower rate and comes with less social security and employment security.

Reproductive labour, starting from the unpaid, has a lower social value than productive labour – so domestic work, being reproductive labour for a wage, performed by women in somebody else's home, is also not valued particularly highly on the labour market. And farm labour, the production of food whether it be for the domestic market or for the export market, can be characterized to some extent as reproductive labour, even when it is performed for a wage – also commands lower

wages, even though the more insecure forms of farm labour done mainly by women (such as seasonal labour) are not more reproductive in nature than the more secure farm jobs done more by men.

However, the patriarchal social relations in a society permeate all workplaces. In a patriarchal society it is still easier to get away with attributing a lower value to the work done by women. For example, in the paper and wood industry in South Africa, we see the highly-paid skilled technical work of operating big room-sized paper machines being dominated by men pressing buttons all day, while the low-paid heavy manual labour of lugging massive logs around in a rural saw mill is dominated by women. There is no reproductive basis to this division of labour, and it apparently contradicts the traditional notion that men are more suited to heavy manual labour because of their superior physical strength. A more plausible explanation is that the employer does not want to invest in the technical training to train women paper machine operators (because they regard women's primary function as reproductive and therefore training them for production as a bad investment) but when women offer their labour for jobs requiring minimal skills training, no matter how manually heavy, and there is the added bonus that they are often willing (through lack of alternatives) to perform this work for even less than their male counterparts – then they are happy to use the cheap productive labour of women.

Why are women willing to work for lower wages than men in patriarchal societies ? This is an international phenomenon. A finding in a United Nations study 15 – 20 years ago stated that *“two-thirds of the world's work is done by women, 10% of the world's income is earned by women and 1% of the world's property is owned by women”*. Basically, in the majority of cases, working class women take primary responsibility for the welfare and maintenance of their households, i.e. their reproductive function in the society, and despite not having been trained for the formal labour market in most cases, have to therefore settle for whatever under-valued productive work they can find in today's world of unemployment and under-employment, in order to fulfil their obligations in the household.

This social reproductive role is not only assigned to women by the owners of the means of production, but even in working class communities, when women have been known to be assigned to a (low-paid or unpaid, and definitely undervalued) “community care” role for the aged, the disabled, the mentally ill, etc. Community alternatives to bureaucratic institutions for these forms of social reproduction, because of the patriarchal relationships embedded in those very communities, then become as much an agent of the gender oppression in the working class as the capitalist employer.

### **What are the Rights @ Work in the changing world of work ?**

Problems for majority of informal workers<sup>2</sup>:

- Low, irregular and insecure income
- No or little social security or protection, including health care, disability and death insurance, pension, maternity, unemployment, disaster etc

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<sup>2</sup> Prepared by Chris Bonner, WIEGO Programme Director, Organisation & Representation

- Unhealthy, unsafe, insecure working environment
- Low education levels
- Little access to skills development and training
- No/few worker rights, representation and voice – no protective legislation
- Lack of recognition and respect
- Ignored by traditional trade unions

Particular problems for own account (self-employed) informal workers<sup>3</sup>:

- Lack of capital and credit to purchase goods, raw materials, tools
- Poor/no access to financial services
- Lack of access to well paying markets/customers
- Competition – between selves and against formal sector
- Not recognized as workers – by society, selves, unions

Key challenges and priority issues for women informal workers<sup>4</sup>:

- Discrimination – unequal incomes for equal value work
- Unequal access to higher income earning occupations or sectors
- Poor and unequal access to financial resources, including credit, banking institutions
- Health care – self and family
- Maternity leave or income protection during childbirth
- Child care
- Insurance and income protection for family and other disasters/ events
- Physical security and safety
- Sexual harassment

### **Key problems of workers in different sectors of the informal economy<sup>5</sup>**

*(In addition to legal protection, social security and other common issues)*

<b>Sector/group</b>	<b>Rights @ Work</b>
Street, market vendors and hawkers	Right to vend Space to vend Facilities for storage and shelter, toilets and water Protection against police harassment Safety and security Competition – protection against bad effects Access to credit
Home-based workers	Equal income, same benefits/protections as those in factories Identifying employer Exploitation by middlemen Access to regular work Improving skills Access to markets (own account)

<sup>3</sup> Chris Bonner, WIEGO Org & Rep

<sup>4</sup> Chris Bonner, WIEGO Org & Rep

<sup>5</sup> Chris Bonner, WIEGO Org & Rep

	Access to credit (own account)
Waste pickers and recyclers	Access/right to waste Integration into solid waste management systems and obtaining contracts Fair prices for recyclables Recognition and improved status Health and safety End of exploitation by middlemen
Agricultural workers	Right to land and land use Regular work Access to resources and equipment Access to credit Access to markets
Domestic workers	Recognition and respect Safety Access to facilities Protection against dismissal, abuse Freedom of movement Freedom to change jobs (migrant) Right to organize
Transport workers (urban passenger)	Access to routes and passengers End of harassment by authorities, politicians, mafia Health & safety/ accident protection Parking and facilities Petrol and spares prices and fares Competition – protection against bad effects
Commercial sex workers	Decriminalisation End of discrimination and stigma – respect Health, including HIV/Aids Safety and security Recognition as workers Protection from police harassment Protection from exploitation by criminals, police, employers

### **Organise, Organise, Organise !!**

The first South Asian Regional Conference of Women Trade Unionists in Kathmandu in April 2003 came out with this strong message. And indeed, collective organisation is the key to the empowerment of the most vulnerable workers, whether they are in the formal or the informal economy, to win their struggles for their Rights @ Work, overcoming the problems and challenges described above. For women, what does this really mean ? It means organising women both as women (*to fight against the oppression of women*) and as workers (*to fight against the exploitation of workers*). This means building women worker leaders (not just members to pay dues but watch union activities as spectators) in the formal as well as the informal economy, to lead the struggles for rights at work – such as the worker leaders who have been developed by the SEWA movement in India.

The challenges faced in organising workers in the changing world of work include the following:

1. Political will: getting trade union leadership to prioritise the organisation of women workers, of workers in the informal economy, and to make human and financial resources available to implement this.
2. Legal changes: if a country's laws are an obstacle to organising workers in the informal economy, unions need to lobby for the necessary changes to the laws.
3. Constitutional changes: changing trade union constitutions where this is the obstacle to organising informal workers.
4. New organising strategies: learning new organising strategies which are more appropriate for workers in the informal economy. This could mean identifying new negotiating partners (e.g. municipalities in the case of street vendors, rather than employers) and new collective bargaining strategies and demands.
5. Women leadership: overcoming the traditional male bias in formal sector trade unions in order to have significant leadership by women (who are in the majority, at least in Africa and Latin America) in the poorest sections of the informal economy.
6. Women negotiators: developing cadres of women worker negotiators at branch, district, provincial, national and international levels – with the capacity to negotiate with employers as well as authorities in charge of the issues affecting workers in the informal economy – as a way of empowering women leaders in trade union structures.
7. Learning from those doing it already: by means of exchange visits or other engagement, unions can learn from the experiences of those who are already organising in the informal economy, avoid some of the mistakes and replicate the more successful strategies – rather than re-invent the wheel. There are many different models operating in different African countries, for example – so sometimes a combination of different models can be applied where no single one fits exactly.
8. Organising workers in the informal economy as workers and as equals: because of the greater marginalisation of workers in the informal economy, their often lower levels of formal education, there is often a tendency for formal workers to want to do things on their behalf instead of organising for them to represent themselves and set their own organisational agenda. Formal workers need to be always conscious and well-disciplined to avoid this tendency – remembering the struggles they previously had to wage to represent themselves instead of being represented by others. The slogan of organised informal workers today is: **Nothing for us without us !!**
9. Joint campaigns: it needs to be borne in mind that, for successful joint campaigns, there must be demands set by the workers in the informal

economy as well as the demands of the formal workers. If the formal workers set all the demands and the agenda and expect the support of workers in the informal economy when there is nothing in it for them, it will not work.

10. Tackling globalisation: workers need to confront the negative consequences of globalisation in a unified way (i.e. formal and informal workers should identify their common ground and organise around that) in order to find ways of influencing or acting on the way in which they are affected by globalisation.
11. Taking a lead in civil society: if trade unions are sufficiently representative of the working people (which is usually the majority of adults) in any society, they are the natural leaders of any civil society or social movement. They become much more representative of the wider working class if they genuinely represent the workers in the informal economy, and are then much better equipped to take up a leading civil society role. The example of the role played by the trade unions in the struggles for democracy in Nepal is a good recent example. In Africa, unions have played a similar role in the democratic struggles in countries like South Africa and Nigeria, and are still playing this role in current struggles for democracy in Zimbabwe and the Kingdom of Swaziland.

### **Implication for organising for rights at work**

Since informal economy workers are part of the working class, the task of trade unionists is to organize them in alliance with the traditionally organized working class. If we regard them merely as the marginalized poor, then we treat them merely as “welfare cases” and victims of the neo-liberal world order. But all around the world workers in the informal economy have started to organize themselves (mainly in developing countries)<sup>6</sup> – living proof that workers in the informal economy are perfectly capable of organizing themselves as workers and engaging in collective struggles for their rights. In Guinea, West Africa, women street vendors in the informal economy played a pivotal role in a protracted general strike (which started from their demands to national government against eviction from their selling sites near the airport, joining up with demands by formal workers for their rights at work) which finally saw the capitulation of the State to the demand of the masses for the sacking of the Prime Minister in the first quarter of 2007. It is widely acknowledged that the workers in the formal economy would not have been able to secure this outcome without the active participation of those in the informal economy.

Many developing countries, like Guinea, who have more than 50% of their labour force in the informal economy, have no prospect of succeeding in any national struggles without the participation of that majority who are in the informal economy. The struggles for democracy in Nepal are a recent example here in South Asia.

This does not mean asking those in the informal economy just to support the actions of the formal workers against their employers. It means including the demands of informal economy workers in joint platforms, and then engaging together in the ensuing collective working class struggles. One such joint campaign (initiated by the

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<sup>6</sup> [www.streetnet.org.za](http://www.streetnet.org.za), [www.sewa.org](http://www.sewa.org) and linked websites

street vendors' sector of the informal economy) is the World Class Cities for All (WCCA) campaign for the inclusion of the urban poor in the preparations for the FIFA World Cup in 2010.<sup>7</sup> The WCCA campaign has linked up with the Decent Work towards 2010 campaign initiated by the Building Workers' International (BWI) for the rights at work of the construction workers building the stadiums for the World Cup.

StreetNet's WCCA campaign has also now been initiated by the National Alliance of Street Vendors of India (NASVI)<sup>8</sup> for the inclusion of the urban poor in the preparations for the Commonwealth Games in Delhi in 2010. We would urge all South Asian trade unions to join NASVI in this campaign, and in related campaigns to promote decent work and the rights at work of all formal and informal workers, and particularly women workers, towards 2010 and beyond.

*by Pat Horn  
International Co-ordinator  
StreetNet International  
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<sup>7</sup> See details on [www.streetnet.org.za](http://www.streetnet.org.za)

<sup>8</sup> [www.nasvinet.org](http://www.nasvinet.org)