

Extending social protection/ social security to informal workers: pathways to inclusive practices

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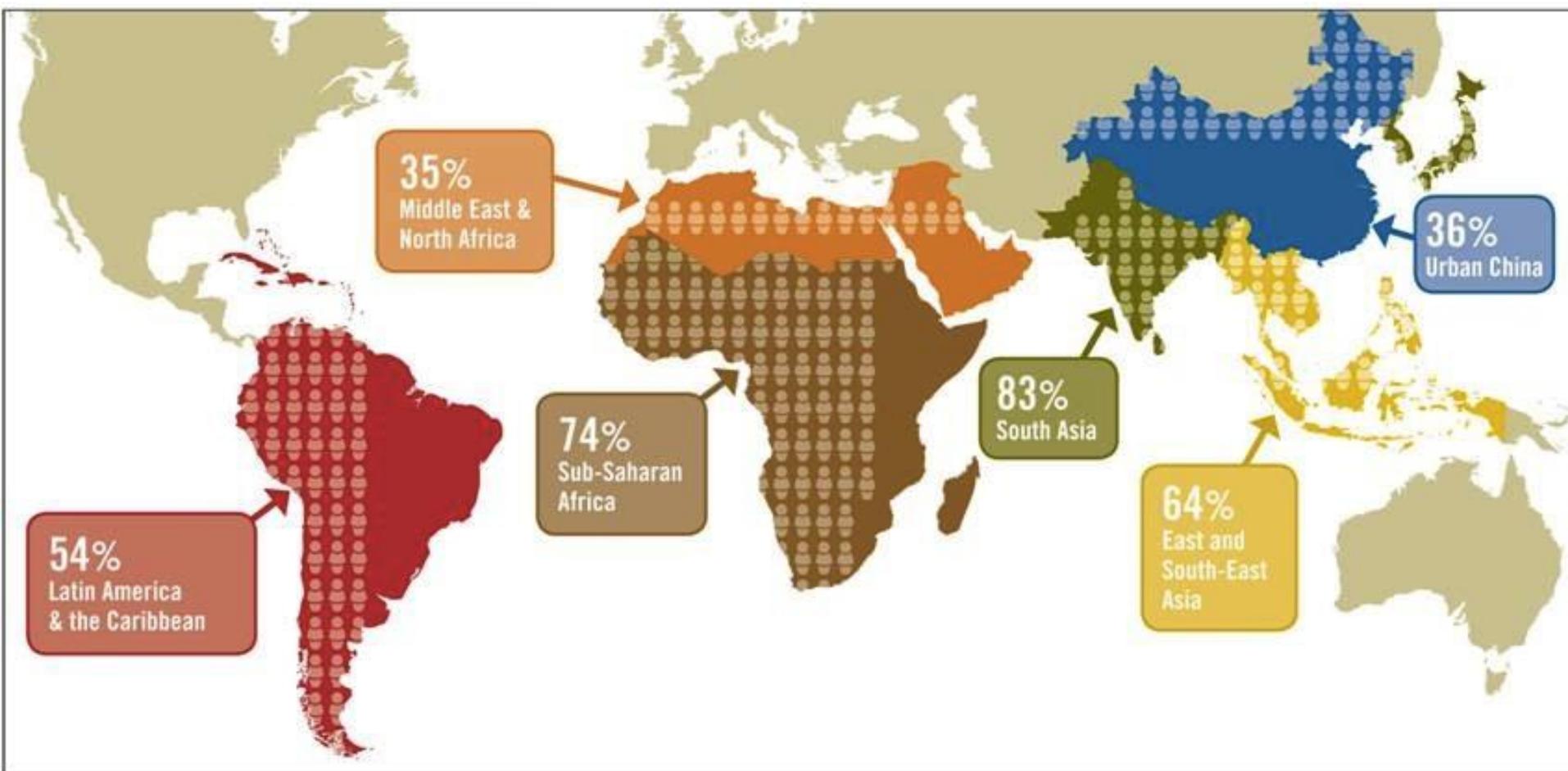
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The argument in summary

- To address poverty, there is a need to address employment.
- The majority of working women and men are informal workers.
- Informal work is without legal protection or social security/ social protection.
- With a few exceptions, labour law does not reach informal workers.
- It is unlikely that many informal workers will rapidly be formalised.
- What other interventions can protect the security of poorer workers, and especially poorer women? What possible pathways to inclusion are there?
- Social protection and social policies on their own cannot redress the effects of macro-economic and trade policies that reinforce insecurity and inequality and exclusion.

Women's Informal Employment: Share of Informal Non-Agricultural Employment*

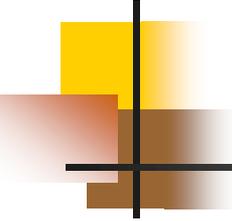


*Vaneck, Joanne, Martha Chen, Françoise Carré, James Heintz and Ralf Hussmanns. *Statistics on the Informal Economy: Definitions, Regional Estimates and Challenges*. WIEGO Working Paper (Statistics) No. 2. Cambridge, MA, USA: WIEGO. April 2014.

Informal employment as share of non-agricultural employment

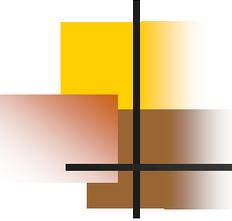
Source: Heintz for ILO and WIEGO 2012

REGION	%	LOWEST		HIGHEST	
South Asia	82	Sri Lanka	62	India	84
East and SE Asia	65	Thailand	42	Indonesia	73
Sub-Saharan Africa	63	South Africa	33	Mali	82
Middle East & North Africa	45	Turkey	32	Egypt Gaza & West Bank	51 57
Latin America	51	Uruguay	40	Bolivia	75
East Europe & Central Asia	11	Serbia	6	Moldova	16



Inclusion – the policy climate

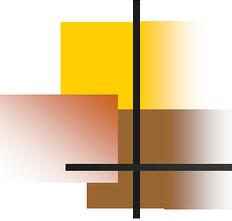
- **There is growing acknowledgement of the reality of informal employment**
 - Much-improved labour force statistics
 - The influence of ILO 'Decent work for all'
 - Growth of global networks of informal workers
 - Growing acceptance that in a dualistic labour market, 'choice' is not sufficient as an analytical framework – the majority of informal workers are not there 'by choice'
 - Global Social (Protection) Floor(s) - significant policy shift to universal provision across the life cycle, with main pillars being cash transfers plus health services



International Classification of Status in Employment

- **Self-Employed in Informal Enterprises**
 - employers (who employ others)
 - own account operators (who do not employ others)
 - unpaid contributing family workers
 - members of informal producer cooperatives
- **Wage Workers in Informal Jobs (i.e. jobs without employment-linked social protection)**
 - informal employees of informal enterprises
 - informal employees of formal firms
 - **domestic workers hired by households**

***The majority of poorer informal workers
are self-employed***

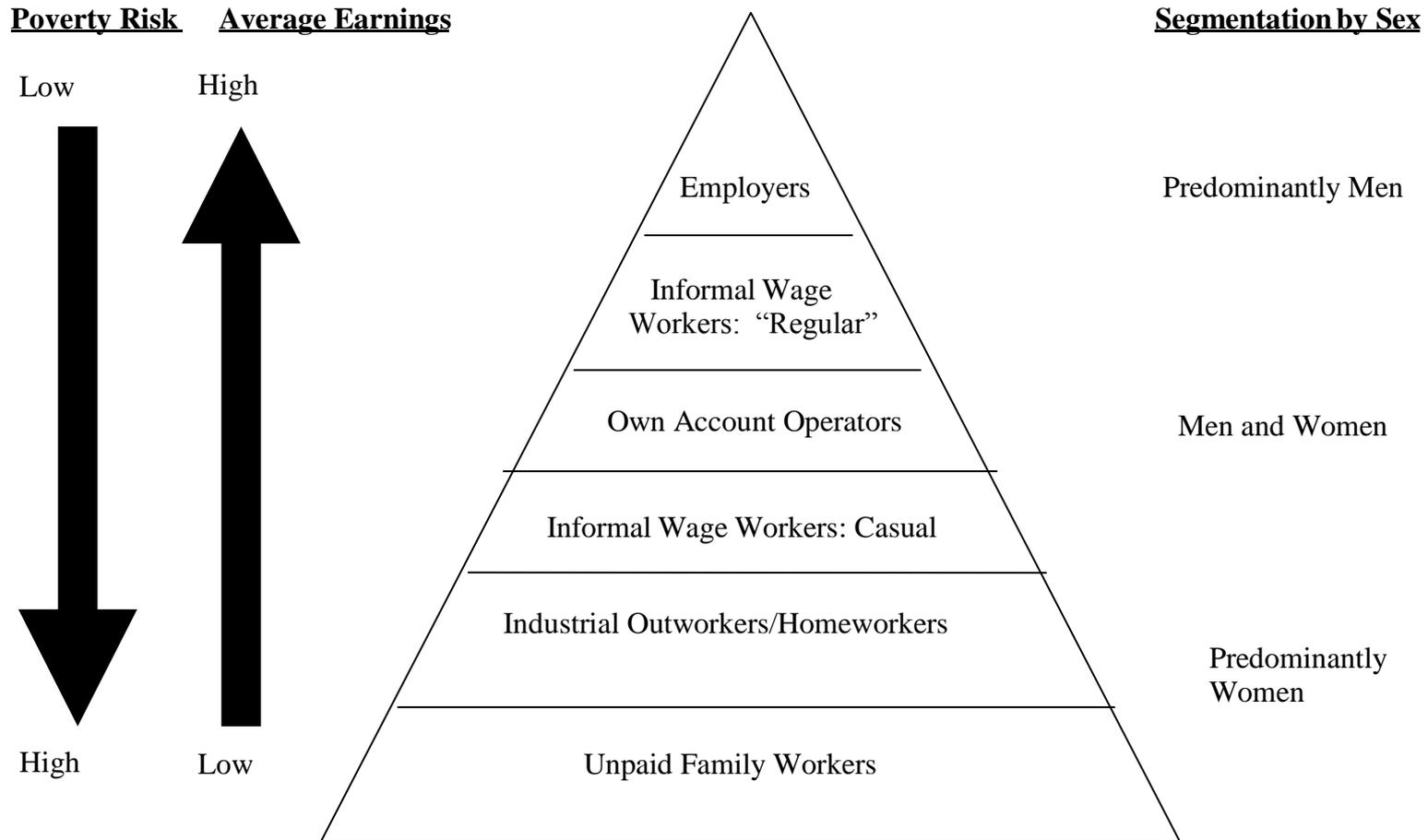


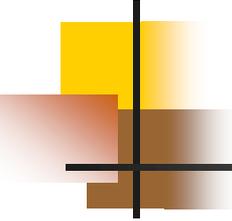
Stylised gender patterns in formal and informal employment

- In most developing countries, there are more women than men in informal work.
- Men earn more in both formal and informal work.
- Men are more likely than women to employ others.
- Women experience a more defined and lower glass ceiling (upward mobility).
- When entering the urban informal sector, men have more work experience than do women.
- Where women have worked before, it is likely to have been in domestic work, where there is little opening for 'voice'.

Segmentation in the informal economy

Source: Martha Chen et al. 2005. *Progress of the World's Women: Women work and poverty*. New York: UNIFEM



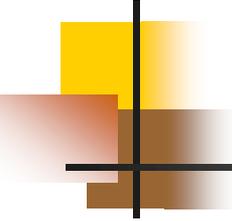


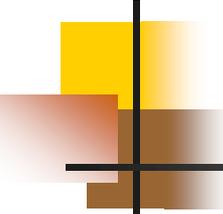
Different physical places of work carry different risks

- **Home-based workers/ industrial outworkers**
 - **Own private dwelling**
- **Domestic workers**
 - **Someone else's private dwelling**
- **Street and market vendors**
 - **Public space controlled by local authority**
 - **Privately owned markets**
- **Waste pickers/ recyclers**
 - **Public or privately owned waste dumps**
 - **Residential areas**
 - **Factories**

Processing traditional herbs, Durban, South Africa

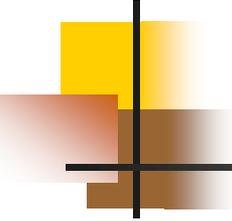


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- In a growing number of countries, domestic workers have been relatively easily included in
 - basic conditions of employment legislation (such as contract, sick leave, paid leave)
 - unemployment insurance (e.g. South Africa)
 - Partly this is because the employer can be identified.
 - However, for homebased workers/ industrial outworkers, the employment relationship may be disguised or ambiguous.
 - The active organisation of informal workers is usually needed to voice the issues, start the court cases, gain the rights, and then to force implementation and compliance.
 - Here we explore different pathways to inclusion.



Pathways to Inclusion

- **Legal routes**
 - Legal reforms
 - Litigation
- **Inclusion in existing programmes**
 - Extension
 - Lowering barriers to access
- **Representation of informal worker organisations in:**
 - tripartite boards
 - policy forums
 - negotiating platforms
 - commissions



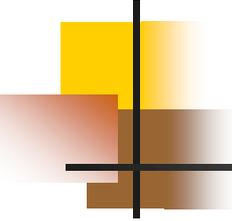
Inclusion 1a: Legal reforms

- **Domestic workers in Brazil**

- A constitutional amendment in 2013 granted domestic workers (more than 7 million) equal labour rights as other workers – including 8 hour work day, 44 hour work week, minimum wage, overtime pay, maternity leave, severance pay and social security benefits.

- **Fish workers in Kerala state, India:**

- For thirty years Kerala fisherpeople have had a social security fund providing access to social security benefits. An improvement to the legislation in 2007 makes a contribution mandatory from the owners/ exporters to whom the fisherpeople sell their fish – i.e. they have a commercial relationship, but not an employer-employee relationship. The fund reaches more than a quarter million workers in this one state.



Inclusion Ib: Litigation

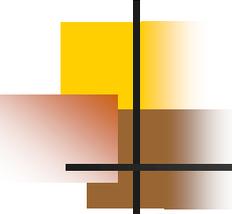
- **Durban, South Africa:**

- In 2012, a licensed Durban street vendor had his goods (23 pairs of light sandals) confiscated, and was given no written receipt by the policewoman who acted against him. After a three year court case, in 2015 a judge ruled in favour of the street vendor, as the police had acted against the South African Constitution Section 25: 'No law may permit arbitrary deprivation of property ...'

- **Bogota, Colombia**

- Bogota city authorities gave contracts to private firms to collect waste, excluding traditional collectives of recyclers from the tender process. The Association of Waste Recyclers of Bogota (ARB) litigated and won the right to compete for tenders in waste recycling markets. ARB also won the right to collect recyclables along street routes they have traditionally collected from.

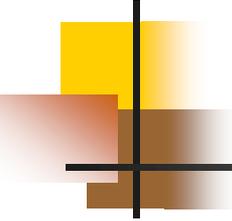
***See WIEGO's website for
many examples of legal reforms***



Inclusion II: Inclusion in programmes through lowering barriers to access

Programs may exist for which informal workers qualify, but 'access' is too expensive in terms of income opportunities foregone, lack of information, confusing information, or complex registration procedures. Addressing this:

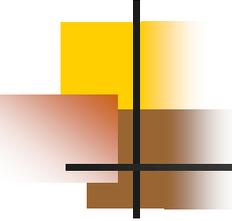
- Ghana and the National Health Insurance Scheme – special registration drive for the very poor headload porters, a marginalised group in Accra
- Immigrant domestic workers in Bangkok use mobile phones to inform each other about their rights to health services
- Self Employed Womens Association in India have community-based Information Centres which spread information about health services
- Large-scale health diagnostic camps (in Ahmedabad and in Durban) organised by worker organisations to bring health, and health referrals, closer to where people work
- In all the above examples, a critically important feature was a local leader who knew the health systems, and helped the informal workers navigate them



Inclusion III: Representation of informal worker organisations in social policy reforms

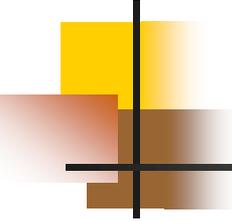
■ **Homeworkers in Thailand**

- Homeworkers Protection Act B.E. 2553, 2011 was passed after years of advocacy by Homenet Thailand (HNT) and others.
- The law says that fair wages must be paid to industrial outworkers (with equal pay for men and women), there must be a written contract, and hirers have some responsibility for occupational safety and health.
- HNT is represented on the 2011 national Home Worker Protection Board.
- Tripartite committee of homeworkers, sub-contractor/ hirer representatives, and government officials.



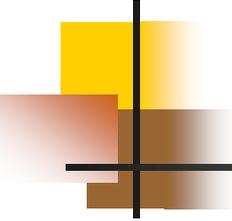
Representation

- In Lima, Peru, headload porters in the main city market engaged in an extended process of working with local government in regulating the weight of sacks of farm produce that they carried from the farm trucks in to the market (which leads to intense back and neck stress).
- In India, SEWA and the NASVI (National Association of Street Vendors of India) closely engages with national commissions on for example child care, disaster management, urban governance.
- SEWA had a representative as a commissioner on the Global Commission on the Social Determinants of Health.



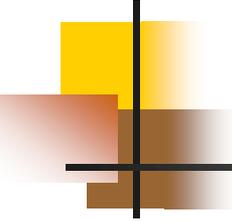
Health and safety in the workplace – a focus on local governance

- Risk analysis of work place
- Who controls the work place
 - Specially the role of the local authority
- What platforms for worker representation
- Intersection of social protection and urban planning
- Prevention of work-related risks: Design of working equipment 'for the 90 percent'



Recognition and representation

- Recognition in law as workers
- Recognition as workers in different occupations
 - e.g. vendors, construction workers, fishermen and fisherwomen
- Recognition of economic contribution to GDP, and to the local economy
- Recognition at city level as workers
- Representation as interested parties in negotiations that will affect their working conditions



Different occupational sectors hold different potential for social protection

- **Industrial outworkers/ home-based workers**
 - Improve the conditions under which they are incorporated into value chains
 - Ethical Trading Initiative and codes of conduct
- **Waste pickers**
 - Moving up the value chain
 - Co-ops negotiating with local government and MNCs
 - Extended Product Responsibility
- **Street and market vendors**
 - Health and safety improvements through local government
 - Urban design and equipment design
 - Infrastructure provision that enables informal workers to work more safely and productively