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**A New Labor Movement:
Securing Livelihoods and Reducing Inequality Through Organizational
Development and Network Building in the Informal Economy**

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¹ The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.

A New Labor Movement: Securing Livelihoods and Reducing Inequality Through Organizational Development and Network Building in the Informal Economy²

There is an enduring link between insecure employment, poverty and inequality – which has only intensified as the world economy has globalized. Today, half of the global workforce is self-employed. Among the other half who are wage employed, more and more are part-time workers, casual day laborers, contract workers or industrial outworkers. In the Global North, this is referred to as the *new* world of work. In the Global South, this is the way work has always been organized. Whether new or old, too much of global employment today is insecure: the majority of workers lack labor protections (earnings stability, workplace safety and security, bargaining forums, dispute resolution mechanisms) and social protection (maternity benefits, child care, health care/insurance, old-age pensions). Further, insecure workers face an irrelevant or hostile legal and policy environment as most laws and policies are premised on outmoded models of employment from the Global North.

Most insecure workers are engaged in what is called non-standard work in the Global North or informal employment in the Global South. No matter where they work, insecure workers in specific occupations face common constraints and risks. Consider four groups of non-standard or informal workers – domestic workers, home-based producers, street vendors and waste pickers – who together represent 20 per cent or more of workers in many cities of the developing world. Around the world, domestic workers work long hours: often under unsafe working conditions for low pay, no overtime compensation and few worker benefits. Industrial outworkers who produce garments, shoes, sporting goods and more from their homes are paid very little and have to absorb many of the non-wage costs of production (workplace, equipment, and power). Street vendors are subject to daily harassment (bribes, confiscation of goods) and periodic evictions by local authorities. Waste pickers are not valued for their recycling services or integrated into modern waste management systems.

Fortunately, there is a new labor movement emerging among these four groups of workers spanning the Global North and the Global South. Over the past two decades, national, regional and international networks of organizations of domestic workers, home-based workers, street vendors and waste pickers have been formed: between them, these networks have 158 affiliates in 84 countries – with a total membership of over 3 million workers. This movement is inspired by the Self-Employed Women’s Association (SEWA) of India, a trade union of 2 million women informal workers, and supported by the WIEGO Network (Women in Informal Employment: Globalizing and Organizing), a global action research-policy network dedicated to supporting the working poor, especially women, in non-standard or informal employment.

The enabling goal of this new labor movement of non-standard and informal workers is to increase their *Voice* (through organization and representation), their *Visibility* (in official statistics and research), and

² This write-up on organizing/network building, collective bargaining/advocacy, and promising examples is taken from a background paper for the *2015 Human Development Report* by this author with Chris Bonner and Francoise Carre, also of WIEGO, entitled “Organizing Informal Workers; Benefits, Challenges and Successes”.

their *Validity* (or legitimacy as economic actors and workers). The ultimate goal of this new labor movement is that with increased Voice, Visibility and Validity, these workers through their organizations are able to secure labor and social protections, stable earnings, safe workplaces and a more favorable legal and policy environment.

I. Background and Historical Context

Organizing informal workers has a long history. At the dawn of the industrial capitalist age in the eighteenth-century, the whole economy was informal. As Dan Gallin notes in his historical overview of organizing informal workers, "...in the beginning all workers were informal." Workers organized into unions, fought and won rights and their situation started to become formalized. However, many workers, especially in developing countries and particularly women, were left out of this process and remained in what became known as the informal sector or informal economy (Gallin 2011).

More recent organizing amongst informal workers can, arguably, be traced back to the founding of the Self-Employed Women's Association (SEWA) of India in the 1970s. During the 1980s, domestic workers' organizations in Latin America formed the multi-country regional alliance CONLACTRAHO. In 1983, SEWA was recognized as a trade union and accepted as an affiliate by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers (the IUF) (see Box 4 on SEWA). In the 1990s, home-based workers came to the fore, organizing into HomeNet International (1994) and HomeNet South East Asia (1997) to advocate for home-based workers and engage in the negotiations at the International Labour Conference that resulted in the adoption of the Convention on Home Work (C177) in 1996. Recognizing the important role that data on home-based workers had played in the campaign for the convention, SEWA and its allies founded WIEGO in 1997 to provide research, statistical, technical, and advocacy support to organizations of informal workers and to help build sectorspecific networks of these organizations (Bonner and Spooner 2011b; Chen 2000, 2013).

The need for transnational linkages and global advocacy was driven in large part by the globalization of production and markets. IW organizations recognized the need to engage with international agencies and the international development community which deal with issues that affect their work and livelihoods. Given that businesses and governments were taking advantage of the rapid transmission of ideas and technologies, organizations of informal workers felt the need to do the same. In effect, globalization provided both the impetus and the means for IW organizations to link up transnationally and engage on the global stage.

In the late 1990s, the ILO began a process of engagement around the informal economy leading up to the discussion on "Decent Work and the Informal Economy" at the 2002 International Labour Conference (ILO 2002a), making this a strategic moment for transnational network building and alliances. WIEGO and IW organizations in its membership were very active in the preparations for and the discussion at the 2002 ILC, influencing the ground-breaking Resolution and Conclusions on several key points; notably, ensuring that informal workers, and their organizations, should be officially recognized and seen as having the right to collective bargaining; and that own-account workers should be considered workers - as they do not hire others but use their own labor (often more so than their own capital) - and should be

represented in the Workers' Group, not the Employers' Group (Bonner et al forthcoming; Bonner and Spooner 2011a; Chen 2013).

For organizations of informal workers and their members, advocacy in international venues is greatly enhanced by the formation of global networks. Since 2000, several transnational networks of organizations of informal workers have been formed or consolidated: StreetNet International (2002), HomeNet South Asia (2000), Latin American Waste Pickers Network (Red Lacre) (2005), International Domestic Workers' Network (IDWN) (2009); the Global Network of Waste Pickers (2009); and HomeNet East Europe (2013). The International Domestic Workers Federation was officially launched in 2013; initially an informal network, the Federation grew in numbers and solidarity through the successful campaign for an International Domestic Workers Convention (C189) which was adopted at the 2011 International Labour Conference (ILC). For a thumbnail history of organizing of informal workers, see **Box 3**.

Box 3: Brief History of Organizing of Informal Workers

1970s: The Self-Employed Women's Association ([SEWA](#)) of India was the pioneer organization, founded in 1972 as a trade union in Gujarat State of India.

1980s: SEWA began to make headway in the international trade union movement when it gained affiliation to the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers ([IUF](#)) in 1983. This important step meant that for the first time, informal self-employed workers were recognized within the trade union movement as workers -- workers with a right to form trade unions. Domestic workers had been organizing into unions in many parts of the world but their voice was weak. In 1988 the regional Latin American and Caribbean Confederation of Household Workers (CONLACTRAHO) held its first Congress, giving a more powerful voice to domestic workers in that region. Waste pickers also began organizing into cooperatives in Latin America in this period.

1990s: Home-based workers came to the fore in the 1990s, setting up HomeNet International (1994) and successfully campaigning for an ILO Convention on Homework (C177), adopted in 1996. The pace quickened when WIEGO was established to support informal workers in 1997. Street vendors held their first international conference in 1995, and in 2000 the StreetNet Association was formed, paving the way for the launch of [StreetNet International](#) in 2002. Waste pickers in Latin America stepped up their organizing into cooperatives throughout the 1990s. In the meantime, the trade union movement and the ILO were beginning to recognize that the informal workforce was growing and could no longer be ignored.

2000s: Organizing took off nationally, regionally and internationally. A key event was the adoption of a [Resolution and Conclusions Concerning Decent Work in the Informal Economy, ILC, 90th Session, 2002](#) at the International Labour Conference (ILC) in 2002, which recognized informal workers – both wage earners and own-account workers – as workers with the same rights to decent work as other

workers. The various mobilizing activities that occurred in preparation for the ILC 2002 helped to build collective organizations in different parts of the world.

The number of grassroots informal worker organizations increased rapidly in this period and national and international networking activities also increased. In Latin America, national movements of waste pickers (*catadores or recicladores*) were formed, and in 2004 the Latin American Waste Pickers Network was founded. Although HomeNet International collapsed in 2000, [HomeNet South Asia](#) was founded following a successful regional dialogue with employers and governments leading to the [Kathmandu Declaration](#). In 2006 domestic workers came together internationally; this led to an agreement to form their own international network, the International Domestic Workers Network ([IDWN](#)). The first World Conference of Waste Pickers took place in 2008, resulting in ongoing global networking. (See the [conference report](#).)

2010s: The movement continues to grow. Informal workers are increasingly visible and recognized and are making concrete gains. In 2009, 2010, and 2011 waste pickers set out their demands at the United Nations Framework Convention on Climate Change (UNFCCC) conferences (see more about waste pickers at www.globalrec.org and [waste pickers and climate change](#)). Also, in 2011 domestic workers won a major victory when the ILC adopted an ILO Convention on Decent Work for Domestic Workers (see [The Campaign for a Domestic Workers' Convention](#)), and in 2013 they transformed their Network into the first global federation, the International Domestic Worker Federation, completely run by women. [Read more.](#)

For a more detailed timeline, see [Informal Workers Organizing Internationally – Timeline of Key Events](#).

Source: www.wiego.org

II. Informal Workers Organizing: Progress and Ongoing Challenges

The WIEGO network maintains the only database on organizations of informal workers: the WIEGO Organization and Representation Database (WORD): <http://wiego.org/wiegodatabase>. WORD is by no means comprehensive. It is skewed towards the occupations/branches of informal activity in which WIEGO is most actively engaged and requires constant updating, as the situation changes rapidly especially with local organizations. There are 805 organizations entered in the database: around 240-250 organizations each in Africa, Asia (including the Pacific) and Latin America and the Caribbean; 62 in Europe; 18 in North America; and 1 in the Middle East. In terms of occupations or branches of economic activity, the organizations in the database have concentrated on organizing vendors (266 organizations, notably in Africa), domestic workers (173 organizations, notably in Asia), waste pickers (133 organizations, notably in Latin America) and home-based workers (121 organizations, notably in Asia).

The largest organization of informal workers in the world, the Self-Employed Women's Association (SEWA) of India, has nearly 2 million members, all working poor women in the informal economy. SEWA pursues a twin strategy of “struggle” (i.e., union organizing and collective bargaining) and “development” (i.e., service delivery and other interventions), and hence, engages in an integrated set of strategies, including most of those outlined in the policy-cation framework. For a brief overview of SEWA, see **Box 4**.

Box 4: Overview of SEWA

Registered as a trade union in 1972, SEWA is today the largest trade union of informal workers in the world, not just in India, with nearly 2 million members, all working poor women in 10 states of India. The members are drawn from multiple trades and occupations and from all religious and caste groups. SEWA is also the most influential organization of informal workers worldwide, having influenced policies, norms, and practices at the local, national, regional, and international levels. SEWA has been a pioneering leader of three international movements: the labor, women's, and micro-finance movements. It is a member of the International Trade Union Confederation (ITUC). The SEWA approach involves meeting with specific groups of working poor women, understanding their struggles, and developing joint strategies. SEWA stresses self-reliance, both individual and collective, and promotes organizing around four sources of security: work, income, food, and social security. SEWA is primarily a trade union but engages in a wide range of interventions, including leadership development, collective bargaining, policy advocacy, financial services (savings, loans, and insurance), social services, housing and basic infrastructure services, and training and capacity building. In sum, together with its members, SEWA pursues a joint strategy of struggle (union-type collective bargaining, negotiations, campaigns, and advocacy) and development (direct interventions and services of various kinds).

Organizing is the central strategy of SEWA and takes several forms. In addition to organizing its members by trade into trade unions, SEWA helps its members to form cooperatives, other forms of local associations, as well as state and even national federations. All members of SEWA belong to a

relevant trade group and are voting members of the SEWA trade union; many also belong to one or more other SEWA membership-based organizations— service, producer or marketing cooperatives, marketing companies, and (in rural areas) savings-and-credit groups. The trade union is federated at the national level and the cooperatives and rural associations are federated into separate state-wide organizations.

Of particular concern to SEWA is the fact that the working poor, especially women, do not have a voice in the institutions that set the rules which affect their lives and livelihoods. SEWA seeks, therefore, to expand the voice of its members through representation at different levels: by building the capacity of its members and creating opportunities for them to participate in local councils; municipal, state, and national planning bodies; tripartite boards; minimum wage and other advisory boards; sectorspecific business associations; and local, state, and national labor federations.

Source: adapted from Chen 2010, 2008, 2006

Despite the example and leadership of SEWA in the growing international movement of informal worker organizations, organizing women informal workers and empowering them to become leaders, particularly in organizations with both men and women members, remains a challenge. The first set of womenspecific challenges stems from the gender division of labour which limits the time women have available for activities outside the home, and gender norms and relationships which limit their physical mobility or their involvement in the public sphere. Further, when women assume leadership roles, they may not be as respected as their male counterparts, as stereotypes persist that women are emotional and not capable of exerting authority which contribute to their being ignored or silenced in group meetings or formal settings.³ Of course, there are all-women organizations such as SEWA. Also, some organizations with both men and women members have stipulated that leadership must be all women (e.g. Sikula Sonke, an agricultural workers' union in South Africa) or at least half of all leaders must be women (e.g. StreetNet International) (Bonner and Carre 2013).

These gender norms and relationships, and how they impact women informal workers, are quite common across sectors and countries, although they vary in degree and manifestation. These gender norms and relationships also contribute to a second set of factors which pose a challenge to organizing women informal workers: factors associated with the statuses in employment and places of work of many informal women workers. As noted earlier, women are concentrated in the more disadvantaged statuses in informal employment (sub-contracted and unpaid family work) and places of work (private homes). In the case of sub-contracted workers, it is not clear who is ultimately responsible for their work orders and pay rates: the immediate contractor, the supply firm that outsourced production or the lead firm which governs the whole value chain, planning production, designing products and/or selling finished goods.

³ The WIEGO network has a project dedicated to building the strength of women waste pickers in Brazil, led by Sonia Dias, WIEGO's waste specialist based in Belo Horizonte, Brazil: see <http://wiego.org/informal-economy/waste-gender-rethinking-relations-empowerment>

This makes it difficult for sub-contracted workers to bargain for more secure work orders and higher pay rates and to take recourse when work orders are cancelled, finished goods are rejected, pay rates are below the minimum wage, or payments are delayed. In the case of unpaid contributing family workers, should they bargain alongside the head of the family firm or farm with suppliers and buyers/customers and/or with the head of the family farm or firm? Organizers find it difficult to locate and organize homebased workers who work in their own home and, especially, domestic workers who work in the homes of others, as they remain invisible and isolated from one another. In sum, because of women's structural disadvantages in the informal labor market, organizing informal women workers is both more difficult and more necessary.

Collective Bargaining and Advocacy

Given that most informal workers are not in a recognized employer-employee relationship, even if they are wage employed, and that a large percentage are self-employed, organizations of informal workers typically pursue a wider set of strategies than trade unions of formal workers (Carre 2013). See **Box 5** for a typology of common core and supplemental strategies.

Box 5: Typology of Organizing Strategies

Common Core Strategies: pursued by most organizations

Collective Bargaining with Employers/Contractors

Collective Bargaining/Negotiating with Other Dominant Stakeholders: notably,
government (local, provincial, national)

Policy Advocacy

Mobilization Campaigns

Supplemental Strategies: undertaken by some organizations

Economic Development Services, including financial and marketing services

Collective Economic Action; e.g., cooperatives that provide services of various kinds (e.g., waste collection); and producer groups that do joint marketing

Collective Access to Social Protection: negotiating access to existing schemes and advocating for more inclusive schemes or providing their own schemes

Source: adapted from Carre 2013

As alluded to above, neither informal workers nor their organizations fit easily into mainstream definitions of workers, worker organizations and organizing strategies. This mismatch is perhaps most pronounced when it comes to collective bargaining as a large share of informal workers are self-employed and most informal wage workers do not have a recognized employer. Who do informal workers need to bargain with and what do they need to bargain for? If they bargain with local government for infrastructure services, is this collective bargaining as defined by trade unions, or should it be considered negotiating or advocacy? Informal worker organizations are often asked these questions by outside observers, especially trade union organizers and scholars.

Collective bargaining is usually understood as taking place between an employer and employees to achieve a collective agreement, primarily around wages and working conditions. (See the International Labour Organization's definition of collective bargaining: [C154: Collective Bargaining Convention, 1981 \[No.154\]](#)). Workers in the informal economy, including the self-employed own account workers, also engage in forms of collective bargaining through their membership-based organizations (MBOs). However, their counterparts across the table are often not employers but other entities. Street vendors most often negotiate with local authorities, for example, and with different municipal departments on issues such as with police regarding harassment and confiscation of goods. Waste pickers negotiate with local authorities for storage and sorting facilities or, more ambitiously, for the right to provide collection and recycling services for which they are paid. Many need to negotiate with buyers for better prices for recyclables.

Unlike workers in the formal economy whose rights are usually laid down in labour statutes, most informal workers do not have statutory collective bargaining rights. While the right has been acknowledged by the ILO in its 2002 ILO Resolution and Conclusions concerning Decent Work in the Informal Economy, including for own-account workers, it has not generally been extended to these workers. Most often, negotiations take place in ad hoc meetings – often arising out of a crisis – or in consultative forums without statutory obligation on the part of the authorities, and without enforceable agreements or continuity. While dialogues, consultations, or meetings to resolve immediate disputes play a role in enabling informal workers to raise their voices and make gains, agreements reached can be easily ignored or undermined.

Who informal workers bargain/negotiate/advocate with--and for what--depends on their status in employment, the branch of economic activity in which they are engaged, and their place of work. Their *status in employment* and *overall work arrangements* tend to define the key counterparts in the private sector whom informal workers need to bargain with: the self-employed in informal enterprises, both employers and own account workers, need to bargain with suppliers and buyers/customers; employees need to bargain with an employer; casual day laborers with multiple employers and their brokers; subcontracted workers with a lead outsourcing firm and/or its intermediaries; unpaid contributing family workers either with suppliers and buyers/customer together with the head of the family firm or farm and/or with the head of the family firm/farm herself or (more likely) himself. But most informal workers also have to bargain with public sector institutions at, especially, the local level but also at the provincial and national levels.

What informal workers bargain for is often defined by the *branch of economic activity* they are engaged in: street vendors need a secure place to vend in a good location and basic infrastructure services at the

vending site; waste pickers need access to waste and the right to bid for solid waste management contracts. What informal workers bargain for, and with whom, is also defined by their *place of work*. As noted, street vendors have to negotiate with municipal governments to secure their vending sites. Waste pickers also have to negotiate with municipal governments to secure the right to reclaim recyclable waste from households or neighborhoods, municipal bins, open dumps or landfills. Home-based workers have to bargain with local government for basic infrastructure services to make their homes more productive. Domestic workers bargain with the individual or household whose home they work in. In addition to the demands and needs that are specific to their status in employment, branch of economic activity and place of work, all informal workers need to bargain for legal recognition and identity, the right to organization and representation, access to social protection, and accessible/affordable transport.

Under a collaborative project with the AFL-CIO's Solidarity Center and trade union scholars at Rutgers University, WIEGO commissioned a set of case studies of collective bargaining campaigns by informal workers in different countries: domestic workers in Uruguay, home-based workers in India, street vendors and hawkers in Liberia, transport workers in Georgia, and waste pickers in Brazil. **Table 11** summarizes the priority issues, organizing challenges and bargaining counterparts of each group of workers:

Table 11 Collective Bargaining Campaigns: Priority Issues, Organizing Challenges, Bargaining Counterparts

Sector/Group	Priority Issues	Organizing Challenges	Bargaining Counterparts
Street, market vendors and hawkers	<p>Right and space to vend</p> <p>Facilities: storage, shelter, toilets, water</p> <p>Protection against police harassment</p> <p>Safety and security</p> <p>Competition: protection against bad effects</p>	<p>Not regarded as workers by selves and others Controlled by politicians, “mafia”</p> <p>Fear of harassment by authorities, police</p> <p>Competition amongst selves & formal</p>	<p>Municipality: local economic development, health and safety, zoning</p> <p>National and municipal police</p>

	Access to credit	sector Time spent on organizing means loss of income No forums for bargaining	Suppliers and buyers
Home-based workers	Equal income, benefits as factory workers Identifying employer End to exploitation by intermediaries Access to regular work Access to markets (own-account) Access to credit (own-account)	Isolated in homes, invisible Time-double burden of work and home care Fear of losing work Restrictions imposed by religion, culture Children working Unprotected by labour law or disguised status	Contractors Tripartite boards Suppliers & buyers
Waste pickers and recyclers	Access/right to recyclable waste Integration into municipal systems Work higher up the recycling chain Fair prices for	Low status and self esteem Fear of losing work Fear/dependency on middlemen Competition amongst selves	Government: national and local Dealers in recyclables Recycling companies

	<p>recyclables</p> <p>Recognition and improved status</p> <p>Health and safety</p> <p>End to exploitation by Intermediaries</p>	<p>Time to meet means loss of income</p> <p>Child labour Not protected by labour law</p>	
Domestic workers	<p>Recognition as workers</p> <p>Protection against dismissal, abuse</p> <p>Freedom of movement</p> <p>Freedom to change jobs (migrant)</p> <p>Less hours, more rest</p> <p>Better living conditions</p>	<p>Isolated and invisible in homes</p> <p>Fear of employers and losing jobs</p> <p>Dependency on employer for housing</p> <p>etc.</p> <p>Not protected by labour law</p> <p>Lack of time: long hours</p> <p>Fear of authorities (migrant)</p>	<p>Employers</p> <p>Employer associations</p> <p>Government</p>
Transport workers (urban passenger)	<p>Access to routes and passengers</p> <p>Protection against harassment</p> <p>Health and safety/ accident protection</p> <p>Parking and facilities</p>	<p>Mobility</p> <p>Competition between selves and formal sector</p> <p>Control by politicians, “mafia”</p> <p>Threats by employers</p>	<p>Municipality</p> <p>Formal companies</p> <p>Customers</p>

	Petrol and spares Prices and fares Competition-protection against bad effects	Fear of harassment by police/ authorities Time for organizing means loss of income	
Women workers: all sectors	Safe and affordable child care Income protection during/after childbirth Physical security Sexual harassment protection Equal income for equal value work Access to higher income earning	Fear and lack of confidence Cultural and religious barriers Often in scattered locations Dominated by men in sector Lack of time Child care and home care	Government Employers Formal companies Community elders

Source: adapted from Budlender 2013: table on pages 25-26.

In addition to negotiations and advocacy with local and national government, informal worker organizations and networks are, increasingly, engaging in collective negotiations and advocacy at the regional level, with regional banks and inter-governmental cooperation associations, and at the international level with the International Labour Organization (all groups), with UN Habitat (all urban workers), and with the UN Climate Change Negotiations (waste pickers). In these negotiations, the informal workers are demanding recognition as workers who contribute to the global economy, appropriate international norms that recognize and value informal workers, global processes that include representatives of informal worker organizations, and appropriate sector-specific policies and norms.

III. Case Studies: Legal and Policy Reforms

Despite the challenges of organizing informal workers and strengthening the organizations and networks of informal workers, several of the organizations and networks have led successful legal or policy campaigns in support of their membership either locally, nationally or globally. What follows is a brief

summary of several of them: domestic workers globally, home-based workers in Thailand, street vendors in India, street vendors and barrow operations in Durban, South Africa, and waste pickers in Bogotá, Colombia.⁴

Domestic Workers Globally

Despite obstacles, domestic workers have a long history of organization and advocacy to be recognized as workers and covered by the labour laws of their respective countries. In 2006, domestic worker organizations began to organize internationally with the support of international trade unions and NGOs, including WIEGO. Their main demands were to be recognized as workers with the rights to workers' rights and benefits. In 2008, after the International Labour Organization (ILO) decided to place Decent Work for Domestic Workers on the agenda of the International Labour Conferences in 2010 and 2011, they began a campaign for an ILO Convention. The campaign was led by the newly formed International Domestic Workers' Network (IDWN) with its organizational base in the International Union of Food, Agriculture, Hotel, Restaurant, Catering and Allied Workers Associations (IUF) and with support from WIEGO. The campaign involved extensive coordination and engagement at the country level to mobilize workers and engage with Ministries of Labour, trade unions and employers' associations. The process had immediate benefits in some countries and led to the adoption, with an overwhelming majority vote at the 2011 ILC, of two standards: Domestic Workers Convention, 2011 and Domestic Workers Recommendation, 2011.

The main achievement of the Convention is that domestic workers are unconditionally defined as workers with the same protections under national labor laws and social protection schemes as other workers. Some articles in the Convention provide special protection for live-in, migrant, or other specific groups of domestic workers. The Recommendation provides a comprehensive framework and set of guidelines for governments seeking to implement legislation in line with the Convention. The Convention and Recommendation will not directly or immediately change the situation of domestic workers, but they provide a normative framework and legislative springboard for organizations to work further with governments and other partners. The process of achieving the ILO Convention was itself a catalyst for global organizing and for gaining representative voice at the global level. It contributed to building the capacity of organizations and individual leaders, especially women; enhanced the status of domestic workers' associations with formal trade unions; and created the preconditions for recognition and enforcement of rights in countries. Whilst the campaign for ratification is a long term process, legislative changes are taking place as a result of the adoption of the Convention.

Home-Based Workers in Thailand

HomeNet Thailand has helped achieve several successes for informal workers on the national policy front, some in alliance with other civil society organizations. The first such success was the universal health coverage scheme for informal workers and other groups not covered by formal health insurance. Thailand stands out for its decade-long inclusion of civil society organizations in an alliance for health reform, with HomeNet Thailand one of the partners, who contributed to the campaign for what became known, initially, as the 30 Baht Scheme (Namsomboon and Kusakabe 2011; Alfery and Lund 2012).

⁴ These summaries of the cases are adapted from Chen et al 2013, with the exception of the write-up on Home-Based Workers in Thailand which draws on reports by HomeNet Thailand and WIEGO.

When the 30 Baht Scheme was replaced by the free Universal Coverage Scheme, the alliance of civil society networks including HomeNet Thailand, were again involved in the design of the scheme, in the legislation, and thereafter in facilitating, monitoring and evaluating implementation.

HomeNet Thailand also successfully campaigned, with support from WIEGO, for the Homeworkers Protection Act, which entitles Thai homeworkers (i.e., sub-contracted home-based workers) to minimum wage, occupational health and safety protection and other fundamental labour rights. To understand obstacles to implementing these protections, under a WIEGO project on law and informality, HomeNet Thailand examined instances where homeworkers had attempted to access their rights and implement the tripartite committee set up under the Act. HomeNet Thailand also made a concerted effort to inform homeworker leaders and homeworkers about their rights under the Act through workshops with lawyers and government officials, posters, newsletters and other documents. In 2014, as a direct outcome of these struggles, three home-based workers supported by HomeNet Thailand were included in the tripartite committee.

Also under the WIEGO law project, HomeNet Thailand organized local and national-level consultations with domestic workers to update them on the ILO Convention on Domestic Work (C189) and to mobilize action to protect migrant domestic workers in Thailand, especially Bangkok. During the course of the project, the Thai Domestic Workers Network was formed, which helped pressure the government to pass the Ministerial Regulation for Domestic Workers in 2012.

Street Vendors in India

Since 1998, when it was founded, the National Association of Street Vendors of India (NASVI) has dealt on a daily-basis with the challenges to street vendors associated with urbanization, urban renewal, and economic reforms. One of its first steps was to conduct a survey of street vending in seven cities of India in 2002. The report of this survey served to highlight the increasing harassment of street vendors by local authorities and the growing exclusion of street vendors in city plans (Bhowmik 2002). The report generated a good deal of discussion and was presented at a national workshop organized by the Ministry of Urban Development in 2000. At that workshop, the Minister for Urban Development announced that a National Task Force on Street Vendors would be set up to frame a national policy with and for street vendors.

The national policy for street vendors, developed by the National Task Force including NASVI and other street vendor organizations, was adopted by the national government in January 2004. The policy recommended that state and local governments register street vendors, issue identification cards to street vendors, and amend legislation and practice to reduce the vulnerabilities of street vendors. The main plank of the policy was to establish Vending Committees at the town and ward levels with representatives from street vendor organizations to identify designated zones for vending and hawking. However, the national policy was never implemented very widely, in large part because local governments are controlled by state governments and few state governments followed the national policy when formulating their own state policies.

In response to this lack of implementation, the national government declared the need for a new national policy for street vendors while NASVI and SEWA demanded a national law for street vendors. In late 2011, thanks to the campaign and advocacy efforts of NASVI, SEWA and other organizations, the two

ministries changed their position and decided to support a national law for street vendors. The draft law was formulated by the Ministry of Housing and Urban Poverty Alleviation in consultation with NASVI, SEWA and other organizations of street vendors and was approved by the Parliament of India in February 2014 and went into effect later that year.

Street Vendors and Barrow Operators in Durban, South Africa

For many years, Warwick Junction, a precinct in the inner city of Durban that houses, on a busy day, up to 8,000 street and market traders, was looked to as best practice of street vendor management and support: characterized by high levels of consultation with the street vendors and resulting in a high level of self-regulation and a sense of ownership of the area by the street vendors. But in February 2009, to the surprise of many, the Durban/eThekweni Municipality announced its plans to grant a fifty year lease of public land to a private developer to build a shopping mall in Warwick Junction at the site of the Early Morning Market (EMM), a fresh produce market in the center of the Junction that was to celebrate its centenary in 2010. These plans entailed a redesign of the whole district ensuring that the foot traffic, estimated at 460, 000 commuters a day, would be directed past the mall rather than the informal traders so threatening the viability of all street vendors and market traders in the Junction.

There was a groundswell of opposition to the proposal and a major civil society campaign to oppose the planned mall emerged, involving organizations of street vendors, academics, urban practitioners, and a local NGO called Asiye eTafuleni which has supported the street vendors of Warwick Junction for many years. Central to this campaign was a pair of legal cases pursued by a public interest, non-profit law firm—the Legal Resources Centre (LRC). One case challenged the process by which the City awarded the lease and contract to the private real estate developer, thus drawing on administrative law. The other case challenged building a mall where a historic market building stands, thus drawing on historic conservation principles. By April 2011 the City Council finally rescinded its 2009 decision to lease the market land for the mall development noting that ‘there was little prospect of the legal challenges relating to the current proposal being resolved.’ This was a major victory for the street vendors and barrow operators of Warwick Junction. The legal case did not mandate the change in position by the City Council. But the legal cases, in combination with civil society activism and protests, helped leverage the change in the City Council’s position.

Waste Pickers in Colombia

For decades, if not centuries, *recicladores* (waste pickers) in Colombia’s capital, Bogotá, have earned a living by recycling metal, cardboard, paper, plastic, and glass and selling the recycled material through intermediaries. Today there are an estimated 12,000 recicladores in Bogotá.

But recent privatization of public waste collection threatened the livelihoods of the recicladores. Previous municipal administrations in Bogotá granted exclusive contracts to private companies for the collection, transport, and disposal of waste and recyclables. In response, the Asociación de Recicladores de Bogotá (ARB), an umbrella association of cooperatives representing over 2,500 waste pickers in Bogotá, began a legal campaign to allow the recicladores to continue to collect and recycle waste.

The recicladores achieved a landmark victory in 2003 when the Constitutional Court ruled that the municipal government’s tendering process for sanitation services had violated the basic rights of the waste picking community. In making its case, ARB and its pro-bono lawyers appealed to the

Constitution's provision of the right to equality, arguing that waste pickers should be allowed preferential treatment and judicial affirmative action in the tendering and bidding process for government waste management contracts.

Subsequent cases have appealed to constitutional provisions, including the right to survival as an expression of the right to life (article 11 of the Constitution), which was used to argue the right to pursue waste picking as a livelihood, and the right to pursue business and trade (article 333), which was used to argue that cooperatives of waste pickers—and not only corporations—can compete in waste recycling markets. The most recent ruling, in December 2011, halted a scheme to award US\$ 1.7 billion worth of contracts over ten years to private companies for the collection and removal of waste in Bogotá City. The court mandated that the cooperatives of waste pickers had a right to compete for the city tenders and gave the ARB until March 31, 2012 to present the municipality with a concrete proposal for solid waste management inclusive of the waste picking community. The current Mayor of Bogotá honored this mandate by de-privatizing waste collection, setting up a public authority to manage solid waste management and allowing ARB and other organizations of recicladores to bid for contracts. With the help of WIEGO and other allies, the ARB prepared a proposal, elements of which were adopted into the official proposal made by the district agency in charge of the city's public service.

In March 2013, waste pickers in Bogotá began to be paid by the city for their waste collection services, and in June 2014, the national government mandated that the Bogotá model be replicated in cities and towns across the country. However, vested interests in the private sector who want to regain control over the waste collection and recycling sector have mounted a political campaign to remove the current Mayor of Bogotá who rescinded some of the private contracts to set up a public waste management authority and brokered the contract with the recicladores. They argue that the public management of waste collection and the involvement of the recicladores undermine "free competition" and are, therefore, illegal.

As these case studies illustrate, informal worker organizations are increasingly finding a place at the table with national and local governments and are also finding their voice in international negotiating forums, especially at the annual International Labour Conference. But, as these case studies also illustrate, IW organizations often need to resort to litigation, in addition to policy advocacy, and need support from allies to protect the interests of their members.

IV. Lessons & Recommendations

Lessons Learned

Informal workers are self-organizing or being organized in many sectors and many countries around the world: they are engaging in formal collective bargaining through their membership-based organizations; networking transnationally; and linking together in collective international advocacy. Many of these organizations and networks have had an impact on the wider environment, influencing laws, policies and practices.

But clearly, the structures and strategies of these organizations and networks do not fit easily into conventional structures and strategies associated with trade unions of formal workers. Most notably, their counterparts in bargaining are often not employers, and the issues tackled are not always the same. Organizing informal workers is different than organizing formal workers - and has *distinct challenges of*

several kinds. To begin with, many informal workers are *not considered workers*: under the law, by policy makers, by trade unions, by other workers, or even by themselves. Globally, the “employment relationship” between a recognized employer and employee has historically represented the central legal concept around which labour law and collective bargaining agreements have sought to recognize and protect the rights of workers (ILO 2003). This concept has usually excluded the self-employed but also excludes wage workers or employees who are hired by firms in ways that disguise the employment relationship or make it unclear and ambiguous, which is the case with most informal wage workers. Further, many key stakeholders— policy makers, trade unions, other workers – do not perceive or recognize informal workers as workers. Also, some informal workers do not perceive themselves as workers, especially women and, in particular, women who produce goods and services in their own homes (home-based workers) or in the homes of others (domestic workers).

Second, informal workers *belong to various statuses in employment, making it difficult to organize around a single identity.* Also, individual workers may be engaged in multiple activities and/or employment statuses within a single day, month, or year. A very small percentage of informal selfemployed are employers; most are own-account workers who do not hire paid workers. A small share of informal wage employed are employees, most are casual day labourers or industrial outworkers who by definition do not work in a standard work place and, often, do not work for a single employer, while a large percentage of informal women workers, especially in agriculture, are unpaid contributing family workers.

Organizing own account operators who often invest more labour than capital into their enterprise and earn relatively little is different from organizing informal employers who, on average, invest and earn far more. Organizing industrial outworkers who work under a sub-contract for multiple employers and their intermediaries is different from organizing informal employees in an informal or formal enterprise, just as organizing informal day labourers who work for multiple employers at different times is different than organizing informal employees of a single employer. Also, unpaid contributing family workers need to be organized in order to bargain in the interests of the family enterprise or farm but also in their own interests within the family.

Third, most informal workers *do not work in a standard workplace* (i.e., the firm or factory of an employer), but work primarily in public spaces (streets, markets, pastures, forests, waterways), in private homes (as home-based producers or domestic workers), or on private farms. There are special risks as well as organizing challenges associated with each of these. Where should domestic workers be organized for example; are there common places where they congregate on their day off (if any)? The same consideration applies with regard to day labourers and home-based workers, especially those who are prohibited by social norms from moving outside their homes.

Fourth, most informal workers – other than the fully dependent wage workers – have to *deal with multiple points of control or multiple dominant players.* The self-employed have to bargain with those from whom they buy supplies and raw materials or rent space and equipment, and to whom they sell goods and services. The industrial outworkers have to deal with one or more firms and their intermediaries who subcontract work to them. Day labourers have to deal with both recruiters and employers, often different ones each day or season. Having to bargain with more than one counterpart makes it difficult to do so

effectively. Also, ideally, most informal workers would need to negotiate multiple collective bargaining agreements with both the public sector, especially local government, and private firms.

Fifth, the *control points and dominant players faced by informal workers are often sector-specific*. Consider the urban informal workforce. Their activities are governed by industry-specific regulations (e.g., those governing fresh food) as well as by urban planners and local governments that set rules and determine norms and practices which govern who can do what, and where, in cities. Often the rules are framed or interpreted in ways that discourage – if not outright ban – informal activities. Moreover, urban informal workers, like all informal workers, have to negotiate with dominant players in the sectors or value chains within which they operate. This means that they have to negotiate on several fronts with private businesses and with local authorities. It also means that there is no immediate pay off - no equivalent to the “wage dividend” enjoyed by many organized formal workers. Often they have to negotiate and bargain to simply be allowed to pursue their livelihoods - without being harassed, having their goods confiscated, having to pay bribes, and being evicted. In such situations, the hoped-for dividend of organizing is usually a reduction in the risks and costs of operating informally, rather than an increase in earnings.

Given all this, *new and innovative approaches to organizing and collective bargaining are needed and no one model fits all*. At the local level, organizing takes different forms, from trade unions to cooperatives to associations of various kinds to savings-and-credit groups or self-help groups, depending in part on the local political and legal environment. In many countries, there are unregistered associations that function like cooperatives or trade unions but find it difficult to register as such. But to some extent, *organizational form follows organizational function*. Domestic workers who need solidarity in order to bargain with their employers often form or join trade unions. Self-employed home-based workers often form associations to leverage skills training, product design, and marketing services. But industrial outworkers who work from their home need to form unions for collective bargaining with employers and their intermediaries. Street vendors who need to bargain collectively with local authorities often form unions or market-specific associations. Waste pickers who provide recycling services to cities or cleaning services to firms often form cooperatives.

What have we learned from the successful struggles of women organizations? Common strategies include awareness building and mobilization around issues; collective bargaining, negotiating and advocacy, and (often) legal struggles, with action on these different fronts feeding into each other in a circular, interactive, reinforcing manner. Common structural barriers include an inappropriate or hostile institutional environment, competing vested interests, and the mindsets of influential stakeholders. And the common sources of technical and political support include pro-bono lawyers, activist academics, specialized non-governmental organizations, and, most importantly, alliances of organizations of informal workers.

All cases of success illustrate the *importance of the joint action of organizations of informal workers with support individuals or institutions*. The alliance that campaigned successfully against the proposed mall in Durban included local associations of street vendors, the international alliance of street vendors (StreetNet) headquartered in Durban, the Congress of South African Trade Unions (COSATU), the South African Communist Party in the KwaZulu-Natal province, local team members of the WIEGO network, local civil society organizations, urban practitioners, academics, and the legal resource center that filed

the case. A local NGO Asiye eTafuleni, dedicated to providing legal, technical, and design support to the informal workforce of Warwick Junction, played a key role: monitoring the situation on the ground, alerting the LRC to the day-to-day harassment of traders by the city, and facilitating access by the LRC to appropriate claimants.

The alliance that helped advocate for the national policy and, now, the national law for street vendors in India included the National Association of Street Vendors of India, SEWA, as well as academics and activists working on street vendor issues. The campaign also received support from political leaders and government officials. The alliance that helped the Asociación de Recicladores de Bogotá in its campaign to be allowed to bid for solid waste management contracts included pro-bono lawyers, academics, WIEGO and other NGOs. The alliance that helped build the International Domestic Workers' Network and supported its campaign for the ILO convention included a global union federation (International Union of Food, Agriculture, Hotel, Restaurant, Catering and Allied Workers Associations), a national union federation (FNV of the Netherlands), the ITUC and the Workers' Bureau of the ILO (ACTRAV), the WIEGO network, and other NGOs. During the tripartite discussions at the 2010 and 2011 International Labour Conferences, this alliance mobilized additional resources: researchers who helped the domestic worker delegates find information, write speeches, and draft demands; media experts who helped write press releases and organized press conferences and interviews and used social media to publicize the negotiations; and interpreters who interpreted for delegates and also translated documents.

At the heart of each of these successful campaigns, except for the domestic workers campaign, was a legal case. Key to the success of the legal cases was access by the informal workers and their organizations to free, high-quality, and responsive legal assistance—from a high-level team of lawyers. The informal workers would not have been able to pay for such high-level legal representation: they were fortunate to be represented by such high-level pro-bono lawyers.

At the same time, the technical knowledge and political support from civil society—most importantly, from the informal workers themselves—were critical to the success of the legal case.

In sum, well-managed collaborations and alliances with a range of organizations allows for a pooling of resources, skills, knowledge, including that of the informal workers themselves. They extend points of influence and leverage, raise awareness more widely and potentially increase pressure on those with power to influence the outcome of the negotiations (Bonner and Pape 2012)

Recommendations

These lessons suggest two sets of recommendations: the first set relates to the work or livelihoods of informal workers; the second, to organizations of informal workers. Both sets include recommendations about the roles of key stakeholders, especially policy makers in governments and international agencies, but also their mindsets and policy stances.

1 - Recognition of and Support to Informal Workers and their Livelihoods

In the end, what the working poor in the informal economy need, through organization and collective bargaining/negotiating, is more and better economic opportunities: for some, this means better wage jobs; for others, more secure and productive livelihoods. But so long as informal units, workers and activities are stigmatized by policy makers as illegal and non-productive and excluded from economic planning and policies, informal livelihoods will remain insecure and less productive than they could be. What is needed

is a change in the mindsets of policy makers -- to recognize and validate informal workers and their livelihoods -- and changes in laws, regulations, and policies to protect and promote informal workers and their livelihoods.

Work today takes many forms, and is central to people's lives, to economies and societies. More and more wage workers are employed informally without a recognized employer through disguised, ambiguous or third-party arrangements. Yet labor laws and employment laws are premised on the central notion of an employee relationship. One-third or one-half of the informal workforce in most developing countries are self-employed, but a small percentage of these hire workers. Yet commercial laws are premised on enterprises with ten or more workers. And sector-specific laws, including urban policies and plans, are biased towards formal firms and activities. Given the sheer size of the informal economy and informal workforce, the policy goal must be to overcome the formal and informal divide by providing appropriate recognition, protection, and support to all workers and enterprises; and to promote a hybrid economy in which formal and informal - small and large - enterprises may co-exist alongside each other.

2 - Recognition of and Support to Organizations of Informal Workers and their Campaigns

While organizing of informal workers has taken place mainly outside the mainstream labor movement, this too is beginning to change, as formal and informal workers join hands. In today's global economy, those who work in a particular industry – even for a single firm – include not only the core formal employees but also all of the workers down the supply chain, including the contracted daily or seasonal workers and the sub-contracted outworkers. Rather than being divided by big business, formal and informal workers along specific global supply chains or in specific industries should forge a joint united front. Then only, in today's global economy, will workers be able to improve their situation.

In today's globalizing economy and modernizing cities, there is also a critical on-going need to recognize, respect and promote the representative voice of the working poor in the informal economy in the policymaking and rule-setting processes that impact their lives and livelihoods. This will require more and stronger membership-based organizations of informal workers on the one hand and acknowledgement of those that do exist on the other hand. More than acknowledging organizations of informal workers they should be included in tripartite arrangements as key stakeholders in their own right. There is a role for supportive NGOs to help start and build the capacity of informal worker organizations but they must learn when and how to hand over the leadership and administration of these organizations to leaders elected by the membership. As the case studies illustrated, there is also a role for experienced, informed and committed supporters - including academics, lawyers, urban planners and others - to support the legal and policy reform campaigns of these organizations. The key role for government and international agencies is to recognize the organizations of informal workers and invite representatives from them to relevant policy-making and rule-setting processes. The motto of StreetNet International - "Nothing for us, without us" - reflects the key enabling condition to ensure more and better work opportunities for the working poor in the informal economy; namely, to invite organizations of informal workers to help develop appropriate policies, laws and regulations that recognize, validate and integrate their work and livelihoods.