

Trade Unions, working class internationalism, & changing global World of Work

Discussion of state of work in progress – Pat Horn

All workers are vulnerable. Workers are vulnerable to dismissal, to bad health and safety conditions, and to pay that does not meet their needs. That is why ALL workers need trade unions, or at least independent representative workers' organisations.

Workers who are working in isolated situations like domestic workers, farm workers and workers in very small companies, or are self-employed such as most street vendors and waste pickers, are extra vulnerable. In addition, big changes have taken place in the formal workplace. We now very often have more than one employer in one workplace because of outsourcing, sub-contracting and the use of labour brokers. And a large number of workers are no longer on permanent full time contracts.

Migrant workers from other countries are very vulnerable as they often do not know their rights and are taken advantage of by employers. Young women in all sectors are vulnerable because they are exposed to high levels of sexual harassment and abuse in the workplace.

As a result of the way globalisation has changed the labour market, “atypical” employment relationships have increasingly become the norm – instead of exceptions to the norm. The category of own-account (self-employed) workers was taken into official consideration at the 90th session of the annual International Labour Conference of the ILO in June 2002 for the first time in Clause 4 of the Conclusions on Decent Work and the Informal Economy, which states: *“Workers in the informal economy include both wage workers and own-account workers. Most own-account workers are as insecure and vulnerable as wage workers and move from one situation to the other. Because they lack protection, rights and representation, these workers often remain trapped in poverty”*.

The 4th Industrial Revolution is giving rise to further new forms of work, such as “platform” work based on internet platforms and easily-accessible popular Apps – which is increasingly common in the services sector – and which are often called “the new informal” these days. This is due to the fact that these new forms of work are being informalised as soon as they appear, in the context of the description of the informal economy in Clause 3 of the ILO’s seminal 2002 Resolution on Decent Work and the Informal Economy: *“The term ‘informal economy’ refers to all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements”* – and the fact that governments seem to be generally very slow to integrate the emerging new forms of work into their regulatory systems (and where they do, it is often to criminalise them).

A consequence of this is that many of the workers engaged in these new forms of work have become own-account workers, and the work they do has become own-account work undertaken at the initiative of currently officially unemployed or under-employed workers who cannot find employers to sell the labour power to, nor can they succeed as entrepreneurs in small enterprises. So they are joining the growing reservoir of *de facto* own-account workers (irrespective of what the system labels them as).

The growth in all these new forms of work, and decrease or limited growth in formal jobs, has produced an increasingly vulnerable global workforce – which faces challenges at work, and challenges to the exercise of their fundamental rights to organize and collectively represent their interests.

NEW FORMS of ORGANISING – WHAT DO VUNERABLE WORKERS NEED?

- *Organizing/Labour Rights:* Vulnerable workers, including those in the informal economy, must be able to effectively exercise their rights to organize and bargain collectively, as well as their other fundamental rights at work.

- *Legal Identity & Standing:* Vulnerable workers, especially own-account workers in the informal economy and those working in their homes or homes of others, want to be recognized as workers or as economic agents with a clear legal standing in all relevant policy-regulatory-legal domains. They do not want to be relegated, as the poor or vulnerable, to the social policy domain alone; they want to be recognized as legitimate contributing economic. This necessitates extending the scope of labour laws to categories of workers traditionally excluded and/or amending laws so they cover the full range of relationships under which work is performed.
- *Economic Rights:* Vulnerable workers need a wide range of labour, trade, and land-use rights in order to improve their employment arrangements and secure their livelihoods; make their economic activities more productive; and use their representative voice to achieve appropriate changes to the wider institutional environment that affects their work and livelihoods. The basic right to pursue a livelihood is of principal relevance and importance.
- *Social Rights, including Social Protection:* Social protection coverage must be extended to all workers in the informal economy through social assistance and/or social insurance mechanisms. This includes rights to housing, education, health, food security, water, sanitation and social protection against the core contingencies of illness, disability, old age, and death, and against work-related risks. Maternity and child care should be addressed as a priority due to the over-representation of women in the vulnerable sectors (including in the informal economy).

COLLECTIVE BARGAINING – NOTHING FOR US WITHOUT US!!

For vulnerable workers (including those in the informal economy) to exercise their full labour rights, legal recognition and practical integration of their right to be represented by worker-controlled organizations of their own choice is essential. They must be able to regulate their working conditions through collective bargaining processes that involve democratically elected representatives of these worker organizations. For employees such collective bargaining will be with an employer, but for the self-employed such as street vendors or waste pickers, local authorities would be the appropriate bargaining counterpart.

Existing bargaining forums are designed for workers with formal employment relationships. They do not necessarily lend themselves to addressing the issues faced by vulnerable constituencies of workers in the informal economy. **New, appropriate bargaining forums must be created.** This requires designing the rules of participation, establishing criteria for determining the issues for negotiation, and envisaging how such new forums will engage with the wider policymaking and regulatory frameworks so that these become a meaningful part of participatory decision-making.

Systems of representation by exclusively formal economy representatives in tripartite forums need to be replaced by the direct representation of workers in the informal economy themselves. This will improve the legitimacy of such forums in changing labour markets and in a changing world of work.

CHALLENGES FACING TRADE UNIONS

Trade unions world-wide face the challenge of either applying strategies for effectively organising workers in the informal economy, or remaining helpless to prevent the slow attrition of being reduced to very small weak organisations as their traditional membership base dwindles to little or nothing.

How can trade unions know what are the right issues and demands to put forward in order to create decent work in the informal economy, if they have not yet organised workers in the informal economy and new forms of work? With the best will in the world, all they can do is guess what they think may be the interests and demands of workers in the informal economy, and put these forward. But this is

patronizing, and no better than those Heads of State who formulate policies after guessing what their people need, instead of engaging in proper consultation with those directly affected.

Trade unions have to confront these challenges proactively by tackling the following practical issues:

Political will: getting trade union leadership to prioritise the organisation of workers in the informal economy, and to make human and financial resources available to implement this.

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.

Constitutional changes: changing trade union constitutions where this is the obstacle to organising informal workers.

New organising strategies: developing new organising strategies which are more appropriate for workers in the informal economy and new forms of work. 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.

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, especially in the lowest income-earning work) in many sectors of the informal economy.

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 countries of the Global South – sometimes a combination of different models can be applied where no single one fits exactly.

Organising workers in the informal economy as workers and as equals: because of the greater marginalisation of workers in the informal economy, and 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 conscious to avoid this tendency – remembering the struggles they previously have had to wage to represent themselves instead of being represented by others.

Joint campaigns: 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.

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.

Taking a lead in civil society: if trade unions are sufficiently representative of the working people 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 strength of trade unions lies in their ability to represent the interests of members to whom they are directly accountable and from whom they get a direct mandate. It is not good enough for formal sector trade unions to claim the right to represent workers in the informal economy who are not their members and who have not given them a direct mandate, just because they define themselves as

working class organisations. The only way to genuinely represent workers in the informal economy and put forward their demands for decent work, is by organising them, and enabling their elected representatives to participate directly in negotiations and policy dialogue.

OFFICIAL INTERNATIONAL RESPONSE

The International Labour Organisation (ILO) started to address some of the vulnerable work sectors through its 1996 Convention 177 on Homework and 2011 Convention 189 on Domestic Workers. In 2014 and 2015 the International Labour Conference (ILC) of the ILO adopted Recommendation 204 on “transitioning from the informal to the formal economy” – which highlighted the own-account work sectors, such as the majority of street vendors and waste pickers.

The ILO has accredited international organizations of workers in the informal economy as labour “NGOs” (*i.e. same category as ITUC, WFTU and the GUFs*) to participate in International Labour Conferences, e.g.

- StreetNet International, representing street vendors & informal traders
- International Domestic Workers’ Federation

These organizations attend tripartite International Labour Conferences of the ILO and participate as an integral part of the Workers’ Group – NOT as a separate social partner, as in the tripartite-plus model we boast about and practice in NEDLAC in South Africa. There are many drawbacks to being in the Community Constituency in NEDLAC, which does not have equal status to the other constituencies.

INTERNATIONAL ORGANISATIONAL RESPONSES

The international trade union movement has made important strides in addressing these organizational challenges, although the progress between national trade union movements is rather uneven.

South Africa is not one of the leading examples, but lagging behind most other African countries in this regard – along with the countries of the industrial Global North.

As a result of a decision of the 2012 COSATU Congress, a Vulnerable Workers Task Team was established by COSATU. The aim was to intensify efforts to organise, amongst others:-

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| <ul style="list-style-type: none">• Farm workers• Workers in shops, restaurants & hotels• All sub-contracted workers• Contract cleaning workers• Call centre workers• All young workers, especially young women• All migrant workers regardless of legal status• All workers enslaved by labour brokers | <ul style="list-style-type: none">• Street traders• Home-based workers• Construction workers• Petrol station workers• EPWP workers• Taxi workers• Security guards• Domestic workers |
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This was a good start, but has been interrupted by the splits and divisions which occurred in COSATU since that time and has not sustained or accumulated momentum.

December 2003 – SEWA (Self-Employed Women’s Association), StreetNet International, Ghana TUC, Nigeria Labour Congress, CROC (*Confederacion Revolucionaria de Obreros y Campesinos*) Mexico and HomeNet Thailand joined forces to convene an international meeting on organizing workers in the informal economy in Ahmedabad, India. The meeting was attended by trade unions and other workers’ organizations already active in the field of organizing workers in different sectors of the informal economy, who exchanged their initiatives and experiences and started to network internationally.

September 2006 – the same International Coordinating Committee organised a follow-up meeting of the same and newly-discovered organizations organizing workers in the informal economy in Acra, Ghana.

In between, the International Coordinating Committee convened lunch-time meetings for all the trade unions attending the annual International Labour Conferences of the ILO in Geneva to report on progress around the world in organizing workers in the informal economy, to network and make new connections. In this way, it was not long before SEWA and StreetNet International were accepted internationally as trade union organizations (of a special type) by all the trade unions attending International Labour Conferences.

This regular international practice was boosted by StreetNet visiting all national trade union federations when they visited their countries, to introduce their work and their local affiliates, and build solidarity relationships in as many countries as possible. StreetNet adopted a non-sectarian approach of visiting all national centres, no matter which international confederation they were affiliated to. In this way, StreetNet now has relationships of solidarity with both ITUC and WFTU, many of their affiliates and their regional structures. Work on reorganisation of workers in the informal economy and new forms of work has also been done over the years in partnership with GUFs such as BWI, IndustriALL, ITF, IUF, PSI.

In 2019 StreetNet was invited by CUT Brazil to participate in an international seminar which they hosted in São Paulo on “New forms of worker organisation needed in changing World of Work”. Following that seminar, CUT worked in collaboration with StreetNet’s Brazilian affiliate UNICAB to establish a new trade union of informal traders and “entregadores” (scooter delivery platform workers) which was established in a virtual launch on 20 October 2020, attended by StreetNet International among the international guests. During the COVID pandemic, the numbers of “entregadores” in São Paulo had increased by 20% and they had gone on strike against their poor working conditions under the banner “Black Lives Matter” (*Vidas Pretas Importam*).

The city-based trade union, called SIPATEI, is affiliated to CUT Brazil, to CUT’s commercial workers’ union CONTRACS, and to UNICAB national organization of street vendors & informal traders. This best practice example should now be followed by trade unions in other countries.

SOME QUESTIONS for DISCUSSION & DEBATE

1. Corporatisation of TUs – how to respond?
2. Reassessing industrial union model and its suitability for new world of work
3. New forms of worker organization – social movement unionism, organizations of own-account workers, organizations of platform workers in Gig Economy, etc.
4. Case studies of organisations of own-account workers – SEWA (India), CTCP-FNT (Nicaragua)
5. Reassessing tripartite collective bargaining models & institutions – are tripartite-plus models the answer?
6. Building socialism through TUs – radical syndicalism?
7. Relationships between TUs & political parties – pros & cons

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