

**STREETNET INTERNATIONAL THEME WORKSHOP
ON EMPLOYMENT RELATIONSHIPS AMONG INFORMAL TRADERS**

held in Durban, South Africa

18 – 20 May 2009

Aims:

1. To renew the commitment of StreetNet's affiliates to implementing and strengthening Class & Gender Organisational Policy founding resolution of StreetNet.
2. To deepen our understanding of the class differences which exist (however subtle) in informal economy workplaces on the streets and in the markets.
3. To provide a class direction to ensure StreetNet's programmes and activities remain more geared to the empowerment of survivalist street vendors, informal market vendors and hawkers (the poorest of whom are majority women) than the entrepreneurial interests of those higher up the class ladder on the way to becoming business operators.
4. To develop appropriate labour standards for the maintenance of fair and just employment relationships between informal traders within StreetNet's affiliates, and elimination of the high levels of exploitation which often characterise this sector.
5. To develop a class analysis of workers in the informal economy (including own-account workers) based on the nature of economic independence experienced by them in their work, as the basis for StreetNet's programmes of empowerment of the poorest street vendors, informal market vendors and hawkers, including meaningful empowerment of women working in this sector.

INTERNAL CLASS POSITION

The following common factors were identified:

Wages are paid to assistants on a daily basis (because their regular attendance cannot be guaranteed every day). Social needs of assistants (illness, funerals, etc.) cannot easily be provided because own-account workers themselves are too vulnerable and their own means are limited. Confrontations are therefore common, due to the lack of recognition of the contribution of the assistants. Children under 10 are working in some workplaces selling water, working as assistants, or carrying packages for customers (for tips).

Case study 1: **MARKET STALL & HOME SPAZA**

Case study 2: **ARTISAN COOPERATIVE**

Case study 3: **STREET VENDORS WITHOUT SPATIAL SECURITY**

Case study 4: **FAMILY LABOUR**

Case study 5: **SUBCONTRACTING WHOLESALER**

Case study 6: **CHILD LABOUR**

In relation to this, StreetNet has a Policy to be implemented.
(see Annexure A)

EXTERNAL CLASS POSITION

Economic actors	Provide what	Basis of dependence	Women's additional issues
Suppliers (wholesale and retail)	Merchandise & raw materials	Crippling credit conditions to vendors of insufficient means	Abuse due to low social status of women, and lack of collateral
Manufacturers & producers	Provide & produce goods	Monopolistic behaviour of supply chain	Women more trustworthy, but most vulnerable
Wholesaler	Buy goods from manufacturers	Access to goods from manufacturers	Multiple roles at home mean women have less time
Middlemen / intermediaries	Goods from wholesalers, diverse products & services	Access to wholesalers & commercial monopolies	Insufficient time & money forces women to use middlemen. Many violations of women's rights
Money-lenders, banks & other financial institutions	Provide Financial security & loans. Access to funds & financial advice	Access to credit facilities. Limited means & poverty among vendors.	Lack of collateral. Ignorance of rights.
Govt. provincial & national	Laws, policies, health & safety	Bound by legislation – good or bad	Need for affirmative action
Local authorities, incl. traffic police	Infrastructure & services incl. security Authorisation for use of public space. Tax revenue. Regulatory bylaws & enforcement.	Police harassment. Divide & rule enforcement tactics.	Discriminatory laws Harassed even more than less vulnerable vendors.
Transporters	Transport services Delivery of goods	Need to access goods, deliver to customers	Multiple roles at home mean women have less control over transport

DEVELOPING OUR CLASS POSITIONS

There are few existing labour standards for informal workers. In Ghana & Zimbabwe, informal workers are covered by legal & social protection. No laws for informal workers in Kenya, but micro & small enterprise protection is in process of enactment by parliament. In India there is legislation for registration of market porters, National Employment Guarantee Act, and National Policy on Street Vending. In some states there is domestic workers service regulation scheme. There is also National Health & Insurance Policy scheme for workers in informal economy. In Mozambique informal economy workers can register in terms of an Act – fill in form and then are registered, and taxes are paid according to size of business.

Labour standards generally in existence are the right to organise, right to belong to association or union of choice, in some countries even right to social dialogue (Bipartite Commission in one country), right to representation (e.g. Argentina), right to health & safety (e.g. Zambia during construction of markets – toilets, electricity, shelter, water), social protection (Peru – municipal fund in Lima to help informal economy workers in health & capacitating their businesses, pension & medical aid in Argentina)

LABOUR STANDARDS FOR INFORMAL ECONOMY WORKPLACES

Participation in decision-making is a key demand. But what labour standards are we going to be recommending when we do participate ?

- Recognition of **right to work in public space**.
- **Registration** of all informal workers.
- **Minimum wages** for informal workers hired – how can this be balanced with the limited resource base of own-account workers who hire them ?
- **Hours worked** need to be regulated. (*One proposal was for 8 – 12 hours, negotiated with employees. Another proposal was for 9 hours per day with 1 hour in between for lunch, i.e. 10 hours altogether*).
- **Days off**: holidays, week-ends – what provision should be made when workers work on these days ?
- **Leave**: annual leave, maternity leave, study leave.
- **Social security & protection**: pension, insurance, gratuity, etc.
- **Health & safety**: protective clothing, medical facilities, good sanitary conditions (e.g. water & toilets)
- Form **tripartite body to do collective bargaining** with govt. & authorities, to formulate labour standards, legislate, supervise & implement resolutions of tripartite forum.

ORGANISATIONAL CHALLENGE to StreetNet members:

Ensuring that all adult assistants/employees (including family members) engaged by own-account workers are recruited to the same workers' organisations (and elected to leadership positions) to ensure that they have equal access to economic justice.

ANNEXURE A

Resolution 5: Child labour

The First International Congress of StreetNet:

NOTING

1. that there are instances of children working as street vendors, either independently or assisting parents who are street vendors, informal market vendors or hawkers;
2. that many of these children are working to augment low incomes earned by the adults in their families;
3. that on occasion these children's work keeps them out of school and prevents them from developing their skills and abilities to the best of their potential;

HEREBY RESOLVES

1. that StreetNet supports ILO Convention 138 and Recommendation 146 of 1973 on the Minimum Age, and Convention 182 and Recommendation 190 of 1999 on the Worst Forms of Child Labour;
2. to unconditionally support the rights of all children to attend school, to encourage informal market vendors, street vendors and hawkers to ensure that their children complete their schooling, and to promote opportunities for their further education;
3. to unconditionally support the promotion and exercise of equal rights for girl children, and to fight against any form of discrimination against the girl child;
4. to work for the increase in incomes for adult street vendors, informal market vendors and hawkers as the best means of eliminating the need for children to work to augment the incomes of adult family members;
5. to promote the establishment of secure and affordable child care centres for pre-school children of street vendors, market vendors or hawkers close to their places of work operating appropriate hours for them to be able to fully utilise such centres. Where possible, such child-care centres should be integrally linked to town or market plans;
6. to promote urban planning approaches which incorporate facilities for the care of the pre-school children of street vendors, informal market vendors and hawkers.

PROPOSED: CNTG and Eastern Cape Alliance of Street vendors

SECONDED: FEDEVAL