

**STATUS OF HOMEWORKERS
IN THE ILO CONVENTION
- A SEWA REPORT**

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HOMEWORKERS

Who Are The Homeworkers

Fatama Bibi sews garments in her home located in a slum in the city of Ahmedabad in the western part of India. A local trader gives her cloth for a dozen petticoats and pays her by the piece-rate when she sews them up on her own sewing machine. Julie lives in West Yorkshire in England, she brings home electronic parts from a local factory and assembles them at home returning the finished product to the factory. Fatma and Julie are part of a vast invisible world-wide workforce who are only just beginning to be recognised.

Large Numbers

Their numbers are mind-boggling. Some examples : China officially acknowledges 20 million homeworkers, as does India. In reality there are perhaps double that number. There are estimated to be 1.5 million workers in Italy and 1,66,000 in the Netherlands, however, this does not include those in the 'black' economy. The International Labour Organisation says, "The phenomenon is one which is spreading across the world and affecting a large number of workers. Scattered evidence suggests it is growing rapidly and is much more wide spread in developing countries."

Women Workers

Most of these workers are women. According to the ILO, 90 to 95 percent in the Federal Republic of Germany, Greece, Ireland, Italy are women. In Japan 93.5 percent of the home workers are women. In USSR, where home work is concentrated in local industries, 86 percent of all workers were found to be women. Home Based piece-rate workers in the Brazillian clothing industry were mainly women.

Long Hours. Low Earnings

Homework exists in almost every sector, traditional and modern-agriculture, livestock, textiles and garments, food processing, electronics, dyes and chemicals, telecommunications, iron works, but their earnings are typically much below those earned by other workers in the sector. Studies have shown that, in Australia home workers in spite of a 12 hour work day earn one-third the award rate of pay. In studies conducted in India, South Africa and Canada, it was found that they earn well below the official minimum wage.

No Social Security

Unlike other types of workers these workers have no access to social security, such as health care, child care or old age pension. In developing countries there are rarely social security systems and formal sector workers are protected by particular laws, which exclude home based workers. Even in developed countries the home based workers tend to get excluded, as they do not meet the minimum work hours required for coverage or work for more than one employer.

Why an International Convention

Few countries have legislation to protect the homeworkers, and where they exist they are rarely implemented. Few countries have made an effort to include the homemaker in the mainstream of the economy, to give them social security, to upgrade their productivity or to bolster their earnings. The result is that the homeworkers remain an underclass which provide a pool of cheap and submissive labour, in both industrialised and developing countries.

Homework an International Phenomenon

Global industrialisation has made homework an international issue. Companies from the industrialised countries are shifting production to homeworkers in developing countries. As factory based production gives way to decentralised production, so protection for the homeworkers will have to be at an international scale. An International Convention will put a pressure on all countries to protect their own homeworkers and will guide them to the kind of laws that need to be enacted.

Reducing Child Labour

In the developing countries, child labour is most prevalent in home industries. The child is forced to work as the parents (usually the mother) earn well below the minimum wage. Homebased industries employ the largest pool of child labour. A law protecting and enhancing the earnings of homeworkers, will allow the adult home worker to earn enough to feed the family and to send her children to school. Increasing the earnings and employment of homeworkers is the surest way to reduce child labour.

Organising

Organised labour is often suspicious of the homemaker, as decentralisation of production reduces the strength of the unions. However, as the protection to the homemaker increases she too will be able to join unions and be able to claim her rightful place in the economy. As her conditions improve, the differences between homework and the factory or office will reduce and a worker will have genuine choice of workplace.

Enhancing Employment Opportunities

A homemaker is not quite an employee nor fully independent. However, her intermediate status gives her the potential to be her own account worker (or entrepreneur). Many homeworkers when given the opportunity of credit, training and market, are able to enhance their work and create new employment opportunities for themselves and others. Legislation will not only protect them but also give them a chance to enhance their work opportunities.

The ILO Convention

The Representatives of Employers, Workers and Governments met in Geneva at the International Labour Conference to thrash out a common agreement about protection to homeworkers. The first reading of the convention agreed to the following points :

Form of the Instrument

It was agreed that the instrument would be a Convention supplemented by a Recommendation. The Convention would give the instrument a certain force, whereas the Recommendation would provide detailed guidelines. However, the employers and certain Governments were opposed to the Convention.

Definition

This was the most difficult section to come to an agreement on as the homeworkers range from wage workers to own account workers, from regular employees to independent. The employment relations include contractors, sub-contractors and other types of intermediaries. The definition agreed on finally was broad enough to cover most types of home based workers. It was:

- (a) the term "homework" should mean work carried out by a person, to be referred to as a homeworker,
- i. in his or her home or in other premises of his or her own choice, other than the workplace of the employer;
 - ii. for remuneration;
 - iii. which results in a product or service as specified by the employer, whether the equipment, materials or other inputs used are provided by this person the employer, or the intermediary, as long as this person does not have the degree of autonomy and of economic independence necessary to be considered an independent worker under national laws, regulations or court decision.

Although there was protest from the employers, the term 'intermediaries' were also defined in this Convention, as most homework is given out through intermediaries.

Equality of Treatment

The third major area covered equality of treatment between homeworkers and other wage earners in the right to join organisations of their own choosing, in remuneration, social security, training, health and safety, protection against discrimination, minimum age for employment and maternity protection.

Recommendation

The Recommendations were much more detailed and spelled out the following factors: Methods of implementation of the labour law, collection of information, supervision, remuneration, occupational health and safety, the right to organise, hours of work, rest and leave, social security and maternity benefit, protection in case of termination of employment, resolution of disputes, programmes to assist homeworkers.

HomeNet : An International Network of Homeworkers

Growing links and research have shown the international nature of home work. Homeworkers are part of a global economy, whether they are making baskets in the Philippines for export to the United States, or assembling electronics components in the United Kingdom for a multinational company. Everywhere, the majority are women who struggle to

make a living for themselves and their families. There was a need for an organisation to bring together the different groups, and coordinate a campaign at International level.

The last 15 years have seen a growth of organisations working with homeworkers in many countries. SEWA in India, PATAMBA in the Philippines, Changmai Homenet in Thailand, SEWU in South Africa, National Homeworking Group in the UK, FNV in the Netherlands, the ILGWU in Canada, to name a few.

In 1994, all these organisations came together to form an international network, with the aim of exchanging experience between different groups and coordinating a campaign in preparation for the ILO Conference and United Nations Women's Conference both due to be held that year. Representatives of home-based worker organisations in Asia, Africa, Europe and Canada attended the meeting along with the ICFTU (International Confederations of Free Trade Unions), the IUF (International Food and allied workers Federations) and the ITGLWF (International Textile, Garment and Leather workers Federation) The aims of the network were agreed :

- a) To build an international network for home-based workers and their organisations as well as NGOs; cooperatives, trade unions, researchers, women's groups etc. including all those directly or indirectly undertaking work in this field.
- b) To coordinate an international campaign for the improvement of home-based workers' conditions of work at national, regional and international levels.
- c) To collect and disseminate information on home-based work to members of the network and other interested organisation.
- d) To assist in obtaining technical assistance for, and act as a channel of the same to home-based workers.

The Network was registered in the Netherlands as a formal trust with the name HomeNet. The head quarters for the first two years was to be in Europe in order to co-ordinate the campaign for the ILO. It was therefore located in England. After the ILO campaign is over the headquarters will be shifted to the developing world, probably Asia.

HOMEWORERS

Homeworking

Homeworking is a worldwide phenomena with women doing a variety of work.

The numbers of Homeworkers are mind-boggling with China having 20 million homeworkers and India around 30 million. In reality there are perhaps double that number. There are estimated to be 1.5 million workers in Italy and 1,66,000 in the Netherlands.

Homework exists in almost every sector, traditional and modern-agriculture, livestock, textiles and garments, food processing, electronics, dyes and chemicals, telecommunications, iron works, but their earnings are typically much below those earned by other workers in the other sectors.

Unlike other types of workers these workers have no access to social security, such as health care, child care or old age pension both in the Developed and the Developing countries.

An International Convention

Few countries have legislation to protect the homeworkers, and where they exist they are rarely implemented. Few countries have made an effort to include the homeworker in the mainstream of the economy, to give them social security, to upgrade their productivity or to bolster their earnings. The Representatives of Employers, Workers and Governments met in Geneva at the International Labour Conference for the first discussion on Home Work. At the first reading of the convention and agreed on the form of the instrument would be a Convention supplemented by a Recommendation.

What we need

What we need today is the solidarity and understanding of other Labour Unions and Governments. It is necessary that the Government and the Workers Vote together in favour of the Convention supported by the Recommendation. The US government has a vast following of Developed and Developing countries. If they decide to vote positively, many others too would vote the same way.

We believe that home workers employment rights protection as well as enhancement of their economic condition is the surest way of fighting evils of poverty like, forced migration, contract labour system and child labour.