

TOWARDS INCLUSIVE CITIES FOR ALL:

HOW TO PROTECT THE RIGHTS OF WOMEN IN INFORMAL SELF-EMPLOYMENT

8 DECENT WORK AND ECONOMIC GROWTH

11 SUSTAINABLE CITIES AND COMMUNITIES


SUMMARY

Informal employment is the norm in most of the developing world, with an over-representation of women. The majority of this work is informal self-employment, which is typically survival-oriented with few prospects and low returns. In spite of its prevalence and its importance to the livelihoods of millions of women and their families, the quality of informal self-employment has received surprisingly little attention from policymakers. The 2030 Agenda, with its goals on decent work and economic growth (SDG 8) and sustainable cities and communities (SDG 11) has the potential to change this. One of the main challenges is that some of the preconditions of labour rights – an employer to address claims to, a conventional workplace that can be inspected and improved and effective trade unions that can engage in social dialogue – are missing. This Policy Brief focuses on three groups of informally self-employed women working in urban areas – street vendors, home-based workers and waste pickers – to show how organizations of informal workers engaging with local and national policymakers are working to advance these workers' rights and help to create more inclusive cities for all.

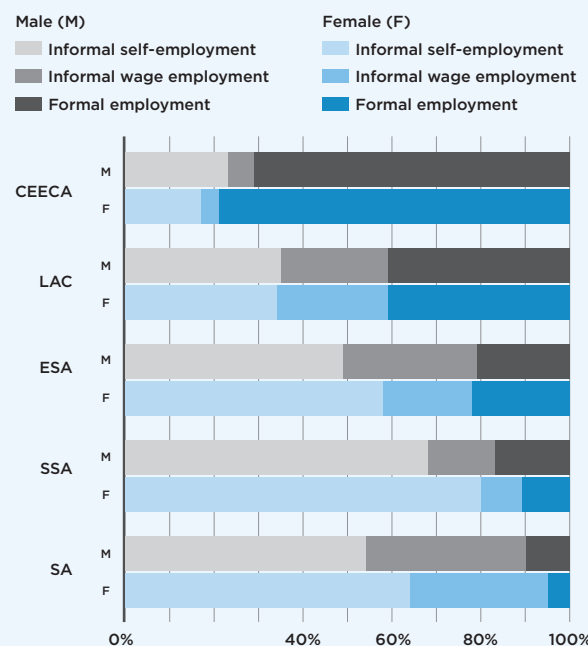
Introduction

In South Asia, sub-Saharan Africa and East and South-East Asia, more than three quarters of all employment is informal, the majority informal self-employment. In these regions, women are more likely to be in informal self-employment than men (see Figure 1). Informal employment also accounts for more than half of employment in Latin America and the Caribbean and smaller shares in Central and Eastern Europe and Central Asia as well as in Developed Regions. In spite of the very large numbers involved, informal workers have often been overlooked by policymakers and their rights have generally been neglected.¹

For the past two decades, informal worker organizations, supported by networks such as Women in Informal Employment: Organizing and Globalizing (WIEGO), have struggled for greater recognition. This has resulted in important gains at the global level. In 2016, the outcome document of Habitat III, an intergovernmental process to shape a new urban agenda, recognized 'the contribution of the working poor in the informal economy, particularly women' and acknowledged that 'their livelihoods, working conditions and income security, legal and social protection, access to skills, assets and other support services, and voice and representation should be enhanced.'² In 2015, the International Labour Organization (ILO) adopted Recommendation 204, which provides strategies and guidance to assist countries to promote decent job creation, develop coherent macroeconomic, social protection and employment policies and help workers move from the informal to the formal economy (see also Policy Brief No. 4).³ The inclusion in the 2030 Agenda of sustainable development goals (SDGs) on both decent work and sustainable cities should also provide impetus for policy change. Many of the targets within Goal 8, on support for micro-enterprises, decent work, equal pay and

FIGURE 1

Informal employment as a share of total employment, by type and sex 2004-2010



Source: UN Women calculations using data in Tables 2 and 4 in Vanek et al. 2014.⁴

Note: SA: South Asia; SSA: Sub-Saharan Africa; ESA: East and South East Asia; LAC: Latin America and the Caribbean; CEECA: Central and Eastern Europe and Central Asia. Estimates for East and South-East Asia exclude China. The Pacific and Middle East and North Africa are excluded due to lack of data.

labour rights for those in precarious employment; and in Goal 11 on transport, planning, waste management, and access to public spaces are highly relevant to informally self-employed women in urban areas.

Historically, the realization of core labour rights has been based on three key features of formal employment: an identifiable employer who can be held responsible for workers' rights; a conventional workplace (a factory, farm or office) that can be inspected and improved; and trades unions that effectively represent the collective interests of workers. Most or all of these features are missing for informal workers, particularly the informally self-employed. By definition, self-employed informal workers have no employer to address claims to; social protection systems, to the extent that they exist, are usually designed with formal employees in mind; labour inspection, including to guarantee occupational safety, is often weak in developing countries and difficult to carry out in unconventional workplaces (streets, dump sites or homes); and trades unions have often not effectively represented informal workers in general, and self-employed workers in particular.

How can the rights of women workers be advanced under these conditions? This brief addresses this question by focusing on three groups of informal workers in urban areas that include significant numbers of women: street vendors, home-based workers and waste pickers. Rather than assuming that the rights afforded to formal workers can simply be extended to the informal economy, it identifies alternative routes or 'functional equivalents' that respond to the particular situation of self-employed women in the informal economy. It shows how claims can be directed to local and municipal authorities as a kind of proxy employer; the importance of non-contributory social protection; and the pivotal role of informal workers' organizations in gathering information about conditions, mobilizing workers and initiating social dialogue with policymakers.

Informal self-employment in urban areas: the examples of street vending, home-based work and waste-picking

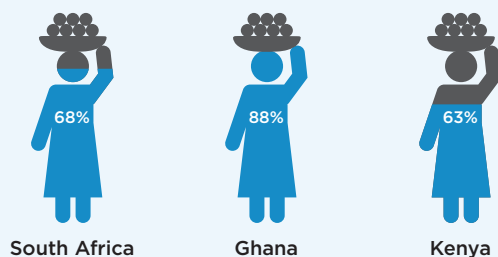
Street vending, home-based work and waste-picking are an important source of employment for women. Street vendors, who sell goods or provide services in public spaces, represent between 12 and 24 per cent of informal workers in eight African cities, 14 per cent in India and 2 per cent in Buenos Aires. In Africa, street vending is mainly the preserve of female workers (see Figure 2).

Informal home-based workers are mostly in manufacture or trade. They are either self-employed or subcontracted to carry out paid work for businesses as industrial outworkers. In eight African cities, between 11 and 25 per cent of urban informal employment is home-based work; in India, the figure is 23 per cent. Available data show that women predominate in this type of work (see Figure 2).

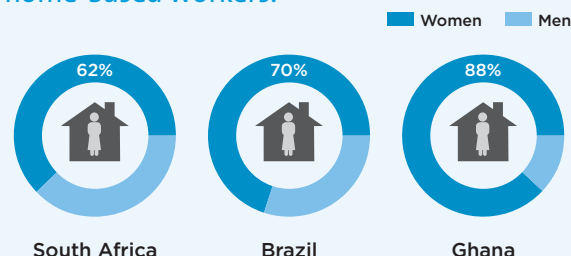
Waste pickers, who collect and sort waste, make up a much smaller proportion of informal urban employment but are increasingly important in rapidly expanding cities. They make up 0.1 per cent of informal urban workers in India, 0.6 per cent in Lima, Peru and 0.5 per cent in Brazil. In most locations with data, more men are

FIGURE 2

In many countries, particularly in Africa, the majority of street vendors are women.



Women often make up the majority of home-based workers.



Note: Statistics from ILO 2013

waste pickers than women. But in the West African cities of Bamako, Mali, and Ouagadougou, Burkina Faso, as well as in urban India, more women than men do this work.⁵

Street vending, home-based work and waste-picking are all strongly segregated by sex, with women concentrated in the least remunerative segments. As a result, gender gaps in earnings are marked in all three categories.⁶ Female street vendors are more than twice as likely as men to sell low-value, perishable produce, while men dominate in sales of more profitable, durable goods.⁷ Home-based workers usually work on a piece-rate basis and rely on intermediaries to access supply chains, making them highly dependent and vulnerable. Women waste pickers tend to collect low-value waste such as cardboard and cans, with higher value items such as scrap metal being reserved for men.

Challenges and policy options

The challenges of improving the quality and viability of informal work, particularly informal self-employment, have not generally received adequate attention from policymakers. The imperative and goals are clear: all workers need safe and healthy working conditions, access to social protection and the right to organize. However, the route to attaining these goals will be different for informally self-employed workers.

Targeting local authorities

For informally self-employed women in urban areas, local authorities and municipalities operate as a kind of proxy employer: they can allow the use of public spaces as worksites; provide protection through occupational health and safety

programmes; and create an enabling environment through investments in urban infrastructure. However, rather than being enabled and supported as an integral part of urban economies, street vendors and waste pickers are frequently regarded as a nuisance, with unscrupulous local officials and the police issuing arbitrary fines, confiscating merchandise and, in extreme cases, meting out beatings, arrest and imprisonment.

In several countries, street vendors have been very active at national and local level in trying to secure legal recognition of their right to trade. For example, the National Association of Street Vendors of India (NASVI) and the Self-Employed Women's Association (SEWA) achieved a major victory in 2014 when the Indian Parliament passed the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act. This law recognizes that street vendors have a positive role to play in generating employment, establishes legal status for vendors and mandates their involvement in local government planning processes.⁸

Organizations of waste pickers have also been active in asserting their rights to tender for large municipal recycling contracts. Since 2003, Colombian waste pickers, led by the Asociacion de Recicladores de Bogota (ARB), have won a series of legal cases based on constitutional guarantees of their rights to life and to pursue business and trade, which culminated in 2011 in a ruling that they must be included in municipal sanitation planning. Bogota's waste pickers were subsequently recognized as public service providers and, as of 2013, are paid fixed rates based on formal contracts.⁹

Securing occupational health and safety (OHS)

Street vendors are exposed to the elements, as well as to traffic fumes and urban pollution; in enclosed market spaces, there is often a significant risk that fire will endanger traders and destroy their goods; poor ventilation, inadequate lighting and unsuitable working equipment can be a hazard for home-based workers; and waste-picking is inherently dangerous and dirty work. In the absence of an employer and in the context of unconventional workplaces, OHS regulations may be non-existent, inapplicable or unenforced. A five-country project led by WIEGO developed partnerships between informal worker organizations and design institutes to develop safer work equipment, such as carts, gloves and sorting sticks for waste pickers and benches suitable for workers that roll incense sticks and make flatbreads in their own homes.¹⁰ More research on the kinds of injuries and health issues that affect informal workers is needed to identify suitable preventative interventions and successful strategies in different sectors.¹¹

Investing in infrastructure

Street vendors, waste pickers and home-based workers depend on basic infrastructure to make their livings. For street vendors who sell their goods in a fixed location, safe market spaces are a basic requirement, but often lacking. While this absence is also a problem for men, women face greater risks of sexual

BOX 1

Safe market spaces and public transport for women in Papua New Guinea

Women are 80 per cent of market vendors in Port Moresby, the capital of Papua New Guinea, but until recently market facilities have been dangerous and unsanitary. Research found that 55 per cent of women vendors had experienced some form of violence in the markets, with 22 per cent reporting sexual violence.¹² Rates of violence and harassment against women on public transport to and from the markets were found to be even higher.¹³ The Port Moresby Safe City Free from Violence against Women and Girls Programme, implemented by UN Women and UN Habitat, has worked with the local authorities, the police and women's organizations to improve infrastructure, raise public awareness on sexual violence and train the police. A new public bus service has recently been introduced that caters exclusively to women and children, with uniformed bus crews to ensure their safety on the journey to and from work.

abuse and harassment (see Box 1). For vendors who hawk on the streets, storage facilities are needed to protect their stock. Waste pickers also require storage facilities, without which they have nowhere to keep their waste once it has been collected and sorted for recycling. For women working in their own homes or in small workshops, as well as some street vendors selling services such as hairdressing or tailoring, reliable and affordable electricity and water supplies are essential. Since most informal workers rely on public transport for their own and their children's travel needs, investments in public transport facilities are necessary. Without these basic public services and infrastructure, the quality and timely production and sale of goods can be compromised, undermining the viability of small and micro-enterprises.

Extending social protection

Social protection – including income security for working-age and older adults, support to families with children and access to basic health care – is an essential part of core labour rights and key to addressing social exclusion and poverty. In most countries, eligibility for social protection has historically been based on formal employment status through contributory schemes. These schemes exclude the informally self-employed, leaving millions of people worldwide unprotected.¹⁴ The ILO's social protection floor has aimed to change this through a set of minimum guarantees that are universal and accessible to all, regardless of employment status. While extending existing social protection schemes to informal workers is an important step, coverage is likely to remain low where this requires contributions. Ghana's National Health Insurance Scheme, for example, excludes many

informally self-employed market traders because even the subsidized premiums are unaffordable for them.¹⁵ Non-contributory schemes financed through general taxation are the most effective approach. In Thailand, for example, the non-contributory Universal Coverage Scheme (UCS) now provides 98 per cent of the population with health-care coverage.¹⁶ Non-contributory social pensions are also gaining ground, with more than 100 countries worldwide providing a degree of income security to older people not covered by occupational schemes (see Policy Brief No. 3).

Providing accessible childcare services

When asked who minds their children while they are at work, almost 40 per cent of women surveyed across 31 developing countries said they did so themselves.¹⁷ But such arrangements come at a cost: they place limitations on women's productivity as well as the quality of care their children receive.¹⁸ Accessible and affordable childcare services have the potential to improve the productivity and incomes of women working in the informal economy. To do so, they must be designed with the

needs of these workers in mind. To match the irregular hours of informal work such as street vending and waste-picking, for example, childcare centres need to offer flexible scheduling. They also need to be affordable and conveniently located to reduce commuting time and transport costs. Quality is also a priority for workers, who want safe facilities with sufficient and well-trained staff.¹⁹ While non-profit organizations can and do provide childcare facilities for informal workers, public funding and regulation is usually needed to ensure quality and affordability (see Policy Brief no. 5).

Through their work, street vendors, home-based workers and waste pickers make important contributions to the everyday functioning of urban life, which should be valued and supported. Even in the absence of the conventional pre-conditions for realizing core labour rights, there are concrete steps that policymakers at national and local levels can take to protect the rights of these informally self-employed women. In doing so, tangible progress can be made on achieving the Sustainable Development Goals, to ensure decent work and sustainable cities for all.

RECOMMENDATIONS

- Identify the context-specific challenges facing informally self-employed workers through sector-specific and gender-sensitive research and consultation with workers and their organizations.
- Create incentives and mechanisms for government actors at national and local levels to jointly formulate gender-sensitive policies to protect informally self-employed women and men.
- Recognize the economic and social contribution that urban informal workers make, and introduce laws and regulations that protect their rights to make a living free from harassment and abuse.
- Ensure a conducive regulatory framework for member-based organizations, including cooperatives and other organizations of informal workers, and engage them in relevant aspects of policymaking on the informal economy.
- Forge partnerships between informal workers' organizations and local governments to design, implement and monitor occupational health and safety strategies for diverse groups of informally self-employed women.
- Invest in urban infrastructure, including electrification, water and sanitation, market spaces and public transport services to support the economic activities of informally self-employed women and address their vulnerability to sexual abuse and harassment.
- Strive for universal social protection coverage irrespective of employment status, including high quality childcare services tailored to the needs of informally self-employed women.

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