

## BRIEFING 6

# Informal work

Taking action to end violence and harassment in the world of work requires a good understanding of the most important issues for transport workers, particularly for women transport workers.

This transport specific toolkit on C190 – the International Labour Organization’s (ILO) violence and harassment convention – consists of eight briefings which focus on aspects of violence and harassment that affect transport workers most significantly.

The briefings are available as separate documents, so that unions, officials, activists and members can focus on the issue or issues most important to them. Briefings can be hand-picked or the toolkit can be used in its entirety.

You are commencing **Briefing 5: Informal work.**

## Understanding the issues

Most jobs in the transport industry are informal, and the proportion is increasing. Although informal transport is male-dominated, women are over-represented in the most precarious and low-paid forms of informal work in transport.

Informal transport workers lack power: often, they are excluded from social protection, from violence and harassment legislation, have no access to complaint mechanisms at work or to those provided by the state. They also face poverty and economic insecurity. These factors increase exposure to violence and harassment at work, including sexual coercion.

Many informal workers are also migrants. This puts them at greater risk of experiencing violence and harassment.

Many informal transport workers work in spaces not traditionally considered a workplace. These spaces are unregulated which leaves them unprotected. Without security or rights, violence and harassment, corruption, and extortion from third parties is common. Police sometimes provide no protection for informal workers and may even dismiss their complaints.

Women informal transport workers are disproportionately affected because of their gender and its intersections with their insecure working conditions and class.

*“Women workers are especially harassed by the askaris [city council inspectors]. The way they handle us is wrong. Sometimes the police officers put their hands in our pants. That is very bad. It’s embarrassing.” – Matatu conductor, Kenya<sup>61</sup>*

Women working in the informal transport economy frequently face sexual violence and sexual coercion from third parties and those in positions of power, including vehicle owners, licensing authorities and the police. In informal passenger transport, demands for sexual favours in return for employment are common.

*“I will give you a bigger percentage if you sleep with me’, the driver told me.” – Woman taxi conductor, Uganda<sup>62</sup>*

In Kampala, Uganda, women conductors report that they are sexually “used” then “dumped” by their male counterparts, and dispatchers frequently experience sexual harassment, discrimination and teasing from passengers and workers.<sup>63</sup>

Reports from women Tuk-Tuk drivers in Nepal suggest that incidences of sexual violence and harassment against informal workers increased during the Covid-19 pandemic.

The threat of violence and harassment, as well as the inequality and discrimination that they face is a barrier to women accessing better paid and more skilled jobs in the informal sector.

*“Sexual harassment...As we ladies, we can wake up, you go and look for a job...if they don't allocate you where you are working, you just go to the field, you say to the driver 'I need work'. So, most of the drivers they intend to have a friendship with you so that they can employ you...you see? So we are on the other side because you are in a problem and you want to work. Some women are forced to do that act – not that you are willing...but you are being forced.” –Matatu conductor, Kenya<sup>64</sup>*

Workers will find it difficult to tackle the types of violence and harassment they face on their own. But collectively they stand a chance. Unions must make sure that informal workers are organised and represented; this has proven to be an effective starting point.

Globally, ITF affiliates are organising informal workers and in doing so are strengthening their ability to coordinate action, expose the issues and make demands – particularly to governments and public authorities.

Many governments are now being encouraged to invest in new transport institutions, infrastructure, and regulation to formalise the informal transport industry. A transition to formal, decent work is crucial for addressing violence and harassment against women. But unless proactive, gender-responsive steps are taken, formal transport systems risk replicating and exacerbating gendered inequality. Gender concerns must therefore be integrated into formalisation processes, including addressing **systemic exclusion of women from decent jobs** and gender-based violence and harassment.<sup>65</sup>

ITF affiliated unions have adopted an [Informal Transport Workers' Charter](#) which includes union demands related to the rights of women workers including:

- An end to violence and sexual harassment against women
- An end to employment discrimination
- Equal opportunities for training, skills development, and access to higher-paid transport occupations

- Adequate rest, sanitation, and personal security facilities for women in transport
- Affordable quality childcare and other care services
- Equal pay for women and men
- Access to free or affordable sexual reproductive services

The ITF has also developed a [trade union guide to worker-led formalisation](#). The guide includes clear demands for trade unions to ensure reform and formalisation processes effectively address gendered inequalities and violence and harassment.

Technological change, labour-market deregulation, globalisation, economic instability, and increased privatisation have contributed to a global rise in **non-standard forms of employment** (NSFE). We see this shift in transport with the rise in temporary employment, part-time and on-call work, agency work and other employment relationships. There has been a shift towards outsourcing and subcontracting of jobs, as well as disguised employment, dependent self-employment, and on-demand services. This is eroding workers' rights and conditions and lowering standards for transport workers globally. It is also weakening union strength and collective bargaining power. Women are disproportionately affected because they are concentrated in the most precarious, low paid and low status jobs which are the first to be affected.

The rise in NSFE is increasing transport workers' exposure to violence and harassment. Transport workers are facing more precarious working arrangements, irregularities in their legal working status, limited protection, inadequate safety measures, greater difficulty in reporting incidents and avoidance of accountability for worker safety, all of which are risk factors for violence and harassment.

Unions must have a voice in the restructuring processes so they can make sure these are fair and include gender impact assessments, and that safety standards are improved for all workers. Women representatives must be included in negotiations.

## How C190 can help

### **C190 makes it clear that all workers are covered, irrespective of their contractual status.**

*“This Convention protects workers and other persons in the world of work, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer.”*

**(Article 2 (1), C190)**

### **C190 includes informal work and informal workplaces, including public and private spaces - this is ground-breaking.**

*“This Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas.”*

**(Article 2 (2), C190)**

*“This Convention applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work: (a) in the workplace, including public and private spaces where they are a place of work;”* **(Article 3, C190)**

### **C190 gives public authorities responsibility for regulating informal workplaces and preventing violence and harassment against informal workers.**

*“Each Member shall take appropriate measures to prevent violence and harassment in the world of work, including: (a) recognizing the important role of public authorities in the case of informal economy workers;”* **(Article 8, C190)**

### **C190 recognises that perpetrators include third parties.**

*“Each Member shall adopt, in accordance with national law and circumstances and in consultation with representative employers’ and workers’ organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work. Such an approach should take into account violence and harassment involving third parties, where applicable...”* **(Article 4 (2), C190)**

### **Recommendation 206 encourages governments to take measures to protect migrant workers.**

*“Members should take legislative or other measures to protect migrant workers, particularly women migrant workers, regardless of migrant status, in origin, transit and destination countries as appropriate, from violence and harassment in the world of work.”* **(Paragraph 10, R206)**

### **Recommendation 206 encourages governments to formalise labour to tackle violence and harassment**

*“In facilitating the transition from the informal to the formal economy, Members should provide resources and assistance for informal economy workers and employers, and their associations, to prevent and address violence and harassment in the informal economy.”* **(Paragraph 11, R206)**

# ACTIVITY TO ENCOURAGE UNION ACTION

## Facilitator notes

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### Aim

The aim of this activity is to encourage participants to consider how to use the language of C190 to build a campaign to lobby employers and governments to address violence and harassment against informal workers and workers in non-standard forms of employment (NSFE), including through campaigning for secure and decent work.

### Tasks

Organise participants into small groups. Ask them to read the briefing 'Informal work' and the section on 'How can C190 help'. Then, ask participants to discuss the questions and develop a set of actions to be taken with different stakeholders. Depending on the group, either use the set of questions marked 'Informal Workers' or 'Workers in Non-Standard Forms of Employment'.

For more information see the 'Joint Global Union Toolkit':

- For further information about informal work and NSFE see: Section 1.3
- For further information about concrete action points that unions can take see: Section 2.

## Activity

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### Aim

This activity will enable us to consider how we can engage with key stakeholders at different levels on the issue of violence and harassment against informal workers and people with non-standard forms of employment (NSFE). It also considers what demands we can make to address violence and harassment against these workers.

### Tasks

Read the briefing 'Informal work', then in small groups, discuss the questions and how we achieve the aim above.

#### Informal workers

Consider the following stakeholders: local authorities, governments, international finance institutions (IFI), other trade unions and civil society.

- What are the most frequent forms of violence and harassment that informal workers face?
- What are the risk factors for violence and harassment against informal workers?
- What measures could help tackle violence and harassment against informal transport workers?
- What arguments can we use to highlight the need to tackle violence and harassment against informal transport workers?
- How can we integrate the demands of the Informal Transport Workers' Charter and the ITF Formalisation Guide into negotiations around informal transport?
- What demands can we make to ensure that violence and harassment is addressed in governments' formalisation processes?

- How can we ensure that the needs of informal workers, particularly informal women workers, are represented in negotiations with key stakeholders?
- What demands can we make to investors when they fund new projects that will affect informal workers?
- How might we use the Convention when negotiating with key stakeholders?
- How might we use the Convention to educate our members and raise awareness of these issues?
- How can we build alliances or public support around this issue?

### **Workers in Non-Standard Forms of Employment (NSFE)**

Consider the following questions in your discussion, based on your experiences, recognising the existing challenges of organising workers in NSFE, and the role of unions.

- What are the most frequent forms of violence and harassment that workers in NSFE face?
  - What are the risk factors for violence and harassment for workers in NSFE?
  - What arguments can we use to highlight the need to address violence and harassment against these workers?
  - What demands can we make to companies/employers during restructuring processes?
  - What measures could help to address violence and harassment against these workers?
  - How might we use the Convention when negotiating with companies/employers?
  - How might we use the Convention to educate our members and raise awareness on these issues?
  - How can we build alliances or public support around this issue?
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## **Useful resources**

- [Informal Transport Workers Charter, ITF.](#)
- [Informal Passenger Transport Beyond COVID-19: A trade union guide to worker-led formalisation, ITF.](#)
- [Stories from women working in Nairobi public transport, ITF \(video\).](#)