

Organising Informal Transport Workers: Global Research Project



Overview Report

This overview report forms part of a global research project on organising informal transport workers. In 2005, this project was initiated by the ITF Education Department in cooperation with the ITF Road Transport Section. The overall objective of the project was to provide transport workers' unions organising, or wishing to organise, informal transport workers with a comprehensive guide and reference.

The research aims were to:

- document, analyse and synthesise the organising experiences, strategies and methods of unions organising informal transport workers through three detailed country case studies;
- identify the forms and extent of informal transport work; including identifying informal women transport workers;
- summarise issues concerning organising in the informal economy and their relevance to transport unions;
- formulate proposals for consideration by ITF policy-making structures;
- provide materials for use in planning education programmes on organising in the informal economy.

The research had two interlinked components:

- three detailed country case studies from Benin, Zambia and the Philippines of unions organising informal transport workers, including relevant contextual information;
- an overview of organising informal transport workers containing: information on informal transport work and men and women workers; organising challenges and strategies; synthesis of the case studies and recommendations for consideration by ITF policy-making structures.

For the case studies, the ITF identified three affiliated unions. The unions selected are from countries where informal jobs outnumber those in the formal economy, in Asia and Africa. We appointed research organisations from those countries to conduct the research. A research co-ordinator based in South Africa was appointed to produce the overview.

The ITF would like to thank the following affiliates and research organisations for participating in the project: National Transport Workers' Union (Philippines); National Union of Transport and Allied Workers' Union (Zambia); Syndicat National des Zemijan du Benin; LEARN (Philippines); WEA Zambia, LARES (Benin).

The ITF would also like to thank the research coordinator Chris Bonner in South Africa, and the FNV Mondiaal for financing the project.

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Chris Bonner
July 2006

Introduction	7
Background to the Project	7
Project Objective and Aims	7
Research Process and Method	7
This Report	9
Section 1: The Case Studies- union profiles and country context	10
Benin: Syndicat National des Zimidjan du Benin, Synazeb	10
Zambia: National Union of Transport and Allied Workers, NUTAW	11
Zambia: Zambia Bus and Taxi Workers' Union, ZBTWU	12
Philippines: National Transportworkers' Union, NTU	13
Section 2: The Informal Economy and Informal Work	14
Defining informality	14
.Extent of Informal Employment	17
Legal protection, regulation and informal workers	18
Labour Law	18
Social Protection	22
Other regulation	22
Key points	23
Section 3: Informal transport work and workers	24
Informal transport workers	24
The extent of informal transport work	27
Why informalisation of transport industries?	28
Key Points	32
Section 4: Challenges for informal transport workers: Rights and conditions at work	33
"Indecent work" in the informal economy: a common condition	33
Working conditions of informal transport workers	34
Key Points	37
Section 5: Organising workers in the informal economy-global picture	38
Unions organising informal workers – what progress?	38
Organising environment- there are other organisations out there	40
Deciding on the approach: organisational structure	41
Key Points	42
Section 6: Organising informal transport workers: strategic questions	43
Overview: organising trends	43
Organising objectives: do unions have clear strategic objectives?	44
Organisation structure: what is the best strategy?	45
The members: whom should unions organise?	52
Resources	53
Key points	54
Section 7: Organising informal transport workers: implementation challenges and strategies	55
Building and Sustaining the Union	55
Planning to organise	55
Recruiting members	56
Sustaining effective, democratic unions	60
Defending and improving worker rights and conditions	63
Collective bargaining and representation	63
Strikes and collective action	65
Social protection: a union function?	66
Work and income generating opportunities	67
Representing workers in the wider environment	68
Extending and enforcing labour law	68
Struggling on policy issues	69
Building coalitions and alliances	69
Key Points	70
Section 8: Conclusion and Recommendations	71
References	75
Appendix One Informal Transport and Transport Workers- Sectoral Overview	79

List of Boxes

Box One: Informal employment relationships -the main categories	15
Box Two: Are they all workers? Small transport operators in the Philippines	19
Box Three: What courts said about employment relationships in transport	20
Box Four: Extending union recognition	21
Box Five: Economic Crisis in Benin and the growth of motorcycle taxis	29
Box Six: A Case of Privatisation – road passenger transport in Zambia	29
Box Seven: Some sectoral and gender priorities for informal workers	34
Box Eight: Transport workers cooperatives: some non-road transport examples	51
Box Nine: GPRTU: serving different interests?	52
Box Ten: A successful recruiting campaign in Nepal	60

List of Diagrams

Diagram One: Segmentation in the Informal Economy	16
Diagram Two: Different degrees of informality: an informality continuum	17
Diagram Three: NTU and its different levels of organization	48

List of Acronyms

APL	Alliance of Progressive Labor
AZIEA	Alliance for Zambia Informal Economy Associations
BDMTAZ	Bus Driver and Motor-Taxi Association of Zambia
CESTRAR	Centrale des Syndicats des Travailleurs du Rwanda
COTWU	Communication and Transport Workers Union of Tanzania
COSI	Confédération Syndicale Indépendante, Benin
GPRTU	Ghana Private Road Transport Union
GTUC	Ghana Trades Union Congress
ICA	International Cooperative Alliance
ICFTU	International Confederation of Free Trade Unions
ILO	International Labour Organisation
ILC	International Labour Conference
ICLS	International Conference of Labour Statisticians
IMF	International Monetary Fund
ITWAN	Independent Transport Workers Association of Nepal
IUF	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association
LARES	Laboratoire d'Analyse Regionale Et d'Expertise Sociale
LCD	Least Developed Countries
LEARN	Labour Education and Research Network
NUIEWO	National Union of Informal Economy Workers Organisations, Uganda
NUTAW	National Union of Transport and Allied Workers, Zambia
NTU	National Transportworkers Union, Philippines
SACCO	Savings and credit cooperative
SATAWU	South African Transport and Allied Workers Union
SEWA	Self Employed Women's Association, India
SYNOZEB	Syndicat National des Zimidjan du Benin
UNI	Union Network International
UNIFEM	United Nations Development Fund for Women
WEAZ	Workers Education Association of Zambia
WIEGO	Women in Informal Employment: Globalizing and Organizing
WCL	World Confederation of Labour
ZBTWU	Zambia Bus and Taxi Workers Union
ZCTU	Zambia Congress of Trade Unions

Background to the Project

Millions of transport workers around the world work in informal, unprotected or inadequately protected jobs. At its 40th Congress in Vancouver 2002 the International Transport Workers' Federation (ITF) adopted a resolution on "Organising Workers in Informal and Unprotected Work".

The resolution,

"SUPPORTS attempts to bring all workers in the transport industries, whatever their legal status, under the protection of trade union organisations, and the efforts of trade unions to limit the use of informal employment."

"CALLS ON the ITF to look at successful strategies and methods that have been used by trade unions and others pursuing these goals, and to develop education materials and programmes to assist affiliates".¹

To give effect to the resolution, the ITF Education Department initiated this global research project.

Project Objective and Aims

The overall objective of the project is to provide a comprehensive guide and reference for transport workers' unions organising, or wishing to organise, informal transport workers.

The aim of the research is to:

- Document, analyse and synthesise the organising experiences, strategies and methods of unions organising informal transport workers through four detailed country case studies;
- Identify the forms and extent of informal transport work; including identifying informal women transport workers;
- Summarise issues concerning organising in the informal economy, and their relevance to transport unions;
- Formulate proposals for consideration by ITF policy making structures;
- Provide materials for use in planning education programmes on organising in the informal economy.

Research Process and Method

The research has two interlinked components:

- Three detailed country case studies of unions organising informal transport workers, including relevant contextual information (three reports).
- An overview of organising informal transport workers containing: information on informal transport work and men and women workers; organising challenges and strategies; synthesis of the case studies and recommendations for consideration by ITF policy making structures (one report).

For the case studies, the ITF identified three affiliated unions, and one union applying for affiliation. The unions selected are from countries where informal jobs outnumber those in the formal economy, in Africa, Asia and Latin America. It appointed research organisations from those countries to conduct the research.

¹ITF, 2002, Resolution No.8: Organising Workers in Informal and Unprotected Work, ITF Congress, Vancouver, Canada. For full resolution see www.itf.org.uk/congress/2002/resolution_8.htm.

Country	Union	Research organisation/Researcher
Zambia ²	National Union of Transport and Allied Workers, NUTAW	Workers Education Association of Zambia (WEAZ)
	Zambia Bus and Taxi Workers' Union, ZBTWU	Researcher: Mike Chungu
Philippines	National Transport Workers' Union, NTU	Labour Education and Research Network (LEARN)
		Researcher: Clarence Pascual
Benin	Syndicat National des Zomidjan du Benin, SYNAZEB	Laboratoire d'Analyse Regionale Et d'Expertise Sociale (LARES),
		Researcher: Moussa Gibigaye

The ITF prepared detailed terms of reference to guide the case study research. This was supplemented by a summary of key questions prepared at a planning workshop in June 2005. Researchers used a variety of methods including literature reviews, and semi structured interviews with union and association leaders and members, and in some cases with government officials and others as appropriate.

To prepare the overview report the ITF appointed a research coordinator who collected information by reviewing literature; from the ITF, its affiliates, regions, education department and others working in the sector; through a questionnaire, and from the data base of organisations organising informal workers currently being compiled by WIEGO (Women in Informal Employment: Globalizing and Organizing).³

There is an increasing volume of literature on the informal economy and informal employment, and on workers in some segments of the informal economy, such as homeworkers and street vendors. However, published information on informal transport work and on organising informal transport workers is very limited. The ILO study on organising in the mini bus taxi industry in South Africa is the only substantial study to date.⁴

² During the course of the research we decided to include information not only on the NUTAW but also on other unions, especially the ZBTWU, given that the NUTAW programme to organise informal transport workers was at an early stage.

³ www.wiego.org.za for information on the database.

⁴ Barrett, Jane, 2003, 'Organising in the Informal Economy: A Case Study of the Minibus Taxi Industry in South Africa', SEED Working Paper No.39, ILO, In Focus Programme, Geneva.

This Report

The report integrates both general information and information from the case studies. In each area of enquiry it first examines the issues from the view of the informal economy and employment generally, and then moves on to its manifestation in the transport industry, through the case studies and other examples. The unions in the case studies primarily organise in the informal urban road passenger sector, and specifically in the informal taxi (of many varieties) sector. The overview report, whilst addressing informality in different sectors of the transport industry, has as its main focus organising workers in the informal taxi industry. This reflects the size and importance of this sector and the availability of information.

The report includes a range of examples to bring alive the issues, and to provide an educational resource for the ITF and for unions. Each section begins with questions to be addressed and ends with a summary in the form of key points.

Section 1: sets out brief profiles of the case study unions and their country context, to provide a reference point for what follows.

Section 2: deals with the question of the informal economy and informal employment. It examines the most recent definition and some theories of informality. It looks at how labour law, and the concept of an employment relationship, serves to exclude informal workers, including from social protection measures. It briefly looks at other forms of regulation in the transport industries.

Section 3: provides an overview of informal transport work and informal transport workers. It tries to answer the question "Who are informal transport workers?" Do they exist and if so where? Where are informal women workers located? How extensive is informal transport work? It discusses some of the reasons for the growth of informal transport work and examines some of the trends.

Section 4: identifies the problematic working conditions of informal workers generally and for different sectors. It looks at how they are the same or different for informal transport workers and why.

Section 5: gives an overview of global developments in organising informal workers into unions, and the changing attitudes and approaches of the trade union movement. It identifies some of the strategies and structures unions are engaging.

Section 6: addresses organising in the transport industries by looking at some of the strategic questions that unions need to address, and what unions are doing to address them. It deals with sector priorities, objectives, structure, members and resources.

Section 7: focuses on some of the detailed approaches and strategies unions are using when they organise informal transport workers, with particular reference to the informal road passenger sector, particularly taxis. This section looks at basic union strategies around building and sustaining organisation and improving working conditions through collective bargaining, social protection and welfare and a range of other strategies and activities.

Section 8: draws together the findings into a conclusion and provides some tentative recommendations to the ITF

Information on Zambia, Benin and the Philippines, unless otherwise acknowledged, is taken from the individual case study reports. The full case studies are the subject of three separate reports, namely:

LARES. 2006. The Informal Economy and the Unionisation of Motorcycle Taxi Drivers in Benin.

WEAZ. 2006. Research on organizing the informal transport workers in Zambia.

LEARN. 2006. Organizing Informal Transport Workers. A Case Study of the National Transportworkers Union (NTU), Philippines.

The Case Studies - union profiles and country context

The case study unions are located in different countries and regions, with differing political, economic, social, legal and organisational contexts. This section provides a short profile of each case study union, and some of the contextual issues affecting their organising efforts, so that readers have a reference point for the rest of the report.

BENIN: Syndicat National des Zemidjan du Benin, SYNAZEB

Benin is located in Francophone West Africa and, in 2002, had a population of 6,769, 914 (2002). It is classified as one of the Least Developed Countries (LCD) with a high degree of unemployment and poverty. The informal economy employs around 95% of the economically active population, and accounts for 99% of women's employment.



The Syndicat National des Zemidjan du Benin, SYNAZEB, is a national union of informal transport workers in Benin, registered in December 2000.

It organises drivers of motorcycle taxis, and indirectly the wives of drivers who sell fuel. It has 1000 individual members of which 15 are women. It is affiliated to the Confédération Syndicale Indépendante (COSI), or Independent Trade Union Confederation. This is one of seven major national trade union centres in Benin that organise formal and informal workers. It is also affiliated to the ITF.

The union runs on democratic principles through a series of decision-making bodies, namely congress, general assembly, national executive and branches. It has a women's officer on its national executive committee.

Its key activities are building solidarity, engaging in collective action, taking up member issues with the local authorities and with individual owners, educating members, assisting in the provision of social protection through mutual aid schemes.

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ZAMBIA: National Union of Transport and Allied Workers, NUTAW

Zambia is a land-locked country located in South Central Africa, with a population of 10,307,333 (2003), which is predominantly rural. It has suffered a decline in its economic fortunes, and introduced policy measures that have resulted in "massive unemployment". This has resulted in expansion of the informal economy, which now accounts for 83% of all employed people, with 91% of employed women being informally employed.



The National Union of Transport and Allied Workers is a long-standing union that has survived many different phases in the history of the transport sector in Zambia. It dates back to the 1960s when large private firms dominated the sector. This was followed by a period of nationalisation dominated by quasi-state transport firms. From the 1990s, as a result of privatisation and economic decline, the union has been losing membership. Workers have been forced to find employment in small, private informal businesses. As a result, union membership now stands at 2500, from a high of 18000 in the 1980s.

The Union is an affiliate of the Zambia Congress of Trade Unions (ZCTU) and the ITF. There are two national centres in Zambia, with the ZCTU by far the most dominant and representative body.

The NUTAW operates through democratic structures namely, a quadrennial conference, national executive committee and branches. It has a women's sub-committee.

The union organises mainly formally employed workers in road freight and passenger transport and inland waterways. In 2001, faced with falling membership and inspired by the ZCTU, the union took a resolution to set up an informal economy desk with a view to organising informal transport workers. Although the union decided in 2001 to set up this desk, it has not yet managed to get beyond the preparatory strategising stage, and has not begun to seriously organise informal transport workers. Meanwhile there are now other unions organising this constituency- see the Zambia Bus and Taxi Workers' Union below-and the idea of a merger is on the table. No decision or practical steps have yet been taken.

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ZAMBIA: Zambia Bus and Taxi Workers' Union, ZBTWU

The Zambia Bus and Taxi Workers' Union is a national union of informal transport workers. It was formed in 2002 when a faction broke away from the Bus Driver and Motor Taxis Association of Zambia (BDM-TAZ) that was later deregistered by the Government because of mafia tactics in levying their members. The Union is seeking registration as a trade union but has been refused registration by Government. It is appealing this through the courts.



The Union organises informal or casual bus (urban and long distance) and taxi drivers, and further intends to organise conductors, panel beaters and mechanics working in garages, including those working as family members. It has 3500 card-carrying members, all of whom are men. It has applied for affiliation to the ZCTU, and obtains technical and advisory support from the national centre. It has contact with the ITF and hopes to affiliate.

The Union has democratically elected leaders, and is currently run by an interim executive committee. Its officials are all volunteers. Due to the lack of registration it does not collect membership dues and relies on donations, mainly from members.

Its main activities are recruiting members, taking up members' issues with local authorities, education through the ZTUC, a programme with the Red Cross on road safety, and provision of a funeral benefit (food and transport). In the interests of unity it has resolved to work with the NUTAW, and will discuss the possibility of merger in the future.

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PHILIPPINES: National Transportworkers' Union (NTU)



The Philippines is an archipelago of 7017 islands, in three island groups. It has a population of 86 million (2005). It is a developing economy ranking 118th of 178 countries by GDP per capita. Its economy declined in the early 1980s as it embarked on structural adjustment reforms along neo liberal lines. This has led to long-term de-industrialisation, and the dominance of informal employment. Depending on the method used to define informal employment, it accounts for between 70-80% of total employment.

The National Transportworkers' Union is a national federation of 16 regional federations, their base membership being local associations of transport workers, and 15 local associations without federations. The union does not recruit individual members and its membership is unknown, as individual records are not kept. Within the member associations there are both men and women drivers and operators, a majority being men.

The union is open to all transport workers but in practice organises road passenger transport workers, and particularly operators and drivers of jeepney and Asian Utility Vehicle (AUV), tricycle and pedicab taxis. It is based in key cities outside of the capital Metro Manila where it has limited membership, and has attained critical mass in many of them.

The beginnings of the Union lie in a caucus of transport sector unions within the Alliance of Progressive Labor (APL). The Union was formalised in December 2003, and is affiliated to the APL and to the ITF. It is registered with the Department of Labor and Employment. There are a number of transport unions/federations – and national union centres- in the Philippines, representing a wide political spectrum. The union sees itself at the centre of the wide political spectrum of transport federations.

The union structure is based on representation and substantive participation from the federations, through a congress, a council of leaders and an executive committee. This ensures that the union's programme of action reflects the concerns and aspirations of transport workers. The local associations and the regional federations have their own representative structures. The degree of participation by local associations in their respective federations varies widely.

The main activities of the national union are organising and uniting transport workers' federations, lobbying government, representing transport workers in public fora and conferences, coordinating mass action, education services, legal services and engaging in sectoral, multi-sectoral and international solidarity work. The member federations are formed to unite local associations and enhance their bargaining power. They struggle to improve working conditions of members by taking up issues with local authorities, sometimes through participation in statutory forums, and they organise collective action. They may run welfare schemes and some run education programmes. The local associations, a legal requirement for pedicab and tricycle operators, have limited functions such as putting in place an orderly queuing system, collection of daily dues, self help/welfare schemes and other minor activities.

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The Informal Economy and Informal Work

What is the informal economy and informal employment?

How extensive is informal employment?

What is the legal framework for the protection of informal workers?

Informal work is not a new phenomena, especially in rural areas and in the developing world. But over the past two or three decades it has grown and changed. Inadequate information on, and disagreements about, the definition, nature and significance of the informal economy and informal work have often meant that trade unions, policy makers and others have neglected those most affected by it: - the workers who work informally. This is changing as the informal economy persists and grows, “appearing in new places and new guises”, in both developing and developed countries.⁵

This section examines current concepts, definitions and legal frameworks, to help locate the discussions on informal work in the transport industries that follows.

Defining informality

The ITF raises the problem of defining informal work in its 2002 resolution which says that, “there is no widely agreed definition of informal work”. However, it goes on to note that, “informal work is a survival strategy for workers when secure wage jobs are not available”. In this way the ITF resolution focuses attention on workers who are located in the least secure, low income segments of the informal economy - a majority in developing countries.

In the most recent, authoritative definition, developed through the ILO, Informal economy refers to all economic activity by workers and economic units that are in law or in practice not covered, or insufficiently covered, by formal arrangements.⁶ It therefore covers informal enterprises (“informal sector”), and informal jobs in formal and informal enterprises. The earlier definition of the ‘informal sector’ was agreed to be inadequate to capture all aspects of informalisation of employment, whilst remaining valid for statistical purposes. The informal economy covers activities that are not illegal in themselves (such as drug trafficking), but those outside the reach of the legal system (including “underground” production e.g. where not declared for tax).⁷

Informal employment refers to informal jobs without secure contracts, worker benefits or social protection, whether they are carried out in formal enterprises, informal enterprises or households. It includes informal self-employment (or own account workers), and informal wage employment. This definition incorporates a wide range of occupations and work places and diverse employment relationships. (Box One)

⁵Chen, Martha, Joann Vanek, Francie Lund, James Heinz with Renana Jhabvala and Christine Bonner, 2005. Progress of the World's Women 2005. Women Work & Poverty, Unifem, New York, 17

⁶ILO 2002a, Resolution concerning decent work and the informal economy, Geneva. Clause 3.

⁷Hussman, Ralf. 2003. Statistical definition of informal employment: Guidelines endorsed by the Seventeenth International Conference of Labour Statisticians (2003), ILO, Geneva, 9

Informal employment relationships - the main categories⁸

Informal Self-employment

Employers:	owner-operators of informal enterprises who hire others
Own account / self-employed:	owner-operators of single-person units or family businesses or farms who do not hire others
Unpaid family members:	contributing family workers who work in family businesses or farms, in formal or informal enterprises, who do not have proper contracts, and are not subject to labour law, social security etc.
Cooperative Members:	paid contributing members of informal producer cooperatives

Informal Wage Employment

Employees:	unprotected or inadequately protected workers with a known employer; either an informal enterprise, a formal enterprise, a contracting agency or a household. It may include domestic workers and unregistered or undeclared workers. Workers could be full-time or part-time, permanent or temporary, noting that not all part-time and temporary workers are informal.
Casual labourers:	wage workers with no fixed employer who sell their labour on a daily, seasonal or other irregular basis
Industrial outworkers /homeworkers	sub-contracted workers who produce from their homes or a small workshop

The ILO worked with scholars and activists, such as the Self Employed Women's Association (SEWA) of India, HomeNet and other members of the Women in Informal Employment, Globalizing and Organizing (WIEGO) network, to broaden the concept and definition of the informal economy to include all forms of informal wage employment and informal self-employment.⁹ This new conceptual framework and definition was adopted in 2002, in the Resolution concerning decent work and the informal economy, at the 90th Session of the International Labour Conference. In 2003, the 17th International Conference of Labour Statisticians (ICLS) adopted the framework with some minor amendments.¹⁰

Defining features

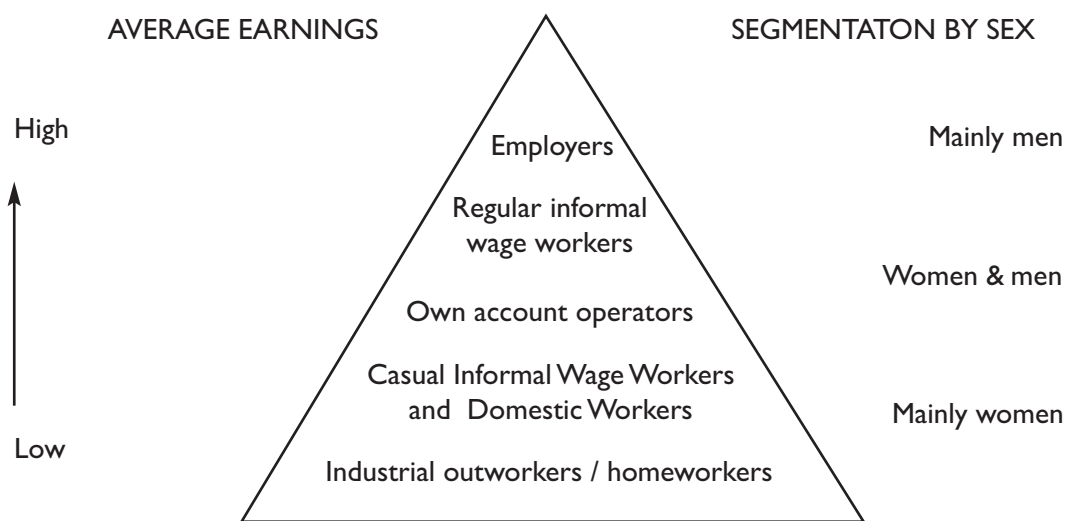
There are large differences in earnings, security of employment and gender distribution across the informal economy and within the different segments of the informal economy, with women most often in the least secure and lowest earning occupations (Diagram One). Despite this diversity, most informal employment is characterised by insecurity, poor and unhealthy working conditions, exclusion from worker rights and representation, social protection, and financial support mechanisms. Some work in the informal economy by choice, but most do so in order to survive. There is a clear linkage between being informally employed and being poor.

⁸Chen et al. 2005, 38, 61

⁹Chen et al. 2005, 17

¹⁰Hussman, Ralf. 2003, 2

Diagram One: Segmentation in the Informal Economy by average earnings and sex¹¹



Whilst the new definition offers some clarity, in practice it is not always easy to know what work is informal and what is formal, including in the transport industries. The restructuring of work brought about by globalisation, neoliberal economic policies and deregulation of the labour market has resulted in many new and diverse work arrangements. There are those considered informal in one country and formal in another. There are workers working informally but this is disguised as formal self employment to avoid employer obligations. Some workers are informal because they fall outside of the reaches of the law, whilst others fall within its reaches in theory, but not in practice, due to employer avoidance and/or lack of enforcement.

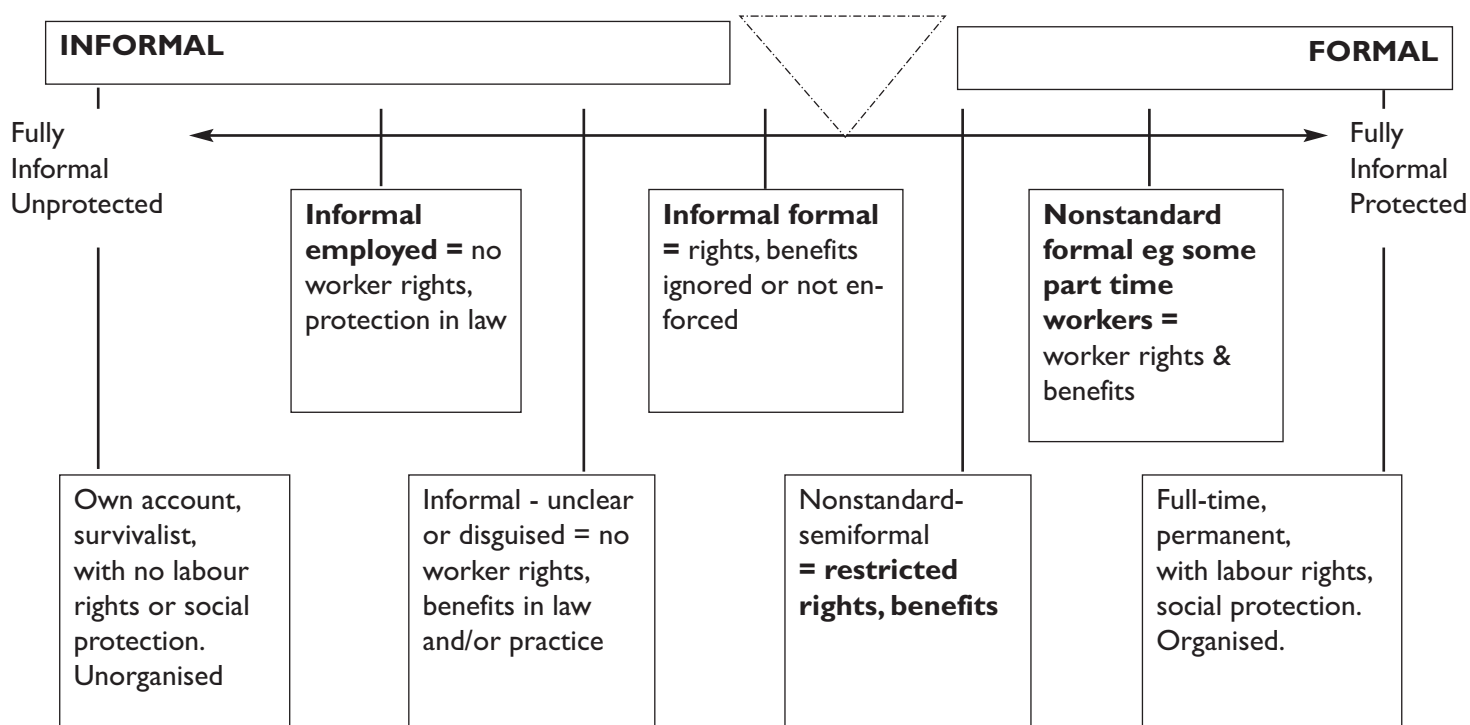
There are different degrees and types of informal employment and often no clear dividing line between them. These have often been described as being along a continuum¹² from formal to informal, protected to unprotected, and covering wage workers and the self-employed (own account workers). At the one end of the continuum are workers in full time, permanent employment, with a defined employer and workplace, and covered by labour law and social security provisions. At the other end are workers working in a range of precarious and survivalist occupations. In between are various forms of non-standard (outside of a full time, permanent, employment and may be formal or informal) or informal waged work or self-employment. All workers on this continuum need – and have equal right to – decent work, including worker rights, representation and social protection.¹³ Those situated at the most informal end of the continuum have the greatest need, but are generally without the means to achieve this, as they are largely unorganised.

¹¹Chen et al, 54

¹²See for example, FNV, 2003. 'From Marginal Work to Core Business: European Trade Unions Organising in the Informal Economy', Netherlands; ILO 2002 b. Women and men in the informal economy: A statistical picture, Geneva.

¹³ILO 2002a. Decent work as defined by the ILO has four dimensions: rights at work, employment and income opportunities, social protection, social dialogue.

Diagram Two: Different degrees of informality: an informality continuum



In Diagram two, the continuum from fully formal to highly informal employment is set out in a simplified and stylised form. It is of course much more complicated than this. Many of the categories shown could be placed at different points on the continuum, depending on the particular employment relationship and the country context. Individual workers may belong in more than one category, or move between categories. Consider for example a civil servant in Benin earning a low wage (formally employed), who owns a motor cycle taxi that he drives on a Sunday, and that is driven by a family member the rest of the week (informally employed); or a woman subsistence farmer, working on her own account or as a contributing family member in season (informal self employment) and as a daily casual port worker for the rest of the year (informal wage work).

Despite the fact that no clear line can be drawn, what has been clarified, is that informal work includes waged and own account work in a wide range of situations, but with a common feature: workers are unprotected or inadequately protected. They lack legal and social protection – in law or practice- and are thus vulnerable and insecure.

Using this broad approach and the new definition unions can avoid focusing too much on defining informality, or arguing about the status of groups of workers, and focus on the real issue which is to “bring all workers (in the transport industries), whatever their legal status, under the protection of trade union organisations”. It might also assist unions to pinpoint areas of neglect and decide on organising priorities and resource allocation.

Extent of Informal Employment

Informal employment is extensive and growing, especially in developing and transition countries. In all regions of the developing world, informal employment comprises 50% or more, in some cases over 75%, of non-agricultural employment, with more than 60% of women in employment being informally employed. When agriculture is included the significance of informal employment is generally greater, with individual countries such as India recording figures of over 90%.¹⁴ In Africa, Asia and Latin America levels of informal employment are extremely high. Our case study countries provide examples: 95 % (99.1% of women) of the workforce in Benin is informally employed, 83% in Zambia (91% of women) and in the Philippines over 70% (using the new definition). The informal economy makes a sizeable contribution to the GDP of many developing countries, such as in

¹⁴ ILO 2002 b, 7

Zambia where the percentage contribution is 48.9% and in Benin 45.2% (1999-2000).¹⁵

In developed countries an increasing number of workers are in “non-standard” employment. They do not have full time, permanent jobs and/or regular income. These jobs may be informal due to their lack of protection, or they may be considered formal being recognised as employees by law, with worker rights and social security, albeit reduced (see Diagram 2 above). In the USA and Europe 25-30% of the total workforce is in part-time work, temporary work and self-employment. This excludes other types of non-standard work that are even more likely to be informal, such as casual day labour, some contract work and industrial outwork.¹⁶

Legal protection, regulation and informal workers

Labour Law

The defining feature of informal employment is its exclusion from labour law and social protection, in law or in practice. One broad reason for this exclusion is that the law has not kept up with the global restructuring of work and new work realities, leaving large numbers of workers outside its ambit. And even where the law is technically applicable, employers avoid or ignore it and governments are unable or unwilling to enforce it.

No employment relationship

A very important reason for the exclusion of informal workers from the reach of labour law is that a majority of informal workers are not in an employment relationship, or the employment relationship is unclear. The employment relationship is a legal notion widely used in countries around the world. It refers to the relationship between an employee (or worker) and an employer for whom the employee performs work for remuneration under certain conditions. Worker and employer rights and duties are created through the employment relationship. It is the main vehicle through which workers gain access to the rights and benefits associated with employment and social security.¹⁷

It also defines how most unions have traditionally operated, with members drawn from the ranks of “employees”. It has often proved difficult for unions to organise outside this framework, either as a result of direct legal restriction on union recognition, collective bargaining and so on, or because of a perceived conflict of interest between those in formal and less formal jobs. For unions organising only informal workers, it is often the case that labour law restricts recognition and registration of unions to those organising “employees”. And sometimes the absence of an employer association or someone to bargain with provides another excuse to refuse registration, even where members are employed. The Zambia Bus and Taxi Workers' Union finds itself in this position.

In most countries, self-employed/own account workers and contributing family members have always been excluded from labour law and social security associated with employment. Seen either as in traditional occupations or perceived as “entrepreneurs” rather than workers, and not having an employer, they comprise a majority of the working poor in developing countries. In all regions self-employment is a larger share of non-agricultural informal employment than wage employment, 72 % in sub-Saharan Africa, 60% in Latin America and 59 % in Asia.¹⁸ A large percentage of informal taxi transport workers are owner-drivers and/or “employ” family members as seen across the informal taxi industry in Zambia, Philippines and Benin. Own account and family work are also important in traditional areas such as fishing, water transport and rural passenger transport. Whilst activists and others working with poor, own account /family workers have no doubt as to their status as workers, labour law has yet to recognise this. Viewed from the perspective of their economic position rather than legal status, they are more akin to workers than to entrepreneurs.

¹⁵Schneider, Friedrich, 2002. Size and Measurement of the Informal Economy in 110 Countries Around the World, World Bank data

¹⁶ILO, 2002, 7

¹⁷ILO 2006, The employment relationship. Report V(1), International Labour Conference, 95th Session, Geneva, 3

¹⁸ILO 2002 b, 20

Are they all workers? Small transport operators in the Philippines

“Informal transport workers, however, are largely outside the pale of the Labor Code for several reasons. There is no clear employer-employee relationship between the vehicle owner and the driver. The relationship is one of the drivers renting the use of the vehicle for a fixed amount on a daily basis. On the one hand, the operator pays for the registration, franchise, and other fees required for the vehicle to be used for public transport as well as the repair and maintenance of the vehicle.

On the other hand, the driver pays the agreed daily rental or ‘boundary’ to the owner and shoulders the fuel cost as well as any fines or penalties incurred. By paying the boundary the driver has the right to use the vehicle for hire for an agreed number of hours during the day. Whatever is left of the gross earnings, after deducting the boundary, fuel cost and other incidental expenses, is the driver’s take home pay. In many cases, operators themselves drive their own vehicles, in which case, the driver-operator earns the sum of the ‘boundary’ and the driver’s share.

The entire arrangement is informal, established through repeated contracting and reference to common practice. The simplicity of the arrangement eliminates gray areas. The daily renewal of the informal contract prevents unfulfilled ‘obligations’ on either side from accumulating. The antagonistic relation between capital and labor manifests itself in the fact that vehicle rental takes precedence over labor’s share. In other words, the driver absorbs all the risks, for example, fewer trips made due to heavy traffic. Otherwise, drivers and operators do not regard themselves as groups with opposing interests, but in fact are both victims of the larger economic system.

That drivers and operators see themselves as having common interests may be traced to several reasons. One, driver-operators are very common which obscures if not removes the capital-labor divide. Two, most operators own one or two units. Very few own multiple units. Third, the operators are mostly of working class or lower-middle class background. There is no wide gulf between their living conditions and those of drivers”.

Philippines report pg 11-12

Unclear or hidden employment relationships

But not only the genuinely self-employed are excluded. Over the past few decades changes in the world of work have given rise to new forms of relationship, and a growing number of workers whose employment status is unclear, or is deliberately disguised by employers, and who fall outside the protection given in law by an employment relationship. The ILO, in its reports to the 91st session of the ILC, 2003,¹⁹ and to the 95th session, 2006, on the employment relationship, identifies some of the forms this takes. These are:

- Ambiguous employment relationships, where the status of the worker is not clear. Is the worker “self employed” or is s/he in fact economically dependent on one client and therefore, in reality, an employee? An owner-driver of a truck working for one or two companies may be in this position, or a driver renting a motor cycle taxi (as in Benin), or a tricycle or pedicab taxi (as in the Philippines) on a daily basis, with “wages” being the difference between daily takings, and rental and overheads such as fuel and fines paid by the driver who takes all the risks.
- Disguised employment. The worker is in fact an employee although s/he may be described by the employer as self-employed, with the intention of concealing the true nature of the relationship. There are different ways of disguising an employment relationship such as masking the identity of the employer through using an intermediary, or giving the relationship the appearance of a different form such as a commercial contract, or deliberately misrepresenting the relationship such as by using repeated short-term contracts. An owner-driver might more correctly fit in this category if the company for whom she works has deliberately tried to disguise employment.

¹⁹ILO 2003. The scope of the employment relationship. Report V, International Labour Conference, 91st Session, Geneva

Triangular relationships.²⁰ The worker has an immediate relationship with a third party (provider), rather than with the user of the goods or services. Examples are homeworkers who get work through an intermediary, and workers employed via a temporary employment agency. In the transport industries this would include casual day labourers and “on-demand” labour provided through intermediaries or agencies. In this kind of relationship it is often difficult to establish who is the employer and what is the responsibility of provider and user; what is the status of the worker and what rights does s/he have.

Other exclusions

Workers are excluded, or have restricted protection, from labour law through many other detailed provisions or omissions in national law. These are sometimes based on the nature of the enterprise rather than the employment relationship. Sometimes size of workforce is a criterion for exclusion from labour law, with enterprises employing few workers escaping some or all of its provisions. This is the case in Nepal (see Box Four), in Iran where in enterprises of fewer than 10 workers can be excluded under certain circumstances, and in the Republic of Korea where the Labour Standards Act applies only to businesses employing more than 5 workers.²¹ In Zambia the minimum number of workers needed to form a bargaining unit is 25. Employers structure work units to stay under this number, as in the case of former railway nurses. When the service was contracted to a private agency they lost their bargaining rights as they are hired in groups of less than 25.

Another criteria used for exclusion of workers in law or in practice is the legal status of the enterprise. In Benin, the general collective employment contract guarantees certain minimum rights and wages for workers in the private sector. However, “it has a minor impact on informal sector businesses as the provisions are only valid for private companies that are officially registered”. (Benin report pg22) In other cases the law disadvantages specific groups of workers, based on their work or the nature of their employment contract. In Zambia, casual workers are recognised under labour law, but it provides little protection as they can be fired with 24 hours notice and have no benefits. Some groups of workers are explicitly excluded from coverage and some are excluded by omission.

Law – a site of struggle

Labour law is contested territory and an important site of union struggle. Over the past few years unions in many countries have waged struggles against changes to labour law that support capital's need for flexibility, and

What courts said about employment relationships in transport

In France, the Supreme Court (Cour de Cassation) examined the case of a person who drove a taxi under a monthly contract which was automatically renewable, called a “contract for other lease of a vehicle equipped as a taxi”, and paid a sum described in the contract as “rent”. The court held that this contract concealed a contract of employment, since the taxi driver was bound by numerous strict obligations concerning the use and maintenance of the vehicle and was in a situation of subordination.

In Venezuela, a woman cabin crewmember with 3 years service with an airline was withdrawn because of pregnancy from the flight programmes and a training course with a view to promotion. She was not assigned new functions and was deprived of income as she only received a commission based on flights, and had not been declared for social security purposes. The company claimed that there was no employment relationship; rather it had signed a commercial contract with her in her capacity as a representative of a limited company. The Court of First Instance held that an employment relationship existed and ruled in favour of the worker.²²

²⁰The term used in the ILO Recommendation on the Employment Relationship is relationships involving “multiple parties”. Employers refused to use the term “triangular”. For the Recommendation see, ILO, 2006 b, Recommendation and the Report of the Committee on the Employment Relationship, in Provisional Record No 21 and 23: www.ilo.org/public/english/standards/reln/ilc95/pdf/pr-21.pdf, 75-80.

²¹ILO, 2006a, 28

²²ILO, 2006a, 40-41

that promote casualisation and informalisation. These reduce worker rights and union power. Recent examples can be found in France, Korea, Australia, and Indonesia, amongst others. On the other hand, unions employ strategies to pressurise governments, and employers, for the extension of law to cover workers in non-standard and unclear employment relationships described above. In some countries the struggle revolves around very basic freedoms such as the right to organise and be recognised as a trade union, in order to acquire the rights and protections this confers- this especially applies to unions organising own account workers. However, in Benin, Philippines and Zambia informal or own account workers have a right to organise, and to recognition and registration of their trade unions. The NTU in the Philippines, Synazeb in Benin and NUTAW in Zambia are all formally registered. However, the rights can be contested as in the case of the ZBTWU that has been refused registration, ostensibly because they have no one to bargain with, but in reality it may have a political motive. At a global level the recent discussion on the employment relationship at the ILO, where employers were opposed to anything that might limit their freedom to implement flexible work arrangements through contracts, illustrates the ongoing struggle.²³

Extending union recognition

In Nepal, several unions organise informal transport workers such as taxi drivers, rickshaw pullers, trekker and mountain guides. In 1999, with union pressure, government amended the labour law to allow for recognition of unions of informal workers, including waged and own account workers.

There are specific procedures for unions to follow. For example, instead of requiring a minimum of 50 unionised workplaces to register a union, as required in the formal economy, for informal economy unions they require a minimum of 5 000 members. However, there are still restrictions on the formation and registration of unions in enterprises with less than 10 workers and bargaining rights at enterprise level.²⁴

In Canada, labour law specifically defines “dependent contractors” as employees with rights to collective bargaining. The truck driver who owns her/his own truck but drives it exclusively or almost exclusively for one company is a good example of this. Another example is a fisherman who is party to an arrangement whereby s/he is entitled to part of the proceeds of a joint fishing venture with other persons²⁵. The National Automobile, Aerospace Transportation and General Workers’ Union of Canada (CAW) organises owner-drivers of trucks and includes them in bargaining units.

²³ILO, 2006 b

²⁴Horn, Pat, StreetNet, 2005. Personal communication: Lama, Pemba, GEFONT, 2006. Personal Communication

²⁵Tilley, Dave, 2004. Treatment of Dependent Contractors under the Canada Labour Code, Presentation to the ITF Road Transport Worker’s Section Conference, June 2004

Social Protection

In most countries those in informal employment do not have access to adequate social security and protection. As social security provision such as pensions, health provision, disability grants, unemployment and maternity benefits and accident or life cover are commonly tied to formal employment, then workers falling outside labour law for all the reasons above, are also excluded from social protection provisions. Where state welfare provisions and social security nets are absent, totally inadequate or unaffordable, as in most developing countries, then those in informal employment live precariously: Ill health or an accident can bring families to disaster. Even where theoretically workers in informal employment are eligible for voluntary membership of a government scheme, most do not take up membership. This seems to be the case in both the Philippines and in Zambia. In Zambia, the largest statutory pension scheme is mandatory for those in formal employment and allows for worker in informal employment to join on a voluntary basis. Similarly in the Philippines social security and social health insurance is open to everyone, including informal workers on a voluntary basis, and some local governments offer free or subsidised membership to indigents, which may include informal workers. However, it appears that very few informal workers take this up, finding that it is unaffordable. Data shows that “only 42% of families in 2004 had at least one member who had a Philhealth card (social insurance programme), and the proportion for the poorest 30% of families was only 28%. (Philippines report pg9). In Benin, “social welfare measures only exist for workers in the public sector and for private companies that are registered at the National Social Security Office”, with some provision by NGOs and international organisations (Benin report pg 23).

Hence, for unions and associations of informal workers in developing countries, a self- help and welfare function is high on the agenda. They may set up their own micro insurance and mutual aid health schemes, such as the many in Francophone West Africa. Where organised nationally, they often engage in struggles to extend affordable state provision to informal workers. In 2001, at the ILC, the ILO agreed to a renewed campaign to improve and extend social security coverage to all those in need of social protection, especially those in the informal economy. It is currently running a global campaign on extending social security, and has programmes in many regions providing technical assistance to unions and governments in developing social protection schemes.²⁶

Other regulation

Whilst employment may not be regulated by labour and social security law, parts of the informal economy are highly regulated in other ways. Street vending provides a good example of a sector which is highly regulated in terms of local government or municipal by laws, and where there is often confrontation between workers and authorities. Often, at least in Africa, by laws and regulations stem from the colonial era and are in urgent need of revision.²⁷

The transport sector shares a similar situation. It is a highly regulated sector, as a smooth functioning transport system is essential for effective economic activity, and because lack of regulation can create disruption and sometimes violence. It has implications too for politicians and political parties. The privatisation and informalisation of transport systems has led to a breakdown in regulation, and many “informal”, sometimes “illegal” and unlicensed operators, especially in the road passenger transport sector. Whether complying with transport regulations or not, the informal transport sector ignores or escapes labour law and social protection obligations for workers.

Regulation in the industry often deals with contradictory interests: the general public that needs regular, orderly and safe public transport and a clean environment; the local authority which needs to control urban space, traffic volume, flow and pollution, as well as derive an income; the drivers whose primary concern is to make sufficient income and work under good conditions. Regulation is necessary, but is often out of date, inappropriate, and unable to deal fairly with contradictory interests, and is applied in an inappropriate manner. It is used as a political tool and lends itself to corrupt practices.

²⁶For more information on social protection, see for example, Lund, Frances and Smita Srinivas, 2005. Learning from Experience. A gendered approach to social protection for workers in the informal economy, ILO, Geneva: ILO 2005, Informal Economy, Poverty, Employment in Cambodia, Mongolia and Thailand. The first eighteen months progress review, Bangkok, Thailand; ILO 2001, Social Security, A New Consensus, Geneva.

²⁷War on Want, 2006, Forces for Change. Informal economy organisations in Africa, London, Chapter 7,61

Owners and drivers complain that authorities restrict access to routes, bring in unnecessary regulations, or regulate petrol quality, but the public may support these moves on the grounds of congestion and pollution, and the health of the workers themselves. In a current example of contradictory interests, the West Bengal government is proposing to phase out hand rickshaw pullers in Calcutta on “humanitarian grounds”. But to the rickshaw pullers this means a loss of livelihood. Their union, representing 18 000 rickshaw pullers, is demanding compensation and an alternative livelihood.²⁸ In Cotonou, Benin, authorities attempted to regulate the motorcycle taxi industry by decreeing that drivers must wear yellow uniforms, and making the wearing of helmets for drivers and passengers compulsory. They also imposed a tax and various technical requirements. Drivers did not have the means to meet all the requirements. It was at this time that they formed the union SYNAPROZEB (one of the many motorcycle taxi unions in Benin) to defend themselves.²⁹

There are of course many informal rules and regulations, which are often fiercely fought over, such as those concerning routes, parking space and the like. A recent ILO report notes that the absence of law does not mean absence of rules and rule enforcers. There are “private” means of imposing order on the informal economy which sometimes rests on threats of violence.³⁰

Key points

This section has examined some of theoretical and regulatory aspects of the informal economy, and has drawn on examples from the transport industry where possible.

- There is a new definition of informal employment that includes waged and own account workers working in both formal and informal enterprises. Informal work is widespread and heterogeneous. A majority of women workers in the developing world are in informal employment, generally a higher percentage than for men.
- There are different degrees of informality in employment. It is useful to picture this along a continuum from formal/protected to informal/ unprotected.
- Whilst definitions and conceptual clarity are important, the most important thing is to organise all workers – in the widest sense- into unions or other democratic worker organisations.
- Labour and related law has not kept up with new work arrangements. An increasing number of workers are unprotected or inadequately protected by labour law and social security- including transport workers. This is a site of struggle for unions at national and international levels.
- Own account workers are particularly vulnerable as they are not in an employment relationship, but their poor and dependent economic situation makes them part of the working poor and akin to workers rather than entrepreneurs. Labour law needs to change to take in this reality. This is an important area for road transport workers where many are single vehicle owner-drivers, or ‘employ’ family members.
- Many sectors in the informal economy are in fact subject to regulation, but often this is inadequate, outdated or inappropriate. Workers often benefit little from the regulation as labour rights are still ignored. They rather bear the brunt of unfair or harsh implementation. This is true of many transport workers.

²⁸Boulevard India, 2005. Calcutta to Ban Rickshaws, August 2005, <http://boulevardindia.com/2005/08/15/calcutta-to-an-rickshaws>, accessed December 2005

²⁹ICFTU, 2004a. Bonaventure Ahitchem: organising Benin's informal taxi drivers, ICFTU online, 7 January 2004

³⁰ILO, 2006 c, Changing Patterns in the World of Work, Geneva, 47

Informal transport work and workers

Who are informal transport workers?

Why is informalisation taking place?

In Section Two a number of examples of informal transport work were identified. This section expands on this, and explores the many forms of informal transport work, including the work of informal women transport workers. It is still work in progress.

Informal transport workers

Using the new definition of informal employment it becomes clear that there are millions of transport workers engaged in informal transport work. As in other industries they are a heterogeneous and diverse group. They are found at different points on the employment informality continuum and within different segments of the informal economy as presented in diagrams in Section 2. They are in informal employment for different reasons, but mostly because they are poor and have no option but to survive by informal work and/or because it is their traditional means of work and survival. However, some may be there by choice. In the recent publication by UNIFEM focusing on the informal economy, the authors describe a causal model of informal employment. This identifies three types: informal employment by choice (including those who prefer flexibility and convenience such as professionals; those who want to avoid taxes and registration such as micro enterprises who employ others); by necessity (those who cannot find jobs or are retrenched; those forced to change relationships such as those forced to work under sub contract or those recontracted as seasonal workers); by tradition (hereditary occupations, women with mobility restrictions due to patriarchal demands, religious restrictions etc). The latter two may overlap.³¹ Informal transport workers are found in all of these categories.

Informal work in the transport industries is not something new. However, as in other industries, it is appearing in new forms, in new places and indications are that it is growing. There are some long-standing forms of unprotected/inadequately protected transport work such as seafarers on ships flying flags of convenience and casual dockworkers, where unions and the ITF have waged ongoing struggles to regulate the industries and protect workers; or informal fisherpersons working in survivalist family “businesses” /on their own account who, in most cases, remain outside of trade unions. This latter group is significant when looking at informal employment as the vast majority of the world’s fishermen are artisanal and small-scale fishermen.³²

There are many “newer” forms, with differing employment statuses and degrees of informality such as the owner-driver of a truck contracted to one major company with a bogus commercial contract (disguised employment); women vendors providing refreshments at railway and bus stations or selling petrol on the side of the road (own account, survivalist); or mini- bus conductors, casually employed by drivers, who are themselves employed informally (casual waged work).

Appendix one provides a “rough” sector-by-sector look at informal transport and transport workers and their employment statuses, and where possible, informal women transport workers. This overview confirms the range and diversity of informal transport work and the differing employment relationships. It confirms that women’s informal employment in the industry covers many occupations, some directly in transport, mainly at the lower end of the spectrum and many in associated occupations providing vital services and linkages.³³

A more graphic picture of informal transport workers at the lower end of the continuum is described in the examples below.

³¹Chen, Martha et al, 2005, 71

³²ILO, 2004, Conditions of work in the fishing sector: A comprehensive standard on work in the fishing sector, ILC 92nd Session, 15
³³The table draws on a number of sources including in particular; Mather, Celia, 2004. The Impact of neo-liberal globalisation on women transport workers, Interim report for ITF Womens Committee, information from questionnaires, case studies, WIEGO data base

Own account cart pushers in Indonesia

In the area around Bengkulu market town, "cart pushers" work as local teamsters, transporting all manner of goods. They load the goods on their carts and take them to market or from the market to the shops or customers' homes. Most of these workers are young men between 18 and 28. Their wives work at the market and their children usually go to school. The cart pushers are self-employed, but most do not own their cart. Instead they rent one for 15000 rupiah (1.5 USD) a day. They start at 7 in the morning and work until 5. Most of these teamsters need a second job to supplement the family income. They often find one in the building or carpentry trades.³⁴

Hired labour in informal fisheries in Indonesia

The village of Pulan Baai has a population of about 1000 and its economic mainstay is tuna fishing. Fishermen live in the village with their families. They start work by preparing their equipment and then take off to sea for 10 days... They work in teams of 12 per boat. The boats belong to the ship-owner who pays them according to the size of the catch. If they do not fish, they receive no pay. They receive about 40% of the sales price of the fish and the boat owner keeps the remaining 60%. When the catch is small (bad weather, accidents or illness) they have to borrow money from the owner, and reimburse it from their earnings from the next five expeditions. Many fishermen have to supplement their incomes through odd jobs. The irregularity of income and the absence of alternative productive activities are the main causes of alcoholism in the village. Children of about 12 work on the boats. They are often responsible for cleaning the decks and helping the fishermen to prepare equipment and unload fish.³⁵

Traditional fishing communities in Ghana

In Ghana, small households within fishing communities make up the institutional base of the small scale fishing industry. Usually fishing boats and gear belong to one prominent fisherman who just assembles other family members or hired hands on to the boat as crew, with rights to a clearly defined share of the catch. Women normally act as shore collectors, processors and sellers of the fish caught. The industry is characterised by a lack of clear-cut household production structures.³⁶

Mountain porters: Tanzania and Nepal

In 2002 more than 25 000 trekkers travelled to a height of 5 895 metres at Mount Kilimanjaro. On average each climber uses 2-3 porters many of whom are Chagga tribesmen who make their home at the base of the mountain. They are usually hired through tourist agencies on a casual basis and are paid at a daily rate. While some well established guiding companies have provided porters with proper gear and pay around 8 dollars a day, some tour operators regularly send their porters to dangerous altitudes under heavy loads without proper clothing or equipment and pay low daily rates of 2-3 dollars. There are laws in place but they are not always followed.³⁷ Meanwhile in Nepal, women and men work on the mountains and rivers. Women work as porters, climbers and guides. They work on a daily wage basis with no social security and no medical insurance.³⁸

Casual women port workers in India

In the Kandla port in India, there are 1500 daily-employed casual workers, a third of who are women. They are mostly migrant workers from the states of Rajasthan and Orissa. They go home during the agricultural season and return for the rest of the year where they may work in the port or on construction sites. At the port they clean the wharfs and handle light cargo. They work longer hours than the port's 150 regular women port workers (who represent a third of the regular workforce of 450) but their earnings and benefits do not approach those of their regular counterparts, even though they are legally entitled to the same rates. Port workers are governed by a five-yearly wage revision settlement and conditions of service agreement, but these agreements are not extended to casual workers, who, according to the Port Trust, undertake only light work.³⁹

³⁴Social Alert.2005.Organising informal economy workers in Indonesia, 11, Brussels and at <http://www.socialalert.org/pdf/IndonesiaBROCH%5B1%5D.pdf>.

³⁵Ibid, 12

³⁶Ghartey, Nana and D W Dorkenoo, 2002. Unionising Informal Workers in Ghana, in *Organising Informal Workers: What role for trade unions*, Labour Education 2002/2, Number 127, ILO, Geneva

³⁷National Geographic Adventure Magazine, October 2003 www.natgeo.com/adventure/0310/q_n_a.html, accessed November 2005

³⁸Lama, Pemba, 2006

³⁹ITF, 2005. Extracts from, *A Living Wage?* in *Transport Women*, 2005



Working on the water in Zambia

“In the 90’s during the implementation of neo-liberal programmes, the water passenger firms suffered from a lack of sustainable investments. Most of the vessels have since ceased transporting passengers, and it is now the canoes or banana boats that are engaged in intensive ferrying of goods and passengers on the big rivers and lakes.

The working conditions of the informal transport workers on these rivers and lakes are bad. Workers do not have life saving jackets, and there are often reports of capsizing particularly during the rainy season”. (Zambia report pg 9).



Keeping transport moving: women petrol sellers in Benin

“To sell fuel at the roadside in Benin means setting up a company. Most such enterprises are set up by women who are members of Synazeb. They are often aided by members of their own family- the children, sisters or aunts in the village, or employees who are paid a daily wage. In order to be certain they will sell all their fuel, these women are the first to rise in the morning and the last to bed. There are many fuel supply points in Cotonou. The women generally get supplies early in the morning or late in the evening. At the point of sale, the women call out “stop” or “super-fuel” to drivers of vehicles

passing by. Some women have regular clients. It is sometimes a real struggle just to sell a few litres”. (Benin report, pg 40)

Air transport workers in Zambia

[T]here are categories of workers such as cargo handlers in the airline sector who are now experiencing informal working conditions. In the case of the commercialisation of the Airport Corporation, the union estimates that about 80% of the workers retrenched were male, with the most affected being the cargo handlers, security and other less skilled personnel. The union believes that most of the cargo handlers are now working as porters to survive on passengers’ tips. (Zambia report pg 9-10)



Pushing pedicabs pedals in the Philippines

Anna Francisco and Tess Ilagan push pedals of pedicabs along M. H. del Pilar in Valenzuela, Bulacan. Both are 38 years old and members of ISPODA (local association). Francisco and her husband own three pedicab units, two of which they ply and one they hire out to other pedicab drivers making them both operators and drivers. They have three children, all of who are still in the elementary level. On the side, she takes on ironing and laundry jobs but finds that she gets fewer customers now. Her husband, too, has a sideline—cleaning air- conditioned units that pays more than what he earns from a day’s pedalling. Their combined income sends three children to school, pays the rent and utility bills, and provides for their daily needs. (Philippines report)

A road transport “chain” in Abidjan, Cote D’Ivoire

“ From the Adjame gare routier ...you can go nearly everywhere in west Africa.....the operation of travel would appear simple: a prospective passenger knowing their destination and having some information about the various companies servicing it would go to the company’s depot, purchase the ticket, have one’s bag loaded and taken off. Instead.. (this process) ...is continuously interrupted by a network of touts, handlers, hawkers, porters, ticket agents, mechanics, cleaners and messengers who recompose the act of travel in ways difficult to anticipate or map... When entering the domain of the gare (station) on foot, public transport or taxi, young boys and men functioning as steerers jockey for position in order to attain the best view of the prospective customer... They rush to vehicle windows or to those on foot... While competition among different companies serving the same destinations fuels a frantic search for passengers, the order of departure of buses heading to the same place can entail differences in the quantity of unofficial “road fees” paid to various “officials” along the route; the quality and price of various produce and goods to be both acquired and sold on the way. There are hundreds of youth involved in this game. All of these mostly young men ...know that they must quickly pass these passengers on to the next position in the game – the steerer to the tout, the tout to the porter, the porter to the baggage loader and so on”.⁴⁰

The extent of informal transport work

There are no comprehensive statistics on the extent of informal transport work, and those that are available are not always based on the same criteria. The new broad definition is not widely applied in the collection of statistics as yet. In many countries the informal sector definition – based on the enterprise- is used to collect data, whilst in many countries statistical data is limited.

Indications are that informal transport and related services is a significant source of employment, especially for male workers, and an important contributor to the GDP of many countries.

For instance in Sri Lanka, since privatisation, some 94% of the country's 16,000 buses now belong to owner operators running one bus.⁴¹ A report from the ITF-FES South Asian Seminar in 2005 paints a grim picture of the extent of deregulation, fragmentation and informalisation of the road transport sector in Bangladesh:

“In Bangladesh, whereas only 1500 buses and 27,000 trucks belong to the state run Bangladesh Road Transport Corporation, some 80,000 trucks are owned in the private sector where wages and working conditions are abysmally low for the over 500,000 workers with no appointment letters or payment of regular and proper wages and 16-20 working hours per day. Worse still is the condition of some 70,000 mini truck and mini bus drivers and employees, the 120,000 odd auto rickshaw drivers, 50,000 taxi drivers and the over 250,000 cycle rickshaw (non-motorised) pullers. The bulk of these workers are employed in a highly fragmented and exploited industry”.⁴²

Within the transport industries in some countries informal employment now accounts for a majority of transport workers: in India it accounts for 79 per cent of workers employed in transport and storage, and in Mexico it accounts for 63 percent in transport and communication.⁴³ It is commonly the case that agriculture, trade and construction make up the highest percentage of informal employment in different developing countries, with transport often in fourth or fifth place but still a significant contributor. In South Africa informal transport makes up 7.1% of informal employment,⁴⁴ in Egypt 11%,⁴⁵ in Russia 12%.⁴⁶ The variety of informal bus and taxi passenger transport has been a fast growing area of informal employment in our case study countries. In the Philippines, transport is a major source of new jobs, transport workers growing from 1 million in 1988 to 2 million in 2002, with growth rates of between 4% to 6% up until 1997, slowing slightly to 5% per annum between 1998-2002.

This is above the overall employment growth rate of 2-3% per annum. Informal transport workers constitute 83% of transport workers, and 96% of all land transport workers, making informal transport a major contributor to employment creation. (Philippines report pg 12) In Benin, where the informal transport sector makes up 6.7% of the informal workforce, cars and motorcycles have created many driving jobs for owners and drivers. These now number 115 000, with an annual average growth rate of 9%. There is also a knock-on effect on other sectors of the economy, including: the sale of fuel and oil (women form the majority of workers at sales points), the sale of motorcycles and spare parts, engine repair, etc. And the informal sector accounts for an average of 245 million litres of oil per year; representing 74% of the market for oil. (Benin report pg21)

But there are counter trends. Some countries have programmes to regularise and formalise the sector; and to improve transport efficiency by modernising transportation vehicles and systems. In the Philippines the traditional jeepneys are being replaced by more modern, air conditioned Asian Utility Vehicles (AUV). Office workers and students use these, as they want more convenient and cleaner ways to travel. In Metro Manila mass transit, such as light rail, and buses have been gaining ground. (Philippines report pg12). In South Africa government has instituted a taxi recapitalisation programme. Discussions and negotiations on this have been ongoing for many years, and are now at the implementation stage. The South African Transport and Allied Workers Union (SATAWU) supports the programme.⁴⁷ The programme involves regularising routes by issuing licences, voluntary scrapping of old mini- buses and replacing them with larger vehicles. An incentive is given to the operators in the form of a R50 000 (around 8000 US dollars) scrapping allowance. This is a necessary intervention because of rising congestion in metro areas; to combat the use of hazardous and unsafe vehicles; poor road safety and high accident levels; competition for routes with its related violence and mafia tactics.

⁴¹Howard, Stuart, draft discussion document, quoted in Mather, 2004

⁴²ITF, 2005, Education Bulletin, Issue 15

⁴³ILCO, 2002 b,35,39

⁴⁴Devey, Richard, Caroline Skinner and Imraan Valodia, forthcoming, The State of the Informal Economy, in, State of the Nation, 2005, School of Development

Studies, University of KZN, SA

⁴⁵Ei-Mahdi, Alia and Mona Amer, 2004, The Workforce Development Research, Formal versus informal labor market developments in Egypt during 1990 – 2003, Paper presented at the Global Policy Network, Workforce Development

Study Conference, Johannesburg, 21-23 June 2004

⁴⁶Sinyavskaya, Oksana and Daria Popova, 2004, Russia's Workforce Development Study of the Global Policy Network, Paper presented at the Global Policy Network, Workforce Development Study Conference, Johannesburg, 21-23

June 2004

⁴⁷Barrett, 2003, 15

However such programmes are not always supported by vehicle operators or drivers, as there is a fear that it will take away jobs and livelihoods.

As yet, there is insufficient information on the extent of the trend towards formalisation and modernisation, or its effects on informal transport workers. Certainly, in the short term it may affect livelihoods, but in the longer term can only bring benefits to broader society. How modernisation is implemented and worker/union participation in policy and decision making, as well as in on going implementation will be crucial in ensuring workers and own account operators, as well as the public, reap the long term benefits whilst limiting the negative effects on worker livelihoods.

Why informalisation of transport industries?

As mentioned, there has always been informal transport and transport work, particularly in rural areas and in developing countries, for reasons of tradition, accessibility, suitability, inadequate economic development and so on. But as the ITF 2002 Congress noted,

“globalisation and liberalisation have resulted in a loss in decent jobs and a growth of insecure and unprotected forms of employment outside union protection, particularly in forms of work classified as informal” and

“ in particular the encouragement of informal work in the transport sector through developments such as self employment and contract work, which often replaces direct employment and are frequently used as a means to take workers out of social protection and union organisation”.⁴⁸

The increasing population in developing countries and low rate of formal job creation, mean ever larger numbers of people entering informal employment to survive. The ILO emphasises this point, which applies equally to transport workers:

“ In very poor neighbourhoods the driving force of the informal economy is survival... Reducing informality by tackling its root causes in poverty is essential... In recent years, slow and intermittent economic growth in many developing countries has led to an increase in informality, with enterprises in the formal economy and the public sector reducing rather than increasing job opportunities. Only in East and South East Asia have jobs in industry and the modern service sector grown sufficiently to cause a fall in numbers of workers in the informal economy”⁴⁹

Economic Policies

Whilst there are common global trends, the specific country context is important in determining the form and extent of informal transport work, and its impact on transport workers. There are substantial differences between and within developing and developed countries. The impact on workers, whilst generally negative, differs in intensity, and has different implications for workers and union organisation. For example, whilst privatisation of public transport systems – rail and road- in almost every country has resulted in fragmentation and outsourcing, loss of permanent, protected jobs, it has hit hardest in developing countries and in particular in Africa. Structural adjustment programmes of the IMF and World Bank have left African populations not only without jobs, state or municipal transport, but also without access to social security and health care. The world trade regime has stifled industrial and agricultural development, leaving many African countries with virtually no modern industrial sector, and political instability and war have played their part in many countries. This has all led to deepening and persistent poverty in most African countries. It has led to rapid urbanisation, including cross border migration, as people seek opportunities for work. Accounts from Benin and Zambia illustrate the mix of factors that have led to the growth of the informal road passenger sector, the form it has taken and the implications for the country's population.

⁴⁸ITF 2002, Resolution 7: The popular movement to reform the globalisation process.

⁴⁹ILO, 2006c, 48

Economic Crisis in Benin and the growth of motorcycle taxis

In Benin, political, economic, demographic, geographical factors are some of the factors leading to the increase in informal economic activity in general, and the growth of the informal motorcycle taxi industry in particular. Politically, since the 1970s, Benin has gone through three phases: a period of instability punctuated by military coups; a period of Marxist Leninist government and a period of democratic government from 1990. Economically, Benin is classified as one of the Least Developed Countries (LCD). It experienced deep economic crisis in the 1980s, with increasing unemployment especially amongst youth. Since 1989, it has been undergoing structural adjustment under the sponsorship of international financial institutions. The economy has shown growth rates of about 5%, but importantly this has failed to change the living conditions of the population, with poverty increasing, especially in rural areas. This is not surprising as the “modern sector” accounts for only 5% of those employed. At the same time there has been rapid population growth, and migration from rural to urban areas, and from neighbouring countries.

In the transport sector many state enterprises were created during the 1970s and 80s and provided almost all the urban passenger transport. These did not survive the social and economic crisis and were wound up after a few years. Employment in the formal transport sector disappeared. This created the space for a massive increase in all kinds of informal transport. Other factors were also at work. The rise in unemployment meant that workers had to look for other sources of income. Many turned to the transport sector. Important in its growth has been Benin's geographical proximity to Nigeria, which together with lax legislation, has allowed for the import of second hand motorcycles and the fraudulent import of low-cost fuel and spare parts. (Benin report)

A Case of Privatisation – road passenger transport in Zambia

During the 1990s Zambia was one of several developing countries that embraced World Bank and International Monetary Fund (IMF) programmes. The privatisation process saw the scrapping of the United Bus Company of Zambia (UBZ), and other bus companies that were controlled by the state or managed by parastatal companies. This started as soon as Dr Frederick Chiluba and his Movement for Multi Party Democracy (MMD) ousted Dr Kenneth Kaunda's government in 1991. The administration swiftly removed import duty on smaller buses and soon the roads were filled with these vehicles, especially in the urban areas. Travelers in the rural areas now risk boarding trucks and other vehicles that are not buses, most of which are not roadworthy or suitable for passengers. This lack of reliable transport in the rural areas revealed itself when 44 pupils died in an accident as they were traveling back home for holiday in a Mitsubishi truck crammed with over 110 pupils.

(In privatising buses) what was not taken into consideration was what would happen to rural areas once UBZ was scrapped. Few rural people had capacity to buy fleets of buses to service rural areas, most of which have dusty or tarred roads with a lot of potholes. In some rural places, ox-drawn carts are used as a form of transport.

In the urban areas, says Sylvester Tembo, Zambia Congress of Trade Unions (ZCTU) secretary-general, the road passenger transport sector has grown faster than any other. Workers need a union to represent them and the ZCTU is negotiating with government to allow organisation of road transport workers.

“Employers in this sector can fire a worker at any time and there are no conditions of service to talk about” lamented Tembo. “My employer has put a target of how much I should cash everyday and when that is not attained, I forfeit my payment for that day. During the time of UBZ, conductors were full time employees, but today they are not even known by bus operators”. “Being a bus conductor is a risk job. One of our fellow bus conductors was involved in an accident and he has not been paid anything because he was not known by the owner of the bus,” a young bus conductor said.

Although the Zambian cabinet has decided to give Anti-Retro Viral drugs to HIV/AIDS patients, drivers have to fund themselves for voluntary counselling and testing services, because they are not entitled to medical schemes⁵⁰.

⁵⁰Nkonde, Humphrey. 2005, Bus Business, edited version of story that appears in Transport International, October 2005

Global transport chains

At the same time, transnational corporations are changing. They are becoming coordinators of production rather than producers, with production taking place in developing countries. This takes place in companies that operate informally, or in formal companies that re-subcontract to informal enterprises or to homeworkers or small producer groups. This is often done through intermediaries, producing a chain extending across countries and linking formal and informal work arrangements and workers. In the transport industries a similar process is taking place. The large logistics companies operate globally, although their activities are concentrated primarily in the developed world. They contract and sub contract work at various stages in the chain to other companies. Many of these operate informally, or use temporary workers with reduced wages and benefits, some being migrant workers, and so-called self-employed owner drivers, to do their work. Call centres have become increasingly important in this sector. Whilst (usually) women may be attracted to the jobs because they provide more flexible working arrangements e.g. part time work, the jobs are of a generally of a poorer quality.

Poverty

Workers entering informal employment in the transport industries in Africa and Asia are most often driven by poverty, and a need to survive in harsh economic conditions. Responses to the questionnaire almost all indicate that poverty, loss of jobs and unemployment- often associated with privatisation- cause workers to find employment in the informal economy, including the transport sector. The withdrawal of the state from the provision of public transport and the privatisation of urban and long distance passenger transport (and freight) into the hands of owners of single or small numbers of vehicles has become the norm. In Benin, "Workers turn to the job of motorcycle taxis for several reasons, the most important of which are misery, poverty and the need to cover the costs of basic needs". (Benin report p 27) In the Philippines, informal transport workers are "among the poorest of the working poor" (Philippines report pg 15). The transport sector has a high poverty incidence. Outside of agriculture where most of the poor are situated, it is next only to mining and construction. In 2000, 17% of families with household heads employed in the transport sector fell below the official poverty line.

Access

In the taxi industry, some forms of transport require significant capital but others are available at relatively low cost. They are readily available for those with some "start up" capital such as workers who have been re-trenched. In the Philippines tricycles are the most popular form of transport and have low start up and operating costs. In Benin entry was made relatively easy as noted in Box Five due to the country's proximity to Nigeria and the importation of second hand motorcycles.

Where the motorcycle taxi, mini bus, auto rickshaw, tricycle taxi and so on is available on daily rental or drivers work on commission – as is commonly the case- entry to employment is relatively easy. In Benin, "peasants who have just arrived from the rural areas or artisans who have just finished their apprenticeship and do not have resources to set up a business", become drivers and "no professional qualifications are required to become a motorcycle taxi driver". (Benin report pg 34). Similarly in the Philippines lack of educational qualifications does not present a barrier to entry, with 42% of drivers not having finished high school (Philippines report pg 15).

These factors have led to large numbers of people entering the informal taxi industry, and fierce competition amongst them, leading to dangerous driving and road conditions resulting in accidents. In the case of Benin most drivers see the job as temporary, or a supplement to other forms of income generation, whilst in reality it may be all that is available.

A lucrative alternative?

The opposite is often true. Many owners and owner-drivers enter this form of employment in the hope that it will prove more lucrative than other alternatives, such as street vending or even the professions! In some cases this is so. In Cairo:

“Ali Mohammed Ali says he was making just R4250,00 (US\$ 700) per year as a lawyer and couldn't support his wife and daughter: so he switched to driving a yellow cab full-time and has tripled his income”.⁵¹

But for many others the opposite is true. In the Philippines:

“Lorenzo Avila is 64 years old and has been a pedicab driver since 1997. Before that, he was a laborer for 18 years... When the company shut down in 1994, he ... earned his living doing carpentry jobs for three years before he became a pedicab driver. He bought six pedicab units from his savings, five of which he would rent out to pedicab drivers and one he would ply himself... But, he sold five of his units in the succeeding years because it became too costly to maintain damaged units and replace missing tires... His family now survives from his income as a pedicab driver and from the proceeds of a small eatery managed by his wife”. (Philippines report pg 65, Appendix 2 Profiles of selected local associations and their members pg 3)

Affordability

From the perspective of the passenger informal taxis provide for at least two of their transport requirements: flexibility and affordability. Not only are the drivers and owners of transport poor, so are their customers. This is the case in the Philippines, Benin and Zambia. In the latter 53% of rural people do not use public transport but they,

“rely on using their bicycles, wheelbarrows and ox-carts. Most of the bicycles are owned either by families or individuals particularly the young men between 15-35 years who use the bicycles as taxis” and the town “had lot of taxis but many people were failing to hire them because of the high fares, so the alternative was to use the bicycle-taxi”. (Zambia report pg 9)

Ultimately the major problem lies outside of the sector – in the failure of public policy to create enough jobs in face of rising population, (Philippines report pg39). This observation from the Philippines is equally applicable to Benin and Zambia and to most developing countries, where the growth of informal jobs relative to formal jobs results primarily from deep structural issues. In the globalised economy, more than one billion people still struggle to survive on less than \$1 a day and of these roughly half -550 million-are working.⁵²

⁵¹The Star, 2006, Yellow cabs take on black and white, Monday May 29 2006, Johannesburg
⁵²Chen et al. 2005, 15

Key Points

This section explored the range and extent of informal transport work and workers, including women transport workers, and the reasons for the development of informal work in the transport industry.

- Informal transport work and workers can be found in all sectors of the industry. There are differing degrees of informality and different employment relationships and legal statuses.
- Women transport workers are less common in purely informal parts of the industry, but they are there. They can be found in low paying occupations such as mountain guides, pedicab drivers, cargo handlers, car guards, as well as in the more usual cleaning, catering and selling jobs that service the industry.
- There are no comprehensive statistics, but informal transport work is growing, particularly road transport
- The fishing sector is also significant in the size of the survivalist end informal workforce
- There is a counter trend towards formalising and modernising road passenger transport in some countries, but we have no clear picture as to how extensive this trend is.
- Informalisation of the transport industries results from a combination of factors. Key is globalisation, neoliberal economic policies, structural adjustment programmes and accompanying deregulation and privatisation of transport. Rising population, lack of formal jobs and poverty push people into informal, survivalist jobs.
- Non-standard and informal work form part of logistics chains. Large logistics companies subcontract and re subcontract to owner-drivers and small, informal enterprises. They are economically dependent on the company. In this way the formal and informal economies are linked
- In the informal road passenger sector, for drivers and operators entry into the sector is relatively accessible; for passengers it provides flexible and affordable transport. However, this means competition and overcrowding in the sector and dangerous conditions.

Challenges for informal transport workers: Rights and conditions at work

What are the key challenges for informal transport workers?

What are their rights, and under what conditions do they work?

Workers working in the informal economy share the same challenges as those in formal jobs- to acquire a secure and living income, and improve their working conditions so as to provide for, and improve, the economic situation of themselves and their families. Like workers in the formal economy, they suffer exploitation at the hands of employers and others in positions of power. Like many formally employed workers, they are subject to various forms of discrimination and abuse, and are forced to work in unhealthy, unsafe conditions. Their struggle as workers for social justice and a better life is essentially the same. But, being excluded from legal rights and protections, and in precarious jobs with the most “decent work deficits”, most find themselves at the lower end of the economic and social spectrum. This makes their struggle more difficult. The working poor are usually marginalised, ignored or used by those in authority, and without the power and resources to change their situation. They cannot break out of informality unless they can effectively organise.

This section provides a summary of the challenges faced by informal workers at work. It first considers the challenges of informal workers in general; then those specific to sector and gender, and finally it examines how some of the issues manifest themselves in the transport industry, particularly the informal road transport sector:

“Indecent work” in the informal economy: a common condition

The ILO has identified work in the informal economy as having the most decent work deficits.⁵³ This is common across all sectors. Workers have similar problems arising from their exclusion from worker rights, opportunities and benefits, their lowly economic and social situation, and limited access to resources and power. But, as noted in Section 2, informal employment is heterogeneous, in terms of work arrangements, place of work, employment relationships and regulation. It is highly segmented across and within different sectors of the economy with regard to earnings and gender. So, whilst workers in the informal economy have many problems in common, they also have those specific to their sector or their gender. And the peculiar combination of circumstances in which they work, live and organise is important in influencing the way issues manifest themselves, and are dealt with

Commonly, informal workers suffer exclusion from:

- A decent, living income and income security
- Social protection, including health care, disability and death insurance
- Healthy, safe and secure working environment
- Education, skills development and training
- Worker rights, representation and voice, including their exclusion from mainstream trade unions.

Own account operators have additional problems. They need capital to purchase goods, raw materials or the tools of production and service, but they are denied access to financial services such as credit and savings facilities from formal institutions. They need to sell their goods or services at a favourable price, but have difficulty in accessing sufficient and well paying markets and customers. They are often dependent on one supplier or purchaser, or have little control over fluctuations in their input products, and on rising prices. With their markets generally restricted to poor people, and with the growth in informal work, competition is fierce amongst informal own account operators themselves, sometimes encouraging mafia tactics and violence.

⁵³ILO, 2002, Clause 9

Some sectoral and gender priorities for informal workers

Street, market vendors and hawkers	the right to vend, space to vend, facilities for storage and shelter; toilets and water; protection against police harassment, safety
Homeworkers (industrial outworkers)	equal income, same benefits and protections as those in factories, identifying employer; access to regular work
Waste collectors/recyclers	access to waste, fair contracts, improved status, health and safety, exploitation by middlemen
Agricultural workers	right to land and land use, regular work, access to equipment
Domestic workers	right to organise, safety, access to facilities, protection against dismissal and abuse, freedom of movement
Issues for Women Workers	in particular access to adequate, safe and affordable child care, income protection when giving birth, physical security, unequal incomes even where carrying out work of equal value, sexual harassment

Working conditions of informal transport workers

Informal transport workers face the same challenges, both general, such as exclusion from labour law, social protection, low wages and unsafe and unhealthy conditions, as well as those specific to their occupation and gender.

The examples below are drawn from the road transport sector and illustrate a wide range of problems relating to their working conditions.

Women mini bus drivers in South Africa: double burden and danger

Beatrice Ntombi and Margaret Dube have worked as taxi drivers for 15 years. The social costs of being a woman taxi driver are high because of higher expectations of performance and because more care responsibilities are placed on women: "It's a stressful job. You just feel like sleeping when you get home. You're not in a position to solve family problems. And your husband leaves you!" Meanwhile, Beatrice Ntombi was the target of an attempted hijacking in October 2000. She fled her taxi with the key, leaving her passengers in the vehicle. She was lucky as a passer-by witnessed what was happening, stopped to help her and called the police.⁵⁴

Taxi moto- doup drivers in Cambodia: endemic harassment

For self-employed moto-doup taxi drivers in Phnom Penh in Cambodia "harassment is endemic and dispiriting". Police "confuse" the unregulated activities of the drivers with illegal activities. They sometimes take away the gasoline tank cover or spark plug protector from the motorcycles of taxi moto-doup drivers, then demand payment of a fine in exchange for return of the parts.⁵⁵

When workers "employ" other workers

In Zambia, conductors on mini buses are 'hand picked' and paid by drivers without the consent of the bus owners. The jobs are temporary or casual and they are under pressure to meet targets otherwise they may be dismissed. They have no fixed pay as it depends on the relationship with the driver. They get up very early and work long hours. They have no accident or other insurances or pensions. They work without protective clothing even though they often have to lie down in dirt during breakdowns. Sometimes conductors are mistreated by relatives of the bus owners.⁵⁶

Migrant truck and bus drivers are unprotected

In Spain many trucks are driven by immigrant workers. They have no contracts and are not licensed. This is a problem when they are involved in accidents. They are employed by small businesses – not the big names. In Paraguay there are many unprotected drivers. They are immigrant container drivers from neighbouring countries. They are paid by the round rather than by hours. This leads to health and safety problems as it encourages

⁵⁴Barrett, 2003, 29-30

⁵⁵Economic Institute of Cambodia, 2004. Literature Review on Decent Work in the Informal Economy in Cambodia, ILO
⁵⁶WEAZ, 2004. Organising Workers in the Informal Transport Economy, Mid-Term Report for ITF; Banda, Andrew, 2004. Report on the Local Consultative Workshops on Organising the Informal Economy Transport Workers, Lusaka.

long driving hours, lack of rest periods etc. In Chile there are immigrant truck and bus drivers who work with no contracts, no regulation, no set conditions of employment and no social security.⁵⁷

The effects of war in DRC- laws do not work anymore

“Due to the war in our country most transport workers are informal in the sense that although there are various laws, including labour law covering transport workers, none of the law is implemented”. “In recent years there is a growth in small truck businesses run by immigrants from Pakistan. They employ truck drivers with no contracts of employment and terrible working conditions”.⁵⁸

Health is a problem: Motorcycle taxis in Benin

Motorcycle taxi drivers (Zemidjan) in Cotonou, Benin suffer illness, mainly caused by pollution. Cotonou ranks among the most polluted cities, accounting for many harmful effects on people and the environment. The air is contaminated by noxious agents contained in fuel. Nearly 85% of the motorcycle taxis run on cheap, adulterated fuel sold on the black market. The resulting pollution is a cause of coughing, rhinitis, and cancers. Carbon dioxide makes people tense.⁵⁹

“None of the terms of our employment contracts are actually respected,” says a Moldovan minibus driver

Valeriu, 34, is a minibus driver on the 108 route that runs through the metropolitan area of Chisinau, the Moldovan capital. Officially, he is employed by a private passenger transport company, with a contract that conforms to national legislation. In reality he was hired by a bus owner who pays the bus company for the right to operate on this route. He complains about his situation: “Our wage amounts to what we’re left with at the end of the day, once we have paid all the usual charges such as a minibus rental to the owner, or the various bribes paid out to the police. I usually manage to bring home between 1 and 3 euros a day. But sometimes, I’m left with nothing at all. The policemen harass us, especially during peak hours, when business is good. They use a thousand pretexts to threaten us with fines, which can be anything between 700 and 1000 lei (46 to 66 euros). Almost the entirety of these fines has to be paid in black, and if we refuse, they take us to the police station and we lose our customers. None of the terms of our employment contracts are actually respected, not even access to seats or toilets at the minibus terminus...”.⁶⁰

Tussling over clients: Indonesian cart pushers

Cart pushers transporting goods in Indonesia work long hours for little pay. They usually transport goods over distances of around 5 km, and the risk of accidents is high. They are paid according to their load - the heavier the goods, the more they charge. Their incomes are low because demand for their services has decreased, and competition is fierce. The workers spend a large part of their time waiting for customers to arrive, or offering their services to passers-by. The competition for customers leads to friction between them. Sometimes they are arrested by the police and thrown in jail for tussling over clients.⁶¹

Control by politicians in the Philippines

A critical issue is the constant attempts by local politicians to control the federations (of transport workers’ associations). This can be to undermine resistance to new policies or to use them for electoral purposes. Politicians may ensure their supporters occupy key positions in the organization, prevent the formation of area wide federations, offer the use of government facilities to “make them beholden to local officials” or for uncooperative officers from the federations, they may subject them to smear campaigns. (Philippines report pg 48)

“Favourite milking cow” of Filipino local government officials

“Already poor, or because they are poor and helpless, transport workers are a favourite milking cow of cash-strapped local governments, easy prey of police and criminal syndicates. Considered to be eyesores and air pollutants, they are often banished, relegated to side streets every time a place undergoes a makeover in the name of modernization”. (Philippines report pg 16)

Workers as “objects” in Rwanda

“For motorcycle and bicycle transporters finishing work late and having to wake up very early to ensure maximum earnings leads them to hate themselves and into some form of alienation. The bosses do not consider them as humans who spent the whole day working very hard. To them they are money banks each

⁵⁷Interviews 2005. Delegates from USTT Paraguay, FENASICOCH, Chile, UGT Spain, to the ITF Road Transport Conference, June 2005, London

⁵⁸Interview 2005. Guy Gedila, General Secretary, Syndicat des Travaillleurs de Transport et Communication (SYTRACOM) of the DRC, delegate to the ITF Road Transport Conference, June 2005, London

⁵⁹CF TU, 2004 a.

⁶⁰CF TU, 2005a. Stuck between poverty and exile in Moldova, Trade Union World Briefing, November 2005. No 13

⁶¹Social Alert, 2005, 11

evening...75% are insulted or spat on when they do not earn the expected daily amount. ...For all without exception, the bosses can fire them without warning or sell the vehicle without informing them. And this gives a bad impression because the person ends up seeing himself as an object."⁶²

Informal transport workers in the road transport industries often face all or some of the problems concerning worker rights and working conditions set out in the summary below, particularly where they are unorganised. Workers in informal jobs in other transport sectors experience the same or similar problems within their context. These are not dealt with in the summary below.

Worker Rights

- Exclusion from labour law because they are not covered, their status is unclear, the law is ignored by owners and authorities, or by drivers who casually employ others such as conductors or cleaners, or because of political turmoil and war. This is increasingly a problem for migrant workers and refugees.
- Exclusion from social security, protection and government / employer welfare schemes, including accident and health insurance. Even where informal workers have a right to voluntarily contribute to state run or supported social protection schemes, they are often unaffordable
- No collective bargaining rights. Contracts are often individual or workers work on commission. Where there is a recognised employer there is often no bargaining partner, as there is no representative employer association; or they may be excluded by law from bargaining due to the size of the enterprise or because of non-registration as a union
- No representation or voice in local or national government when issues affecting them are decided upon. They may have ad hoc arrangements with local authorities but no proper rights or agreements. They are generally excluded from social dialogue forums, where only unions organising formal workers are directly represented.
- Their associations are often undemocratic and controlled by owners or other powerful interests, so they lack representation even within their own organisations
- They have little job security and can be subjected to unfair dismissal or withdrawal of work, without any recourse

Working Conditions

- Very low, insecure wages or incomes leading to poverty and making it difficult to break out of a cycle of poverty
- Irregular income and economic insecurity for single vehicle driver-operators and for drivers renting or leasing vehicles. The latter do not have a regular wage, and their income consists of what is left from "takings" after rent has been given to the owner, and other expenses paid. These may include: maintenance, spare parts, petrol, parking fees, fines
- Erosion of incomes through government fees and taxes such as: licenses, vehicle registration, tests such as smoke emission, fines, parking fees
- Erosion of income through rising input costs, especially fuel prices, without compensatory rises in price of fares
- Unilateral changes by local governments to routes, route bans and restrictions, leading to increased competition. These affect the owner and the driver by putting pressure on earnings and income. This sometimes leads to violence.
- Long and irregular hours worked under high stress and with no regular leave periods
- Dangerous conditions of work, including unsafe and badly maintained vehicles, poor roads, lack of adherence to highway codes, leading to high accident rate.
- Unhealthy working conditions such as inhalation of fumes, lack of protection against rain, sun, heat and lack of basic facilities
- Risk of contracting HIV/AIDS – especially in Africa for long distance drivers
- Harassment by police and authorities
- Abuse and use by politicians
- Bribery and corruption by police, authorities, politicians
- Attacks by criminals, including murder and vehicle theft
- Little access to training on road safety and skills
- Constant affronts to personal dignity and lowly status

⁶²ILO, 2004 b, Studies on the SYNDICOOP Strategy for Organizing Workers in the Informal Economy. Country Reports Rwanda, Tanzania and Uganda, Geneva, 20

Most developing countries do not have a policy and legal environment that is enabling and supportive of workers in the informal economy. Rather informal workers are seen as a problem or a nuisance, or even criminals, and their needs ignored. For “employed” workers, labour and social protection policies and laws ignore them or they are not implemented or enforced. Often when government introduces supportive policies and schemes for small business, these do not favour the disadvantaged, own account worker, but rather small and medium enterprises. In a recent study in South Africa on the impact of the first ten years of South Africa’s small, medium and micro enterprise programme, this was found to be the case, with micro enterprises in the informal economy bypassed.⁶³ However, the current taxi recapitalisation programme in South Africa, developed with the involvement and support of SATAWU, may prove to be a positive policy for owners and commuters, and for drivers, assuming those who lose their jobs are able to find alternative and decent employment.

This section has painted a rather gloomy picture of the problems faced by informal transport workers. However, in the following sections we will see that some groups of informal transport workers are not without power and through organisation and united action have been able to improve some of their working conditions.

If workers in the informal economy are to change their situation, it is essential that they organise, and do so effectively. At a local level, workers organise themselves in a variety of ways and for different purposes. Local associations are common, formed around the members’ interests and identity as workers or the working poor, or as owners of small enterprises. This is especially true of street and market vendors, fishers, taxi drivers and operators amongst others. But, it is undoubtedly true that globally a majority of workers in the informal economy remain unorganised or ineffectively organised. Although historically trade unions started by organising workers in informal employment- they all were- modern trade unions have been slow to do so. Until recently, and with exceptions in parts of the developing world, they have largely ignored informal workers as a constituency, and have often been hostile to the efforts of informal workers to organise themselves into unions.

This section provides a brief global overview of union organisation in the informal economy, including motivations, attitudes and approaches. It looks at some of the changes that are taking place.

Key Points

- Informal workers face similar challenges in their working conditions and lives. They suffer the most “decent work deficits”. Because of the heterogeneous nature of informal work there are specific challenges and priorities for workers in different sectors/industries, and there are gender differences.
- Informal transport workers have problems similar to those of all informal workers. They are excluded from worker rights and protections, and work under poor conditions, including having low and insecure incomes.
- They have challenges specific to their own transport sector. For informal road passenger transport workers “unfair” rules and regulations and harassment by authorities; rising costs of fuel and other inputs putting pressure on earnings; high accident rates and unhealthy and dangerous conditions; use and abuse by politicians are some important ones.
- The policy environment often does not support the most disadvantaged, informal workers, including transport workers.

⁶³War on Want, 2006, 58

Organising workers in the informal economy-global picture

What organising progress has been made globally and why?

What approaches and strategies are unions using?

Unions organising informal workers – what progress?

Globally

Workers in informal employment have not been widely organised into trade unions. There are a number of exceptions to this, particularly in Asia and in Latin America. The Self Employed Women's Union (SEWA) – a 700 000 strong trade union of informal women workers in India formed in 1972- is a notable example. It has been at the forefront of the struggle for informal, own account workers, especially women, to be recognised as workers, and to be accepted as part of the labour movement. It has pioneered creative approaches to unionism, challenging the conception of what a union should be and do. It has two strands to its organising strategy – struggle and development. SEWA engages in struggles against the many constraints and limitations imposed on members by society. This includes union activities of collective bargaining with employers and other authorities, and collective action. Its development activities strengthen the bargaining power of members, and offer them new alternatives; especially through setting up self run cooperatives. The strategy involves joint action of the union and cooperatives.⁶⁴

Over the past 5-10 years, there has been a shift in thinking within the union movement at a global level. Whilst there are still differences of opinion in the movement, most global unions at a policy level at least, have accepted the need for affiliates to organise non-standard and informal workers. Some global unions with a high degree of informal work in their sector are particularly active in encouraging and supporting this. These include the Union Network International (UNI), International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF) and the ITF amongst others.

In recent years, the ICFTU has shown support for organising informal workers, as reflected in its regional programmes, publications and campaigns.⁶⁵ Of particular note is the global campaign "unions for women, women for unions", that has a strong emphasis on organising women in the informal economy.⁶⁶ And at its 125th Executive Board in June 2006, it accepted SEWA as its third Indian affiliate.⁶⁷ Interestingly, the World Confederation of Labour (WCL), its partner in the new confederation, to be formed in November 2006, sees organising in the informal economy and education as its two priorities and suggests that the new confederation should set up special desks in these areas.⁶⁸

The ILO has lent credibility and given momentum to changing approaches through the 2002 International Labour Conference resolution on Decent Work and the Informal Economy. The resolution makes a number of important points, amongst them are:

1. The ILO Declaration on Fundamental Principles and Rights at Work and its Follow Up and the core labour standards are as applicable in the informal economy as in the formal economy. All workers, irrespective of their employment status and place of work, should be able to enjoy, exercise and defend these rights.
2. Workers in the informal economy include both waged workers and own-account workers, most of whom are

⁶⁴SEWA, 2002, Annual Report, Ahmedabad, India, and see www.sewa.org
⁶⁵For information on organising in the informal economy in different countries see www.icftu.org/list.asp?Type=ALL&Order=Date&Language=EN&STEXT=informal+economy, interviews with leaders of unions organising informal workers, including transport workers.

⁶⁶ICFTU, 2004 b, Women on the front line: women in the informal economy, Trade Union World, Briefing, No.2, Brussels

⁶⁷ICFTU 2006, Unified International Union Organisation a Step Closer, ICFTU On Line, 105/260606

⁶⁸Willie Thys, General Secretary WCL, 2006. Personal communication. Geneva 2006.

as insecure and vulnerable as waged workers. The term “worker” is therefore not limited to those who are in an employment relationship.

3. Most people enter the informal economy not by choice but out of a need to survive. Whilst some in the informal economy earn more than those in the formal economy, most are characterized by poverty, leading to powerlessness, exclusion and vulnerability.
4. An important objective for governments, worker and employer organisations, and a priority for the ILO, is to extend the organisation and representation of workers (and employers) throughout the informal economy. The ILO should assist workers in the informal economy to organise.

The resolution falls short of defining for trade unions a single approach to achieving the objective (4) above. However, in Clause 31, it bestows a clear responsibility on them:

“Workers and employers in informal activities may wish to join existing trade unions and employers’ organizations, or they may want to form their own. Employers’ and workers’ organizations play a critical role in either strategy: extending membership and services to employers and workers in the informal economy, and encouraging and supporting the creation and development of new member-based, accessible, transparent, accountable and democratically managed representative organizations, including bringing them into the social dialogue processes.”⁶⁹

Nationally

There are no figures available, but there is evidence of a growing number of unions organising workers in informal employment, wishing to organise or supporting newly formed unions. This is happening especially in Africa, Asia, and Latin America where in many countries the informal workforce far exceeds that of the formal. In Africa, the Ghana Trade Union Congress (GTUC) was one of the first formal trade union federations to recognise a need and responsibility to organise informally employed workers and to begin to successfully implement its resolution. In 1995 the Zambia Congress of Trade Unions (ZCTU) amended its constitution to allow for affiliation of informal economy associations. It recommended that affiliates consider amending their constitutions to broaden coverage of union membership to include informal economy workers in line with their sectors. The Alliance for Zambia Informal Economy Associations (AZIEA) was launched in 2002 and is an associate member of the ZCTU.

Political and Practical

The changing mindset of unions is driven by both practical and political concerns. Globally, as we have seen, a majority of working people is in non-standard or informal employment. Despite union struggles, and earlier views that the informal economy would be temporary, and would be reversed through economic growth and formalising the informal, the numbers are growing. The shrinking numbers in formal employment, and the growth of non-standard and informal work have been the major contributors to the current decline in union membership. Many unions have recognised that if they are to remain relevant and influential -or even to survive- they must reach out to workers beyond their traditional base. The NUTAW, the traditional and long-standing union amongst our case studies, has suffered a membership loss from 18 000 in the 80s to a mere 2500 currently. Another practical reason to organise, especially casual, part time and temporary workers, and those employed through agencies, who work alongside their formally employed counterparts, is to build unity amongst the two groups. In this way unions can improve the conditions of casual workers and help protect the jobs of their existing members.

The reasons for organising informal workers are not purely practical. Unions have political and social objectives. They represent the interests of their members and working people and the poor more broadly, not only on immediate bread and butter issues, but also policy issues nationally and internationally. They subscribe to principles of unity, democracy and collective action. Their ability and power to carry out their mission to effect immediate improvements in the condition of workers, to achieve longer term social justice, and to remain true to their principles, loses legitimacy and is severely limited if they restrict membership to those in formal employment. One key objective and strategy articulated in the union movement is to formalise the informal. But this is a long-term objective and in the meantime requires unions to organise to promote decent work for all workers,

⁶⁹ILO, 2002 a.

and to protect the unprotected.

Resistance

However, there is still considerable resistance by unions to organising informal workers or supporting unions of informal workers- often at membership level. These are ideological (they are not workers but entrepreneurs) and practical (it is difficult to organise informal workers: they are not covered by labour law, social security, collective bargaining arrangements; there is no return on resources spent). Sometimes they are personal (my leadership will be challenged), sometimes organisational (a new union will threaten our existence or the interests of informal workers conflict with those of our members) and sometimes political (it has a different political affiliation/orientation). And, as in any "rival" union situation, conflict over territory and the legitimacy to represent workers comes into play. In India, SEWA has had to face the opposition of some of the mainstream national centres. In Zambia, the established NUTAW regards itself as having the experience and access to be able to organise informal transport workers, and there appears to be tension between itself and the newly formed, self-organised, ZBTWU. Equally, where the decision to organise informal workers has been taken, the implementation is often extremely slow due to a lack of political will and low prioritisation by leadership.

Organising environment- there are other organisations out there

Trade unions are not the only form of organisation at work in the informal economy. Those in informal employment are often organised into local associations, worker cooperatives, producer groups, mutual aid groups and so on. They may organise around specific issues, such as to access credit, or come together on an ad hoc basis when there is a crisis e.g. street vendors to resist a crack down on street vending; waste collectors to protect their access to waste; taxi drivers to protest police harassment. This form of organisation is not new. Such localised organisations may effectively deal with immediate issues, but are usually limited in their ability to build real power and provide effective and sustained representation with employers, authorities, government and others.

Hence local worker associations are organising themselves into city, national and international organisations. There are many examples such as the 400 organisations of street vendors in India making up the National Alliance of Street Vendors of India (NASVI), and vendors, marketeers and cross border trader organisations from different regions in Zambia that form AZIEA. These, and over twenty other organisations of street and market vendors, are affiliated to the growing international alliance, StreetNet. StreetNet is a democratically structured international organisation of street and market vendors and hawkers, with a strong focus on the representation of women in its structures. It is working with the PSI and with UNI on a number of projects.⁷⁰

Alongside these developments are the growing number of social movement organisations, many of which have the working poor as their members or constituents, and NGOs campaigning on worker rights. With these developments, trade unions no longer have a monopoly on organising, representing and campaigning with and for the working poor; and increasingly form campaigning alliances with these organisations. The ICFTU has been involved in a number of important campaigns in alliance with other organisations.

⁷⁰www.streetnet.org.za

Deciding on the approach: organisational structure

Organising informal workers poses a challenge to the structure and form of established unions, and in many instances requires constitutional amendment. Unions and federations have found a number of alternative ways to directly organise or to support organising informal workers. These are summarised below.

Informal workers independently:

- Set up their own, new union— general or by sector. Unions and federations may then support their organising efforts by giving advice and/or training and providing resources or facilitating their acquisition. The union may later affiliate to, or form an alliance or association with a trade union or federation. It could merge with an existing union.
- Form a federation or alliance of unions organising informal workers in different or same sector

Established unions (or federations)

- Organise individual informal workers in their sector into the union. They may be fully integrated or be part of a special structure
- Set up or support separate informal worker unions-general or sector
- Organise associations as the unit of membership of a union
- Create a special relationship with unions of informal workers such as according them “associate” status
- Create a special desk or structure within a union organising formal and informal workers for informal workers, or for specific sectors of informal workers
- Create a structure within a federation, across unions or sectors, for informal workers. This can take the form of a cross union alliance, a desk, a project. Or use an existing structure such as a women’s committee
- Create a structure/confederation across federations bringing informal worker unions together
- Facilitate the development of informal worker associations or unions which may then formally affiliate/associate to a union, a federation
- Support and work with associations, alliances, networks of informal workers outside of union movement
- Set up worker cooperatives inside/as part of the union
- Support or facilitate worker cooperatives outside the union
- Form alliances, networks, collaborations with member- based organisations that have informal workers as their members or constituency, such as women’s and migrant workers’ organisations.⁷¹

National centres are often involved in cross country projects on organizing informal workers such as the recently completed ILO-STEP/DANIDA four country project in Francophone West Africa, and the new pilot project by DANIDA in West Africa. The former resulted in new unions of workers in the informal economy, and in Niger a confederation of informal economy unions from three different national centres.

There is no one “best” approach or strategy to organising workers in the informal economy. It is a developing situation, with unions nationally and globally experimenting with different ways of directly organising, or supporting the organising efforts of, workers in the informal economy.

⁷¹Information compiled from many sources, including WIEGO data base of organisations organising informal workers; Chen, Martha et al, 2005; Horn, Pat, 2005. Unions Targeting the Unorganised, in SALB, June/July 2005, Vol 29 No3; Gallin, Dan, 2002, Organising in the Informal Economy, in Unprotected labour: What role for unions in the informal economy?, Labour Education 2002/2, No 127, ILO, Geneva and from the ICFTU.

Key Points

This section has explored developments in the trade union movement relating to organising informal workers, including attitudes, motivation, objectives and structures.

- Organising workers in the informal economy is a challenge for the union movement, but one which is being increasingly taken on board, for practical and political reasons.
- It has been motivated by pressure from below, primarily from independent unions and worker organisations of informal workers and established unions in developing countries. They are under pressure to organise what is now the biggest section of the working class.
- Unions in industrialised countries are faced with growing numbers of workers in insecure and precarious work and declining union membership motivating them to develop organising and political strategies.
- The ILO has played an important role in developing conceptual clarity on informal employment and “legitimising” informal workers. Its decent work agenda for all is an important factor.
- Global unions are working with organisations of informal workers, such as StreetNet International, and on joint campaigns with NGOs, social movement organisations. National unions are doing the same.
- Unions and federations have adopted different approaches, strategies and structures for organising in the informal economy. There is no one best practice established.

Organising informal transport workers: strategic questions

To what extent are unions organising informal transport workers?

Which sectors are strategic for organising?

What are the organisational and political objectives of unions?

What is the most appropriate organisational form and structure?

Who should be organised?

This section begins to sketch the extent and type of organising in the informal transport industries, and to examine how transport unions are approaching some of the broad strategic challenges and questions. The discussion is largely based on information from the road passenger transport sector, especially taxi transport.

Overview: organising trends

There is no consolidated picture of where or how unions are organising informal transport workers, and it would be difficult to collect such information accurately. During the course of this study the beginnings of a database of unions in developing countries organising informal transport workers was developed. It does not include unions organising transport workers traditionally employed in precarious and non standard jobs such as seafarers, port workers and so on, or those extending organising efforts to cover workers in precarious jobs in industrialised countries. Most of the information available is from African and Asia.

Drawing on this information, some tentative observations on organising trends can be made:

- There are differences in the extent and depth of organising in the informal transport industries in different regions
- In Africa, many unions are at an early stage in the organisation of informal transport workers, whilst in Asia, and particularly in India, some seem to be well established.
- The number of informal transport workers organised into established or new unions in Africa is generally small, reflecting its recent organising history and the relatively new emergence of informal transport (outside of the traditional) and its size, the general weakness and plurality of unions in Africa and difficulties in organising. For example, COTWU in Tanzania 1 200 informal members; Swaziland Transport and Allied Workers' Union, 150; Transport and General Workers' Union, Malawi, 100, Synazeb, 1000.
- Some unions in Asia have a much larger membership, for example Jatiya Rickshaw Shramik League in India with 47 000 members; NETWON in Nepal with 30000 members. This may reflect a longer organising history. It might also be that the numbers are exaggerated and do not reflect fully paid up individual membership.
- In parts of Central and East Europe, informalisation of taxi and mini bus transport is taking place, and workers are being unionised. According to the ICFTU Regional Coordinator for Central and Eastern Europe (CEE) "in almost all countries there are trade unions of workers in personal transport (taxi and minibus drivers)". In Bulgaria there is a parking employees' trade union.⁷²
- Unions are organising informal workers primarily in the road passenger transport sector, mainly taxis of varying types (mini buses, rickshaws, motorcycles, bicycles etc) and sometimes buses.
- The large majority of union members are men.

The extent and range of unions organising informal transport workers may well be much larger than we think. One indication is from Francophone West Africa where a survey of 23 unions/federations in the region, showed that informal worker membership in the transport sector was the second highest after that in trade.⁷³

⁷²Sergejus Glovackas, 2005. The Informal Economy in Central and Eastern Europe, paper, ICFTU Regional Co-coordinator for Central and Eastern Europe.

⁷³Soumare, Alice Ntamwishimiro, 2005. Description Synthétique des Organisations Du Secteur Informel, paper presented to the ILO-ICC workshop on organising in the informal economy, Dakar, October 2005

This brief overview begins to indicate which sector(s) unions are prioritising in the informal economy, and where they might be having some success. From our little information and as indicated in the case studies, this is in road passenger transport, especially taxi transport of all types. It is highly visible, used by most people, and a sector that is easily recognised as operating informally. It has the power of numbers, and the power to affect the public and business when it takes organised action.

Organising objectives: do unions have clear strategic objectives?

As we have outlined in Section 5, informal workers organise themselves, or established unions organise informal workers, from a number of different starting points. They may be primarily motivated by the need to build their numbers to survive; they may be inspired by their national centre to do so; they may be responding directly to the pressing needs of workers; they may view the informal workforce as an important component of their sector that should be organised in line with the union's organisational and political mission. In most cases the reasons for organising and the objectives in doing so are multi-faceted and are affected by the context, leadership and importantly by size and scope of the union: is it operating locally, nationally and does it have international links? Responses from our sample of unions that returned the questionnaire show that their core objectives in organising informal workers is the same as for all workers, but different unions emphasise different objectives, for example, "to fight exploitation and police harassment"; "to empower them to participate in the development of the country and know their rights"; organising informal workers will, "generate income for our fund for social security and medical cover".

The same is true of the case study unions, with the NTU having a clearly articulated political agenda, and Synazeb a formal broad agenda, but in practice, its focus is on achieving localised objectives. For the NTU,

"The goal is to alleviate the difficult conditions under which they work and live, to liberate themselves, through their own struggles, from the forces that condemn their kind to inhuman existence. Their growing ranks, a result of failed development and which further depresses their conditions, makes it imperative to organise." (Philippines report pg 17)

And strategically,

"An organised informal transport sector arguably possesses, in certain contexts, greater bargaining power than formal sector workers in many industries." Philippines report pg 18)

It is therefore an important sector to organise for political and economic reasons. As an affiliate of the APL, the NTU subscribes to 'social movement unionism', with the view that, "the trade union movement can only realize its full liberating potential only as part of the larger movement for social change". Through the APL, the union is part of a number of progressive coalitions that campaign on broad economic issues. As part of the Solidarity of Unions and Labor Organizations for New Governance (SULONG) it campaigned for the removal from office of the President.

Synazeb also has a broad agenda that goes beyond immediate worker issues, but a less developed political position. It was established by motorcycle taxi drivers in 2000 because of a series of problems, such as contracts with owners, absence of regulations, no social welfare provision, police harassment and need to inform and education motorcyclists to demand their rights. Its action plan aims to deal with these and other workplace issues, but it also has a broader aim to "improve travelling conditions for people and goods, in order to promote economic development" (Benin report p 30 & pg 37)

What comes through in the case of SATAWU in South Africa is a clear political objective for informal transport workers—that is to move mini bus taxi workers from informal into formal employment. The strategy is to bring them under labour law in practice; encourage a clear employer-employee relationship leading to collective bargaining; a legislated minimum wage, as well as to regularize and modernise the min bus taxi industry. This does not come out clearly in the case studies as an objective, perhaps because such a situation seems far away, but is perhaps implicit in their many different struggles to protect their unprotected members.

The examples above reinforce the view that, despite differing politics and priorities, essentially the core strategic objectives and issues in organising informal workers are the same as their formal counterparts. From this perspective, there should be no conceptual or ideological barriers to organising informal transport workers, or conflicting objectives. However, there are practical differences and differing priorities because of the unprotected situation of informal workers. Unions are finding new approaches to structures, organising and collective bargaining strategies, and are broadening their agendas in the light of worker needs.

Organisation structure: what is the best strategy?

Unions organising informal transport workers are structured in different ways, depending on the combination of factors present. These include worker needs, and take into account the organisational and political sensitivities that sometimes surround decisions to organise informal workers, or to support workers' own organising efforts.

Many of the different structures and structural arrangements described in 5.3 are present amongst unions in our case studies and questionnaire sample of unions in the road passenger sector, and within the national centres to which they belong. Some examples are:

- Individual members join an existing sectoral union: SATAWU, South Africa; Swaziland Transport and Allied Workers' Union; NUTAW, Zambia
- Workers initiate or join a sectoral union of informal transport workers only: SYNAZEB, Benin; ZBTWU, Zambia
- Workers initiate or join a general union of informal workers: National Union of Informal Economy Workers Organisations (NUIEWO), Uganda
- Membership is through associations or federations of associations as the unit of membership: NTU, Philippines; Assetemorwa, Rwanda
- Existing union supports the development of associations of transport workers and then brings associations into the union: Communication and Transport Workers' Union of Tanzania (COTWU)
- Union participates in an informal economy cross-sectoral structure within a federation: Ghana Private Road Transport Union (GPRTU)
- Transport workers are part of an informal economy national association or alliance of associations that has associate status with a national centre: AZIEA and the ZCTU
- Forming a cooperative within the union: Assetamorwa, Rwanda

Commonly, whether within an informal economy union or one that organises formal and informal workers, sub structures are set up that deal with the specific issues of the sub sector. SATAWU for example set up regional taxi sector councils, appointed special organisers to deal with the sector and appointed one of the elected national office bearers to oversee the sector. The NTU has sub-sectoral arrangements based on the different forms of informal transport.

Associations

In this sector drivers (and owners) are more likely to be organised into local, and sometime city or regional associations, rather than trade unions. This may be a legal requirement, as are local associations in the Philippines, or a voluntary arrangement. Associations can provide a range of important services to their members- many of them replicating the work of unions and some engaging in activities that unions have not traditionally dealt with, as demonstrated in the examples below. Most of them focus only on local, day-to-day member issues, or self-help/welfare schemes. For many there is a requirement that they collect daily fees and be responsible for running work systems such as queuing. Others are more powerful and represent their members in broader negotiating forums.



Bus and taxi association in Zambia

The Bus Driver and Motor Taxis Association of Zambia (BDMTAZ) represented its members well in terms of social welfare e.g. health and bereavement of drivers or family members. It helped members with soft loans and renewed the licenses for ailing members. It also helped members obtain their termination benefits when they were dismissed. The association was a registered organisation but was recently de-registered by the government because of its mafia tactics in collecting fees. (Zambia report pg 25-27)



Local association of pedicab operators/drivers in the Philippines

Isabelo Fernando Pedicab Operators/Drivers Association (ISPODA) has a membership close to a hundred. It gives dividends to its members based on their daily dues, varied according to each member's contribution. At the end of the year, members are entitled to a bag of groceries given out at the association's Christmas party. When a member dies, the association solicits contributions from members to give to the bereaved family. The association gets a daily due from members: one third goes to the operations of the association, a second for the Christmas party and the rest to the savings of the member. ISPODA also collects a membership fee and a change of operator fee. Its offi-

cers are elected annually. It institutes a waiting line system for its members. Pedicabs form a queue at an assigned place. This system assures a steady pick up of passengers and reduces the mad rush of pedicab drivers in getting passengers. But there are non-members who compete for passengers and disregard the queue. The association's only recourse is to convince them to become members. (Philippines report pg63-65, Appendix 2 Profiles of selected local associations and their members pg 1-3)

Many associations in the sector are in fact trade unions, in all but name, especially where they are regional or national structures. Like trade unions they may have democratically elected and accountable structures. Their purpose may be similar to that of a union, but with differing emphases due to their particular circumstances. For example, they may not be involved in employer-employee collective bargaining. They may also have a different registration status and therefore different access to organisational and representational rights. In the case of the NTU, six federations (federations of local operator and drivers associations) were already affiliates of the Alliance of Progressive Labor (APL) in 1997 when the idea of a sectoral formation of transport workers was first mooted, and which formed the basis for the NTU. There are many other examples such as the Dakshina Kandada Autorickshaw Drivers Association affiliated to the Centre for India Trade Unions (CITU); the Independent Transport Workers' Association of Nepal (ITWAN) and the Peruvian Drivers Federation (FCP) representing drivers and some wealthy owners affiliated to the Central de Trabajadores del Peru (Central Union of Peruvian Workers, CUT). Whether an association is actually a union may depend on how members view themselves (entrepreneurs or workers); what best suits their interests, or provides most power and leverage; its legal status and the historical development and culture of trade unionism in that country.

Unions

In some countries a federation type of structure, where members are associations (or federations of associations), and that operate autonomously, is not unusual for a national union. In other countries the model does not exist in the formal trade union movement. Unions organise individual members and are the primary organisations. However, as unions organise in the informal economy, such unions are finding that affiliating local associations rather than joining individual members, is a more successful approach, and are amending their

constitutions to do so. This may then involve a form of mixed membership. In Ghana, the GTUC has recommended that affiliates adopt a flexible approach, and adopt whatever structure is most appropriate to their sector- one model being association membership of the union. The GTUC has itself directly organised three informal economy associations as associate members of the federation. This was made possible as a result of changes to its constitution.⁷⁴

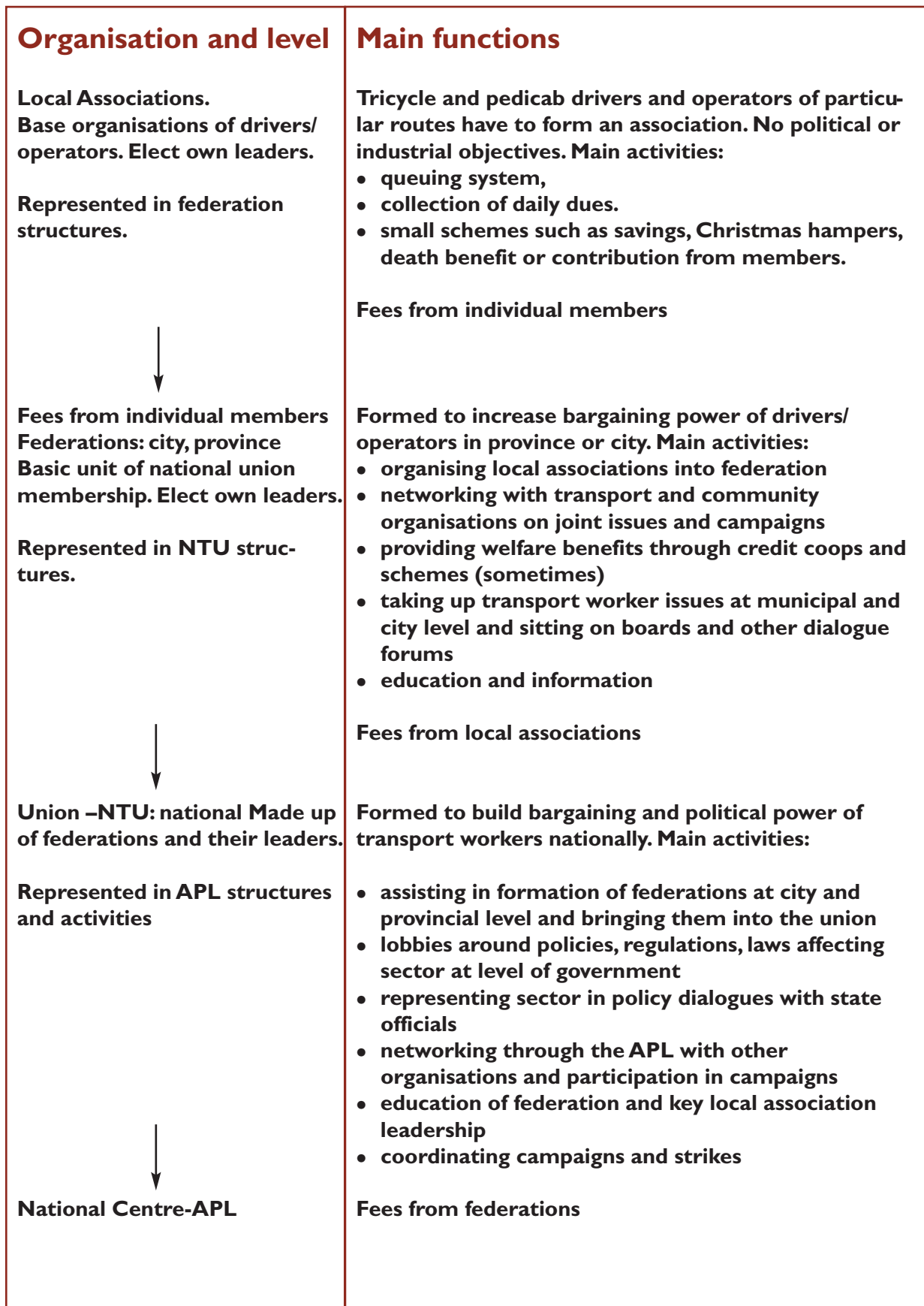
Unions organising informal taxi, bus or mini bus operators and workers, in parts of Africa and Asia, seem to adopt one of two basic approaches: individual membership (primary) or membership by/through an association or federation of associations (federation/secondary).

The Zambian and Benin unions in our study have different, but traditional, union structures based on individual members who participate in union decision making through processes of direct and representative democracy. In Synazeb, for example, union structures provide for the exercise of direct democracy by members at the highest level of decision-making – the General Assembly. All members have a right to attend and vote for leaders, and on decisions around finances, strategic direction, and new programme initiatives.

On the other hand, the NTU unit of membership is a transport federation and not an individual transport worker. The union operates as a national union at the third level of organisation. Whilst there is commonality of purpose overall, each layer of organisation has different immediate objectives and different forms of activity appropriate to its scope of operation. There are also differing levels of union awareness and participation.

⁷⁴Francis X Owusa, 2006, Organization and Representation of Workers in the Informal Economy- Agenda for Decent Work. Paper presented at the IFWEA Regional Seminar on Organising in the Informal Economy Project, 3-4 May 2006, Lilongwe, Malawi

Diagram Three: NTU and its different levels of organisation



The NTU faces a number of challenges that may relate in part to this structure, although they are common to unions in general. These challenges are most acute at the local association level, where there is a lack of ownership of federation and national level programmes, and varied participation in the union. The NTU coordinates activities across federations, but activities within federations are largely left to federation leadership. The union suffers from financial constraints, as it is difficult to convince ordinary members to contribute to a federation let alone a national union. This makes it difficult to systematically promote and support welfare programmes. In turn this reduces the relevance of the union from the point of view of the members. On the positive side, the federations participate actively at the national level and the NTU national leadership is drawn from the member federations. In turn they are leaders in their local associations and most are themselves drivers/operators. The structure then, seems to present no obvious blockages to democratic participation or effectiveness that are not experienced in a more unitary union structure.

This study has identified two basic models adopted by unions organising informal road passenger transport workers- by individual or association/federation membership- but has not established a best model. Unions in other industries and federations have noted some of the following advantages and disadvantages of membership through associations /federations.

Advantages

- Already organised body of workers- easier to recruit, brings numbers
- Association well known and trusted by workers and will follow leadership
- Able to collect membership dues by hand as in daily contact with members
- May encourage participation as leaders close to members
- Women may be able to assert their voice more easily at this level
- Self help schemes and solidarity in place which can be built upon

Disadvantages

- Associations may operate independently and not fully integrate into union structures
- Facilitates conflict, divisions and instability: associations easily break away
- Individual members not committed to the union as no direct accountability or financial contribution
- May encourage leadership power struggles as there are many leaders that may be deeply rooted and want to cling on to power
- Associations may have a different culture, and especially may operate undemocratically. They may be controlled by "mafia" like leaders
- They have little experience in taking up labour issues but focus more on welfare

Unions or associations

In Zambia, members of the NUTAW and the BDMTZA discussed whether a union or an association was the most appropriate form of organisation for informal transport workers. In the discussion it was noted that the key difference between the two forms of organisation was their legal status and the differing rights this conferred.

"An association was defined as an organization of people who come together with common objectives, and is registered under the Societies Act without legal powers to negotiate on conditions of employment. However, it can be a useful tool for social mobilization and representation of the voiceless.

A trade union is an organization registered both under the Societies Act and the Industrial and Labour Relations Act, the union however, has legal powers to safeguard and promote members' interests not only on political, socio-economic matters, but employment related concerns as well".⁷⁵

Given this, the General Secretary of NUTAW has argued that informal transport workers are better represented through the union, especially the established NUTAW, because associations, and informal transport

⁷⁵WEAZ, 2004 b, Organizing Informal Economy Transport Workers Project: Report of the Project Seminar held at Mindolo Ecumenical Foundation from July 21-23,2004, Zambia

workers unions, do not enjoy the same stature as the formal transport union. The present law does not recognise them.

Regardless of which union, and what form the union takes, the argument for workers to organise into unions is compelling. Unions are recognised institutions in most societies, and have legal status and rights. They operate nationally and internationally. This gives them legitimacy, and access to policy forums, to national governments and to international institutions such as the ILO. They have access to information, education and solidarity support from their global unions and unions in other countries. This also facilitates access to resources. Additionally they have in place management systems and democratic structures.

Cooperatives and trade unions

We have little information on the formation and running of cooperatives by transport unions, although, at a local level, there are probably many cooperatives, or cooperative-like organisations set up and controlled by members. These may provide a service to members (service cooperative), or where workers jointly own a business (worker cooperative), or pool their savings so as to provide loans or insurance (savings and credit cooperatives, SACCOs). In the two examples below the cooperatives are part of a union—in the Philippines by virtue of its affiliation to a federation, in turn affiliated to the NTU, and in Rwanda where the cooperative is made up of union members.

A multi-purpose transport cooperative in the Philippines

Ipanan Cagayan de Oro Multipurpose Cooperatives (Jeepney) ICMC was established in 1999. It was registered with the Cooperative Development Authority (CDA) as a transport cooperative for members in the same year. Members can buy things they need, such as auto supplies, from the organisation itself and at the same time enjoy the benefits of being a member of a cooperative. The organisation, however, is not a fully functioning cooperative because of lack of capital. ICMC began with 15 members and has grown to 270 members—150 drivers and 120 operators. There are about 10 women operator members but they are not active in the association. Its source of income comes from a percentage of revenues from the sales of a gasoline station. The gasoline station is under the name of the organisation but it does not own it – a private investor provided the capital investment.

Rwanda – a service cooperative and a trade union

“A good example of a service cooperative is the garage and spare parts (cooperative) of Assetamorwa, the motor cycle taxi drivers organisation in Kigali, capital of Rwanda. With their distinctive yellow tunics, Assetamorwa members are everywhere in Kigali. With more than 1,500 members, the association trains drivers, and also runs a training school depot and negotiates with the traffic police. It is registered as a trade union and affiliated to CESTRAR”. CESTRAR (Centrale des Syndicats des Travailleurs du Rwanda), the national trade union confederation, has also set up a worker’s SACCO movement.⁷⁶

Assetamorwa participated in the SYNDICOOP project of the ILO that is jointly designed and implemented in partnership with the ICFTU and the International Cooperative Alliance (ICA). It aims to strengthen the capacity of national trade unions and cooperatives to work together to organise workers in the informal economy and improve their working conditions. The programme currently operates in East Africa and has expanded to cover South Africa. It is planning to go global.

What all this shows is that there is no one “best” way of structuring a union organising informal road passenger transport workers. Unions decide on the basis of a range of internal and external factors, including what is already in place, what will best achieve the objectives of the union and serve the needs of the workers, what workers choose and the political and organisational strategy of the union and its national centre. Apart from the distinction between established, “mixed” unions and new unions of informal economy workers, the two most common types of structure are those based on individual membership or those based on an association(s) as the basic unit of membership. Both provide opportunities as well as having potential weaknesses. How democratically their structures function and how effective they are seems to be influenced by the principles of the union, its leadership and its access to resources.

⁷⁶Smith, Stirling, 2006. Let’s Organize. A SYNDICOOP handbook for trade unions and cooperatives about organizing workers in the informal economy. Cooperative College on behalf of Syndicoop partners, ILO, International Cooperative Alliance (ICA), and the ICFTU

Unions will also have to consider whether or not they should promote within their ranks the formation of worker and service cooperatives, as an appropriate way of achieving decent work for informal workers and if so, how to integrate these into the union. Or, whether to support informal workers' cooperatives outside of the union, with the possible intention of eventually integrating the members.

Transport workers cooperatives: some non-road transport examples

The fishing and inland waterways sectors are other sectors of the informal transport industry where workers are organised into associations and cooperatives.

Fisher associations in Ghana

In Ghana, in the small scale fishing industry, fisher communities have come together to form associations such as the National Fisherman's Council, Marine Canoe Fishermen's Association, Inland Canoe Fishermen's Association and so on. In the small fishing communities of Abandze and Biriwa the chief fishermen and their council of elders decide on the rules of business conduct in the sector, which are strictly applied. The organisations also assist members by providing loans at low interest rates. "These associations serve as entry points for trade union activities in this sub sector".⁷⁷

Balsa wood ferries cooperative in Brazil

"The Balsa Coop, a workers' cooperative in the Rio Grande Province of Brazil, uses Balsa wood rafts to ferry cars across a shallow river running through a sandy coastal plain. It is not economic to build a bridge locally and the drive to the nearest bridge adds forty miles to the journey. Rather than competing with each other, the villagers have formed a cooperative to maximize the economic benefit of running a fleet of rafts across the fast flowing river. They keep the price they charge about the same or a little below what it would cost the driver in fuel to drive the extra forty miles but the driver saves in time. The boats are owned and maintained by the cooperative which reduces the capital investment and maintenance costs required to run the service".⁷⁸

⁷⁷Ghartey and Dorkenoo, 2002.
⁷⁸Smith, 2006,67

The members: whom should unions organise?

Owners and drivers

Members of unions organising in the road passenger sector are primarily drivers of vehicles. Many own and drive a single vehicle. Some own more than one vehicle, driven by family members or rented/leased to others. Unions have adopted a different view as to whom they should recruit as members. SATAWU organises those who are clearly workers, and has encouraged owners and employers to form employer associations. In this way a clear line is drawn between employers and workers and traditional collective bargaining potentially possible. The unions in Zambia follow the same approach. The ZBTWU organises only “employed” workers, and does not intend to organise owner-drivers. It believes they should join an employer association. In Benin, Synazeb primarily organises drivers who rent or lease vehicles and single vehicle owner-drivers. In the NTU, members of associations and therefore the federations and the union, are a mix of drivers who rent; owner-drivers and those who own more than one vehicle, mostly less than three, and rent these to family or others. However, in a minority of cases, there are owners with a bigger fleet of vehicles, and whilst still relatively small time operators, they “employ” a number of drivers. In Ghana, there is a similar situation with the Ghana Private Road Transport Union (GPRTU). In the article extract in Box Nine, it is suggested that the interests of owners and employees are different and organising them into the same union means that the most powerful – the owners- gain the biggest advantage from union membership, and that the union is not fully able to serve the interests of both groups.

GPRTU: serving different interests?

The Ghana Private Road Transport Union (GPRTU) is composed mainly of employed drivers, owner-drivers and vehicle owners. The union structure provides the framework for dealing with the interests of its varied membership. The national and regional structures are dominated by the vehicle owner’s component of the union while the presence of the owner-drivers in the union is established mainly at branch level. GPRTU branches cover virtually all the districts of the country. Employed drivers (and their apprentices) largely make up the numbers in the union.

The GPRTU provides a framework for its members to relate to the public authorities. With the support of government, the union has been able to secure facilities to acquire vehicles for its members on credit. This has helped to improve the income-earning capacity and economic security of some members. However, the perception is that this has benefited more the vehicle owners, and to a lesser degree the owner-drivers, than the drivers. The union also serves as the framework for determining private road transport fares; it negotiates fees to be paid for operating at road transport terminals, and is consulted by the public authorities on many operational issues. The union is reputed to enjoy considerable patronage from the ruling party and government in return for the loyalty and support of the union.

The union also helps resolve problems between hired drivers and the owners of the vehicles they operate. However, the union has been unable to serve members’ needs for driver job security, health care facilities, occupational health and safety, protection against income losses during sickness, annual leave, and minimum wage. “This is a telling indication of which members’ interests the union does not adequately serve. The balance of power in the union weighs in favour of the owners against the drivers”.⁷⁹

⁷⁹Adu-Amankwah, Kwasi, GTUC, 1999, Ghana, in Trade Unions in the Informal sector: Finding their bearings. Nine country papers, Labour Education 1999/3 No. 116, ILO, Geneva

The situation may be different for the NTU. As noted in Box Two, drivers and operators “do not regard themselves as groups with opposing interests, but in fact are both victims of the larger economic system”, with little difference in their living conditions. With most owners owning single vehicles, their incomes and those of drivers who rent vehicles, are similarly affected by rising prices of fuel or spares; they suffer the same working conditions and harassment by authorities. Possible conflicts of interest can be easily settled through compromise or agreement due to the informal nature of the contract. Their common interests appear to outweigh those that conflict. (Philippines report pg 11-12)

In the end the particular situation will dictate whom the union organises. Clearly, there is a danger in owners, small employers and employed workers or economically dependent renters of vehicles being in the same organisation. This is an issue that confronts other worker organisations and unions that organise in the informal economy, such as those organising street and market vendors. Some organisations have attempted to be specific on a cut off point for membership and to lay down rules on who should be organised. The Self Employed Women’s Union in South Africa (SEWU) organised only those vendors with less than three employees, and stipulated that the “owner” and those assisting her, including unpaid family members, all join the union.⁸⁰

Drivers only?

With most unions focusing on drivers, often workers in support functions- usually the most insecure and exploited (often by the drivers themselves) are left unorganised. This has been recognised by the ZBTWU and the union plans to organise more broadly to include panel beaters, mechanics in garages, cashiers, secretaries, conductors as well as drivers. In South Africa, SATAWU organises drivers, “call boys”, conductors, queue marshals, administrative staff.

Women and men

Almost all union members are men. In the NTU there are a number of women drivers-operators, but their involvement seems to be only at the level of the local association. In Benin, the few women union members of Synazeb are the wives of drivers, and are largely involved in ancillary functions or income generation projects, with some owning vehicles. Synazeb is making an effort to encourage the participation of women in the union and has a women’s officer, whilst the NUTAW has a women’s sub-committee. The NTU runs education programmes to encourage the participation of women. In Zambia, the ZBTWU has no women members.

Resources

A final strategic question to be answered is that of resources. Active organising takes money and people. If the membership base is declining, then so is the income. This makes it difficult to even begin to organise informal workers, as the NUTAW in Zambia has found. The question of finances and financial strategy is discussed further in Section 7.

⁸⁰Horn, Pat, 2005, Personal Communication. SEWU was forced to close down in 2004 due to a court decision that forced the union to liquidate.

Key points

In this section we have examined some of the overall strategic questions that existing or new unions and their federations are confronting, or need to confront, when organising or wishing to organise informal transport workers, and particularly those in the informal road passenger transport sector.

- Unions are organising informal transport workers, especially in the road passenger sector, due to its size, visibility and importance.
- Their reasons for organising and core objectives mirror those of unions organising formal transport workers- they are both political and practical- although there are differences in emphasis and approach. Protecting the unprotected, formalising the informal and decent work for all are broad, longer-term objectives but are not always explicitly articulated.
- Informal transport workers are usually organised into associations. Unions have to consider how, not if, to support or organise informal transport workers.
- There are strong arguments for informal transport workers to be in trade unions. What structure is adopted - by individual or association membership – or whether in an established union or in a new union, will depend on the context.
- Unions may need to consider supporting internal or external worker cooperatives.
- The line between drivers, owner-drivers, and small operators is often blurred where “employed” drivers and owners live and work in similar conditions and where they view their relationship as one of (mostly) common interest rather than antagonism. Unions have opposing positions on where the cut off should be for union membership.
- Unions focus on organising drivers, mostly men, and need to expand their scope to take in the range of workers in the industry, and including encouraging more participation by women.
- Organising informal workers needs resources and a resource strategy.

Organising informal transport workers: implementation challenges and strategies

What are the organising challenges?

What organising strategies and methods are unions using?

What are the successful and less successful experiences?

Drawing on the case studies and other examples of unions organising informal workers in the road passenger transport sector, this section examines some of the organising challenges in building and sustaining the unions; the experiences unions have had, and the strategies and methods they have employed. The challenges and strategies are both internally focused such as those concerning building and running of the union, some internally-externally focused such as those concerning the working conditions of workers in relation to employers or authorities. Others are more externally focused such as advocacy and policy “interventions” and legal strategies.

Building and Sustaining the Union

Planning to organise

Deciding to organise, how to organise and implementing the decision is often a complex and challenging process, for external and internal reasons. It may require a long process of education, planning and preparation. Even then this may not bring the expected result. Support from national centres, global unions and international bodies such as the ILO and worker education organisations can facilitate the process. In Zambia both the established union, NUTAW, and the new union, the ZBTWU, have had strong support, with education being an important tool.

“Faced with falling membership, and drawing inspiration from the efforts of the federation, ZCTU, NUTAW began exploratory discussions about organising informal transport workers.”
(Zambia report pg 23)

“In 2001, the National Executive Committee adopted the resolution to set up an informal economy desk at the national secretariat with a Director to organize informal transport workers; however, due to limited resources the resolution was not put into effect.”
(Zambia report pg 23)

“In 2002, the NUTAW in partnership with the Workers' Education Association of Zambia and ZCTU embarked on a preparatory project together with the ITF. The project sought to analyse the mobilization efforts and activism of informal transport workers and their associations operating in [various Zambian cities]. Consultative meetings and workshops were held in and around selected cities”
(Zambia report pg 24).

“In October 2005, the [union] organised a brainstorming workshop to strategise on the best model of organising informal transport workers. The workshop was attended by the WEAZ, ZCTU and representatives from ZBTWU. The workshop revisited the resolution of the union setting up the informal economy desk, and discovered the resolution would not be sustainable. Instead it recommended to the

leadership of the union to identify all the labour based stakeholders in the informal transport sector; and call a national conference to discuss a merger using the NUTAW as the institutional framework. The workshop also recommended that the identification process be underpinned by education programmes focusing on workers' rights, trade union organization, the role of labour or social movements in promoting social justice".
(Zambia report pg 27)

Recruiting members

The basis of union power lies in its members; unions need numbers to strengthen their bargaining power. As noted, many of the unions are small or have small membership in the informal transport industries. They often have difficulty in recruiting and retaining members, and have to find new, or adapt old, strategies.

Overcoming suspicion and bad experiences

Often drivers and other workers are suspicious of unions due to past experience of unions or associations, or because the existing unions have a poor reputation amongst them:

"The reasons for leaving informal employment are often due to dismissal or redundancy and the union is often criticised for "not having done enough" to protect their formal jobs. Any taxi workers are wary of further union involvement."⁸¹

There is "scepticism by the informal transport workers who have been cheated before by bogus and mafia associations organising in the informal transport sector. These have left the informal transport workers with negative experiences to the extent that it will take some time to rebuild the workers confidence".
(Zambia report pg 25)

" a small proportion of motorcycle taxi drivers is unionised. According to ... estimates, 10-15% of drivers are members of a union. That is explained by the reticence or even distrust felt towards these organisations. The big problem is that drivers are suspicious about the founders, believing they want to get rich on their backs."
(Benin report pg 27)

When unions try to work with, or want to recruit associations or their members into the union, they will need to overcome suspicion and hostility by the association:

"we have an association but it is only there to collect taxes; it doesn't help us escape from poverty" says Bashir Kakaire – a boda boda or motorcycle taxi driver in Uganda. The Union is trying to work with the boda bodas but comes up against the suspicion of existing associations who see the union as a potential threat."⁸²

"Some associations are hesitant to join because of a previous bad experience. This usually involves corruption among a few federation officers".
(Philippines Report pg 50)

Overcoming suspicion is not easy. David Baliraine of the Amalgamated Transport and General Workers' Union (ATGWU) explains one strategy:

"We are trying to show our credentials by inviting boda boda leaders to HIV information sessions. We want to show them who we are and what we can do together; because as long as they don't understand our role, they will be suspicious, especially when it comes to paying membership fees."⁸³

SATAWU tries another approach,

“We convince them (the workers) that they have a responsibility to take the sector from the informal to the formal. That works. They can see the point, because they can compare their conditions with their previous conditions of work.”⁸⁴

And in Benin, Synazeb uses door to-door calls:

“This policy, inspired by the strategy of politicians and used by them on the eve of elections, consists of going from house to house and family to family to try and recruit new members to Synazeb. This method seems to be very effective, especially because to visit someone personally in this way to discuss an issue constitutes a mark of respect that is very deeply-rooted in our societies.”
(Benin report, pg 31)

To overcome hesitation by local associations and their members, the federations of the NTU have to build trust and confidence by:

“Continuous discussions with officers and key members, working with local associations on issues affecting them, and sustained education campaigns are necessary to regain their trust and confidence.”
(Philippines report pg 50)

And in building confidence and trust, who is in leadership is important.

“It will be difficult for the union to organise the informal transport workers without really getting the informal transport workers influential organisers into leadership positions.”
(Zambia report pg 25)

Dealing with union plurality

The number of unions organising amongst the same constituency makes it difficult to recruit and retain new members. The reasons for plurality differ but the effect is the same- a divided and weak union movement. Countries in Francophone West Africa are renowned for the plurality of national centres, all with affiliates in the different sectors, organising formal and informal workers. The labour movement in Benin is typical in this regard, having seven national centres, most with at least one motorcycle taxi driver affiliate. This encourages workers to move between unions. This “plurality is a manifestation of personal battles for leadership” (Benin report pg 24)

Union rivalry is not specific to organising informal transport workers, but battles for new members may be particularly acute where unions are small, and/or where informal work predominates; in a growing and potentially powerful sector such as road passenger transport, and where competition for jobs and income equally affects union leadership. Often a union job is prized. Good recruiting strategies will not alone resolve this difficulty. A political solution is required, together with a strategy and practice that builds the union reputation. This involves successful and well-publicised campaigns and struggles and meeting the varied needs of workers.

“There has been a proliferation of federations of transport associations owing to the rapid growth of the sector in the last two decades. Still, many federations do not belong to any national formation. Others are disgruntled with their current affiliations and are seeking new alliances that they believe will advance the interests of their members and transport workers in general. Through campaigns and activities, the NTU has gained credibility among transport workers, thus attracting potential members to its fold”. (Philippines report pg 35)

Overcoming opposition of employers/authorities

Given their insecure position and lack of rights, informal transport workers may be reluctant to join a union for fear of losing their job or source of livelihood. They may fear their employer, the owner of the vehicle they rent or action by local authorities, depending on who has the most power over them.

⁸⁴Barrett, Jane, 2003

“Other leaders just drop out because they are threatened by their employers once they discover that they are organising and recruiting drivers into a union. Due to lack of funding, the union cannot employ an organiser; they are relying on the support of volunteers.”
(ZBTWU, Zambia report pg 31)

“A final obstacle to organising transport workers is opposition from local governments wary of the power that organised workers can muster. While the formation of local operators and drivers association is a legal requirement, many local governments actively prevent the formation of federations in their areas.” (Philippines report pg 36-37)

This is an ongoing challenge and can be overcome only by building the numbers, strength and power of the union to take on opposition.

Finding the time and place

Due to the mobility of workers organisers find it difficult to meet with them to carry out basic recruiting and follow up work. This is nothing new for organisers in most parts of the transport industry. However, with informal workers, it may be more difficult due to the daily struggle of workers to survive. Any time off from work is a potential loss of passengers and income. Their long hours, and fatigue add to the difficulties.

But, the place of work and its rhythm can provide an organising advantage. Workers gather in common waiting places, terminals and parking places. Unions or base associations can meet their members and potential members here, often at lunchtime and quiet periods in the day. A Branch Chair of the Communication and Transport Workers Union of Tanzania (COTWU) explained that,

“(We) recruited workers by going to their lunch places. They were too tired in the evening. Drivers who were recruited then recruited others”.⁸⁵

A ZBTWU strategy is,

“first talking on a person to person basis with potential drivers at bus station at the time when they are not loading. If they recruit one or two they give them the responsibility to organise other drivers. If they become ten, they constitute an interim branch/or district executive committee to undertake organising and recruitment of other drivers in a branch/or district.”
(Zambia report pg 31)

Finding the right organisers

Sometimes union organisers with experience in organising formal workers find organising informal workers more difficult. In the NUTAW organisers are inexperienced with organising informal transport workers because of the different organising environment, and they may lack rapport with them.

In South Africa, SEWU began by employing organisers with experience in organising formal workers. They soon discovered that organisers drawn from the ranks of members were better able to organise informal workers.⁸⁶ SATAWU found the same thing:

“If you’ve been a driver or a marshal and you know the language of the work, then you’re okay... It’s tough out there. But if you’ve felt the pain then you know what to do. You need to practice a lot of patience and come down to mother earth in the way you talk to workers”.⁸⁷

With new unions it appears that organisers are often primarily volunteers- workers themselves- where the problem of understanding and rapport does not arise. However, there may be other problems:

“The organisers and leaders of the informal transport workers have experience of organising their members (in associations) including in many ways using coercion. This experience has greatly been used by the ruling political party for political mobilisation”. (Zambia report p 34)

⁸⁵Dave, Alana, 2005a. Personal communication, e-mail August

⁸⁶Skinner, Caroline. and Devenish, A. (forthcoming), ‘Collective Action for those in the Informal Economy: The Case of the Self Employed Women’s Union, 1994-2004’, in Ballard, R., Habib, A. and Valodia, I. (eds), *Globalisation, Marginalisation and New Social Movements in South Africa*, Cape Town

⁸⁷Barrett, Jane, 2003

NUTAW has not yet developed a strategy to deal with these problems.

Motivating workers to join

Even when some of the challenges above have been overcome, motivating workers to join is not always easy. In the Benin case study most drivers felt that the job of a taxi driver was a springboard to a “better life” and so were not motivated to join the union:

“They never intend to spend much time in the job. In a context in which drivers consider their job to be a hobby, they are unlikely to get involved in an association or a union, and even when that happens, it poses problems”. (Benin, report pg 28).

The sector is characterised more by competition than cooperation, because the industry is over subscribed and there is pressure for routes and passengers. This makes it difficult to instill a spirit of unionism- unity, solidarity and collective action. Workers may have a negative attitude towards unions or lack interest in, or understanding of, their broader objectives:

“Traditional views and attitudes towards unions and workers’ organisations present formidable obstacles. Understandably, federations and local associations tend to focus on issues affecting their members and have little interest in larger national issues”. (Philippines report pg 36)

Bonaventure Ahitcheme, General Secretary of another one of Benin’s informal motorcycle taxi unions, explains what motivated drivers to join the union:

“To most people, earning a living is a personal issue, that is, until they have a problem with the authorities. That’s when they realize that it might be useful to organise. Those with an educational background are easier to convince”.⁸⁸

For SATAWU,

“A first step to be made when recruiting new members in the taxi industry is to get recruits to see themselves as employees in a contractual relationship with their employers, and therefore entitled to certain rights as workers. Many are unaware that they have any rights. Employees also sometimes identify with their employer’s taxi-owners associations as a means of aspiring to claim a stake as future taxi owners”.⁸⁹

Unions have identified how important it is to clearly explain what the union is about and what it can offer without making false promises. In doing this most unions in our sample mention techniques such as the use of leaflets, flyers and other forms of publicity – even radio- to assist in getting the message across. Synazeb uses activities such as of HIV/Aids road shows, publicity jackets, and so on.

Campaigns can create excitement and motivation. Unions organise special recruiting campaigns (Box Ten), and/or use an existing campaign to successfully recruit new members. The Mongolian Transport, Communication and Petroleum Workers’ Union organised more than 800 informal transport workers into the union during the ITF Action Week in October 2005, under the campaign slogan, “Organising Globally - Building Union Power”. Microbus drivers make up one out of five drivers in the capital city.⁹⁰

Ultimately what motivates workers is a union that successfully provides for the needs of its members and builds a culture of solidarity and unity. Some of these issues are dealt with in 7.2 below.

⁸⁸ICFTU, 2004 a

⁸⁹Barrett, Jane 2003

⁹⁰ITF, 2005, e-mail communication, October 11

Sustaining effective, democratic unions

Recruiting members is one thing, building and sustaining a democratic and effective union is another.

Ensuring participation and accountability

Often new members do not come from a tradition of worker democracy and grass roots participation. Some may come from associations without this tradition. In Zambia, for example NUTAW leadership noted that the Bus Driver and Motor Taxis Association of Zambia (BDMTAZ) was “not democratic because leaders did not want to go for elections, and often operated like a mafia because of lack of accountability and transparency”.⁹²

An ongoing problem is encouraging participation of members in union structures and activities. Workers working informally are often too busy making a living to spend time on union activities, especially as many have more than one “job”. They also lack “a lack of information and understanding of the problems facing transport workers, and a tendency to rely on officers and leaders to run their organisations” (Philippines report pg48). In Synazeb there appears to be a top down approach, illustrated by the influence or instructions given by union leaders to members during the survey for the case study report.

Crucial components in building solid and sustainable union organisation amongst informal workers are well functioning democratic structures that allow for member participation and open and transparent ways of operating. Whilst there are problems, the NTU has managed to out-organise its rivals by its commitment to democratic participation and a successful education programme.

A successful recruiting campaign in Nepal

In 2004, the Nepal National Transport Union (NETWON) decided on a campaign to recruit informal taxi drivers in Kathmandu, the capital city. The union began the campaign by mapping petrol pumps where drivers parked their vehicles at night. In order to make the union accessible, petrol pumps were used as an organising site in the evening. A small core group of taxi drivers, already union members, made face-to-face contact with drivers around each petrol pump and units were formed there. The union invited drivers to join a one-day information programme on the role of the union.

When the union had organised about 600 drivers, they identified a core group who attended a 3-day leadership-training programme conducted by the ITF. There they discussed worker problems, strengths and weaknesses of employers and the union, organising strategies and how to improve the campaign.

The union also used the ITF International Road Transport Day of Action in 2004 as a publicity tool. It put up posters at vantage locations near bus depots and city junctions, and distributed leaflets. All taxi drivers sounded their hooters for 15 minutes to highlight their issues and protest about accidents, fatigue etc. The union issued press statements, took photographs and arranged a symposium on transport workers' problems, issues and challenges. At the same time the union held its first conference of taxi drivers and opened the founding taxi branch.

The Union conducts trade union education programmes for its informal worker members such as those run in 2005 for Tempo (Auto Rickshaw/ three wheeler) drivers in Lalitpur district and for the Balaju Taxi drivers unit.⁹¹

⁹¹Netwon 2004. Presentation: Organising Taxi Drivers in Nepal- 2004. Strategic Campaign Planning Steps; Dave, Alana, 2005 b, personal communication, e-mail July

⁹²WEAZ, 2004b

In SATAWU members elect rank stewards to represent them on day-to-day problems. Stewards also represent members in various union structures: within the sector to deal with sector specific issues, and across union sectors to gain experience and participate more broadly in the union decision making. However, structures suffer from irregular and infrequent meetings, often due to lack of resources.⁹³

Leadership and “management” of the union

Unions are not always well run organisations. This seems to be particularly so for unions or associations of informal workers. They often run their own organisations informally too. Many have few or no paid staff, or even offices such as some federations and local associations in the NTU, the ZBTWU. This limits their effectiveness. Mismanagement or corrupt use of funds is another common problem.

“Being informal, transport workers’ organisations are vulnerable to malfeasance by key officers. This not only depletes the organisation’s resources, but also, more importantly, erodes the confidence of members in their organisation and their leaders. Recovering the lost confidence takes a long time and could hinder the growth of the organisation even after erring leaders have been removed.” (Philippines report pg 48)

“.. leadership difficulties, the poor management, the lack of judgment, the misappropriation of funds by officials” are frequent barriers to the development of the trade union movement. (Benin report pg 28)

The importance of leadership in influencing the direction of the union is a theme running through all our case studies. Personal and political interests sometimes take precedence over that of workers and the union.

Dealing with such problems is not easy. Education is often seen as a solution, and indeed can make a contribution. Political education on principles and values, as well as practical education for leaders in running a union, including finances, coupled with information and education for members is a necessary component of any organisational development strategy. However, there are obvious limitations such as a lack of finances and the reluctance of leaders themselves to institute a programme that may be to their detriment.

The NTU tries to be pro-active by having a strict process of selection of its federation members. Potential members are identified and referred to the NTU secretariat. Formal and informal talks are conducted with federation leaders. This can take time because the parties need to establish a common understanding and confidence in each other. The NTU also does a background check into the federation. Finally, leaders of the new member federation and representatives from some of their local associations are required to undergo a basic orientation and training.

Control and interference by politicians

This is common and pervasive in all of the case studies, threatening the independence, credibility and democratic processes in the union. It features as a key problem as well amongst street and marketeers associations.⁹⁴ Both groups are large in number and highly visible, with grass roots associations that can potentially be bribed, coerced and mobilised into supporting a particular party or politician. In the case of transport workers they have bargaining power that can be appropriated and used to the advantage of politicians:

“A critical issue is the constant attempts by local politicians who seek to control the federations either to undermine resistance to new policies or to use them for electoral purposes. Intervention by local politicians can take many forms: ensuring that supporters occupy key positions in the organisation; preventing local associations from forming area wide federations; offering the organisation the use of government facilities to make them beholden to local officials. Uncooperative officers are the subject of smear campaigns and similar efforts to dislodge them from their posts”. (Philippines report pg 48)

“...some (political) leaders want to use them in a political way. The political parties usually depend on them for advertising during the elections. This often leads to problems and to the proliferation of unions, all trying to play their role”. (Benin report pg 29)

⁹³Barrett, Jane, 2003
⁹⁴War on Want, 52.

Finding a way around this is not easy and a strong, democratic union built on sound principles is needed to even begin to stamp this out. This would need to be coupled with a strong political education programme.

But unions do not always view a close relationship with politicians as a bad thing. Being close to politicians may facilitate access by workers to policy makers and enable them to influence the policy making process. If this view is adopted then remaining in the “good graces” of politicians must be “tempered by the need to maintain the independence and integrity of the federation, and therefore its credibility to members and the larger public.” (Philippines report pg 53)

And from Synazeb’s experience, our case study report identifies as a key lesson “that trade unions must rid themselves of the hold that politicians have over them today throughout almost the whole country.” (Benin report pg 49)

Finances and resources: a key challenge

A critical challenge for unions organising or wanting to organise informal transport workers is the lack of financial resources. Unions often use this as an argument for NOT organising informal workers. The cost of organising and sustaining informal members tends to be more than the cost of organising traditional members -recruiting is difficult; there is a lack of collective bargaining forums; unions need to provide new services and projects; workers need more education and skills etc. The returns also tend to be less, due to difficulties in collecting fees and because workers are poor necessitating low membership fees.

Many unions in our sample state that they lack resources to organise informal workers, or to run education programmes and activities. In SATAWU, despite a promising start with many successes, the organising programme slowed down. The National Policy Officer maintains that without dedicated funding for an organising project, the union is unlikely to make major progress.⁹⁵ The conclusions to all our case studies identify a lack of funds as an obstacle to building and sustaining the unions.

“Trade union strategies developed by workers in the informal economy, especially in transport, are handicapped by... the low collection rate for union dues...” (Benin report pg 49)

“The slow pace of organising (of the NUTAW) is attributed to lack of financial resources.” (Zambia report pg 35)

“Lack of financial resources is a major constraint to the NTU. This limits its ability to consolidate and at the same time expand its membership base.” (Philippines report pg 57)

Is there an answer? Are there innovative ways to ensure that unions can organise informal workers and sustain members? Experience in other sectors seems to suggest that unions organising informal workers will either have to cross-subsidise their informal members’ activities and participation and/or find ways to raise ongoing dedicated funds for organising and project work. The Ghana TUC, for example, promotes the idea of cross subsidisation from formal to informal workers within affiliates.⁹⁶ The Self Employed Women’s Association (SEWA) has multiple strategies to raise funds to supplement membership dues, such as international trade union and other solidarity funding, and partnerships with government on projects. It also has many cooperatives providing services to members which are self-sustaining and which sometimes charge user fees.

Like SEWA, Synazeb seems to have adopted a multi-pronged financing strategy. Given the small membership of the union, it is not clear how successful this is in practice. The union finances most activities from its own resources. These include fees from members for joining; membership cards, dues, collections and subscriptions. The union is also funded by grants and donations and solicits funds for education programmes from NGOs. The union also wants the government to provide an annual grant as it does for unions in the formal sector. It generates income too by organising sporting and cultural events. It has embarked on income generating projects to boost income. It has set up a women’s cooperative to produce manioc flour by processing roots and tubers. It has formulated a proposal for the collection of waste from households for a monthly fee, something that is a “headache” for municipal authorities.

⁹⁵Barrett, Jane, 2005
⁹⁶FNV, 2003, 32

Educating members and leaders

Educating, building capacity and empowering leaders in trade unionism, trade union skills, politics and economics form part of every union stated strategy.

“The NTU’s education programme is a key attraction to potential members. The NTU provides Basic Orientation Seminar (BOS) to new member federations. The BOS module discusses the situation of the transportation industry and workers in the industry, introduction to unionism, and the principles, goals, and workings of the NTU. This is offered to federation level officials and at least three (3) persons or officers of each local association belonging to the federations. Most federations and local associations elect new officers every year. The new officers become the target beneficiaries of the NTU’s education programme. Beyond the BOS, the NTU offers leadership-training seminars to officers of member federations. Field interviews confirm the importance of the NTU’s education programme and deep appreciation by members, something that sets it apart from other national formations”.

(Philippines report pg 36)

NTU education aims at consciousness raising, value formation and skills development. As well as basic orientation seminars, it conducts leadership training, seminars to encourage women’s active participation, and on environmental concerns.

For SYN AZEB, road safety training has a high priority. And running HIV/AIDS and STD education sessions for members and those at high risk in the community is an important strategy for union building and enhancing union credibility. The importance of education, and worker education institutions, when preparing to organise informal workers has been shown in the case of the Zambia unions and the WEAZ.

Defending and improving worker rights and conditions

The key to a successful union lies in its ability to improve the economic and social position of its members. This is no different for unions organising informal transport workers. What may be different are some of the strategies and methods used to achieve these objectives. Unions may need to engage in “new” activities; deal with different demands; and adapt and hone their basic trade union practices and skills, particularly collective bargaining and representation, where they will meet new adversaries- not only employers. This is challenging, but unions are finding new and creative strategies and methods to meet their objectives.

Collective bargaining and representation

Informal transport workers’ unions can and do engage in collective bargaining. But because workers fall outside of the legally recognised industrial relations framework, or do not have a traditional or recognised employer, they have a more difficult struggle to gain this right. They also have adversaries other than employers.

However, in the informal taxi industry contracts tend to be individualised and/ or informal, although rates for rentals seem to be similar in an area. In Benin, although many drivers have no formal contract, a substantial proportion of contracts are in written form, especially in Cotonou. Synazeb has identified a difficulty and an opportunity. Drivers are unaware of the content of their contracts because they do not know how to read and write in French. The contracts oblige the driver to pay a daily or weekly fee, purchase fuel and oil, do small repairs and carry all the risks. The owners take advantage of the situation and sometimes make drivers work for longer than the period stipulated in the contract.

“To combat these bad practices, the union decided to witness the signature of contracts between their members and motorcycle owners and to keep a copy of the contract. This is doubly useful in that it allows the union to note the working conditions of their members and intervene in case of conflict, especially if an owner terminates a contract. The union has been present at the signing of 200 contracts”. (Benin report pg 40)

Informal transport workers potentially have strong bargaining power. The Philippines study points out that informal road and goods passenger transport workers have relatively strong “workplace bargaining power”. Rather than impacting primarily on a direct employer, action has an impact on the delivery of goods, services and people to their destination. It inconveniences passengers including workers, but more importantly it hurts, “the employers of as well as sellers of goods and services to the affected people”. It disrupts economic activity. Moreover it is difficult to counter the strong workplace bargaining power as industries are linked together.⁹⁷ (Philippine report pg 21)

There seems to be no structural reason why this strong bargaining power could not be effectively used to negotiate contracts collectively with owners of more than one vehicle. The ZBTWU, SATAWU and others have adopted this approach by limiting membership to “employees” and encouraging the formation of employer associations. As discussed previously this model and approach may work in some situations and not in others, depending on the country context and culture.

But to do this is a struggle. Employers resist (normal union hazard), or there is no employer body with which to negotiate. Where unions span owners and employees, there is likely to be a conflict of interest.

The Swaziland Transport and Allied Workers' Union is trying to obtain a recognition agreement with the Local Kombi Association but the Association is “delaying the issue”.⁹⁸ In Tanzania, COTWU in Dar es Salaam has agreed with the mini bus (dara dara) owner's association that there should be a collective bargaining agreement for their drivers that will include salary, annual leave, a 45-hour working week and uniforms. This has raised membership from 50 to 150.⁹⁹

Negotiation with authorities

For unions in the informal economy there may not be a defined employer to bargain with on wages and working conditions. And/or, given the central role that government regulation plays in determining their working conditions transport drivers, owner-drivers and small (and larger) operators and employers all see government and state agencies at different levels as the main adversary.

Unions (and associations) then often adopt a strategy of finding, if it is not obvious, a bargaining “partner”, creating a bargaining forum and then applying collective bargaining techniques. For informal taxi workers probably the most common and direct adversary is the local authority responsible for transport regulation. There are many examples where unions have succeeded in defending members against the imposition of inappropriate or unreasonable conditions, harassment and brutality or found ways to defend their incomes and livelihoods. In Phnom Penh, Cambodia, tri-motor taxis were barred by the municipality from entering the city. After 120 tri-vehicle operators asked their union to intervene, it held negotiations with the municipality and convinced it to reverse its decision. In a similar negotiation, the municipality reversed a decision to ban motor-doups from carrying passengers at the Phnom Penh International Airport.¹⁰⁰ In the Philippines federations affiliated to NTU record many successes in negotiating with local and municipal authorities and with police, such as stopping rerouting schemes or imposing a moratorium on the granting of new franchises, preventing increases in fees and penalties and winning fare increases. However, despite successes:

“More often than not, transport workers have to launch public campaigns and protest actions to get the attention of authorities and force them to negotiate with their leaders. Concerted action includes pickets, or if the situation warrants, localized transport strikes”. (Philippines report pg 49)

One difficulty that arises is that negotiating forums are ad hoc, disappear as soon as the pressing issue has been dealt with, and agreements are not always implemented, as they carry no statutory weight. Unions, or their constituent federations have a better chance of developing more formal bargaining arrangements than do inde-

⁹⁷For a more comprehensive discussion and theory on different types of workers' bargaining power see Philippines report, pg 21.

⁹⁸Questionnaire, October 2005

⁹⁹Dave, Alana, 2005b

¹⁰⁰Economic Institute of Cambodia, 2004. Literature Review on Decent Work in the Informal Economy in Cambodia, for ILO

pendent local associations. This is the case for other workers in the informal economy such as street vendors. In the Philippines many of the federations try to gain representation on local transport bodies so they can influence rules and regulations on an ongoing basis. Some have been successful. So, for example, FEDSTODA (Federation of Silang Tricycle Operators and Drivers Associations) has won a seat in the Silang Franchising and Regulatory Board.

The NTU engages/ dialogues at a national level with government officials around laws and regulations affecting transport workers nationally such as around a mechanism to adjust transport fares together with changes in fuel prices. It is not clear whether the union is party to any statutory or regularised bargaining forums at a national level.

SYNAZEB negotiates at a local level with authorities on issues such as the provision of parking areas and has met with some success. But negotiation with national government is the preserve of the confederations. And it is not clear how far individual affiliate unions can provide input or participate, even indirectly, into social dialogue forums.

Representing workers in individual grievances

Like all unions, those organising informal transport workers take up individual grievances with employers and authorities on a day-to-day basis. The union gains credibility if it can show success in resolving individual grievances. SATAWU for example “takes up cases directly with the employer ..most commonly related to warnings and dismissals”. Defending workers against dismissal (termination of contract) is a problem for Synazeb and often the best the union can do is to negotiate an amicable termination with an owner; and if this fails refer it to lawyers. For Synazeb members the biggest problems are “theft, murder and road accidents, all of which may result in the disappearance of the vehicle”. Synazeb intervenes to help individual members (and the owners!)

“Once the police have registered a complaint, they hand the case over to the union, with a view to the union coming to some kind of settlement between the driver and the vehicle owner. In the case of road accidents, the union pays the driver a grant to cover health care or vehicle repair costs if the driver is up to date with his union dues. If the vehicle has been stolen, the union mediates between driver and owner with a view to negotiating reimbursement over a long period, and thus avoid the person at fault going to prison or the owner asking his parents for reimbursement”.

If the problem cannot be solved the union may refer to a lawyer to defend the union member. This “is a major problem as union dues are not enough to cover costs”. (Benin report pg 45)

Strikes and collective action

Workers in the informal transport industries have power, depending on the level of organisation. The strike weapon is being successfully used by informal transport workers’ unions as illustrated by examples from our case studies.

In the Philippines there is a history of transport workers’ strikes, and the NTU has followed in the tradition. Given its numbers, spread, clear political strategy, and its ability to coordinate with other transport unions, it has had some success in its short life. It conducted a campaign in April 2004 to demand a fare increase for jeepneys because of a sustained increase in the price of oil products. It joined with other major transport federations in a national jeepney strike to petition the government to raise the minimum fare by 50%. By 2 pm the Department of Transportation and Communication (DOTC) conceded to the strikers’ demand. The NTU provided the muscle in key cities outside of Metro Manila. In November 2005 a less successful campaign was launched to protest the imposition of a 10% valued-added tax (VAT) on oil products. This time the NTU acted alone. The strike was felt in areas where the union is strongly organised. In the provinces it was able to mobilise 90% of its base. In these areas, transport and business in general came to a halt. But it was hardly felt in Metro Manila, diminishing the strike’s overall impact. Lack of resources, short period of preparation, and more importantly, the lack of unity with other transport workers’ organisations undermined the campaign. (Philippines report pg 30)

In September 2005, Synazeb organised a protest march in Dassa Commune after the murder of one of its

members. Synazeb, with the support of other unions, including UNACOB, the road hauliers' union, felt strong enough to declare a general strike in the town. No taxi drivers, including motorcycle taxis, taxi-villes (car taxis) and inter-urban taxis worked that day. The major roads were blocked for two hours. The security forces were forced to negotiate with Synazeb. One of the union's demands was met – the creation of a motorcycle park for the use of union members. (Benin report pg 39)

Social protection: a union function?

There is no doubt that social protection is a primary concern of informal workers everywhere. As mentioned previously, it is the focus of many ILO and other international institutions. But, associations of informal workers are primary sites for social protection all over the developing world. Many are set up specifically to play that role, such as in Thailand where taxi drivers are not unionised but they have a cooperative welfare scheme.¹⁰¹ What roles are unions organising informal transport workers playing, and what role should they play?

In Francophone West Africa, unions organising informal workers are involved in the many mutual associations and schemes through which health care insurance, pension benefits and other protections are provided. Their involvement is either direct, or working with government, NGOs or agencies such as the ILO to assist their members. These have had mixed success and face problems of sustainability and sound management amongst others.

Synazeb is involved in a number of such schemes, some internal to the union and some with external agencies such as the ILO. The ILO has contributed money to the setting up of a mutual credit and savings scheme. Members contribute monthly and the scheme operates like an insurance, coming to the aid of members in difficulties by providing loans for motorcycle repair and occasionally purchase, buying of school equipment, income generating activities, and on death or illness. The fact that some members will not contribute whilst there are many requests for assistance is the main problem. There is also a mutual health savings scheme that operates at branch level. Members contribute to the scheme. It covers 80% of the cost of treatment at health care centres where the union has an agreement. However, this structure is facing severe financial problems because of the large number of accidents.

Also in West Africa, the Syndicat National des Travailleurs des Transports Routiers (SNTTRS), a union organising formal and informal transport workers in Senegal came under pressure from its members to provide health care. The union approached the ILO to assist it to develop a scheme for members and their families. It was agreed to set up a mutual health scheme that initially would have limited beneficiaries- drivers, apprentices and family members. Seminars were held and a feasibility study carried out. It was agreed to go ahead and set up a scheme. A steering committee has been appointed.¹⁰²

In South and East Africa most unions in our sample stated that they were not involved in providing such protection schemes for their members. They cited a lack of resources most frequently as the reason. Associations however do provide such a service.

In Asia unions and associations of informal transport workers try to provide protection for their members through mutual aid schemes. The NTU does not itself run welfare or social security schemes. However, an informal social insurance system exists among transport workers. For example, drivers contribute a fixed amount in case of death of a driver or family member. Some of the organisations have attempted to set up credit cooperatives and similar schemes. These are hampered by lack of resources and management skills, and are open to corruption.

In Nepal, the Independent Transport Workers' Association of Nepal (ITWAN), organising formal and informal transport workers, started a welfare programme when there were no insurance schemes for vehicle accidents. The Fund covers several areas such as police custody allowances, medical allowances, assistance to family in death, accident costs of the members, legal assistance. There is also provision for contingency costs such as assistance to dismissed workers, hospital allowances, sickness benefits, passenger treatment cost, and assistance to the seriously injured and disabled. The Union organises its activities from membership dues. However, for welfare assistance it collects dues separately every day. It collects from 109 places throughout the country. It has a slogan that says, "No drivers and the transport workers would spend a single night in Jail!" This has become a

¹⁰¹Lee, Rakawin, ILO SE Asia / HomeNet Thailand, 2005, personal communication

¹⁰²ILO and SNTTRS, Presentation at the ILO-ICC workshop in Dakar, Senegal, October 2005.

useful tool to organise transport workers.¹⁰³

Health and safety

“Drivers are continually exposed to pollution. Weak lungs, coughs and colds are common health problems. Tri-cycle drivers, in particular, are at high risk because most of them use motorcycles with 2-stroke engines that do not burn fuel as efficiently as 4-stroke ones. Worse, drivers mix kerosene with gasoline to save on fuel cost, but the result is very high smoke emission. This problem is particularly acute in areas of high concentration of tricycles, especially during morning and afternoon peak hours”. (Philippines report pg 46)

In addition to health problems resulting from pollution, weather conditions and stress, drivers are frequently involved in accidents, often due to their lack of knowledge and regard for traffic regulations and the highway code; the pressure by employers/selves to do as many journeys as possible, so they can make as much money as possible; the congested and poor roads. A study in Igboora, Nigeria found that in their sample of 299 commercial motorcyclists 23.3% could recognise more than half of the currently used road safety codes and only 15.7% obey these road safety codes more than half of the time they see them; 61.2% of them had a driving license but only 24.1% were able to produce these on demand. None of them used a protective helmet. 45.5% had been involved in at least one accident in the preceding year. It concludes, “educating motorcyclists on the importance and practice of road safety measures would lead to an increase in the practice of the safety measures and hopefully a reduction in the incidence of road traffic accidents”.¹⁰⁴

But informal transport workers are generally unable to access skills training through state and other institutions. A challenge for unions is to provide or facilitate the provision of training on road safety measures. In South Africa, SATAWU has managed to access the national skills development system for its members. Through the Transport Education and Training Authority (TETA) 250 workers have gone through a special driver training programme, which includes first aid, dealing with accidents, understanding insurance etc. Some employers have shown resistance as they do not want to release drivers; some do not want to give them better training or they may lose them.¹⁰⁵

For Synazeb, education on road safety and air pollution is a priority. It carries out education activities and campaigns through publicity vehicles and T-shirts with slogans, as well as through training workshops.

The other health issue that receives attention from unions in Africa and Asia, including those organising informal transport workers, is that of HIV/Aids. Transport workers, and especially long distance drivers and assistants, are particularly vulnerable. The Synazeb programme, which includes motorcycle taxi drivers amongst high-risk workers, has already been cited, and other unions in our sample have noted it as a priority, with some already involved in programmes.

Work and income generating opportunities: a union role?

Many unions organising informal workers get involved in the provision of loans and lines of credit. For example, the GPRTU provides loans to members. The National Union of Road Transport Workers of the Nigerian Labour Congress (NLC), organising mainly formal transport workers (“but it is not always clear which are informal or formal”), identified groups of informal motorcycle taxi drivers and helped them get a line of credit by standing as guarantor for them.¹⁰⁶

Alternatively, assisting workers to form cooperatives for joint purchasing of spare parts or fuel supplies and for vehicle maintenance and sharing returns may be an approach more in line with traditional union values, and an area of development as discussed in Section 6. This may also involve unions in providing skills training.

¹⁰³www.gefont.org

¹⁰⁴Amoran OE, Eme O, Giwa OA, Gbolahan, OB 2005, Road safety practices among commercial motorcyclists in a rural town in Nigeria: implications for health education, Int Q Community Health Educ 2005; 24(1): 55-64.

¹⁰⁵Barrett, Jane, 2005.

¹⁰⁶Toro, Nuhu, NLC, 2005. Personal communication October

Representing workers in the wider environment

Given the range of exclusions, problems and challenges that informal transport workers face resulting from the policy and legal environment- national and international-the role of unions organising workers cannot be confined to the local or even national levels. Gaining a voice and genuine representation at all levels of the policy and law/regulation making processes is essential. But unions of informal workers cannot do this alone. They need the strength and institutional/legal framework of formal unions; they need national and international solidarity.

Extending and enforcing labour law

An important advantage for informal workers of being in a union is the access to government and policy makers that it affords. Through union representation informal workers can begin to make their voice heard on policies and laws that affect them, working in solidarity with those with formal jobs. Because informal workers are excluded from the provisions of labour law- in law or in practice – an important strategy for unions is to struggle to extend legal protection through labour law, and thus protect the unprotected and begin to formalise the informal. As we have seen in section 2, unions want labour law and worker rights extended to cover a wider range of employment relationships, including those in disguised, ambiguous or triangular relationships and dependent, own account workers. In some countries transport unions have made gains. In South Africa one leg of SATAWU's strategy was to fight for a legislated minimum wage and conditions for mini bus taxi drivers/workers. After a six year "running battle between the union, taxi owners and government", in 2004 they succeeded. A law (Sectoral Determination) was passed that lays down minimum wages and conditions for drivers, queue marshals and other workers.¹⁰⁷ However, enforcing compliance is a problem, and according to SATAWU's National Policy Coordinator, the union has not been able to gain much advantage from the victory, as it has been unable to provide education for workers on their new rights.¹⁰⁸

In Benin negotiations with government on policy and labour law are the preserve of the federations and it is not clear how actively affiliate unions can contribute to formulating demands. Synazeb is advocating forming a strong union to do so. In the Philippines, given the perceived common interests of the union members, labour law seems not to have been the priority of the NTU. Rather the NTU has focused on transport law and regulation. In Zambia, the ZCTU, has been engaged in tripartite negotiations on changes to labour law since 2003. There are a number of contentious issues, including on casual labour, the category under which many informal transport workers fall. The proposal is that if a person is employed as a casual employee for a period of six months, and is re-employed in the same undertaking to perform the same or related function the employee should become a permanent employee.

Unions and federations have also negotiated with governments on access to social protection for informal workers. In Benin federations negotiated with government to set up the Mutuelle de Securite Sociale pour les travailleurs du secteur informel de Cotonou (Social Security Mutual Insurance Fund of the Informal Workers of Cotonou) to provide informal workers with health coverage, a pension that is transferable to the widow, and disability insurance. The fund is jointly managed by the state, which provides financial backing, and various unions and workers' organisations. One regulation is that registration and affiliation fees are lower for workers grouped into associations/unions. But as of February 2005 only 1059 workers had subscribed to the fund, benefiting 5000 people. Unions need to make sure that their members are aware of the fund and encourage them to join.¹⁰⁹

As access to national government around labour law is through the federations, unless on specific sectoral matters such as minimum wages, it is important that the concerns of informal workers are not drowned out by those of workers in formal employment. Similarly, it is important for informal worker representatives to have a place in international bodies, especially at the ILO. SEWA, through its affiliation to global unions has participated directly in the ILC on a number of occasions, as has StreetNet International, which has formal registration as an NGO and attends the Workers Group meetings. The ILO resolution on Decent work and the informal economy, resulted from a well coordinated collaboration between supportive formal unions and unionists, unions of informal workers, especially SEWA, other informal worker organisations such as StreetNet and HomeNet, backed by supportive researchers, academics, labour NGOs and ILO personnel.

¹⁰⁷SATAWU, 2005, Indaba, edition 1, issue 1, Johannesburg
¹⁰⁸Barrett, Jane, 2005.

¹⁰⁹Doussou, Simeon Tounde, 2005, Extending access to health care for informal economy workers in the developing world-Benin Case Study, paper presented to the ILO-Naledi workshop of the same name, 28 February 2005, Johannesburg

Struggling on policy issues

Many of the challenges discussed above cannot be resolved through day- to- day struggles, but need intervention at the level of broad economic policy, as well that of transport policy.

The NTU engages with government policies and regulations affecting the transport sector and has proposed amendments to several laws. It engages in lobbying work at all levels of government and negotiates with transport authorities. It uses pressure politics to back up its demands through mass action and publicity.

Unions need to develop long terms goals and a political strategy around policy changes in the informal transport arena, to benefit transport workers and society at large. These may be create contradictions for the union, with the immediate needs of members conflicting with the broader needs of society and therefore this is not an easy position to adopt.

Building coalitions and alliances with unions and other social movements

Struggling on the broad issues cannot be done alone. Gaining recognition and a voice inside the labour movement, and outside the labour movement with strategic organisations is the first challenge. This is difficult when informal transport workers themselves are divided. In all case studies the lack of unity across the sector is seen as a major obstacle.

The second challenge is to build networks, alliances, coalitions and collaborations within the sector, across sectors, with other federations, and with NGOs and social movements that share a working class, pro poor agenda- either permanent or on an issue basis, nationally and internationally.

The NTU appears to be the most successful of the case study unions in this. Through its national centre, the APL, it engages in sectoral, multi-sectoral and international solidarity work on behalf of members. It participates in strategic as well as issue-based coalitions, develops linkages with international labor organisations and networks, and labour NGOs in both developed and developing countries. It has taken up economic issues, for example around debt as a member of the Freedom from Debt Coalition (FDC). This movement is working for a resolution of the debt problem and has campaigned on economic issues such as opposition to the privatisation of water.

Key Points

This section has recorded some of the detailed challenges unions face when organising informal road passenger transport workers, and their strategies and experiences in dealing with them. It has examined these in three main areas of activity (a) building and sustaining the union- internal focus; (b) defending and improving worker rights and conditions-internal/external focus; and (c) representing workers in the wider environment- external focus.

- Organising workers into unions is not easy. Organising informal workers, in this case informal road passenger transport workers, is generally even more difficult. The reasons stem from their economic position, exclusion from legal protection, their social status and their work arrangements. However unions are finding opportunities to organise with differing degrees of success.
- In building and sustaining unions there are a number of obstacles. When unions try to recruit, they find that workers are often suspicious, have little interest in or understanding of the union, and are faced with time, money and other constraints. Organisers are faced with rival unions, and competition amongst members themselves. In sustaining the union, there are problems of participation, leadership and management of the union, and manipulation by politicians. Unions are adapting well-known approaches and strategies to recruit and retain members, and are finding new ones appropriate to their particular situation. Education is an important tool in this.
- In defending and improving worker rights, unions use a combination of traditional and newer strategies. They have industrial/representation strategies such as collective bargaining or dealing with individual contracts; strategies to provide for the pressing need for social protection such as mutual health schemes; and those to cater for economic needs other than traditional wage issues such credit schemes and cooperatives. These schemes tend to suffer from lack of resources and management problems
- In representing workers in the wider environment, unions struggle to make sure that the interests of informal workers are not “drowned” by stronger voices, nationally and internationally. However, they need to work in solidarity with the broader union movement and other progressive organisations, and create new networks and alliances. Some unions have developed legal strategies, strategies to engage government on extending social protection, or strategies on transport policies and are engaging government at different levels.
- One overarching challenge is that of insufficient financial resources. Because of this many unions are unable to seriously organise informal workers. Some are trying different ways to generate sufficient income but there is no real answer. It is likely that for some unions, if they are unable to generate more financial resources, their organising efforts will not get off the ground, or not be sustained or they will remain weak and ineffective.
- There is a serious lack of unity amongst informal transport workers, with a multitude of unions and/or associations. This is major blockage to effective organising and representation of informal transport workers.

Conclusion and Recommendations

Over the past few years the issue of workers in the informal economy has become a serious one for the trade union movement, and despite some resistance, it is now widely accepted that informal workers form a major part of the working poor. They should be organised and integrated into the labour movement. The resolution of the ITF on organising informal and unprotected workers is representative of this trend. This report has focused primarily on organising in the informal road passenger sector. The limited evidence collected indicates that informal workers in the sector are often already organised, but into associations rather than unions. However, they are increasingly seeing the value of organising into unions, and unions are seeing the need and value of organising informal transport workers. Informal transport workers are an integral and important component of the transport infrastructure. Organising them presents unions with many old and new challenges, as well as opportunities. This report suggests the ITF should play a leading role in promoting the organisation of informal transport workers.

Trends

Informal economy and informal work

Globally, informal and “non-standard” employment continues to grow, especially in developing countries and in many CEE countries. In developed countries there is a similar trend towards insecure work arrangements and decreased protection. In developing countries particularly, workers in the informal economy are there in order to survive and poverty is rife. A larger share of women’s employment in developing countries is informal, and women tend to be found towards the purely informal, survivalist end of the employment continuum. There has been renewed interest in the informal economy and informal employment that has led to a growing consensus on its definition.

The exclusion of informal workers from the reach of labour law and social protection means these are important sites of struggle for unions. There are currently two contradictory trends: an erosion of labour law and protections in response to employer demands for flexibility, and a push by unions- with some successes- to extend the scope of labour law to reach workers who fall outside of a standard employment relationship.

Informal work in the transport industries

Although there are no clear statistics, evidence is that informal transport has grown rapidly over the past few decades, particularly in Africa and Asia (and parts of Latin America), and is an important, if not the main, provider of new jobs in the transport industry. In developed countries there is an increase in less secure forms of employment such as part time, temporary and casual work; and the replacing of employment contracts with commercial contracts- typically for owner-drivers.

In developing countries women transport workers are a minority in most, if not all, sectors. They can be found in small numbers in informal or casual waged work such as driving taxis, guiding mountaineers, guarding cars, but are more often found in own account survivalist jobs around the transport industry such as selling petrol, cleaning and preparing fish or catering. In developed countries they are increasingly employed in non-standard forms of employment, that are less secure and less protected such as temporary work on cruise ships or in logistics operations or in call centres.

The most obvious form of informal transport work is informal road passenger transport, particularly in urban areas, where there has been significant growth. Privatisation of public transport has been, and continues to be, a key factor in the growth of informal passenger transport, the private sector being represented by small, informal

operators. Similar trends can be found in other sectors such as road freight transport and inland waterways.

Unemployment, poverty and a growing population push workers into informal transport work for survival. There is an ongoing demand from poor populations for cheap and flexible transport, and access to the sector by workers/operators is relatively easy.

Organising informal transport workers in the road passenger sector

Anecdotal evidence shows that the number of transport unions organising or wishing to organise informal transport workers is growing, although there are no statistics. This mirrors the trend across other industries and sectors globally. It is being pushed from below- informal workers forming their own unions, and from established unions in countries where informal transport workers are in the majority. And it is being legitimised and promoted from above, through the ILO and increasingly by global unions. Unions organise informal workers for both political and practical reasons.

The target and priority for transport unions is the informal passenger transport sector, especially informal taxis. This is because of its size, visibility, economic and social importance and potential bargaining power vis-à-vis authorities.

Most informal taxi operators and drivers are organised into associations- either a legal requirement or voluntary. These are often concerned with welfare functions, control of certain work arrangements such as routes, queuing and collection of fees. These provide an organising opportunity, but can be an obstacle if undemocratic and if controlled by “mafia” type leaders or politicians.

Unions are adopting different structures, and finding different ways of working with informal workers inside and outside the union. The three most common types of union structure and organising approach are: an established union which recruits individual informal transport workers; an established union that recruits members by affiliating existing local associations, or federations of associations; a union for informal transport workers only with individual membership or membership through associations. There are advantages and disadvantages in all approaches, and no one best practice. The approach adopted depends largely on the organisational culture and context.

The line between drivers, owner-drivers, and small operators is often blurred where “employed” drivers and owners live and work in similar conditions. They may view their relationship as one of (mostly) common interest rather than antagonism. Some unions organise small operators who employ others, owner-drivers, and employed drivers into the union; others restrict membership to employees. Unions have opposing positions on where the cut off should be.

Unions are adapting “old” organising methods and developing new, creative strategies to recruit, build and retain members. There are three major areas of activity in defending and improving rights and conditions: struggles for improved incomes and working conditions; providing a range of other “services” such as welfare and social protection schemes, and activities to enhance work/economic opportunities e.g. cooperatives; representing workers on national policy and legislative matters. Engaging in all three areas is difficult and unions have had limited success.

Collective bargaining around wages and working conditions is not well developed. Contracts are often individualised, and employer associations with which to bargain absent. Demands are more likely to be directed at local or national authorities and focused on reducing the costs of inputs (fuel, spares, fines and penalties) and returns (fares). Access to bargaining forums, especially permanent ones, is limited and unions use mass action to press their demands.

Generating sufficient finances is a widespread and overarching problem. This seriously limits the ability of unions to organise on a large scale- or even begin to organise-, to be effective and to sustain organisation.

Education is seen as an important tool in organising and sustaining members and countering inexperienced leadership, mismanagement and corruption and in encouraging the participation and leadership of women.

Recommendations for the ITF

The ITF has a vital role to play in promoting the organisation of informal transport workers amongst its affiliates and within the trade union movement more broadly. The following are offered as suggestions for further exploration by the ITF.

- 1) Provide affiliates with overall direction by developing a charter or set of guidelines stating clear principles, goals and objectives for organising informal transport workers. The guidelines could include:
 - A statement that informal transport workers are an important and integral part of the transport infrastructure and that it is the duty of unions to organise them. Special attention should be given to the most invisible, least insecure transport workers, including women and migrant transport workers.
 - The rationale for organising informal transport workers, both political and practical
 - The imperative for solidarity between unions in developed and developing countries. This is an issue for everyone.
 - A definition of, and conceptual clarity on, informal transport work, using the ILO definition and the idea of a continuum of employment relationships
 - A long term vision and overall political and industrial goals that would include decent work for all workers and therefore formalising informal work on the one hand, and a set of standards for effective transport infrastructure on the other;
 - A set of short/medium term goals focused on a need to increase worker rights and protection and improve their immediate conditions and economic status, based on the reality that informal work is unlikely to disappear in the near future.

It might also include:

- A recommendation on priority sectors for organising, based on size of potential membership, visibility, economic significance, bargaining power, and greatest need. This would certainly include the road passenger transport sector; and possibly road freight and fisheries.
- A recommendation on membership that would include owner-drivers in positions of economic dependency, and those small operators whose class position makes them akin to workers. The recommendation might include a cut off point for membership by small employers based on type of employee (e.g. family or non family), or number of employees.
- Recommendations on broad policy and legal strategies

- 2) Develop a set of practical organising guidelines and options based on experiences of those already organising. Particular attention would need to be paid to:

- Type of structure options
- Innovative recruiting methods
- Developing collective bargaining for wages and conditions
- Bargaining with local and national government
- Protecting workers against dangerous conditions, health and safety hazards, harassment
- Providing for social protection needs and economic needs such as financial services and including cooperatives
- Skills training needs
- Legal strategies to extend rights and protection for informal workers
- Building unity amongst unions in the sector and across sectors
- Building alliances outside the unions and working with other organisations
- Innovative trade union education programmes and approaches
- Innovative strategies for collecting member dues and other methods of financing

- 3) Build a resource base in the ITF on informal work in the transport industries, and on organising informal workers through, amongst others: collecting available literature, finding more ways to share and record experiences, developing a data-base of unions organising informal workers.

- 4) Carry out further research. There are many information gaps and a research programme is needed to fill them: informal work and organisation in each transport sector; including a look at women and migrant workers; the different employment relationships and legal status of workers in different countries/ sectors; successful legal strategies; statistics on informal transport work in the different sectors as well as case studies of unions organising. There is a need for more information on the situation in Latin America.
- 5) Make education on informal transport work and workers a priority with three important angles: awareness raising, conceptual clarity and solidarity building around the suggested charter/guidelines; sharing of experiences of practical organising strategies amongst those organising or wishing to organise; working with educators and leaders to develop materials, methods and ideas for leadership education in affiliates
- 6) Make organising informal workers a financial priority and consider ways to practically support affiliates.
- 7) Develop a clear overall political strategy to guide engagement at an international level on informal employment generally, and informal transport work in particular. Take a leading role in developing and promoting as a priority employment, social protection and labour law strategies that will improve the position of informal workers in the long and short term.

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Appendix One Informal Transport and Transport Workers - Sectoral Overview

Transport sector	Informal transport & workers	Workers & employment relationships	Gender
<p>Road passenger transport</p>	<p>Buses, motor car taxis, mini bus taxis, auto-rickshaws (3 wheelers), motor bicycle taxis, pedicabs, manual tricycles and bicycles, rickshaws; small trolleys-drivers Support services- administration, cleaning, security, conductors, queue marshals or call boys, mechanics and maintenance workers Ancillary- traders supplying food, phones, petrol; car parking guards Carts pulled by animal or human; animal transport – mainly in rural areas</p>	<p><i>Employers:</i> owners of single or small number of vehicles who employ others, including family members with or without pay <i>Own account:</i> owner drivers /pullers, car guards, traders, guards <i>Dependent “self employed”;</i> drivers or rickshaw pullers who rent or lease vehicles, owner drivers <i>Casual wage labour:</i> cleaners, conductors, “call boys”, driver assistants <i>Employees:</i> drivers, clerks, queue marshals, security. In urban areas many migrant workers from rural areas or sometimes from cross borders</p>	<p>Predominantly male. Some women operators and drivers e.g. Nepal tricycles, Philippines pedicabs. Women in cleaning and admin; petrol vendors; in family transport “businesses”; car guards</p>
<p>Road transport goods (including logistics) a. Local/national</p>	<p>Trucks, vans small delivery or rubbish clearance, carts and animals, bicycles and motor-bicycles-drivers; Manual loading/ offloading and transporting of passenger goods at markets and stations – often linked to informal traders; Messenger services, courier & parcel services, vehicle maintenance; Car rescue service workers- working from home-UK</p>	<p><i>Employers-</i> owners of single trucks/vans/ carts and animals who employ others including family members with or without pay <i>Own account</i> – owner drivers, manual porters, market stevedores, manual transport, maintenance workers, cart pushers <i>Employees:</i> Truck drivers, assistants, warehouse workers, couriers <i>Dependent “self employed”-</i> owner drivers, manual porters</p>	<p>Mainly men Women as cleaners, ‘non standard’ employees in warehouses, call centres, clerical and administrative jobs</p>
<p>b. Long distance including cross border</p>	<p>Trucks-drivers, cleaning services, warehousing, clerical and administrative, vehicle maintenance; Ancillary- food and petrol vendors</p>	<p><i>Employers:</i> truck owners who employ others, “back yard” workshop owners; <i>Own Account:</i> owner drivers, maintenance workers; <i>Casual employees:</i> cleaners, loaders; <i>Employees:</i> full time, part time, temporary, outsourced / agency workers, those in informal maintenance workshops, pickers, packers, loaders etc; <i>Dependent “self employed”:</i> owner- drivers, maintenance workers. Employers may use documented or undocumented migrant workers at cheaper rates</p>	<p>Mainly men; Women as cleaners, ‘non standard’ employees in warehouses, call centres, clerical and administrative jobs</p>

Transport sector	Informal transport & workers	Workers & employment relationships	Gender
Rail transport: goods and passenger	Porters, cleaners on trains, stations, catering services and vendors at stations, porters, loaders (carriers of informal traders' merchandise), security guards	<i>Employers:</i> of small outsourced service enterprises; <i>Employees:</i> cleaners, security in outsourced small businesses (briefcase businesses); <i>Own account:</i> food vendors, porters <i>Casual employees:</i> cleaners, porters, loaders	Mainly men. Women as vendors, cleaners
Ports	Manual stevedoring; non container cargo handling; Porters for passenger goods Wharf cleaning Ancillary services- mechanics, vulcanisers	<i>Employers:</i> of casual workers / agencies; <i>Casual employees:</i> day labour, light cargo handling, cleaning, porters; <i>Own account:</i> porters; Migrant workers from rural areas, may be seasonally employed	Mainly men Some women clean wharfs and handle light cargo (India)
Sea Farers	Ships flying flags of convenience; Passenger ferry boats- small scale operators between e.g. islands	<i>Employees:</i> sea farers, workers on small scale passenger/goods transport ferries; <i>Own account;</i> passenger boat owners/ family businesses; Flags of convenience ships-use of workers recruited from other countries e.g. Philippines, China	Mainly men – few women

Transport sector	Informal transport & workers	Workers & employment relationships	Gender
Fishing	<p>Small scale (artisan) fishing -boats, canoes and other manual vessels; Other commercial fishing; Distribution of fish, vans, bicycles etc</p>	<p><i>Employers:</i> owners of small boats who employ others; <i>Own account:</i> single operators of boats, fish transporters / mobile fish vendors; <i>Employees:</i> fisherpersons working for small scale boat owner; unregulated, unprotected and unreported workers on larger vessels – often migrant workers; <i>Other non paid workers:</i> Apprentices: paid in kind (Ghana), child labour – cleaning boats, dragging nets, scooping water, portage; <i>Casual employees:</i> fisherpersons on daily basis or seasonal workers; <i>Dependent self-employed:</i> those supplying fish to one “company” or sharing in fish catch</p>	<p>Mainly men - Women involved in cleaning, smoking, packing, selling</p>
Inland Waterways	<p>Small boat goods transport; passenger boats and ferries, canoes, banana boats- drivers, conductors, porters</p>	<p><i>Employers;</i> small boat owners who employ others or family members; <i>Own account:</i> single operators of boats, food vendors; <i>Employees:</i> boat and ferry drivers, conductors; <i>Casual employees:</i> as above</p>	
Tourism	<p>Tour coaches & buses; Cruise ships; Manual guides (on foot); Portage and guiding for mountaineers, trekkers and rafters</p>	<p><i>Employers;</i> owners of single or small number of vehicles; other tourist enterprises <i>Own account:</i> single vehicle operators, tour guides, porters and guides for trekkers and mountaineers, rafters; <i>Casual employees:</i> tour guides, trekkers, mountain guides-daily or seasonal, porters <i>Employees:</i> tour guides, cruise ship personnel on temporary contracts <i>Dependent “self employed”:</i> tour guides, trekkers, porters</p>	<p>Women as tour guides; on cruise ships in hotel work and in trekking, mountaineering (Nepal)</p>

Transport sector	Informal transport & workers	Workers & employment relationships	Gender
Civil Aviation	Airport services- loading, unloading Portage Catering	<i>Casual and/or temporary employees:</i> ground handling, ramp workers, check in staff, catering and call centers (not always informal) <i>Own account:</i> porters	Women check off, call centers, catering