

# ORGANISING INFORMAL TRANSPORT WORKERS



## A case study of Zambia

Workers' Education Association of Zambia  
submitted to the International Transport Workers' Federation  
June 2006

This country case study 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 research coordinator Chris Bonner in South Africa, and the FNV Mondiaal for financing the project.

<b>Background</b>	<b>5</b>
Evolution of the informal economy in Zambia	5
The size and economic importance of the informal economy in Zambia	6
Employment and unemployment trends	6
The informal transport sector in Zambia	7
Characteristics of informal transport sector employment	9
Quantitative data	12
Social protection system in Zambia	13
<b>Organising informal transport workers</b>	<b>15</b>
Overview of trade union composition	15
National Union of Transport and Allied Workers (NUTAW)	17
Bus Drivers & Motor Taxis' Association of Zambia (BDMTAZ)	18
Truck Drivers' Association of Zambia (TDAZ)	20
Public Transport Drivers' Union	20
Zambia Bus & Taxis Workers' Union	21
<b>Conclusions and lessons</b>	<b>24</b>
Unions organising informal transport workers	24
Independent associations organising informal transport workers	24
<b>References</b>	<b>26</b>
<b>Acronyms</b>	<b>27</b>

## Background

This study is commissioned by the International Transport Workers' Federation (ITF) as a comparative study involving three countries including Zambia. The overall research aim is to gain a better understanding of the problems facing informal transport workers and effective strategies for organising and advocacy. This report includes an overview of the informal economy in Zambia, and highlights the organising plans and strategies of the National Union of Transport and Allied Workers (NUTAW) and Zambia Bus and Taxis Workers' Union which are working towards organising informal transport workers.

## Evolution of the informal economy in Zambia

Zambia is a republic located in South Central Africa, bordered on the north by the Democratic Republic of the Congo (DRC, formerly Zaire) and Tanzania; on the east by Malawi; on the southeast by Mozambique; on the south by Zimbabwe, Botswana, and the Caprivi Strip of Namibia; and on the west by Angola. The area is 752,614 sq km (290,586 sq mi). Zambia's capital and largest city is Lusaka.

Zambia's population, predominantly rural, is made up of more than 70 ethnic groups, many of them Bantu-speaking. Most groups are small; the largest are the Bemba, Nyanja, and Tonga peoples.

The population of Zambia at the time of the 1990 census was 7,818,447. A 2003 estimate was 10,307,333, giving the country an overall population density of 14 persons per sq km (35 per sq mi); much of the northeast and west is sparsely inhabited.

In Zambia, the phenomenon of the informal economy has always been with us, but gained more prominence in the 1980's. Some authors have suggested that the informal economy has been with us since the colonial era following the development of the mining industry (Nawiko and Tolosi, 1997), (Muneku and Mpuku, 2001). What is however beyond dispute is the fact that there seems to be a very strong correlation between the growth of the informal economy and the economic fortunes and misfortunes of the mainstream economy.

The post-independence government inherited a reasonably vibrant mono-economy that was founded on copper mining and exports. Indeed the government of the day based its development strategy on the utilization of the lucrative copper earnings that accounted for nearly 90% of export-earnings and nearly 50% of the GDP.

The objective of the government was to use this enormous mineral wealth to develop both the industrial base, as well as, the socio-economic infrastructure of Zambia. There emerged a well-diversified import-substitution economy dominated by parastatal enterprises, which at the height of the country's prosperity dominated about 82% of the economy.

In 1973/74, the country began to face an economic crisis caused by an increase in oil prices that pushed up the country's oil import bill. Then there was the sudden plunge in copper prices at the London Metal Exchange (LME), which drastically reduced the country's foreign exchange earnings. Faced with falling revenue and an increasing import-bill, the country faced balance of payments difficulties. It must also be recalled, that this was a period when the country was fighting the Southern African liberation war, which put severe stress and strain on the economy.

The 1980's marked the turning point in the economic fortunes of the country. There were severe foreign exchange shortages, which led to inter alia, shortages of essential raw materials and spare parts to keep the country's highly- import- dependent industrial sector functioning. Some industries started scaling down their operations and in general there was capacity-under utilization with many manufacturing enterprises, operating at less than 30% of economic capacity. This brought about the emergence of a phenomenon referred to as the black market and cross-border smuggling. Indeed one could argue that this was the beginning of the "globalisation" of the informal economy in Zambia (Muneku, 2001).

In 1991, the Movement for Multi-party Democracy (MMD) government took power, and embarked upon the implementation of structural adjustment policy (SAP) reforms in "toto". This SAP is a bouquet of economic measures, which mainly consists of liberalisation and privatisation, public sector reforms and cost-sharing schemes.

In 1992, the Zambian government enacted the Privatisation Act 21 (1992) establishing the institutional and legal framework for the privatisation of all state-owned enterprises (SOEs). It set up the Zambia Privatisation Agency (ZPA) to preside over the process.

Starting off with a portfolio of 284 SOEs, by July 2005, it had sold off or as some people argue, given away 260 of these enterprises through successfully dismembering and decimating the one time huge parastatal sector. The peak came in April 2000 when the family silver, Zambia Consolidated Copper Mines (ZCCM) mining conglomerate was broken up (unbundled) and sold as smaller operating units Konkola Copper Mines PLC (KCM), Mopani, Luanshya Mine, NFC- Chambishi etc. Parallel with this privatisation programme was the public sector reform programme (PSRP), which the government was also implementing in the name of making the public service lean, efficient, and affordable. The cumulative effect of these policy measures-privatisation and the PSRP, has been to create massive unemployment through processes euphemistically described as retrenchments, redundancies, lay-offs, delaying and indeed what the government now calls "right-sizing the public service". As of July 2000 well over 100,000 jobs had been lost through the sale and liquidations of SOEs, by the ZPA (ZPA chief Executive, 2002).

The public sector reforms have reduced employment from an estimated 150,000 in 1992 to 120,000 in 2004. The government is however determined to reduce this number further to 80,000 - the right size (MTEF 2004 - 6) (ZPA website, 2003).

## The size and economic importance of the informal economy in Zambia

The fact that the informal economy has been recognized as being very important in efforts to create employment and reduce poverty cannot be disputed. There is even a tendency for the government to think of this informal economy as a panacea, by romanticizing the life of workers in this part of the economy.

In Zambia the informal economy assumed prominence to the extent that a special vendors desk was established at State House. Furthermore a full-time deputy Minister was appointed to be in charge of street and market vendors affairs. One could conclude that this reflected a realization on the part of the government of the economic importance of this sector. It was unfortunately done purely for the parochial, selfish and political interests of the politi-

cians. It became known as the "office of the president" and was synonymous with lawlessness and anarchy in the city streets and markets. Street vendors and market traders became ruling party cadres who looked down on any other authority except the president (Shikwe, 2003).

This has led to the dramatic transformation of street and market vending, which has grown almost unrestrained and now approaches levels of institutionalised anarchy in Zambian towns and cities. How much this informal economy actually contributes to both employment and GDP is a subject of great debate. For a long time these contributions have not been known with any degree of precision and confidence. There is anecdotal evidence from what people actually see for instance on streets and in markets scattered across towns and residential areas.

## Employment and unemployment trends

In the 2002/3 Living Conditions Monitoring Survey (LCMS III), the Central Statistical Office (CSO) has reported that out of a total population of persons who are 12 years and above, 70% constitute the labour force. Of these 59% are employed and 11% unemployed.

The labour force participation rate (LFPR) has been estimated at 70% for both males and females. 83% of all employed persons are employed in the informal economy with informal economy employment being more common among females who account for 91% while men account for 76%.

It has also revealed that of all persons employed in the informal economy 77% are in informal agriculture while 23% are found in the informal non-agricultural sector. If we were to summarize these statistics, we could conclude that:

(i) The population of persons aged 12 years and above whose main economic activities are to supply their labour for the production of goods and services makes up the economically active population or labour force, which could be either employed, or unemployed. Consequently the labour force has been given as 70% out of which 59% are employed and 11% are unemployed.

(ii) Out of this 59% employed, 83% are employed in the informal economy leaving about 17% in the formal economy. Informal economy employment is more

common among females at 91 percent than males at 76 percent. In addition, informal economy employment is more prevalent in rural rather than in urban areas at 93 percent as compared to 53 percent in urban areas.

(iii) The total labour force is 5,814,389 out of which 3,023,301 are males and 2,791,008 are females.

As regards the contribution of the informal economy to the GDP, there are no hard statistics available for the country. However, World Bank 2001 statistics indicate that the informal economy contributes between 20 to 50% of non-agricultural GDP in Sub-Saharan African economies excluding South Africa.

## The informal transport sector in Zambia

In Zambia, like many other developing countries, modes of transport are road, rail, water, air and pipeline. About 80 percent of people and goods are transported by road followed by rail (Transport Policy, p.3, May 2002).

There is very little information on water passenger transport, and it is also very difficult to access. Nonetheless, Zambia is endowed with a lot of water resources; the country has four big rivers including Zambezi, Kafue, Luapula and Luangwa. The country has four lakes: Mweru, Bangweulu, Mweru-watipa (Lake Tanganyika) and the man-made lake- Kariba (Text of Zambia and the Sub-region, pp.216 & 217).

According to the president of Zambia Marketeers and Fisheries' Union, Mr Julius Chishala, the union membership is estimated at 5000. The union organises around Luapula, Mweru and lake Bangweulu. There are no women members because women tend to concentrate on trading rather than working as transporters or fish mongers.

Most of the fishermen own their canoes which are hired out when the owners are not fishing. It is estimated that out every 20 canoes only 2 canoes are owned by women.

Small canoes do take a maximum number of 10 in addition to cargo including mealie meal while the bigger canoes can take a maximum of 20 people. The most common routes are Chilubi to Nsombo, Luapula to Mweru and Kashikishi to Kilwa Island.

Most women have formed saving and credit associations which help with soft loans for women traders to access the capital to buy fish for sale in urban markets.

Mr Julius Chishala says: "The death rate on water transport is very high, caused by canoes capsizing due to bad weather and overloading of cargo, and most of the cases are not reported or even investigated by the police because the police do not have modern patrol boats".

The National Union of Transport and Allied Workers has estimated about 400 workers throughout Zambia, working for the quasi-state company called Engineering Services Cooperation. The union has organised 70 workers mainly at the Mpulungu harbour at Lake Tanganyika (Navigation conference report, June 2005).

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.

Just like on water transport, information on bicycle transport is not readily available. However the central statistical office has recorded that in rural parts of Zambia, 53 percent of the rural population do not use public transport, but rely on using their bicycles, wheelbarrows and ox-carts. Most of the bicycles are owned by either families or individuals particularly the young men between 15-35 years who use the bicycles as taxis.

In Eastern Province, Chipata Municipal Council has actually introduced a bicycle levy (Chipata Municipal Council financial report, 2004) because there is growing vending in bicycle passenger transport mainly between the town centre and the border area of Malawi.

In an interview with a group of bicycle riders in October, 2005, the group observed that Chipata, the headquarters of Eastern province, had a 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.

The bicycle-taxi business has some success stories including that of Andrew Mwanza who runs bicycles called Ziba Zako transport (Mind your business). He has been in bicycle-taxi transport for 34 years and has managed to build a house and buy a second hand car (The Post, Saturday March 11 2006). When he bought the car, Mwanza said: "It is certainly the happiest day in Life because it will forever be a reminder of my sweat" (The Post, March 11 2006).

Within the airline industry, there are categories of workers such as cargo handlers in the airline sector who are now experiencing informal working conditions. Before the liquidation of Zambia Airways and the commercialisation of the airports corporation in the 90's, almost all workers either belonged to Zambia Airways or Airport Corporation with secure jobs and pensions.

Airways & Allied Workers' Union of Zambia (AAUZA) had a membership of about 5000 (ZCTU quadrennial conference report, 2002), but after the liquidation of Zambia Airways and the commercialisation of Airport Corporation, the union lost many members with only 700 remaining.

The union estimates that 70 percent of the retrenched workers arising from the liquidation of Zambian Airways were mainly women workers who worked as cleaners, flight attendants, caterers, etc (AAWUZA General Secretary's report, 2000).

In the case of the commercialisation of the Airport Corporation, the union estimates that about 80 percent of the workers retrenched were male, with the most affected being the cargo handlers, security and other less skilled personnel.

Though it is very difficult to get accurate statistics on how many have found employment with other airlines, the union believes that most of the cargo handlers are now working as porters and survive on passengers' 'tips'.

Most truck drivers used to work for Contract Haulage, a parastatal company that was also liquidated in the 90's under the privatisation programme. Truck drivers are now working under deplorable conditions including low pay, long working hours, accidents resulting in many cases in death, and in most cases no compensation to the families of the deceased, and not being represented by the National Union of Transport and Allied Workers. A group of 25 concerned truck drivers working for small and medium haulage companies met at Matero in August, 1999 and formed an as-

sociation called the Trucker Drivers' Association of Zambia.

The association has a membership of about 50 in 20 companies which are engaged in haulage services; 14 of these firms are in the copper belt region. The association does not work as a union and is currently concentrating on dealing with welfare issues such as funerals and medical problems of the members. In addressing these problems, members are requested to pay a membership fee of K20 000 (5 USD), and this money is invested in income generating projects.

The interim leadership considers the fragmentation of the workers in the informal transport sector as a big challenge. They also feel that the absence of an employers' association poses a big challenge in relation to establishing a collective bargaining relationship.

For the railway sector, Zambia Railways has not been privatised as such but put under concession. It is now operating as the Railway System of Zambia, but even before the concession agreements were signed, Zambia Railways had begun to retrench workers and outsource some services such as catering and cleaning of the wagons. All the women station guards and train escorts were retrenched, while only a proportion of the men have been. Even though they were part of the 24 hour railways security force within the state railways system, the new private security company reportedly does not accept that women can do the job.

The railway nursing service was contracted to a private agency which seems also to operate elsewhere in Southern Africa. The nurses are now hired in groups of fewer than 25 which is the minimum number for a bargaining unit under Zambian employment law. The nurses realise they have lost their bargaining rights and fear for their security of employment and wage levels.

Meanwhile, the cleaners have been taken over by 'briefcase businessmen', as they are known in Zambia. These are operators who are notorious for disregarding labour law and paying poor wages. They are employing the cleaners on a hire-and-fire basis, keeping them under the threat of "no job tomorrow". As Gertrude Bwalya, a retrenched railway worker, says: "This means that the cleaners have now joined the ranks of the vast 'informal' workforce in Zambia. Yet they are still working for the railways'".

Gertrude, who used to be on the ITF Women's Committee, sees these recent developments for what they are - a serious threat to unions. She says: "The labour movement is under threat especially in Africa, where

there is a large number of the workforce now migrating into the informal sector. There is a need to organise the informal sector if we are to sustain the labour movement" (ITF Women: 2004).

The most widely used form of transport in Zambia is passenger road transport. Before independence it was largely in private hands, and was dominated by the company called Thatcher and Hobson. Later during the Federation period, a regional road passenger company called Central African Services was formed; this replaced Thatcher and Hobson, and became the only one for providing passenger transport in the country and across the Federation.

After independence in 1964, and after the economic reforms of 1968, the government nationalised the Central African Services. It set up the state owned company called United Bus Company of Zambia (UBZ), which killed the private sector involvement in the road transport in Zambia.

In the early 90's, the Government privatised United Bus Company of Zambia. Through the process of liquidation, and in order to encourage private sector participation in the road transport sub-sector, the government gave tax concessions on the importation of passenger transport vehicles in 1994 and 1995 improving the supply of buses.

The Central Statistical Office (CSO), estimated in 1998, that the road transport sub-sector had registered an increase in real output of 18.2 percent. The value added increased from K63.1 billion in 1997 to K74.6 billion in 1998.

The informal road transport sector is basically made up of small-scale bus operators mostly running a fleet of three mini bus taxis. They employ drivers who are contracted to work on a commission basis. The bus conductors are hired by the drivers on a daily basis. There are also "call boys" who facilitate the loading of passengers and cargo at a fee paid by the bus conductors.

Most of the mini buses are mainly family businesses that engage only family members. This has become even more important with the spate of lay-offs and redundancies that have taken place in the last decade as part of structural adjustment and public sector reforms. Although the earnings in the informal sector may not be sufficient for living for the majority of the people in the sector; such earnings are substantial in aggregate terms. The informal road transport sector does not get much support from either the govern-

ment or the financial sector at the moment.

## Characteristics of informal transport sector employment

Four distinctive types of labour in Zambia have been identified. These are family labour, casual labour (often conductors and call boys), contract labour (drivers) and child labour.

As we discuss employment and the industrial relations situation in the informal transport sector, we should bear in mind that such issues are subject to a number of laws.

The general legislative framework that governs the operations of the labour market and the worker – employer relationship is made up of about five pieces of legislation namely:

- i. The employment Act # 269 and 270
- ii. The industrial and labour relations Act # 268 (ILRA # 268)
- iii. The minimum wages and conditions of employment Act # 276
- iv. The employment of young persons and children Act # 274
- v. The factories Act # 441

Apart from the above laws, Zambia has ratified a number of international protocols. These include international labour standards and conventions, including ILO conventions that cover freedom of association and collective bargaining especially conventions 87, 98 and 151. To what extent the Zambian government has put these conventions and international labour standards into domestic law and how they are implemented and adhered to by the government and employer organisations should be a subject for further analysis.

The current law recognizes three categories of employment namely:

- i. Permanent – this category comprises workers who have been employed for an indefinite period. These are sometimes described as permanent and pensionable and, all things being equal, these are expected to continue working for the enterprise until they reach the legal age of retirement (55 years) or opt for voluntary retirement.
- ii. Fixed Term Contract Employment – These are workers given contracts of at least one year. In general contract periods tend to vary from one to



three years.

iii. Casual employment – This refers to employment where workers are hired for discrete jobs sometimes on a daily basis and should not be employed for a continuous period exceeding six months.

These three categories of employment as identified under the existing legal framework confer different benefits and responsibilities on both the worker and the employer. For instance, permanent employment provides security of employment and income and a pension upon retirement (ideally). In reality however, we have problems with retirees unable to access their benefits and even dying in destitution.

In the case of fixed term contract employment, the employee is given some form of gratuity depending on the terms negotiated in the contract. This is more or less individual or “customized” depending very much on the negotiating capacity of the individual employee.

Lastly, we have casual employment which is extremely vulnerable to the whims of the employer. The employee can be fired within 24 hours and there are no benefits. With the overzealous implementation of the liberalization program under the Movement for Multi-party Democracy (MMD) government, the country has witnessed an increase in casualization in the name of labour market flexibility and retaining international competitiveness.

The Ministry of labour and Social Security has been reviewing the labour laws since 2003. To date, only the Employment of Young Persons Act has been successfully amended in 2004. The principal Acts of the labour Market: the employment Act, the Industrial and Labour Relations Act and the Minimum Wages and Conditions of Employment Act are still under discussion in the Labour Consultative Council (Tripartite Consultative Labour Council, Position Paper: July 2005).

Issues around the Employment Act Cap 268 are: increasing powers of proper officers, regulating the operations of private labour consultants and employment exchange service providers. Of great importance to our study is the casualisation of labour in Zambia, and the proposal under discussion 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 (Tripartite Consultative Labour Council, Position

Paper: July 2005).

As for the Industrial and Labour Relations Act Cap 269, the issues are: increasing the powers of the Labour Commissioner; bargaining with the most representative union, prohibition of lockouts before exhausting all avenues of dispute resolution and registration of trade unions.

Two contentious items include the increasing the powers of the labour commissioner and registration of trade unions (Tripartite Consultative Labour Council, Position Paper: July 2005):

- Power to appoint reputable and affordable independent auditors to audit the books of accounts of trade unions.
- Powers to dissolve or suspend trade union executive committees and call for fresh elections for those unions found wanting particularly on the use of trade union funds.
- Non-registration of trade unions in sectors where the specified employers have no capacity to enter into individual recognition agreements with the trade union.

On the registration of trade unions, the Zambia Congress of Trade Unions (ZCTU) has observed that there is need to respect the fundamental liberties, freedoms and rights set out in the Republican Constitution. The constitution provides for choices of persons to associate with any legal and recognised association or institution such as a trade union registered in accordance with the laws of Zambia (ZCTU: observations on proposed amendments, 2005, p1).

For the minimum wages and conditions of employment Act Cap 276, the issues are focussing on Statutory Instrument N0 2 of 2002 and N0 3 of 2002 for General orders and Shop workers respectively. The proposals are to have three types of contracts of employment in Zambia as follows:

- Statutory contract for vulnerable employees stipulated under the minimum Wages and Conditions of Employment Act. The Act will comprehensively give the definition of a vulnerable employee. For an employee to qualify as vulnerable, s/he must fulfil two conditions: firstly, their income levels must fall within the range of K800 per hour to K400 000 per month; secondly, s/he must not be unionised.

- Contracts of employment for non-vulnerable employees: those who are not unionised but have the capacity to negotiate freely either individually or as a class their terms and conditions of employment with their respective employers, supervisors and managers. The Act will also comprehensively define this class of employees.

The workshops undertaken by WEA Zambia in 2003 revealed the persistence and growth of non-standard patterns of employment relations in the informal transport sector. Differences exist in the conditions of employment of different groups of workers to the extent that most informal transport workers can be defined as casual workers according to the current legal framework. In fact, it is important to note that the future study should analyse the extent to which the collective bargaining institutions and processes have been allowed to operate and intervene on the side of workers' rights in the informal transport sector.

The growth of contract labour (drivers) is attributed to employer concerns for productivity gains. The drivers who labour under these verbal contract agreements are happy for these rare opportunities to secure wage employment. Unsurprisingly the drivers are not too happy with the poor working conditions including long working hours, lack of protective clothing, no medical and educational allowances. The working conditions do not conform with those in the formal sector, particularly as they lack social security, economic support and legal protection.

According to Shikwe (2003), labour legislation does not adequately cater for casual labour with respect to written contracts, workers' compensation, and labour inspection, annual and maternity leave. He further argues that the regulatory institutions are ineffective where they exist and cites the inadequate capacity of public authorities to protect labour.



## Quantitative data

In Zambia, although there is little quantitative data and little understanding on what is going on in the informal transport sector; there is no doubt that the informal transport sector exists and that it is significantly large and keeps many people employed.

Table III, Usually Working Population (12 Years and Over) by Employment Status and Industry, 1999 & 2000

Sector/Year	Total Number Working	Self Employed	Employee	Employer	Unpaid Family Worker	Unspecified
Total Number	1990 1,838,409	27.3	30.6	1.8	37.4	2.9
	2000 2,812,428	39.7	18.3	0.4	41.6	0
Agriculture	1990 916,084	35.7	8.6	0.9	43.6	1.2
	2000 2,014,028	42.5	4.1	0.2	53.2	0
Mining	1990 61,540	1	93.2	3.3	0.3	2.1
	2000 36,463	3.3	95.4	0.7	0.6	0
Manufacturing	1990 94,218	24.7	65.7	3.2	4	2.4
	2000 77,515	40.3	50.8	1.1	7.8	0
Electricity	1990 10,551	4	89.2	4.2	0.4	2.2
	2000 11,016	8.7	88.8	0.9	1.6	0
Construction	1990 34,352	15	75.8	3.6	3.3	2.3
	2000 36,790	31.4	64	1.2	3.4	0
Trade	1990 70,310	52.9	37.3	2.7	4.6	2.5
	2000 190,354	60.9	23.6	0.8	14.7	0
Transport	1990 52,423	6.3	86.5	4.1	0.8	2.3
	2000 53,736	9.4	87.4	1.4	1.8	0
Finance	1990 37,399	29.6	61.2	3.1	3.9	2.2
	2000 29,151	32.2	60.9	1.5	5.4	0
Community	1990 222,639	17.2	72.1	3.4	5.3	2
	2000 212,280	14.7	79.8	0.9	4.6	0

Source: CSO.2000 Census of Population and Housing Analytical Report

## Social protection system in Zambia

In Zambia the social protection system is under the broad classification of social insurance, social assistance and health care.

### Social insurance schemes

Social insurance schemes in Zambia are mandatory and mainly provide pensions and short-term cash benefits to formal workers. Recent estimates show that more than 90 percent of the formal workforce are covered by pension schemes, though this is only about 13 percent of the total labour force. The schemes typically provide protection against loss of income due to retirement, invalidity, funeral grants and survivors' pension (Olivier et al. 2004).

The institutions providing pensions in Zambia are generally categorised under:

- a) The statutory pension schemes; and
- b) The occupational private pension schemes

#### Statutory pension schemes

There are three statutory pension schemes that provide income replacement upon retirement, disability and survivorship: National Pension Scheme Authority (NAPSA), Public Service Pensions Fund (PSPF) and Local Authorities Superannuation Fund (LASF). There is also one work injury scheme providing employment injury protection: Workers' Compensation Fund (Cheta, 2005).

The largest statutory pension scheme is NAPSA with about 360,000 members. It is a compulsory defined benefit scheme that covers "regularly employed persons in the private, parastatal sectors and all new civil servants".

Employers and workers share contributions to the schemes equally: 5 percent each of the employee's monthly earnings. Only those whose incomes fall below K 15,000 and armed forces personnel are exempted. Though the policy framework provides for workers in the informal economy to register voluntarily for membership with the scheme, there is no information of how many members are from the informal sector (Cheta, 2005; Queisser, 1997).

Civil servants, including teachers and members of the defence force are covered by the Public Service Pensions Fund (PSPF), which has a total membership of 157,066. On the other hand, local government employees, National Housing Authority and Zambia Elec-

tricity and Supply Corporation (ZESCO), are covered by the Local Authorities Superannuation Fund (LASF), which has an estimated total membership of 20,335 (PIA ; Cheta, 2005).

#### Occupational private pension schemes

The Pensions and Insurance Authority (PIA) in 2003 estimated that, the number of occupational pension schemes to be over 200 with a membership of more than 240,000 workers. Occupational pension schemes are mainly supplementary as The National Pension Scheme Act No. 40 of 1996 mandates all private sector employers to register all their workers with NAPSA. Insurance companies administer most of the occupational schemes for groups of workers in the private and parastatal sectors.

#### Social assistance programmes

Other than social insurance, there are some social assistance programmes which are designed to provide for the most vulnerable and to lessen the suffering of those affected by catastrophes.

The Public Welfare Assistance Scheme (PWAS), under the Ministry of Community Development and Social Services, is one of the main government social assistance programmes designed to provide social protection to those households that fall outside formal social insurance schemes.

Other government social protection programmes, under the Ministry of Finance and National Planning (MOFNP), include the Zambia Social Investment Fund (ZAMSIF). The ZAMSIF started as a Social Recovery Project (SRP) in 1991 following the government's securing of a World Bank Social Fund loan. ZAMSIF channels resources to small-scale sub projects for poor and vulnerable groups. Another project with similar roots under MOFNP is the Microprojects Unit (MPU), supported by two European Development Fund (EDF) grant aided programmes. They are the Microprojects Programme (MPP) and the Zambia Education Capacity Building Programme (ZECAB). The MPU's objective is to reduce the rate of decline in the social and economic welfare standards of the poor and vulnerable. MPU was created in order to redress problems faced by the poor and to cushion the impact of the economic adjustment programme. MPU provides financial and technical assistance to community managed projects and to local institutions. In both the ZAMSIF and MPU projects, communities contribute labour, material or cash, as a way of sustaining the projects (Chase, 2001).

In 1993, the government initiated the National Social Safety Net (NSSN), under the Ministry of Labour and Social Security, whose main goal is capacity building for the retrenched through asset empowerment. The coordinating committee of the NSSN also deals with labour market related social assistance interventions, including the Future Search Programme of the Public Service Management Division; the Resettlement Programme in the Office of the Vice-President. Other interventions that the NSSN is involved in include the Public Welfare Assistance Programme of the Ministry of Community Development and Social Services; the Small Business Development Programme of the Ministry of Commerce, Trade and Industry, social safety net poverty reduction programmes such as Peri-Urban Self-Help (PUSH) and microcredits (Kangwa, 2001).

There are many other non-state social assistance programmes run by different international and domestic Non-Governmental Organisations (NGOs), United Nations agencies, faith-based organisations, and the corporate sector under their Corporate Social Responsibility programmes. Most of the social assistance provided by these organisations is in the form of responses to cushion the vulnerable from the effects of climatic catastrophes (Schubert, 2003).



## Overview of trade union composition

The Industrial and Labour Relations Act (1997) regulates registration, membership and affiliations of trade unions. Individual national unions including federations are required by law to draw up their own constitutions which has to be approved by the Labour Commissioner to regulate internal rules and operation (Trade union survey, 2003).

According to a survey by ZCTU/ICFTU-Afro in 2002, ZCTU is the dominant and most representative trade union federation representing about 26 affiliates (see table below). The other federation is the Federation of Free Trade unions of Zambia (FFTUZ) with four affiliates.

Number	Union	1998	1999	2000	2001	2002
1	AAWUZA	2500	775	775	775	701
2	BUZ	500	135	135	135	135
3	CBUWU	560	560	560	321	321
4	CSAWUZ	30,000	39,267	34,973	34,973	34,973
5	GUZ	8,000	8,000	8	8,500	8,500
6	HCWUZ	5,600	8,000	8,000	8,000	9,918
7	MUZ	38,000	31,351	29,106	29,106	24,245
8	NESAWU	4,000	4,000	4,000	3,980	3,980
9	NUBEGW	7,000	11,392	11,392	11,346	15,463
10	NUCW	3,900	4,381	4,381	4,381	3,980
11	NUCIW	12,000	18,000	18,000	16,270	16,270
12	NUPAW	19,000	16,020	11,711	11,711	11,711
13	NUTEL	800	800	800	800	800
14	NUTAW	3000	1,099	1,099	2,050	3,000
16**	PETUZ	3,751	3,751	8,628	8,628	8,628
17	RWUZ	4,000	4,000	2,800	2,726	1,395
18	UHDWUZ	-	-	-	2,000	2,000
19	UNZAAWU	2,500	2,500	2,500	2,150	2,150
20	UNZARALU	100	282	282	220	212
21**	SESTUZ	4,500	4,500	4,500	4,500	4,500
22	WUTAZ	2000	2,383	2000	1,500	1,283
23	ZATAWU	1,000	900	1,000	1,000	1,401
24	ZNUHAW	5,000	5,000	2,843	2,843	2,843
25	ZNUT	46,500	38,249	33,380	33,380	33,380
26	ZRAWU	2000	1,743	1,500	1,500	1,394
27**	ZUFIAW	5,800	5,000	5,000	5,000	5,000
28	ZUJ	300	300	300	1,500	363
29	ZULAWU	17,000	15,000	15,000	15,000	15,000
<b>Total</b>		<b>243,311</b>	<b>243,288</b>	<b>228,685</b>	<b>230,3315</b>	<b>230,503</b>

\*\* Non-ZCTU affiliates

Source: Trade Union Membership and Profile in Zambia

Zambia Congress of Trade Unions was established in 1965 and registered in 1966 under the Trade Union and Trade Disputes Ordinance of 1949 ( see Trade Union Membership, p.12)

In early 1990's, the Zambia Congress of Trade Unions faced the reality of rising unemployment and job insecurity, low and insufficient incomes, poor working conditions.

Trade union membership plummeted from 447000 in 1990 to 274000 in 1995 following the fall in formal employment resulting mainly from the implementation of neo-liberal policies (Shikwe, 2004).

With the falling membership and conscious of the fact that most retrenched workers ventured into the informal economy, the ZCTU 9th quadrennial conference in 1994 observed and noted that informal sector workers were part of the workforce. The conference, therefore, called for a creative approach that took account of the differences between the informal and the formal sectors. The conference also called for a redefinition of trade union membership and the introduction of different categories and levels of membership to introduce flexibility that accommodates informal sector workers.

The need to work with informal sector workers was further strengthened by ZCTU amending the constitution in 1995 to allow for affiliation of informal economy workers' associations. The new constitution particularly article 3(b) and article 6 outlines how an informal economy organization can affiliate and the type of services that ZCTU can offer. These services include assisting informal economy employees in securing representation in the national forums, training ,advisory services, sourcing resources including funds and facilitation of the development of networks.

The ZCTU 10th quadrennial Conference recommended that affiliates consider making amendments to their own constitutions. In order to broaden coverage of union membership to include informal economy workers in line with their sectors.

#### Article 6

Associate Member of the Congress

An informal Sector Association may associate itself to the Congress as an associate member in accordance with the provisions of this constitution.

#### Article 8

Association to Congress

An application for association to the congress shall be by two-thirds majority of the delegates present and voting at the general conference of the association.

Upon association to the congress, the associate member shall pay to the congress the association fees according to the strength of its member as follow:

MEMBERSHIP	AMOUNT
Less than 1,000	K50,000
1,001 to 3,000	K100,000
3,001 to 5,000	K150,000
5,001 to 10,000	K200,000
10001 to 25,000	K250,000
25,001 to 45,000	K300,000
Over 45,000	K350,000

The association fee shall be paid once every year

However, should the associate member so decide and in consultation with the congress, the prescribed association fees may be paid in proportion quarterly or monthly installment.

Owing to economic and / or inflationary changes in the economy, the General Council may vary the stipulated association fees

*ZCTU Constitution pp.14-16*

There are four transport unions in Zambia including Airways and Allied Workers Union of Zambia (AAWUZA), Railway Workers Union of Zambia (RWUZ), Workers Union of Tazara and National Union of Transport and Allied Workers (NUTAW). Of the four, only NUTAW is resolutely focusing on organising informal transport workers, though among themselves, they are engaged in exploratory discussions of a merger.

## National Union of Transport and Allied Workers (NUTAW)

Zambia Congress of Trade Union began organising the informal workers in the late 90's. The ZCTU is working in partnership with the Workers' Education Association of Zambia (WEAZ) and Concept for Informal Employment promotion (CISEP).

The serious intervention began after a national seminar held in 2001, Lusaka at which the 13 informal economy workers associations resolved to form a national alliance. The Associations requested assistance from the WEAZ and ZCTU to facilitate the formation of the national alliance.

The Alliance for Zambia Informal Economy Associations (AZIEA) as a national alliance was launched at Mindolo Ecumenical Foundation on October 19 2002. At the launching convention, the ZCTU was represented by Mr. Ian Mkandawire. Mr. Mkandawire re-affirmed ZCTU's commitment to ensuring that informal workers are adequately represented, by making amendments to the constitution to allow informal economy associations to affiliate as associate members (AZIEA convention report, 2002).

There are many other informal economy associations in Zambia, besides the Alliance for Zambia Informal Economy Associations (AZIEA). These include, among others, Zambia Chamber of small, and medium business associations, women in small-scale mining, micro-business association network and lesa wamaka cooperative.

Seventy percent of the membership of most of the associations are women. These include the women in small-scale mining whose membership is open to men as well, though the name of the association implies that membership is exclusive to women.

Drawing inspiration from the efforts of ZCTU, the NUTAW began exploratory discussions to organize

informal transport workers.

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.

The NUTAW was formed in the 60's. At the time the road transport sector was under the control of the private sector dominated by big firms including Smith and Youngson, and then Central African Road Services (CARS), through to the period of the nationalised transport sector dominated by the quasi-state companies including the United Bus Company of Zambia (UBZ) in the 1980's.

The union is governed by the quadrennial conference, and by the National Executive Committee between conferences, which consists of ten members. The day-to-day union business is managed by the General Secretary and two deputy general secretaries, with other technocrats in organising, research and education, and accounts.

In order to promote women's active participation in leadership and union programmes, the National Executive Committee set up the women's sub committee to be responsible for co-ordination and recommending policy measures to the National Executive Committee.

In terms of rank and file structures, the union has no regional or district structures, but has branches which are governed and managed by the branch committee comprising not more than ten members.

In the 90's, the union was faced with falling membership due to lost employment through retrenchments. Most retrenched workers found alternative employment in the private and informal transport sector dominated by very small firms employing less than ten workers.

In the mid 1990's, the Government privatised the United Bus Company, while Contract Haulage was liquidated. The union suffered a loss of membership from 18,000 in the 80's to a mere 2,500 currently (Andrew Banda, paper presented at the workshop on organising in the informal economy, February 2004).

Faced with such a reality of falling membership, and motivated by the resolution of ZCTU, 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 Lusaka, Kitwe, Ndola, Kalulushi and Mansa, around big markets such as Soweto and Inter city in Lusaka and Chisokone in Kitwe.

Consultative meetings and workshops were held in and around selected cities, and the key outcome was the realization that informal transport workers were organized in the form of welfare associations. These associations are voluntary associations, which provide economic and social benefits to their members.

The NUTAW is indeed faced with a serious challenge of organising informal transport workers. One of the key issues is the ongoing loss of membership. Consequently the union has lost revenue as it depends on membership dues and donations for its activities.

Others include widespread scepticism by informal transport workers who have been cheated before by bogus and mafia associations organising in the informal transport sector. These have left informal transport workers with negative experiences to the extent that it will take some to rebuild their confidence.

On the leadership front, it will be difficult for the union to organize informal transport workers without really getting the informal transport workers influential organizers into leadership positions, and the union does not have the capacity to pay the fulltime organizers.

Many of the informal transport workers have experience in organising workers in the informal transport sector through associations, but may not have the experience and prestige of interaction and liaison with many institutions including the relevant government ministries.

## **Bus Drivers & Motor Taxis' Association of Zambia (BDMTAZ)**

According to WEAZ reports (2003), the leaders of the associations were regulating business in the informal transport sector by ensuring fair play in business transactions and settling disputes among members. They were also engaged in external negotiations with other associations and with the regulatory bodies such as state and local government agencies. Also, the associations were providing financial assistance for members' health and funeral expenses.

BDMTAZ was deregistered by government due to severe mafia tactics in levying the members, though it was recognised that the association represented its members well in terms of social welfare, e.g. health and bereavement of drivers or family members.

Mr Kachekate, a former board member of BDMTAZ says: "There is no driver that would give money willingly, so there is a need for some coercion. In fact some of the beneficiaries are mainly the ruling party functionaries, that is why the structures of BDMTAZ are still there" (Interview, January 20 2006)

Drivers were required to pay a certain sum of money to the bus station committee under BDMTAZ. If the driver had a funeral he had to report to the committee, who would then pay for all the funeral expenses. Not all the members of the family were entitled to receiving the funeral grant from the committee; it was only the driver's spouse and not more than six children or dependents under the age of 18.

But the Zambia Bus and Motor Workers' Union has argued that this was the very reason that they formed a faction and broke way from the BDMTAZ. They wanted the funeral grant to come from the bus operator/owner as a benefit that drivers were entitled to and not as a levy from the members.

The association helped its members with soft loans of up to K250,000 (25 USD) and would renew licences for ailing members. In some cases, the association also helped members obtain their terminal benefits when they suffered instant dismissal from their employers.

However, the association was not democratic because leaders did not want to go for elections. They often operated like a mafia because of lack of accountability and transparency.

The association concentrated on organising the bus drivers only, and did not organise the conductors or

call boys (station masters); these categories of informal transport workers just relied on the goodwill of the drivers and operators (owners of buses).

Informal transport workers including drivers work under very deplorable conditions. In many cases they suffer physical abuse from their employers and families if they fail to meet the daily cash targets and are dismissed without severance package.

Here below is the testimony of one of the drivers given during the workshop in Mansa:

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 etc. These programmes should take the form of workshops or seminars to be held in Kitwe, Lusaka, Ndola and Livingstone in 2006.

The workshop recommendations were passed on to the National Executive Committee of the NUTAW for further determination and guidance.

**My name is James Kalongalanga. I am 25 years old and married with two children: Mary aged 5 and James junior aged 3. I live in Senama township where I rent two rooms at K30,000 per month.**

**I am employed as driver for Mr Mutale who owns three buses. I often wake up at 04:00 hours. I knock off from work at night about 20:00. I reach home about 21:00, and this implies not often seeing my children who go to bed early.**

**My monthly salary is about K 250 000 which is calculated on the daily commission of 15 percent of the daily cash. I hire the conductor or transport officer. I decide how much to pay the conductor.**

**I suffer a lot of abuse from both unfriendly customers and the employers. Because my pay is very low, I have no holiday including Easter. When I fall sick, it is friends who assist me with medical care.**

**I wish we had a strong association or union to fight for us so that we can enjoy better working conditions, unlike the present situation of waking up early, getting low pay which is measured in percentages such as 15 percent of the daily takings, no holidays including public holidays, no medical and educational allowances. In fact, most of us suffer from work stress because of working long hours in order to meet the so-called targets.**

Some of the key problems facing informal transport workers include lack of employment security such as protection against arbitrary dismissal, and income security such as the provision of adequate income to live on. Informal workers also lack representation security, and lack a collective voice through independent trade unions or democratic associations.

In October 2005, the NUTAW 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 Zambia Buses and Taxis Workers' Union.

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.

## Truck Drivers' Association of Zambia (TDAZ)

The association was formed on August 30 1999 at a meeting of 25 drivers held at Nsokolo, Matero in Lusaka. This was after concerned drivers realized that they were facing numerous problems, including low pay, long working hours and accidents resulting in some cases in death.

The association has membership of about 50 in 20 companies which are engaged in haulage services; 14 of these firms are in the copper belt region.

The association does not work as a union and currently is concentrating on dealing with welfare issues such as funerals and medical problems of the members. In addressing these problems, members are requested to pay a membership fee of K20 000 (5 USD), and these monies are invested in income generating projects.

## Public Transport Drivers' Union

The union was formed in 2003, following the de-registration of the Bus Drivers and Motor Association by the government. The union has applied for registration under the Ministry of Labour and Social Security. While waiting for registration, the national interim committee is running a sensitisation campaign in order to recruit potential members as soon as the certificate is issued.

The union is using the structure of leadership of the disbanded Bus Drivers and Motor Taxis Association in disseminating information about the aims and objectives of the union.

The union's objectives include:

- To maintain discipline in the stations as working places
- To ensure good working conditions for the members
- To resolve inter and intra membership conflicts
- To promote unity and solidarity.

The union has also formulated a principle that the leadership should be non-partisan in politics.

Currently the union has about 1500 card-carrying members, mainly in Lusaka and Kabwe.

The union is targeting all categories of workers in the informal transport sector. The national interim committee is proud that they are achieving high levels of publicity among the drivers in the sector, because they are receiving phone calls from different parts of the country.

The interim leadership considers the fragmentation of the workers in the informal transport sector as a big challenge. They also feel that the absence of an employers' association poses a big challenge in relation to collective bargaining.

The union is not yet collecting dues, but is relying on the good will of the members who are making donations of various kinds.

## Zambia Bus & Taxis Workers' Union

Zambia Bus & Taxis Workers' Union was established as a faction within the Bus Drivers and Motor Taxis Association in April 2002. This followed internal divisions concerning issues of democracy and financial management.

Later the faction pulled out of the association and submitted an application letter for registration to the Ministry of Labour and Social Security in 2003. Coincidentally, this was the same year when Government de-registered Bus Drivers and Motors Taxis' Association of Zambia (BDMTAZ), Passenger Transport Association (PTA) and United Transport and Taxis' Association (UTTA). BDMTAZ and PTA organised the bus drivers while UTTA was representing the employers/bus operators.

All three organisations were de-registered by government because of the frequent inter-organisational fights over membership, control of bus stations and routes. The fights often led to a break down of order and peace at bus stations, as warring factions took to the streets and rioted.

The Times of Zambia (August 2 2003) ran a screaming headline: "Levy backs de-registration of transport associations", and went on to say that President Levy Mwanawasa has backed the de-registration of BDMTAZ, PTA and UTTA.

President Mwanawasa said a person was killed in cold blood following feuds between the UTTA and BDMTAZ and as such he would not allow anarchy to take the centre stage in the country.

"This is the problem with our country. Murderers cannot be crowned as heroes. I will not allow such anarchy", President Mwanawasa said in response to a question on the issue.

However, even before the de-registration of BDMTAZ and PTA, there was growing concern among some members of the two organisations over the management of finances and lack of effective representation of members' concerning their poor working conditions such as arbitrary dismissals, long working hours and poor wages.

According to the Zambia Bus & Taxis Workers' Union draft constitution which is before the Ministry of Labour and Social Security awaiting registration, the union shall be governed by the quadrennial conference whose business is to among other things elect the National Executive Committee.

In between the quadrennial conferences, the union shall hold the general council whose business is to review and make annual plans for the union and deal with matters arising during the intervening period.

The National Executive Committee elected at the quadrennial conference shall be responsible for the general administration of the union, and shall comprise the president, deputy president, general secretary and deputy general secretaries and four trustees.

The union intends to set up branches in districts of Zambia. The branches shall further be sub-divided into sections, and the national executive committee shall determine the size of the branch/section depending on the number of informal transport workers organised in such a district.

Currently, while waiting for the court ruling over registration, the union has put in place an interim national executive committee whose president is James Liambai and general secretary Gabriel Tembo who are serving the union as volunteers.

The union has not opened an official bank account in order to receive and deposit the monies using the union a legal entity, but the treasurer from time to time collects some financial contributions from drivers that have been organised mainly in Lusaka.

When Zambia Bus and Taxis Workers' Union applied for registration to the Ministry of Labour and Social Security. (Using (following) the procedures and terms as defined by the Labour and Industrial Relations Act, the late Minister Honourable Patrick Kafumukache denied the union a registration certificate to practise as union on the grounds that there was no association in the industry serving as an employer for the purpose of collective bargaining.

The union having applied for affiliation to Zambia Congress of Trade Unions (ZCTU), sought for ZCTU intervention and ZCTU Secretary General Sylvester Tembo appealed to the then Minister of Labour and Social Security to reconsider his decision and register the union, but the Minister never did.

In the Secretary-General's Report to the Zambia Congress of Trade Union General Council (GC/01 p.33), there is an observation that the Ministry of Labour and Social Security is resisting the registration of Zambia Bus and Taxis Workers' Union because the ruling party may lose an estimated 30,000 cadres/members. The observation is actually proved to be true by correspondence between the MMD

deputy national secretary, Richard Kachingwe and his national chair, Boniface Kawimbe complaining about the depleted membership in Lusaka because of the de-registration of BDMTAZ (The Post, 28/07/2004).

Nonetheless, irrespective of the long wait for the Labour and Industrial Relations court to dispose of the case, the Zambia Bus and Taxis Workers' Union, in collaboration with the Zambia Congress of Trade Union, had by July 2005 organised over 3500 card-carrying members among informal transport workers in Lusaka and Southern provinces ( Mobilisation report, July 2005).

The union interim leadership intends to organise all categories of workers, but is currently targeting drivers only. Their 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.

The difficulty is how to sustain the same group of leadership, because after a while there are always interim leaders who lose interest and drop out from the committee, and they have to find other people to take over.

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. At the National Executive level, all are volunteers too though it is envisaged that the President, General Secretary and Treasurer shall be fulltime employees of the union once financial resources are available.

The interim national executive committee has observed that there is now an increase of cases of informal transport workers being dismissed without any benefits. This is because currently there is not even an association protecting the workers. Yet it is very clear that informal transport sector employs a large chunk of the Zambian population and contributes a lot to national production. It therefore offers a source of livelihood, though meagre, to thousands of Zambians either as employees or as owners of businesses.

However, the union feels handicapped due to the legal impediment of lack of registration, and that the union cannot represent informal transport workers who are members because the union is not recognized by government and bus operators.

The union has pledged to continue mobilising informal transport workers through person contacts and where possible general meetings, and where funds are made available through workshops so that there is general awareness about workers' rights and trade unionism.

In order to strengthen unity, build a common voice among the informal and formal transport workers, the union has resolved to work with NUTAW. It is also willing to discuss a merger in the future provided that the discussions are held in a climate of mutual respect and trust.

Zambia Bus and Taxi Workers' Union interim executive committee has the perception that the NUTAW is now showing an interest in organising informal transport workers because the union has lost a lot of members, and consequently a lot of income.

They also allege that the current leadership of the informal union is often not recognised by the leadership of NUTAW.

The General Secretary of NUTAW has argued that informal transport union or association do not enjoy the same stature as the formal transport union because the present law does not recognise them, so they are better represented through NUTAW structures.

ZCTU has reaffirmed that ZCTU has a provision in the constitution to allow for associate membership of informal economy associations (unions) and will give support to initiatives aimed at organising workers in the informal economy.

Commenting on organising informal transport workers, ZCTU Secretary General acknowledged that the Zambia Bus and Taxi Workers Union is currently receiving technical and advisory support from the federation, but this is not intended to undermine the NUTAW agenda on organising in the informal transport sector.

Zambia Bus and Motor Taxis Workers' Union is welcoming the increasing interest in organising informal transport workers by other stakeholders such as the trade union, including the ZCTU and academics. The

provision of some support to organize, train and upgrade their organisational management and leadership skills, and create awareness about their rights and responsibilities has been very positive and would lead to an improvement in the performance of their activities and contribution to the national economy.

The union is also concerned that, other stakeholders may simply want to abuse them for either political or financial reasons due the large potential membership that informal transport sector enjoys.



There are two models of organising informal transport workers. Each model has its own merits and shortcomings. The choice of which model is preferable largely depends on local circumstances including history, local politics and the particular economic situation.

### Unions organising informal transport workers

The first model is a trade union setting up an informal economy desk as an organising structure for informal transport workers; this model is becoming prevalent among Zambian unions organising in other sectors too.

However, the unions including the NUTAW have no policy or programme of action indicating recruitment targets for bus drivers, conductors and call boys, and no policy stating membership rights and obligations. The strategy of recruitment is not clear such as whether the union is intending to recruit informal transport workers as individual members or associations.

The anticipated benefits of unions directly organising informal transport workers either as individual workers or associations is that the union already has the infrastructure including forums for negotiations with government. Therefore unions could potentially influence changes in policies and laws in the interests of informal transport workers.

Other benefits include the union's internal management system and procedures to ensure financial accountability, which is often missing among informal economy associations. Assuming the public image of the union is not one of corruption, its institutional prestige is an added advantage in influencing public opinion.

The union provides services such as education in areas such as leadership skills, negotiation skills etc. While the union does not have a legal department, it has access to a network of labour friendly legal counsel, and these services can easily be extended to informal transport workers.

Irrespective of the anticipated benefits of the union organising informal transport workers, there are shortcomings. These pose a threat to the success of the union organising informal transport workers. They

include: lack of rapport between union organisers and informal transport workers; the union organisers find it difficult to get cooperation from the informal transport workers' mafia kings who have been controlling the workers for long time. The union organisers themselves are inexperienced at organising informal transport workers because of the different organising environment which they encounter.

### Independent associations organising informal transport workers

The second model is of independent associations of informal economy associations such as the Zambia Bus and Motor Taxis Drivers' Union and the National Public Drivers' Association. They are formed by informal transport workers themselves to provide some form of worker representation. Their intent is to operate as 'formal unions' but they are not registered under the Industrial and Labour Relations Act, but under the Societies Act.

These associations are deeply rooted among informal transport workers. Even where government has banned some associations such as the Bus and Taxi Drivers' Association, the structure and national leadership is still operating clandestinely and in many cases collecting dues from the workers openly. These deep roots among the workers are a big barrier for the NUTAW. They find it difficult to sideline the key leaders of these associations, many of who are highly corrupt.

The organisers and leaders of informal transport workers have experience of organising their members including in many ways using coercion. This experience has greatly been used by the ruling political party for political mobilisation. This explains why the ruling party does not remove the mafia kings from the bus stations, because of the marriage of convenience that exists.

The informal transport workers' associations have their shortcomings including lack of internal democracy, lack of accountability and transparency. Most of the workers, particularly drivers, complain of lack of participation in decision-making processes. They are made to follow the decisions made by the leadership 'mafia kings' on top.

There is also weak financial accountability. There are no regular reports including statement of accounts

which show how much is collected and whether finances are spent on legitimate expenses.

Many informal transport workers particularly drivers have had no real experience of their grievances being addressed through their representatives or leaders. However, most acknowledge that the associations have been very helpful when they face social problems such as funerals, medical care and marriage counselling.

The leadership attributes the lack of genuine representation to lack of formal recognition between the informal transport workers' associations and the operators' associations such as the banned United Taxi Transport Association (UTTA). UTTA had refused to recognise the drivers' associations on grounds that UTTA was not an employers' association, but a professional body to lobby government on transport policies and incentives. It therefore argues that matters concerning the employment relationship should be resolved by individual members themselves and not the association as a whole.

However, leaders also claim that there have been many cases where they have handled individual grievances such as unfair dismissal. The strategy is that where the operator refuses completely to negotiate or resolve the issue, his or her buses will not be allowed to load passengers from the station. This means that the operator will lose business.

In conclusion, much of organising work of informal transport workers by the NUTAW is yet being done. The slow pace of organising is attributed to lack of financial resources, while on the other hand, the Zambia Bus and Taxi Workers' Union with all its enthusiasm cannot do much in the absence of legal backing. This implies a serious lack of a collective voice among informal transport workers.

Given the context in which the organising agenda is being pursued by the NUTAW, any effective strategy requires collaboration with other key stakeholders such as the Zambia Bus and Taxi Workers' Union. Internal union structures including the National Executive Committee must have space for the formal representation of informal transport workers.

The organising agenda including making amendments to respective constitutions should be underpinned by education to raise awareness and build more confidence in the need for broad based unions/associations for effective workers' representation.





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## Acronyms

WEAZ	Workers Education Association of Zambia
NUTAW	National Union of Transport & Allied Workers
ZCTU	Zambia Congress of Trade Unions
MMD	Movement for Multi-party Democracy
ZBTWU	Zambia Bus and Taxis Workers' Union
BDMTAZ	Bus Drivers and Taxis Association of Zambia
UTTA	United Taxis Transport Association
PTA	Passenger Transport Association
GDP	Gross Domestic Product
TDAZ	Truck Drivers' Association of Zambia
PTDU	Public Transport Drivers' Union
AAWUZA	Airways and Allied Workers' Union of Zambia
RWUZ	Railways Workers' Union of Zambia
CISEP	Concept for Informal Sector Employment Promotion

