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Employment of homeworkers: Examples of good practice

Ursula Huws and Sarah Podro
Analytica Social and Economic Research Ltd.

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Prelim page ii

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Table of contents

Table of contents	iii
Preface	v
1. Introduction	1
2. Definition of home work	2
3. Employment status	2
Good practice	5
4. Pay	7
Good practice	9
5. Expenses	11
Good practice	11
6. Information technology	12
Good practice	12
7. Hours of work	15
Good practice	16
8. Health and safety	16
Good practice	18
9. Welfare benefits	19
Holidays	20
Pensions	20
Social benefit payments	20
Child care	20
Maternity leave	21
Unemployment pay	21
10. Effective management and training of homeworkers	21
Good practice	21
11. Freedom of association and collective bargaining	23
Good practice	24
12. Reporting, registration and supervision of home work	25
Good practice	27
13. Action and support programmes	27
Telecottages	28
Self-organization	28

Outreach work	29
Alternative forms of employment	30
Credit facilities	31
Lobbying for legal changes	32
Special trade union sections for homeworkers and homeworkers' unions	33
Consumer campaigns	34
Sources	35

Preface

The employment and working conditions of homeworkers, including home-based teleworkers, tend to be inferior to those enjoyed by other workers doing similar work in the enterprise setting. This is often due to the lack of adequate labour legislation and collective agreements which take into account the special circumstances under which home work is carried out. Because of this, a variety of practices can be observed.

This working paper provides an overview of the most important aspects of the employment and working conditions of homeworkers, including home-based teleworkers, and of the legal provisions that exist in different countries. It also gives concrete examples of how such provisions can best be applied in practice or, in the absence of specific regulations, of what would constitute good practice.

Bearing in mind that the topic of home work has been placed on the agenda of the International Labour Conference in 1995 and 1996, which may decide to adopt international labour standards on home work, the views expressed in this working paper should not be considered as representing the position of the ILO. However, as a discussion paper, it contributes to the debate on the social protection of homeworkers and helps to illustrate how working conditions can be improved.

F.J. Dy,
Chief,
Conditions of Work and Welfare Facilities
Branch.

1. Introduction

Compared with other forms of employment, homeworking presents a particularly challenging set of problems to any authority developing consistent guidelines for good practice. This is because it stands at the intersection of a complex network of social, economic and legal factors. Attempts to tackle a problem in any one of these spheres are likely to have repercussions for each of the others. This interplay between issues normally dealt with at the level of the labour market with those normally dealt with at the community or household level makes it necessary to develop an integrated approach to the analysis of homeworking.

In recent years, this picture has been further complicated by the introduction of new forms of home-based working into previously office-based white-collar occupations as a consequence of the introduction of information technology. As a result, homeworking currently embraces an extraordinary diversity of occupations, payment systems and contractual arrangements in a wide range of service and manufacturing industries in both developed and developing economies.

The relocation of information-processing work at a distance from the employer's main establishment using information technology, which has become known as teleworking, is not restricted to home-based working. It can, for instance, include the development of offshore satellite offices, of neighbourhood work centres or "telecottages", or of various forms of mobile working. Where such work is carried out wholly or partly from the worker's home, however, it raises a number of issues which are also found in relation to more traditional forms of homeworking involving manufacturing or service work. In this report, we have included teleworkers in our definition of homeworking only in so far as they work in their own homes. The employment of teleworkers in remote premises controlled by the employer or some third party should, we consider, be included within the remit of the same regulations and practices governing employment in any other establishment in the country concerned.

The term "homeworking" as used in this report therefore automatically includes home-based teleworking within its scope, covering a broad array of home-based workers ranging from low-skilled manual workers to senior executive and professional staff. Such a broad definition encompasses a very wide variety of different working practices and conditions. It is therefore inevitable that not all of the examples given in the ensuing pages will apply to all types of home-based workers. Some are specific to manufacturing-related work; some are specific to telework; and, in other cases, there is an overlap between traditional homeworking and teleworking. Differences in national legislative frameworks, customs and practices also mean that not all examples will apply in all countries. Readers are therefore advised to avoid an over-literal interpretation but to select from these examples those which are applicable in any given circumstance.

When reading these examples it should also be noted that, because of the closely interrelated nature of many of the problems experienced by home-based workers, there is some overlap between the various sections. For instance, some issues of employment status are closely connected with issues relating to the regularity of work, or the form of payment. While every attempt has been made to avoid repetition, the need for clarity has sometimes rendered this unavoidable.

2. Definition of home work

A homeworker can be defined as someone who, for a fixed rate of remuneration, carries out work in his or her home for an employer who is not the final consumer of the product or service provided. The worker is accorded the status of homeworker irrespective of:

- the number of hours or the proportion of working time spent working at home;
- whether or not the work is done under a contract of employment;
- whether the work is issued directly by the ultimate employer or through an intermediary;
- the number of employers for whom the homeworker is working; and
- whether the worker or the employer owns the equipment used in the course of work.

This definition therefore covers homeworkers whose working hours are shorter than the normal working week and those who may spend some of their working hours on the employer's premises and some at home. It also covers those who are self-employed, employed on temporary contracts or employed by agents or intermediaries, as well as those with direct contracts of employment with the ultimate employer. While intended to exclude "genuine freelancers" who work on their own account for a variety of different clients or sell their products directly to the general public, it includes workers who have a relationship of dependency with more than one employer, either simultaneously or sequentially.

Homeworkers are designated home-based teleworkers where their work is dependent on the use of information technology.

3. Employment status

National laws vary considerably in the various tests applied to determine whether a worker has a genuine relationship of dependency with the employer or should be defined as an "own account worker", who should therefore be granted the status of a self-employed person.

Despite this variation and, in some cases, contradictory judgements in case law, it is possible to identify certain general principles which are frequently applied in cases of this kind. Analyses of case law suggest that a court is unlikely to determine self-employed or employee status on the basis of any one of these tests alone, but will normally consider a number of them together and make its decision on the basis of the overall balance of evidence.

Employment law does not normally make any distinction between teleworkers and other types of workers.

- *The form of payment.*

If payment is described as a “fee”, if the worker issues invoices, if tax is not deducted, or if payment is variable and/or irregular, then a ruling of self-employed status is more likely. If payment is referable to a normal week, if it is computed annually or is at a steady level, then employee status is more likely.

- *Hours of work.*

Employee status is more likely if these are regular, prescribed or referable to a normal full-time working week. In practice, there are a number of cases where employees are working at home as teleworkers where a feature of the working arrangement is that home-based teleworkers choose their own working hours without jeopardising their employee status. Here, employees are paid a regular salary, but the nature of the agreement is based on the production of agreed results, rather than a specification of the number of hours to be worked.

- *Degree of dependence.*

In a number of countries, a test of employee status is whether or not the employer and employee can be said to have a relationship of “master and servant”. If the employer lays down rules about how and when the work should be done, and/or sets down quality standards which the worker must follow, then a ruling of employee status is more likely. The worker is more likely to be regarded as self-employed if there is scope for considerable independent judgement and flexibility in how the work is to be done and the standards aimed for. The more equal the relationship between employer and homeworker, the more likely it is that the homeworker is to be regarded as self-employed. In other words, the status of the relationship cannot be entirely divorced from the relative labour market power of the parties concerned.

- *Dominance of relationship.*

Employee status is more likely if the employer has first-call on the worker’s time; self-employment is more likely if workers hire out skills elsewhere or have an agent acting for them.

- *Employment protection.*

The availability of sick pay, pension rights, or other social or welfare benefits increase the likelihood of employee status (but apparently their lack does not necessarily lead to the opposite conclusion).

- *Provision of equipment.*

Self-employed status is more likely if the worker owns and maintains the tools, equipment and materials used to carry out the work and pays for any insurance, while employee status is more likely if any of these are provided by the employer. In the case of teleworkers, it is not just the ownership of computers or other information technology which is at issue here, but also the question of who pays for the on-line costs of telecommunications.

- *Continuity of employment.*

Even when workers have a considerable degree of autonomy in how and when they carry out their work, courts will often consider a relationship of employment to exist where there has been a continuous supply of work from a given employer over an extended period of time.

In practice, homeworkers are to be found working under a variety of different contractual arrangements. For instance, recent surveys of contractual arrangements governing teleworking in Europe found home-based workers who were:

- full-time employees;
- part-time employees;
- temporary employees on fixed-term contracts;
- temporary employees on open-ended contracts;
- employees on “min-max” contracts with payment varying according to the number of hours worked;
- trainees;
- employed by an employment agency (in one case, working from a prison);
- self-employed;
- directors of independent companies;
- partners in independent companies;
- members of a workers’ cooperative;
- company pensioners employed on a retainer.

In a number of cases, teleworkers were confused about their employment status. In one case, for instance, workers who believed themselves to be employed and therefore ineligible to apply for welfare benefits in periods when they were without work, were nevertheless only paid for weeks in which work was actually carried out. In others, workers who believed themselves to be self-employed would almost certainly have been deemed employees had their cases been contested in the courts. Traditional homeworkers are likely to be found working within a narrower range of contractual arrangements; however, the same general principles apply.

Good practice

The basic principle to be followed in establishing good practice should be that if self-employed status is proposed, the onus of proof should be on the employer. In other words, if the homemaker regards him- or herself as an employee, then employment status should be assumed unless the employer can supply evidence to the contrary. Homeworkers should have the right to appeal against unfavourable decisions by the employer on employment status to an independent body set up as appropriate under national laws.

If the circumstances warrant a designation other than that of employee, then the homemaker should be issued with a clearly worded, written contract setting out the following:

- the nature of the agreement between the two parties (for instance, a contract for the supply of services or goods);
- a specification of the goods or services to be supplied by the homemaker;
- the payment agreed for this work and the schedule of payment;
- details of how and when the work is to be delivered;
- a specification of the action to be taken by the homemaker should any dispute arise concerning the interpretation or fulfilment of the contract, including details of an independent arbitration body in the event of a failure to resolve the dispute; and
- any other relevant information as specified in the guidelines set out in later sections of this report.

It should be noted that where teleworkers or other homeworkers are genuinely freelance, then each piece of work should be the subject of a separate contract. In most countries, if the work they produce is of a literary or artistic nature, freelance homeworkers hold copyright in it unless this has been explicitly signed over to the employer under the terms of their contract. Computer software is also covered by copyright law.

Where employee status exists, this should be accompanied by the following conditions:

- Clear information should be provided to the homemaker regarding employee status and the rights and obligations which this entails. This information should be provided in writing, in the appropriate language(s). Where homeworkers are illiterate, it should be clearly explained verbally in the appropriate language(s).
- Parity should exist between homeworkers and on-site employees on pay, access to training, and terms and conditions of employment, except where additional payments are due to homeworkers to cover expenses not incurred by on-site workers. In the case of teleworkers, it is particularly important that there should be clear agreement on the reimbursement of telecommunications costs.

- Where agencies or intermediaries are used in the recruitment and employment of homeworkers, there should be a clear, written contractual agreement stating whether the homeworkers are to be regarded as employees of the ultimate employer or of the agency, intermediary or subcontractor. The general aim of such an agreement should be to maximize the job security of the homeworker and his or her chance of being paid. Practices whereby homeworkers are employed by intermediaries who go bankrupt or disappear before their obligations can be met are to be deplored. However there are circumstances — for instance, in the case of employment agencies supplying white-collar staff — in which the intermediary organization may well be more secure and creditworthy than the ultimate employer. Ideally, both the intermediary and the establishment for which the work is done should be liable for the homeworker's remuneration. Actual practice varies considerably from country to country. In Ecuador, for instance, intermediaries are regarded under law as the main employers of homeworkers, while in the United Kingdom, employment agencies are regarded as the employers of the workers whose labour they supply to third parties. In the Dominican Republic, Italy, Mexico and parts of the United States, the intervention of an intermediary is prohibited. In other countries, such as Argentina, Austria, Germany, Norway, the Philippines and Venezuela, the role of intermediaries is tightly defined and regulated by law.

The use of paid assistants by homeworkers can create problems and anomalies in the determination of employee status. Here, the main question to be addressed is whether or not the homeworker has the economic or social power to act as an intermediary in any genuine sense of the word. If the homeworker does not, in practice, have any power to determine the wages and conditions of the assistant or, indeed, even to guarantee payment, then it would seem more appropriate for the assistant to be regarded as a fellow homeworker and for the employer to take on responsibility for his or her employment.

- Where equipment or materials are supplied by the employer, this fact should be acknowledged. There are a number of documented cases where employers have created a fiction of sale, whereby the worker is supposed to have purchased the raw materials from the employer and sold back the finished product, when this has not in fact been the case. In other cases, workers are obliged to purchase or lease equipment (including information technology) which has, in fact, been supplied by the employer by means of compulsory deductions from their wages as a way of avoiding the attribution of employee status. Such practices should be avoided.
- Unless explicitly agreed otherwise, the contract of employment should be deemed to be a permanent one, and the homeworker should be paid during periods when no work is available. Where the employer cannot guarantee a permanent flow of full-time work — for instance, in the case of part-time contracts — the contract should specify that the homeworker is free to accept work from other employers.
- Where there is a permanent cessation of work, this should be regarded as dismissal and dealt with under national legislation in the same way as any other case of redundancy. An example of good practice in this respect is the German Homework Act, which requires

legal termination of the contract and contains measures to prevent evasion of the dismissal procedure. According to the Act, homeworkers are entitled to monetary compensation in the event of such dismissal. These conditions do not only apply to absolute cessation of work, but can also be invoked whenever an employer reduces a homeworke r's workload by more than 25 per cent.

4. Pay

When compared with on-site work, one of the most important distinguishing features of home-based work is that it is performed out of view of the employer. This means that the traditional means used to manage and monitor face-to-face work cannot be employed and the manager is obliged to use indirect means to ensure that work is done. Classically, this takes the form of payment by results which, in its simplest form, results in the payment of piece rates. It is therefore not surprising that much of the discussion of rates of remuneration for homeworkers in the past has centred on the determination of equitable piece rates, in particular on establishing comparability between the rates payable in factories and those established for homewor king, which may be carried out under quite different conditions which impact on productivity.

With the spread of homewor king to more senior white-collar employment — for instance, to salaried workers on professional or executive grades in the form of teleworking — it has become recognized that a number of other means are available for evaluating the performance of remotely based workers, and hence of establishing on what basis they are to be paid.

Recent surveys have identified a wide variety of different methods of managing and monitoring home-based work and calculating payment. These are listed below.

- Homeworkers — especially teleworkers — are paid a regular salary, either full time or part time, and managed by a combination of trust, regular meetings, spot-checks and evaluation of results. The development of mutually agreed targets between homeworke r and manager often play a critical role in ensuring mutual understanding about the quality and quantity of work expected from the homeworke r.
- Homeworkers are paid on an hourly, weekly or monthly rate based on a calculation of the amount of work which can reasonably be expected to be produced in a given time, normally with reference to the time needed to carry out such tasks in the employing establishment. Where statutory minimum wages exist, a standard “piecework hourly equivalent” is sometimes formally established, for instance, in Australia. However such rates do not always take account of additional tasks, such as unpacking or packing work or logging on to a remote computer terminal, which are required of homeworkers but not of factory-based workers. They may also be based on a situation where there is a more specialized division of labour, and hence greater productivity, than exists in the home, where a single homeworke r may be expected to carry out all phases of a multi-stage task.

Home-based teleworkers in senior jobs, for instance, may be expected to carry out routine secretarial or administrative tasks which would be carried out by specialist support staff if they were based in an office.

Such calculations may be based on fairly crude output measures, such as the number of items produced or packed, or the number of keystrokes input, or they may take account of more sophisticated, qualitative criteria. Home-based computer programmers, for instance, may be partially assessed on the number of times particular types of command appear in a programme.

- Homeworkers are paid by results. Again this may be a simple piece rate, based perhaps on the number of items made or packed, the number of words typed, written or translated, the number of invoices dealt with or the number of sales made. Alternatively, more complex measures may be used: for instance, the achievement of mutually agreed targets, the completion of particular phases of a multi-phase project, or, simply, the completion of an entire task which is the subject of a single contract. In the case of teleworkers involved in routine data-processing tasks, on-line monitoring may be used as a means of measuring productivity.
- Teleworkers or other homeworkers are paid a commission: for instance, a percentage of all sales successfully completed (in the case of home-based telesales staff), a royalty on publication (in the case of home-based editors, translators or authors), a percentage of the sale price of artefacts made by homeworkers for sale by the employer (in the case of artistic or craft goods), a percentage of the employer's turnover (in the case of a home-based secretary administering the employer's business), or a percentage of the income accruing from on-line telephone usage (in the case of home-based chat-line hosts or computer help-line advisers).
- Teleworkers or other homeworkers are paid on the basis of telephone calls received and successfully dealt with: for instance, in the case of homeworkers retained to provide 24-hour telephone answering services for plumbers and providers of other emergency services.
- Teleworkers or other homeworkers are paid a combination of a basic retainer and piece rate or commission. In one case in Ireland, for instance, a teleworker was paid a flat annual fee by each client for whom he was providing a bookkeeping service arranged by the employer. He was then paid an additional time-based fee for the actual work carried out. In another example, home-based pensioners were paid a minimum annual retention fee, in addition to their retirement pension, to make themselves available when required by the employer. They were then paid an extra fee, calculated on a piecework basis, for any work actually carried out.

- Teleworkers or other homeworkers working under “min-max” contracts are paid a guaranteed minimum wage, regardless of the number of hours worked, and then paid additionally for any hours worked in excess of this minimum.

Good practice

The aim of any policy for establishing good practice in the payment of homeworkers must be to ensure that they are rewarded at least as well as workers carrying out comparable work on the employer’s premises. It is also important that they are not out of pocket as a result of having to meet expenses in advance of being paid, or having to wait an undue length of time for payment. Employers should act according to the practices set out below.

- Employers should ensure that the methods used for calculating the basis of payment result in hourly rates for homeworkers which are comparable to those for on-site employees. In making such calculations, allowance should be made for “dead times” — periods in which the homeworker is carrying out functions, such as packing and unpacking the work or routine administration, which are not required of on-site workers.
- Employers should establish the principle that homeworkers are being paid for their labour and not as subcontractors responsible for producing a final product. Practices whereby deductions are made from homeworkers’ wages for work which is deemed to be of poor quality are not acceptable. If the homeworker is producing work which is regarded as substandard, then it should be the employer’s responsibility to provide suitable training and, if necessary, equipment, software or materials of a suitable quality.
- Homeworkers should be reimbursed for periods when, through no fault of their own, no work is available, in the form of lay-off pay or whatever other form of payment is normally available to on-site employees in such circumstances.
- In general, employers should set schedules in such a way that homeworkers are not obliged to work at night or at other unsocial times to meet deadlines. It is clearly not possible to determine when homeworkers should carry out their work, so the concept of “overtime” working is difficult to apply in any conventional sense. However, there are situations where homeworkers are effectively obliged to work during unsocial hours because large quantities of work are delivered with a tight deadline; for instance, if work is delivered on a Friday afternoon for completion by Monday morning. Where such unsocial working is unavoidable, the work should be regarded as overtime working, payable at a higher rate of pay.
- Employers should ensure that, where minimum wages have been set by law or by collective agreement, these are paid.
- Employers should endeavour to provide as even a flow of work as possible, to ensure that homeworkers have a steady income throughout the year. Where the part-time or

fluctuating nature of the workload make this difficult to apply, then employers should at least ensure that each homeworker is supplied with sufficient work to achieve a reasonable average pay level over the course of a year. This is, in fact, a feature of collective agreements in Portugal where there is an obligation to supply work which will permit homeworkers to obtain a monthly wage equivalent to their average monthly pay during the preceding year (or the period of the contract, if this was of shorter duration).

- Employers should ensure that women are paid the same rates as men doing work of equal value, regardless of where this work is carried out.
- When they are first employed, employers should give all homeworkers a clear, written explanation of what their pay will be and the way in which this wage will be calculated, including details of any requirements stipulated by statute or collective agreement at the time. These details should also be posted in a prominent position in any place where homeworkers collect or deliver their work or receive their wages. This is a statutory requirement in Austria, Ecuador, Germany and the Netherlands. Each homeworker should also be supplied with a statement of pay giving details of any deductions for tax, social insurance, pensions or any other purpose on each occasion that he or she is paid.
- Where intermediaries are used in the employment of homeworkers, employers should ensure that homeworkers' pay is not diminished as a result of commissions taken by such intermediaries.
- When determining the level of remuneration, account should be taken of the difficulty of the task, and additional payment should be made for tasks requiring high or specialist levels of skill from the homeworker. For instance, typists should be paid higher rates for work involving complicated presentation (such as tables or graphics), and clothing workers should receive additional remuneration for work involving complicated embroidery.
- Homeworkers should be paid promptly, on a schedule agreed at the time the initial contract is agreed. Normally workers should be paid no later than the end of the week in which the work is commenced. If the work takes longer than a week to complete, payment should be made in weekly instalments, except where the homeworker agrees to monthly payments or the payment of a monthly salary is the norm in the organization. Systems which require the homeworker to wait for payment until the employer or intermediary have been paid by the customer are to be deplored.
- All homeworkers should be given the option of payment in cash. However, where homeworkers request payment by cheque or money order, this request should be respected. Payment in kind should never be acceptable.

5. Expenses

Although there may be some cases in which homeworkers are saving certain costs by working at home, in general it can be said that homeworkers incur additional expenses as a result of being home-based. Indeed, one of the main attractions of employing homeworkers is often the saving which can be made by the employer in terms of heating, lighting, storage and workplace rental costs, many of which are, in effect, transferred to the homemaker.

As well as the costs of providing space and energy, some homeworkers also incur additional expenses, such as the cost of transporting themselves and their work to and from the employer's premises, the cost of telephone or other forms of communication with the employer or co-workers, and the cost of materials, tools or equipment.

There are wide variations in current practice in the payment of expenses to homeworkers. In several countries — for instance France, Hungary and Peru — specific homework legislation (although not general labour legislation) requires that homeworkers are reimbursed for incidental expenses incurred and compensated for the use of their own premises, equipment and power. In these cases, a fixed rate, established as a percentage of the wage, is paid as a supplement. Extra payments for out-of-pocket expenses are frequently made in other countries too, although not required by legislation. In a number of Dutch and British companies, special homeworking allowances are payable to teleworkers in addition to the normal salary in recognition of the extra expenses involved. In some British companies, negotiations have also taken place with the tax authorities whereby teleworkers are given an allowance of £300 per year against tax for their work-related home energy costs.

In Austria, El Salvador, Hungary, Mexico, Paraguay, Peru and Poland, the homemaker is compensated for waiting time spent at the employer's premises.

Although not always practised, it is common to reimburse the cost of travel. In one London publishing house, the collective agreement includes the condition that, in any case where the worker is obliged to travel after 7 p.m., the employer will reimburse the cost of a taxi fare to the worker's home or the nearest mainline rail terminus, whichever is nearer.

Good practice

In relation to the payment of expenses, the aim of good practice should be to ensure that homeworkers are no worse off than comparable on-site workers as a result of working at home. Employers should —

- reimburse all work-related travel costs, including the cost of fetching or delivering work;
- reimburse the cost of any stationery, postage or telephone calls made by the homemaker for work purposes (where the homemaker is expected to make extensive telephone calls)

in the course of the work, or use other telecommunications technology, the employer should pay for the installation, rental and call costs of an extra dedicated telephone line);

- make a contribution to the running costs, insurance, maintenance and depreciation of such equipment where workers are expected to supply their own equipment. This is particularly important in the case of teleworking, where valuable equipment requiring frequent upgrading may be involved;
- make a contribution to the cost of heating, lighting and storage of work. Where work requires special storage conditions — for instance, in the case of hazardous materials — materials requiring storage at a certain temperature, bulky materials, or confidential or valuable materials requiring secure storage, the employer should reimburse any extra costs involved;
- reimburse the cost of waiting time;
- ensure that all expense claims are met promptly and that where homeworkers are required to pay out large sums of money (for instance, larger than an average day's pay) on work-related expenses, a proportion of this is payable in advance. Where workers are regularly required to make such payments, a mechanism which can be used for dealing with this situation is the payment of an advance “float” to the homeworker. Typically, an average month's expenses is paid monthly in advance to the worker, who accounts for it at the end of the month. Where self-employed homeworkers are expected to purchase their own equipment or materials, the provision of interest-free loans for their purchase by the employer enables workers to buy in bulk, saving on both cost and time and avoiding cash-flow problems;
- avoid unnecessary bureaucratic rules in processing the payment on expenses — for instance, an insistence on the production of receipts for small amounts of money.

6. Information technology

Where teleworking is involved, the use of information technology raises a number of issues relating to job design, health and safety, training, ownership and maintenance of equipment, insurance, data security and training. While many of these are covered elsewhere in these examples of good practice, they are summarized together here for convenience.

Good practice

- Employers should ensure that all equipment and software is suitable for its purpose, fully compatible with systems used elsewhere in the organization and ergonomically appropriate.

- Where teleworkers are employees, employers should provide all necessary equipment, including accessories necessary for health and safety purposes (such as ergonomically designed chairs, anti-static mats, anti-glare screens, lecterns, etc.) and take full responsibility for its maintenance. Where there is a choice to be made, teleworkers should be consulted about the choice of equipment and software. Where teleworkers are self-employed, the employer should ensure that the fee paid is adequate to include a contribution towards these costs.
- Employers should reimburse all telecommunications costs incurred by teleworkers in the course of their work.
- Regardless of employment status, teleworkers should be provided by the employer with any software required to do the job according to the employer's specification, including any upgrades as these become necessary.
- Teleworkers should be fully trained in the use of any equipment or software supplied to them, and should be provided with the telephone number of a help-line or some other form of support to consult when problems are encountered.
- All equipment provided by the employer should be covered by a maintenance contract which makes it possible either for repairs to be carried out at the teleworker's home or for the equipment to be fetched from the home when repairs are needed.
- All equipment should be fully insured, such insurance to be at the employer's expense where teleworkers have employee status.
- Teleworkers should be covered by rules to protect workers' personal data, including restrictions on monitoring, especially continuous and secret monitoring.
- Teleworkers should be fully trained in data-protection and data-security techniques. This should include training in the creation of back-up copies of all work in progress, the provision of anti-virus software and the use of passwords; it is unacceptable for teleworkers to be held accountable for loss of data if such training has not been provided.
- All workstations used by teleworkers should be evaluated to ensure that they meet current safety standards. This audit should include the design of keyboards, screens, desks, chairs and any other equipment used. If any are found to be hazardous, they should be replaced with suitable alternatives. No job should be designed in such a way as to encourage extended unbroken periods of screen and keyboard use. Where continuous telephone use is required, teleworkers should be provided with telephones equipped with a headset so that strained muscles resulting from lengthy holding of a handset against one shoulder are avoided.
- All teleworkers should be fully trained in the safe use of the equipment and the avoidance of health hazards.

- To avoid undue isolation, wherever possible, teleworkers' jobs should be designed in such a way as to encourage collaborative working with other teleworkers or on-site colleagues, and software should be chosen with this in mind.
- Teleworkers should be encouraged to use information technology as a means of social communication with colleagues as well as a work tool.

7. Hours of work

One of the main differences between work carried out in the home and work carried out at the employer's establishment is that, in the home, the worker has much greater control over when the work is carried out. The homeworker's autonomy over time may, however, be somewhat illusory under some circumstances. If a large amount of work is delivered with a short-term deadline, for instance, the homeworker may have little choice but to work virtually continuously until it is completed. Homeworkers may also find that the hours which they have available for working are tightly constricted by external factors, such as the need to work when children are asleep or at school, the need to stop work to attend to the preparation of family meals or other domestic work, or the need to be available on the telephone at times of the employer's or clients' choosing.

One of the perceived advantages of homeworking is the flexibility which it affords to homeworkers to arrange their working times to fit in with other domestic obligations. This means that, in practice, many homeworkers are working during periods which would be regarded as unsocial working hours for on-site workers, such as evenings, early mornings or weekends. It would thus be inappropriate to apply to homeworkers much of the legislation which regulates working hours for on-site workers. However, the exclusion of homeworkers from the scope of such legislation can leave them vulnerable to the imposition of very high workloads by employers.

It should be the aim of any policy on home work to ensure that no homeworker is presented with unduly large amounts of work in any given period. Ideally, the amount of work given to a homeworker should not be such as to require him or her to work longer than a normal working week during any seven-day period.

In some countries, attempts have been made, either by legislation or through collective agreements, to regulate the working hours of homeworkers to ensure that they are not excessive. In Australia, for instance, the Clothing and Allied Trades Union has negotiated for hours of work to be limited by restricting the amount of work that can be delivered over weekends or holidays. A limited amount of work is permitted, provided that overtime rates are paid. In the Netherlands, the Women's League of the Federation of Dutch Unions has argued for the incorporation of time limits in collective agreements. Under this proposal, employers have to inform the homeworker a week in advance of the work to be carried out, and standards are adopted regarding the amount of work that can be handed out in relation to the time limit for its execution.

Where homeworkers have the status of employees, with a contract which specifies the number of hours to be worked per week, in principle this problem does not arise; homeworkers simply stop working when they have performed their quota. In practice, however, many feel under considerable pressure to put in unpaid overtime to meet deadlines or find it impossible to ignore unfinished work which is physically present in their homes. An obligation therefore remains on employers not to overburden homeworkers with work, even when they have employee status and are not paid by results.

A particular problem is sometimes created for homeworkers by employers who are unreliable or fail to be specific about whether or when work will be delivered or telephone communication will be made. Many hours which might otherwise be productively spent elsewhere may be wasted waiting for a visit or telephone call which might, or might not, materialize when employers are unreliable in this respect.

Good practice

- Homeworkers should not be given more work in any given period than an equivalent on-site worker could reasonably expect to complete in the time.
- In the calculation of piece rates or other performance-related payment systems, a realistic estimate should be made of the actual amount of time a homeworker requires to complete the work.
- All contracts should specify the amount of time the homeworker is expected to work for the employer in any given week or month, or over the duration of the contract.
- The homeworker should be clearly notified of any requirement that the homeworker be available to be visited or telephoned by the employer at any particular time(s). Reasonable notice should be given of any specific requirement to attend a meeting or be available for a prearranged telephone conversation.
- Time spent by the homeworker travelling to fetch or deliver work, waiting for equipment to be repaired, waiting for work to be delivered or waiting for managers to telephone instructions should be regarded as working time and reimbursed appropriately.
- In situations where teleworkers or other homeworkers are working partly from their homes and partly from the employers' premises, such arrangements should be clearly specified in the contract, and at least a week's notice should be given of any proposed changes. Ideally, such changes should be by mutual agreement only.
- Any work required of the homeworker in excess of his or her normal weekly or monthly quota should be treated as overtime working and reimbursed at a higher rate of pay. Advance notice should be given of any requirement to work overtime. In one German collective agreement, the employer is obliged to give homeworkers one month's advance notice of any overtime working. It is also good practice to make overtime working optional, rather than compulsory for homeworkers, as for any other group of workers.

8. Health and safety

Because of the lack of segregation between working and living space in homeworkers' homes, health hazards present greater risks than in most workplaces. As well as any hazards which

are intrinsic to the particular work process — for instance, those arising from the use of toxic substances, flammable materials or repetitive processes likely to lead to strain injuries — additional hazards may be created by the presence of children, other family members or visitors who have not been trained in the safe handling of materials. There is also an increased risk of accidents arising from overcrowding and the multiple use of workspace. There is, for instance, a greater risk of accidental spillage, of food being contaminated by being stored in proximity to toxic materials, or of the improper use of dangerous equipment in such circumstances. Homes are also much less likely than factories or offices to be equipped with safety devices, such as extraction fans, or ergonomically designed furniture such as desks or chairs.

Teleworking generally avoids many of the hazards associated with manufacturing-related homeworking. However, because it often involves the intensive use of visual display units or terminals (VDUs or VDTs), it carries its own risks to health and is, in some countries, subject to specific regulation designed to minimize VDU-related problems.

It should be the aim of any health and safety policy designed to protect homeworkers or teleworkers to ensure that:

- their work processes and working conditions are at least as safe as those pertaining when equivalent work is carried out in premises controlled by the employer;
- they are fully informed about safe working practices and any hazards associated with the materials and equipment with which they work;
- they have the same rights as on-site workers to elect safety representatives, to be represented on health and safety committees, and to call in independent safety inspectors or trade union safety representatives if they suspect that hazards may exist; and
- they have the same rights to compensation as on-site workers in the event of work-related illness or injury.

In most countries, some attempts have been made to regulate homeworkers' health and safety. In Costa Rica, Germany, Panama, Uruguay and Venezuela, for instance, the work to be performed and the premises to be used must satisfy the conditions of health and safety prescribed by the competent authorities. In Germany, this approach has been extended to permit the issuing of ordinances dealing with hazards identified as common in certain specified industries. Elsewhere — for example in France, Italy, Japan and Poland — home work which would endanger the life, health or morals of homeworkers, persons living with them or the general public, is prohibited. In a number of countries there is also a requirement that employers provide homeworkers with instruction on the safe use of hazardous equipment or materials.

In the United Kingdom, teleworkers who are significant users of VDUs have been brought within the remit of the Government's Health and Safety Regulations, implemented in 1993. These

regulations place an obligation on employers to analyse workstations used by their staff to assess risks and to review these assessments when necessary. They must also reduce the risks identified by these assessments to the lowest extent reasonably practicable. Employers must ensure that workstations comply with the stipulated standards, and plan the activities of users so that there are periodic breaks or changes of activity reducing their workload at the screen. There is also an obligation to ensure that users are provided with eye and eyesight tests on request, and to pay for special spectacles where the test shows these are needed and normal glasses cannot be used. Finally, employers must provide health and safety training for users of VDU workstations and information on all aspects of health and safety relating to their workstations, and on the measures taken to comply with the regulations. These regulations apply regardless of whether or not the homemaker has employee status.

Good practice

Good practice in ensuring the health and safety of homeworkers includes the following:

- providing clearly written information in the appropriate languages on the safe use of any equipment or materials required for the work. This should be supported by the training of homeworkers, preferably in the form of demonstrating the use of equipment to workers by a supervisor in the homemaker's own home, with the opportunity for the homemaker to repeat the process under supervision and to discuss any questions which might arise in his or her own language;
- prohibiting the use by homeworkers of any substances whose use in the workplace is the subject of statutory controls (e.g. radioactive substances, lead or asbestos);
- inspecting for safety any equipment supplied by the employer, including information technology, before it is given to the homemaker and regular maintenance of such equipment by the employer;
- payment by the employer, where this is not automatically provided under national regulations, for comprehensive insurance covering accident or injury either to homeworkers themselves or to third parties;
- taking account of the need to avoid causing stress when employers determine the amount of work to be done by homeworkers and set deadlines for such work. An example of such a condition, taken from a contract covering word processor operators and other teleworkers using computer technology in Scotland, reads as follows: "As physical problems, stress and fatigue may result from poor work organization and/or job design, particular attention will be paid at the planning stage of the teleworking job to the development of methods of work which will reduce the possibility of these types of health problems occurring";
- designing furniture or other equipment supplied to homeworkers to minimize risks to health, conforming wherever possible to prevailing ergonomic standards. Where the

employer does not provide such equipment, homeworkers should be reimbursed in full for its cost;

- provision by the employer of any equipment or substances that the homeworker is expected to use requiring special storage — for instance storage at a certain temperature, or in dry, fireproof or secure conditions — or full reimbursement to the homeworker for its cost;
- developing clear procedures for recording accidents, and encouraging homeworkers to use them;
- providing basic first-aid supplies to homeworkers who work with tools or equipment capable of causing injury. Those working with flammable materials should be supplied with a fire extinguisher;
- giving teleworkers, or other homeworkers engaged in work involving visual strain, the opportunity of regular eye tests and, where the test shows these are needed, special spectacles at the employer's expense;
- giving the right to homeworkers to elect their own safety representatives and play a full role in whatever collective bargaining procedures relating to health and safety are in force at the employing establishment;
- informing homeworkers of their rights to call in independent environmental health officials, occupational health officers or safety inspectors to inspect their homes if they suspect that a hazard may exist;
- finding alternative employment for homeworkers who, as a result of their work, develop any chronic condition or injury which prevents them from continuing to carry it out, at a similar level of remuneration. An offer of alternative employment should not, however, be regarded as a substitute for any obligation which may exist under national law to compensate the worker financially for the injury.

9. Welfare benefits

Homeworkers' access to welfare benefits varies enormously from country to country, depending not only on the particular national regulatory context but also on such variables as whether or not they have employee status, whether they have dependent children, whether they are the sole family breadwinner, whether they have full citizenship rights, whether they are registered sick or disabled, and, in some cases, whether or not they are part-time workers.

The division of responsibility between state institutions, private insurance companies and employers over such issues as health care, sickness benefit, child-care provision and pensions

varies considerably between countries, making it difficult to be specific about the responsibilities of either employers or state agencies towards homeworkers' welfare.

In general, the aim of any homeworking policy should be to ensure that, having regard to the specific national context, homeworkers are as well catered for as on-site employees with regard to holidays, maternity leave and pay, compassionate leave and pay, pensions, unemployment benefit, sickness and invalidity benefits, access to medical care and child-care facilities.

In many cases, homeworkers' motivation for taking up home-based employment stems directly from unmet social needs, for instance child-care problems, a lack of mobility caused by a disability, the need to care for aged or invalid dependants, refugee status, a lack of literacy or language skills. In such cases, an effective policy designed to help homeworkers may involve the development of social provisions designed specifically to alleviate these problems. Some examples of initiatives developed to meet a few of these needs are described later in this report in the section on action and support programmes.

Where homeworkers have employee status, they normally have an automatic entitlement to all the benefits available to on-site workers. Attempts to bring other homeworkers' benefits into line with those of on-site workers have been made in a number of countries.

Holidays

In France, homeworkers and their assistants are entitled to an annual leave allowance amounting to 10 per cent of their gross annual wage. This arrangement, however, has been criticized for encouraging homeworkers to work excessively long hours in order to maximize this allowance. In Austria and Germany, the approach has been to grant a stipulated number of days' leave per year. In Argentina, there is a legal stipulation that no work should be given out during holiday periods. In Paraguay, homeworkers are entitled to paid public holidays if they have worked for the employer during the preceding fortnight.

Pensions

In the United Kingdom, a collective bargaining agreement covering self-employed home-based writing and editorial staff obliges the employer to contribute a sum of money, calculated as a percentage of the total fee, for each piece of work to a pension fund covering these workers.

Social benefit payments

In Uruguay, a special social welfare fund has been set up with contributions from employers to provide benefits for homeworkers.

Child care

In Mexico, a trade union representing workers in the garment industry has set up crèches for working women, including homeworkers.

Maternity leave

A British computer company employing home-based teleworkers has developed a policy whereby homeworkers' hours are adjusted, in consultation with the workers concerned, to suit their child-care requirements. Homeworkers are given maternity leave on the same basis as on-site employees. On returning to work, they are initially given small quantities of work, the workload being increased as their children grow older.

Unemployment pay

The National Union of Journalists in the United Kingdom provides unemployment pay, paid for out of union membership contributions, to its members, including self-employed freelance teleworkers, when they have been unemployed for longer than a minimum stipulated period.

10. Effective management and training of homeworkers

With the spread of home work to a wider range of industries and occupational groups in recent years in the form of teleworking, more and more attention has been paid to the development of more sophisticated and effective means of managing home work than prevailed in the past. As a result, a body of good practice has been built up which can be used as a model for the improvement of managing home work.

Because much of this practice has been developed in contexts where teleworking is being introduced for staff with employee status who previously worked on the employer's premises, or who work partly on the employer's premises and partly at home, it has frequently focused on the extension of existing workplace management practice to remotely based workers.

This has involved, for instance, the inclusion of teleworkers in existing staff appraisal, training and career development schemes, the development of special counselling, induction and training schemes for teleworkers and their managers, the setting up of help-lines to provide information to teleworkers, and the introduction of newsletters, regular social events, and clubs with the object of breaking down the social isolation of home-based workers and integrating them into the corporate culture.

Good practice

Good practice in the management of homeworking may include the following:

- ensuring that supervisors, intermediaries, managers or other personnel who have regular dealings with homeworkers have been adequately trained to communicate effectively with them, deal sensitively with problems which may arise and practice the employer's personnel policies (including equal opportunities policies) fairly and impartially;

- ensuring that all homeworkers receive initial training, not only in the specific skills required to carry out their work effectively, but also in the employer's general working procedures, including procedures for claiming expenses, collective bargaining procedures, grievance and disciplinary procedures, and health and safety procedures. They should also be provided in writing with the names, addresses and, where relevant, telephone numbers of all the staff with whom they may have to deal, trade union representatives, and any labour or health and safety inspectors whom they may have the right to consult under national regulations. Employers of teleworkers in the United Kingdom have developed a number of practices to improve the initial training of homeworkers, including the provision of counselling to help them prepare for the social isolation of working at home; a scheme whereby new teleworkers "shadow" existing homeworkers for an initial period; the development of time management courses for teleworkers; and the production of guides or "fact-packs" summarizing essential information required by the teleworker. Many of these are capable of adaptation to meet the needs of homeworkers who are not teleworkers;
- ensuring that homeworkers' general training needs are regularly appraised. Homeworkers and teleworkers should have the opportunity not only to upgrade the skills required to carry out their existing work, but also those needed for promotion within the organization. Employers should assist homeworkers who lack literacy, numeracy or language skills, by providing time off to attend courses, passing on relevant information and generally facilitating access to basic skills courses. In some countries, workplace-based basic skills schemes run by statutory or voluntary agencies can be accessed for such purposes;
- giving homeworkers the opportunity to participate in any general training or career development schemes run by the employer;
- giving homeworkers the opportunity to apply for vacancies which may arise for jobs on the employer's premises or, in the case of workers previously based on-site, the opportunity to return to workplace-based employment when their circumstances change;
- establishing clear communication procedures between homeworkers and their managers with an opportunity for some regular face-to-face contact. This could take the form of regular telephone calls and/or visits to check on progress and discuss any problems which may have arisen. The frequency and form of this communication, and whether meetings should take place on the employer's premises, in the homeworker's home or elsewhere will vary depending on the type of work being carried out and the individual circumstances of the homeworker and/or the employer. All communications should be at times and places convenient to the homeworker. Where they take place on the employer's premises, meetings can provide a valuable opportunity for homeworkers to meet each other, compare experiences and socialize.

When clear ground rules have been established setting out the circumstances under which homeworkers should be contacted by managers or other employees, and the time periods when this contact is acceptable to the homeworker, then all relevant staff should be

informed of these rules, to ensure that homeworkers' privacy is not violated during non-working periods. Under no circumstances should homeworkers' telephone numbers and/or addresses be passed on to third parties without their consent;

- attempting, wherever possible, when deciding what work should be given to homeworkers, to introduce some variety, to minimize boredom, to minimize the chances of developing injuries due to repetitive work (including keyboard work), and to give the homeworker an opportunity to practice as wide a range of skills as possible. This process should be carried out bearing in mind the homeworker's existing skills and preferences. Job design should also, wherever possible, take account of the social benefits of some degree of collaborative team effort either with other homeworkers or with on-site colleagues, and seek to encourage such collaboration, to the extent that this is compatible with home-based working. In the case of teleworking, the degree to which collaborative working is possible may depend to some extent on the type of software used for the work. Care should therefore be taken by employers when choosing software to ensure that its design does not discourage collaborative working;
- developing performance measures, or targets by which homeworkers' progress is to be monitored, wherever possible, through a process of consultation and agreement with homeworkers. Research carried out for the Employment Department in the United Kingdom concluded that, when teleworkers have been involved in such a process, they are more likely to be motivated and will perform more effectively. Monitoring arrangements, such as the use of on-line systems whereby teleworkers' keystrokes are monitored by the employer, were regarded by managers as counterproductive because they violated the relationship of trust, which was seen by many as the key to the successful management of remotely based workers;
- adapting existing grievance or disciplinary procedures, or developing new ones, specifically for homeworkers, to ensure that effective procedures exist for resolving any problems which may arise. Such procedures should include the right of homeworkers to be represented at any meetings or disciplinary hearings, and a right of appeal to an independent arbiter in the case of a failure to reach agreement.

11. Freedom of association and collective bargaining

A central problem for homeworkers is their isolation, which makes it very difficult for them to associate with each other and participate in the usual forms of collective bargaining. In some cases, this problem has been exacerbated by the fact that trade unions, fearful of their members' wages and conditions of employment being undercut by competition from casualized workers, have taken up a position of opposition to home work, sometimes even calling for it to be banned altogether. Where such an attitude has prevailed, homeworkers have found themselves excluded from the protection which union membership can bring. This has also strengthened the

image of homeworking as a clandestine, or semi-licit form of work, which has acted as a deterrent to claiming social and legal rights.

Opposition to home work is, however, by no means universal among trade unions, and there have been a number of attempts to bring homeworking and teleworking within the scope of collective bargaining. Some of these initiatives are described in the later section of this report on action and support programmes.

Many industries, both in developed and developing countries, have long traditions of casual working and, over the years, trade unions have developed a variety of means for representing casual workers, negotiating improvements in their wages and conditions of employment, and participating in schemes designed to introduce regulation. Such groups include construction workers, seasonal agricultural workers, dockers, domestic servants, actors, musicians, film technicians, freelance journalists and a variety of different manufacturing trades. They thus encompass both manual and non-manual work. It can be argued that a number of lessons can be drawn from these experiences, which may be of use in the organization and representation of teleworkers and other homeworkers.

Some initiatives of this type include the development of registration schemes and the requirement that employers hire from a list of registered union members, the inclusion of “freelance clauses” or “teleworking agreements” in union contracts negotiated with employers, union-run employment bureaux, the negotiation of minimum wages and union campaigns for demands raised by, or particularly important to such workers, including consumer boycotts directed against employers who fail to meet these demands.

Good practice

As with other aspects of the employment of homeworkers, the aim of good practice policies should be to extend to home-based workers the same rights in relation to collective bargaining as are enjoyed by comparable workers employed at the employer’s establishment, and to extend the collective bargaining machinery to cover all workers, regardless of where they work. Full participation of homeworkers in collective bargaining often requires action to be taken by trade unions as well as by employers.

This includes the following:

- ensuring that all homeworkers are aware of their rights to join the trade union of their choice and to participate in its activities, and the provision of information about how to do so in the relevant languages;
- recognizing any trade union joined by homeworkers for collective bargaining purposes and entering into serious negotiations with it over the terms and conditions of employment of homeworkers, in accordance with national legislation;

- ensuring that homeworkers have the right to elect their own representatives, who shall have the same rights as any other trade union representative, to represent their interests to management and within the trade union. These rights should include the right to information, the right to paid time off work for union duties, the right to participate in meetings during working hours, the right to raise individual grievances, the right to make safety inspections, the right to trade union training and any other rights afforded by national legislation. Where works councils exist at the workplace, homeworkers should be represented on these works councils. Where negotiations over wages and conditions are carried out at a national level, trade unions should ensure that homeworkers' interests are represented at the national negotiating committee;
- ensuring that homeworkers have the right to attend union meetings held at the workplace. Where necessary, trade unions should arrange meetings at times and places convenient for homeworkers. In some cases, homeworkers' participation in meetings can be facilitated by the provision of interpreters and/or child-care facilities. Where on-line teleworking is established, it might be possible to use the telecommunications networks to enable teleworkers to participate remotely in trade union decision making, for instance, by using electronic bulletin boards for the exchange of information or developing mechanisms for voting electronically;
- ensuring that homeworkers have the same access to grievance and disciplinary procedures as other employees and that, where necessary, such procedures are adapted to make them relevant to the sorts of grievances and disciplinary matters likely to arise in relation to home work;
- producing newsletters, guides or "fact-packs" for homeworkers in the appropriate languages making them aware of their rights and of the terms and conditions which have been agreed on their behalf. In some cases, the setting up of telephone help-lines or other information or advice services for homeworkers by trade unions may also be appropriate.

12. Reporting, registration and supervision of home work

In addition to measures taken by employers and trade unions, in most countries there is also a need for additional forms of regulation and support to ensure that homeworkers' rights are fully protected. Because of the different statutory frameworks which pertain in different countries and the differing levels at which policies are developed, the most appropriate organizational form for these will vary from country to country.

Whether it is more appropriate to develop initiatives at a national, regional, sectoral or local level, for instance, will depend partly on the specific nature of the initiative concerned and partly on the national legislative environment.

Some of the initiatives summarized below may be unnecessary where alternative mechanisms already exist for delivering the relevant services. The functions listed here should therefore be regarded more as starting points for discussion than as prescriptive guidelines.

Good practice

In each country, consideration should be given to setting up bodies, whether statutory or voluntary, at a local, regional, sectoral or national level, to provide the following functions:

- drawing up proposals for a regulatory framework for home work, including determining the appropriate penalties for breaches of such regulations;
- providing expert advice on matters pertaining to home work, such as employment status, planning issues, tax issues, insurance issues and the determination of wage levels;
- drawing up specific proposals relating to home work in particular industrial sectors or occupational groups;
- drawing up codes of practice for the employment of homeworkers;
- carrying out research on home work and monitoring trends in the employment of homeworkers;
- providing for arbitration in disputes between homeworkers and their employers;
- maintaining registers of employers;
- developing a system of licensing of employers of homeworkers, including the establishment of minimum standards and a system of penalties for employers in breach of these standards;
- providing advocacy, legal advice and advice on employment and welfare rights to homeworkers (this body or bodies should, for obvious reasons, be independent of the body providing arbitration in legal disputes);
- disseminating information to homeworkers;
- conducting campaigns for good practice in the employment of homeworkers;
- providing homeworkers with practical assistance in obtaining unpaid wages and, where necessary, tracing employers through subcontractors.

13. Action and support programmes

Because of the powerlessness of homeworkers relative to other workers and the peculiarly intractable nature of many of the problems they face, there have, in recent years, been a number of attempts to devise types of support which are appropriate for their special circumstances and

to take action to improve their situation. These have taken many different forms. Some have been very localized in their scope; others have had national consequences. Some have been funded by national or local government organizations; others by non-governmental organizations; still others by trade unions or as a result of self-organization by homeworkers themselves.

Different activities have been undertaken which have achieved a wide range of social, legal, economic and personal benefits for homeworkers. Some of these, which may provide models for future action or support programmes, are outlined below.

Telecottages

Having originated in Scandinavia, the telecottage movement has now spread through most of Europe. Telecottages take a number of different forms, but typically involve the setting up of centres for teleworking, usually in rural areas, which combine one or more of the following functions: the generation of locally based employment; the provision of information technology-related training; the provision of information technology-related services to the local community, locally based teleworkers and locally based enterprises; the breaking down of the isolation of work which is entirely home-based; and the provision of social services, such as child care, to enable teleworkers to work.

They are funded from a variety of sources, including economic development organizations, training agencies, local authorities, national government departments and the European Union.

In the United Kingdom, telecottages have banded together in the Telecottage Association, which produces a newsletter for its members.

Self-organization

One example of self-organization by homeworkers is in India, the Ahmedabad-based Self-Employed Women's Association (SEWA), an organization of some 50,000 self-employed street vendors, *bidi* cigarette rollers, garment workers, agricultural workers and other women working casually in their homes who are not eligible for membership in traditional trade unions. Its many activities have included negotiating with employers, lobbying for legal changes, providing welfare services, providing credit to its women members and setting up cooperatives.

In the Philippines, PATAMABA was set up in 1989 as the National Network of Homeworkers, having grown out of the activities of KaBaPa, a grassroots rural women's association set up in 1975. Supported by funding from the ILO and other organizations, PATAMABA now has a national centre and a presence in 24 provinces. It engages in a wide range of political, project development and training activities, with a strong emphasis on the self-development of its members.

In the United States, the Women of Color Quilters' Network is another example of self-organization. The group, which has no external funding, has some 500 members scattered throughout the United States and elsewhere involved in traditional African American quilt

making. The Network has succeeded in gaining public recognition for this type of work and greatly increasing the earnings of its members, as well as giving them bargaining power against unscrupulous dealers who, in the past, paid the quilters very small amounts of money for their quilts, which were then sold at much higher prices to museums as examples of folk art. The Network acts as a broker between individual quilters and their customers, and is also involved in organizing exhibitions and educational activities.

In Kyoto, Japan, there are a number of Homeworkers' Friendship Associations which also grew out of the self-organization of homeworkers. These originated in the post-war period when there was a desperate need for work. A practice of work pooling grew up in some of the poor neighbourhoods of Kyoto. One person would find piecework and share it out amongst a group of neighbours, then deliver the completed work to the employer and share the proceeds amongst the homeworkers who had participated. Some of these groups were formalized as Friendship Associations and, in 1956, they were formally recognized by the prefectural government, which has provided them with some resources ever since. There are currently 23 such associations in the prefecture, democratically run by their members. Their offices act as a combination of local labour exchange, training centre, drop-in advice centre and source of work for homeworkers in the neighbourhood.

Outreach work

A number of projects have been set up in various countries, usually within the voluntary sector, to carry out outreach work amongst homeworkers. In Bombay, for instance, the Bombay Union Research and Information Group produced a tape-slide presentation in several languages about homeworking in the city, using interviews with homeworkers and photographs showing their working conditions. This was shown to groups of homeworkers at local meetings and used as a basis for discussion and organization.

In the United Kingdom, a number of local homeworking projects have been set up, for instance, in Leicester, West Yorkshire, Birmingham and Rochdale, to carry out research on home work, provide information and advice to homeworkers, campaign around issues of importance to homeworkers and support groups of homeworkers in setting up their own organizations. These groups have focused on homeworkers in manufacturing or low-level service occupations rather than on teleworkers. Several of these groups employ ex-homeworkers as outreach workers. These workers visit homeworkers in their homes, providing advice on a variety of work-related and personal problems and, where necessary, taking up individual cases or referring them on to specialists. The homeworking groups work closely with other community-based groups, including ethnic groups, child-care campaigns, and health and safety projects. Some of the local groups produce newsletters in the languages spoken by local homeworkers. Some are also involved in developing training courses for homeworkers, and helping them to develop alternative forms of employment, either individually or in groups. Most of the groups have also produced "fact packs" and other means of providing practical information to homeworkers about their legal rights. They are organized together in a National Group on Homeworking, which is involved in political lobbying, developing international links, fund raising and other activities, as well as providing a forum for the exchange of experiences between the local projects.

In the Netherlands, the Vrouwenbond FNV (a women's union affiliated to the Dutch Federation of Trade Unions) has been active in organizing homeworkers since the late 1970s. During the 1980s, four local homemaker centres were set up, providing support and advice to local homeworkers. These centres provided a range of information, counselling and other services to the homeworkers and some, as in the United Kingdom, employed ex-homeworkers as outreach workers. Because of lack of funding, two of these centres have been forced to close, while the other two now have resources only for training projects, which still continue.

The International Ladies Garment Workers' Union in Toronto, Canada, set up a Homeworkers Association in 1992. It has targeted homeworkers in the local Chinese and Vietnamese communities as particularly in need of help. It employs a worker fluent in these languages, and uses a variety of means to contact homeworkers, including the ethnic press and radio stations, community groups and word of mouth. It produces a newsletter in Chinese and English, and engages in a wide variety of activities designed to attract homeworkers and help break down their isolation, including social outings, English language classes and discussion groups. Its office includes a children's play room so that homeworkers can visit easily.

In Australia, the Textiles, Clothing and Footwear Union of Australia (TCFU) has run a series of intensive media campaigns in a bid to reach and organize outworkers in the clothing industry. Using national newspapers, radio and television and local media, including ethnic newspapers and radio stations, the first campaign, launched in 1986, elicited contact from 6,000 homeworkers over a 12-month period. Information leaflets were published in 14 different languages and distributed through community organizations as well as special inserts in newspapers. Another intensive media campaign, started in 1994, uses specially trained interpreters in 12 languages to staff a toll-free telephone help-line which outworkers are encouraged to call through publicity in the media.

Alternative forms of employment

In India, one of the ways in which SEWA has introduced improvements into the lives of homeworkers has been by setting up worker cooperatives. As well as providing alternative employment for its members, SEWA has used its cooperatives as part of a strategy for raising wages and improving conditions more generally. For example, when it set up a patchwork-making cooperative of 100 women in Ahmedabad, paying higher wages than those paid by other local employers, the 2,000 other SEWA members in the area working in this trade were able to use this information to bring pressure to bear on the other employers in the industry to raise their wages to a comparable level. Annual wage increases act as a level to raise pay levels more generally in the local economy. Another indirect benefit of these cooperatives is that they provide an alternative form of employment for homeworkers who have been victimized by their employers for standing up for their rights. They thus contribute to a general raising of the confidence of homeworkers in the area by lessening the severity of the threat of losing their work. Other worker cooperatives set up by SEWA have involved milk vendors, paper pickers, clothing workers, embroiderers, cleaners and *bidi* cigarette rollers. Through its credit unions, SEWA also provides support to women wishing to set up their own enterprises individually.

Members of PATAMABA in the Philippines have also been active in setting up their own businesses, either as individuals or as cooperatives. Fifteen cooperatives have so far been set up by its members, involving activities as varied as garment making, shoe making, weaving, papier-maché work, bamboo work, food preparation and making stainless steel kitchen utensils. PATAMABA has made this possible by helping with training, with access to start-up capital and with marketing. Its national centre includes a showroom for promoting its members' products. The organization has discovered that these enterprises stand a much greater chance of success if they are not imposed "from above", but arise out of the homeworkers' own efforts.

The Kyoto Homeworkers' Friendship Associations also provide employment for their members. They negotiate contracts with employers, distribute the work among their membership, carry out checking, finishing and quality control, and distribute the wages. Because they have a large pool of workers to draw on, because their workers are highly trained and because their quality control is much better than that of their competitors, they are able to command levels of pay which are above market rates. The employers for whom they work are prepared to pay a premium for quality and reliability.

In the United States, the Watermark Association of Artisans has learned a similar lesson. This organization, started by a group of home-based craftswomen in a poor part of North Carolina in 1978, has some 700 members, nearly all women, working in their homes making small craft objects using wood, fabrics and basketwork. The objects are sold wholesale to large buyers all over the United States, and Watermark's organizers have discovered that these buyers are prepared to pay above-average rates for the speed and reliability of delivery and high quality which the cooperative is able to offer. Watermark combines social justice goals with commercial ones, and devotes considerable resources to training, counselling and empowering its members, many of whom have suffered multiple deprivation before joining the organization. It also provides training to other organizations all over the world wishing to develop similar schemes.

Credit facilities

In many countries, a major barrier to women attempting to set up their own businesses is created by a lack of access to credit. Without capital with which to buy equipment and materials at wholesale prices, they are forced into a dependence on employers who can supply work only intermittently, thus generating a cycle of insecurity.

This cycle can be broken by the provision of credit facilities, and a number of projects have focused on finding means of supplying these.

One of the most impressive achievements of SEWA has been the establishment of its own bank for its members who are poor and mostly illiterate and who cannot provide any collateral to an ordinary finance house. Based on the strength of the small savings of its members, SEWA can now boast a rate of default that is much lower than that in commercial banks. The success of such women's banks at a local level has led to serious interest at a national and international level.

PATAMABA, too, provides credit to its members. It has found that this strategy is particularly successful when they already have some savings of their own to contribute and thus have a strong stake in the success of the enterprise. PATAMABA, too, hopes eventually to set up its own bank.

In the United Republic of Tanzania, the traditional African practice whereby groups of poor women form societies to raise funds, each member donating a small amount of money each week to a pool and the group donating the total raised to a needy member on a rotating basis, known locally as *Upato*, has been widely used as a means of providing women with the capital to set up their own businesses. Some of these businesses have involved fish selling, transporting and selling coconuts, rice milling and sewing projects.

Lobbying for legal changes

An important role of many of the homeworking projects, whether they are based in Australia, Canada, India, Japan, the Netherlands, the Philippines or the United Kingdom, is lobbying for legislation to protect homeworkers. However, it is generally recognized that such legislation, though important, cannot improve their situation unless individual homeworkers are aware of their rights and have the resources to take test cases. In most projects, the process of political lobbying therefore goes hand in hand with that of advocacy and taking up individual cases.

In Australia, the TCFU succeeded in obtaining a judgement which varied the *Clothing Trades Award* to make it clear that homeworkers with the status of independent contractors were entitled to parity with factory workers on the same basis as homeworkers with employee status.

In Japan, lobbying by home work groups also helped to bring about a clarification of the definition of homeworking in the 1970 *Industrial Home Work Act*, which extended its protection to self-employed homeworkers.

In the Netherlands, campaigning by the Vrouwenbond FNV played a leading role in persuading the Government to bring home work within the remit of the *Conditions of Employment Act* in 1994.

In the United Kingdom, the Leicester Outwork Campaign has helped individual homeworkers who have been laid off by their employers to take test cases which have proved that employee status has existed, thus making them eligible for redundancy pay.

In India, SEWA waged an intensive political campaign to bring Gujarati garment workers within the coverage of the *Minimum Wages Act*, including organizing a protest demonstration in which over 1,000 homeworkers and their children took part. Once the political battle had been won, it then had to organize trade union action over several years to ensure that it was implemented.

The Canadian Homeworkers' Association works closely with the Coalition for Fair Wages and Working Conditions for Homeworkers, which carries out political lobbying, including organizing well-publicized demonstrations outside department stores which sell products made by homeworkers and printing postcards for consumers to send in to these retailers as a form of protest.

PATAMABA, too, has been involved in lobbying politicians to obtain changes in the protective legislation and social security regulations applying to homeworkers.

Special trade union sections for homeworkers and homeworkers' unions

A number of trade unions have set up special branches or divisions to represent the special interests of home-based members or teleworkers.

One example is the British National Union of Journalists, which represents home-based proof-readers, indexers and other relatively low-paid white-collar occupations connected with publishing, as well as freelance journalists and photographers. Among the services it provides for members are the inclusion of freelance clauses in all union agreements with employers, the separate representation of freelancers at all levels within the union, newsletters for freelance members, reduced membership rates for low-paid members, sickness and unemployment benefits for members who are without work for longer than a specified period, legal assistance for members in dispute with employers, special rubber stamps with which union members can identify their work as having been produced by a union member and training courses in journalistic skills for self-employed members. The union has also set up an electronic network for its teleworking members to use to communicate with each other. As a result of extensive casualization in the British media industries, a third of the union's membership is now freelance.

Both the Australian TCFU and the Canadian ILGWU have set up special sections for homeworkers in the garment industry. These combine the traditional trade union functions of negotiation with employers with a variety of other functions, some of which have been described above.

In Japan there are several unions of homeworkers, located in large cities including Kyoto, Osaka and Tokyo. Some of these came together in 1960 to form the General Confederation of All-Japan Homeworkers' Unions. Although Japanese law does not give homeworkers the right to bargain collectively, many of the stronger unions in the Confederation have, in practice, taken on this role. For instance, the Tokyo Union of Boot and Shoe Operatives, which was established in 1954 and has about 1,000 members, carried out regular annual negotiations with its members' employers and has also won a number of other victories. It has negotiated with the tax office that its members should be taxed on the same basis as salaried employees, and has also managed to set up a social insurance scheme for its members on advantageous terms. Other activities include issuing pamphlets and holding seminars for its members on labour legislation, health and safety, environmental and peace issues.

Consumer campaigns

Because so much of the work done by homeworkers involves the production of goods for mass consumer markets, one strategy which has been developed for influencing employers has involved the use of consumer pressure.

The Clean Clothes Campaign was developed in the Netherlands. Part of this campaign involved the development of the Fair Trade Charter for Garments, which is a code of conduct for all retailers selling clothing in the Netherlands. The central idea is that the retailers as subcontractors and buyers are responsible for the wages and conditions of homeworkers and are capable of bringing about improvements. On signing the charter, retailers become entitled to use the “Clean Clothes Trademark” and voluntarily place themselves under the guidance of a coalition of representatives of consumers, workers and branch organizations. The retailer can be cautioned and eventually lose the trademark if the clothing is produced in violation of the code.

The Canadian Coalition for Fair Wages and Working Conditions for Homeworkers also seeks to mobilize consumer pressure. In its first year, the Coalition’s postcard campaign resulted in some 3,000 cards being sent to retailers by concerned consumers to protest against the exploitation of homeworkers.

In the United States, Appalachian Knitwear, a cooperative of home-based knitters, uses the fact that its products are made under non-exploitative, environmentally friendly conditions as a major selling point. Its main customer, a company called Esprit, sells the sweaters its members make as part of its ECollection, designed for environmentally conscious consumers. SEWA and Watermark, too, have discovered that the way their products are made can enhance their marketability.

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