



From Precarious Work to Decent Work



VII Global Labour University Conference, 28 – 30 September 2011
University of the Witwatersrand, Johannesburg

Impact of Precarious Work on

Collective bargaining and the Colective bargaining unit

Problems workers and unions are facing

- Temporary workers hard to reach
- High turnover difficult to organise
- High level of fear and intimidation
- No ability to negotiate
- Difference in treatment in pay benefits and social security

Impact on workers

- Lower Safety and health conditions
- Depreivation of benefits like vacation, pension social security
- On average lower wages and difference in other benefits
- No maternity protection

Impact on collective bargaining

- Transfer from collective bargaining to individual contracts
- Attack on sectoral agreements
- Undermining acquired rights
- De-Unionisation
- Emergence of yellow unions
- Thresholds for setting up a trade union
- Redefining employment status leads to de-registration of trade union

Impact on collective bargaining

- Subcontractors are forced to bargain with the agency
- Enterprise or sectoral unions can not legally represent agency workers
- Enterprise level core is shrinking and become itself too small to be a powerful bargaining unit

Making of precarious work by governments, international institutions and multinational companies

- Governments create increasing space for precarious employment
- Weak Labour Inspection
- European Union directive on agency work
- Adjustment demands by World Bank (efficiency, job creation)
- Relocation threat by multinational companies
- Multinationals forcing workers to agree 'voluntarily' to be transferred to contract labour

Trade Union responses

- Fighting for central or sectoral bargaining
- Legal extension mechanism like bargainign councils
- Minimum wage
- Recognition of employment relationship
Recommendation 198
- New intiatives to organise precarious workers
- Court action to defend precarious workers
- Call for legal restrictions to use agency & temporary work
- Alliance with social movements
- Media consumer support

Trade Union responses

- Collective bargaining with public authorities for basic rights and provisions for precarious workers
- Negotiating in collective bargaining agreements for limiting the number of temporary employees and assuring conversion in permanent employment.
- Excluding temporary workers from dangerous jobs that require experience and skills on the job
- National observatory for data to monitor trends in precarious employment
- Demanding joint and several liability in case of agency work
- Getting back centralised or sectoral bargaining (Argentina, Peru, Mauritius)
- Using International Framework agreements to extend rights to precarious workers in supply chains
- Fighting precarisation of public service work