

Promoting the unionisation of workers in Malawi's informal tea sector

Good practices



Responds to the following criteria

- ▶ Relevant
- ▶ Replicable
- ▶ Sustainable



Main stakeholders

- ▶ Employer organisations
- ▶ Workers' unions
- ▶ Small-scale enterprises
- ▶ central-level ministries
- ▶ International organisations and social partners

▶ Description

The unionisation of workers in the informal tea-growing sector in Malawi is a good practice that has contributed to the fight against child labour in the tea supply chain. Informal smallholder tea growers represented by the National Smallholder Tea Growers Association (NSTGA), sell their tea to enterprises in the formal tea sector, which are represented by the Tea Association of Malawi (TAML). In some cases, the smallholder farmers also work as temporary and seasonal employees in the formal sector. However, only the formal sector was unionised through the establishment of the Plantation Agriculture Workers Union (PAWU) in 1947. Non-unionised workers in the informal tea sector faced a variety of problems, such as abuse of their labour rights, lack of representation, and inability to bargain with tea estates' management.

To address this problem, there was a push in 2022 to promote the unionisation of the informal tea sector and safeguard the welfare of informal workers, as well as of temporary and seasonal workers. According to Malawi's Labour Relations Act, a group of seven individuals with an interest can form a worker's union after making an application to the Ministry of Labour for registration. However, in this case, the creation and registration of another union was not necessary, as PAWU was already a functional union, which then only needed to extend its membership to include workers in the informal sector.

The extension of this existing structure was led by NSTGA and had notable impacts on the conditions of the farmers in the informal tea sector. This included raising the prices of the tea at which smallholder farmers sold their produce to the tea estates, thereby increasing the wages of temporary and seasonal employees and helping partly address household poverty, a root cause of child labour in Malawi's tea supply chain.

Since the start of the movement, unionisation has grown exponentially. PAWU is now a two-dimensional organisation that represents workers in both the formal and informal tea-growing sectors. This has contributed to the growth of PAWU's financial base built through member contributions, which is central to the sustainability of its operations. Furthermore, unionisation has brought many other benefits, such as the advancement of dialogue mechanisms between workers and employers, improvement in the conditions of smallholder farmers who work as seasonal workers in the formal tea sector, the promotion of gender equality (e.g., through workers lobbying for the recognition of maternity and paternity leaves in companies), the facilitation of the transition from informality to formality through compliance with laws, and increased awareness of rights and duties among workers, among others.

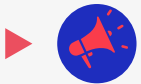
► Process

Campaign to start unionisation



Conceptualisation of the union

A group of concerned workers developed the idea of unionising workers in the informal tea-growing sector after noticing the success of unionisation efforts in Malawi's transport sector. The push to unionise came after workers observed bad workplace practices in the tea estates, including abuse of their labour rights and lack of representation and dialogue with tea estates' management.



Awareness raising campaign

Informal workers from PAWU created a group of interim leaders. This group organised and facilitated awareness-raising sessions in the Julanje and Thyolo districts about the importance of unionisation, targeting both workers and decision-makers in tea estates. They communicated that workers' unions are key to bridging the gap between informal tea growers or temporary workers with tea companies, and can help promote effective bargaining and conditions of engagement, as well as fair wages and prices. Awareness-raising activities targeted hotspots where many smallholder farmers gathered, such as places where they sell their produce to tea companies.



Member recruitment campaign

With logistical and financial support from the ILO ACCEL Africa project, the union organisers conducted a campaign to recruit informal workers into the union. They sensitised the workers on various reasons for joining the union as subscribed members, and also collected their grievances to inform social dialogue activities with the management of the tea companies. In the campaign, they distributed communication materials (e.g., flyers) that contained information about the union, as well as various child labour interventions implemented by the ACCEL Africa project over recent years. As with the awareness raising campaign, the member recruitment campaign was also conducted in hotspots where many smallholder farmers gathered to sell their produce to tea companies.



Distribution of registration forms

During the member recruitment campaign, the union organisers worked together with the block leaders of the NSTGA to distribute union registration forms to informal workers who voluntarily chose to join the union as paying members. The registration was done in accordance with freedom of association provisions upheld in Malawi's constitution.



Establishment and strengthening of branch committees



Formation of trade union branches and committees

Once the recruitment of members was finished, the union organisers started the process of setting up branches of the union or subcommittees, building them in already-existing structures that were established by the NSTGA. The rule was to set up a committee when there were ten or more people interested in the workers union. The established committees developed their own rules and regulations and elected their own leadership, including the chairpersons, vice chairpersons, secretaries, and treasurers. These committees coordinate their activities and share their grievances with PAWU as a formal vehicle for social dialogue within the formal tea sector, helping bridge the gap between the formal and informal tea sectors.

For instance, the Green Leaf Tea Pricing committee, composed of representatives from the Ministry of Agriculture, tea processors and smallholder tea growers, was established to negotiate prices for green leaf tea and ensure better earnings for smallholder tea growers. This would help increase their household income and reduce child labour, as families would be capable of supporting their children's schooling.



Capacity building

After establishing the branches and sub-committees, the union organisers trained the smallholder farmers and raised their awareness about the constitution of the workers union, the process of electing leaders, rights and labour laws, and international standards regarding unionisation. This training was conducted by experts on labour laws, policies and collective bargaining, who were recruited by the leaders of the workers union, with the support of the development partners.



Collective bargaining and recognition agreement

A key step in unionisation, the formulation of the collective bargaining agreement was led by the workers in partnership with the tea estates. The agreement, which is legally binding under the laws of Malawi, outlined the conditions for the relationships between the workers and the management of the tea estates, with the aim of fostering fair and equitable employer-employee relations. Among other provisions, the agreement indicates that the union:

- Agrees to ensure that its officials and members cooperate with the tea companies in order to create an orderly and productive work environment;
- Agrees not to interfere with any operations or strategic decisions made by the tea companies and their employees;
- Ensures that all necessary steps are taken to prevent any form of intimidation or victimisation of any employee of the tea companies;
- Signs wage collective bargaining agreements after negotiation with tea companies, which would be binding for two years. The agreement states that there would be a wage increase within these two years in order to offset any unforeseen economic situations (e.g., devaluation of the local currency) and protect workers from the effects of inflation. This would help stabilise household incomes and prevent resorting to child labour for economic survival.

► Process



Bipartite social dialogue

After all the union structures and agreements were put in place and the union members' ability to engage in collective bargaining was strengthened, PAWU formally recognised its role as a representative and adviser to both its formal and informal members. Through its committees, PAWU also collects information about working conditions from informal and formal workers and advocates for their rights.



► Enabling factors

► Ratification of conventions on trade unions

Malawi has ratified international conventions on trade unions and adopted them to the local context. This is reflected in Malawi's Republican Constitution, where there are provisions for the freedom of association and assembly. Through these, the policy and regulatory framework made it conducive for informal and formal workers to exercise their right to the freedom of association and voluntarily join workers' unions.

► Meetings between TAML and PAWU

The cordial relationship between TAML and PAWU allowed for amicable discussions for collective bargaining. Quarterly meetings were also scheduled, providing space for PAWU to engage with TAML and the management of the tea estates, voice the concerns of the workers, and highlight the positive initiatives accomplished by management. Furthermore, the option to conduct emergency meetings allowed PAWU and TAML to discuss emerging issues that were urgent in nature and which could have an impact on the workers and employers if not urgently addressed.

► Existing NSTGA structures

The existence of community child labour structures as formed by the NSTGA allowed unionisation efforts to reach the smallholder tea farmers easily. Where these structures were not available, they were created. The tea growing clubs under the NSTGA are well organised and acted as the engagement mechanism with the union organisers.

► Recognition agreement

The availability of the written "recognition agreement" promoted mutual understanding of the expected behaviour from both the union and the management of the tea estates as entities under TAML.

► Support from partners and stakeholders

Support from the ACCEL Africa project in the form of financial and human resources made the implementation of the activities for unionisation possible. Furthermore, the involvement of government officials, including labour officers, ensured that human resources were readily available to sensitise the workers on labour laws and acceptable labour practices.

► Enabling factors

► Dialogue activities

Dialogue activities with the committees and workers ensured that the grievances of smallholder farmers and workers in the informal tea sector were heard and amicably addressed through collective bargaining. The ILO, through the ACCEL Africa project, initiated the dialogue activities between the tea associations, their workers, government agencies (e.g, Ministries of Labour, Ministry of Agriculture), and trade union mother bodies in order to roll out the workers' unions in the tea estates and in the smallholder tea farming communities.

► Capacity building

For dialogue activities to be effective, stakeholders first needed to be sensitised on the laws governing the formation of workers' unions. Only when the stakeholders are aware of the laws and regulations could they be empowered with technical and financial support and successfully lobby among the tea companies for the extension of the unions' coverage to informal workers in Malawi.

