

“Towards Fair and Sustainable Global Supply Chains: Promoting Decent Work for Invisible Workers in Nepal”

CONCEPT NOTE

Follow-up Meeting of Joint Platform for Advocacy and Action on Workers in Lower Tiers of the Global Supply Chains in Nepal

14 May 2021 (9:30 hrs to 13:00 hrs)
Virtual meeting, Nepal

Introduction

ILO Country Office for Nepal has been implementing ILO/Japan project *“Towards fair and sustainable global supply chains: Promoting decent work for invisible workers in South Asia”* with an aim to contribute to the development of ethical and sustainable global supply chains.

The project promotes decent work in the lower tiers of the chains - reaching out to workers in informal economy, home workers, home-based workers, subcontractors, medium and small enterprises, and contributes towards the attainment of Sustainable Development Goals 5 and 8 and ILO’s Decent Work Agenda. The project has been working with Government, Trade Unions and Employer’s associations as partners, which are members of tripartite constituents as well as membership based organizations working with homebased workers and home workers. This partnership is for promoting labour rights and labour standards in homebased enterprises for this project.

The Context

Decent work deficits become more prominent among informal workers in the lower tiers of supply chains. They remain invisible and lack legal and social protection, which are the key instruments to achieve a decent work environment. The home workers¹ and homebased workers² in such supply chains face multitude of challenges. In Nepal homeworkers, even though covered by the provisions of the Labour Act and Social Security Act in 2017, at the level of implementation and enforcement, are practically not able to access the rights and entitlements as well as the social security, due to multitude of reasons. The expansion of labour rights to all workers, regardless of type of work, duration of employment, nature of employment (regular, contract, casual, piece rated wage workers etc. and place of work in the new Labour Law, was a major achievement that has tried to formalize all

¹ ILO Home Work Convention, 1996 (No. 177) defines homework as work performed by a worker in his or her home or other premises of his or her choice, other than the workplace of the employer for remuneration, which results in a product or service specified by the employer, irrespective of who provides the equipment, material, or other inputs used. Homeworkers are also commonly called as subcontracted home-based workers and primarily women dominated. The Home Work Convention (C177) is yet to be ratified by Nepal.

² Includes home workers and own-account workers (workers who produce and sell directly in the market)

employment relationships, as explained above. Social Security Act regulations, in addition also specifically mention informal workers – which includes the own-account homebased workers and other informal workers and provides for self-contribution and the government making matching contributions in absence of employers. Despite these positive steps there exist significant implementation challenges on the ground.

The COVID 19 pandemic situation which started in March 2020, is becoming even more difficult than before with second round lock down coming in April 2021, putting vulnerable workers in more precarious and challenging situations, including the homeworkers, homebased workers, daily-wageworkers, as well as self-employed workers. Their existing situations like chronic poverty, hunger, destitution, and loans and debts are increasing in addition to lack of livelihood and access to services. In this situation, trade unions as well as membership based organizations have been working not only to provide immediate relief support, enabling access to services by government, but also thinking for long term support so these workers can continue their work.

Background and need of meeting

Joint Platform for Advocacy and Action on Workers in Lower Tiers of the Global Supply Chains in Nepal was established as an outcome of a National Meeting in Oct 2018 and since then, this platform has been working as joint working group to promote advocacy and action, knowledge sharing and capacity building for the promotion of ethical business and fundamental rights of work within global supply chains. This working group has also developed a common code of conduct.

In this context, follow-up meeting of this joint working group is crucial to understand more about the ongoing actions on advocacy and capacity building especially on the implementation of labour law and social security law and policy for homeworkers, as well as for contribution based social security for informal workers, including the homebased workers.

This meeting will also focus on the development implementation guideline/framework of law and policy on homeworkers and homebased workers. Besides, this platform has identified the need of developing joint advocacy materials with evidences of vulnerable situations of homeworkers as well as other informal workers as well. There is also need to provide evidence based policy feedback to government to address the issues and challenges of informal workers and homebased workers working in lower tiers of supply chains.

The above observations and learnings have emerged from the work done in the field by TUs and MBOs. The SGSC in the south Asia project organized different capacity development trainings as well as workshop with civil societies as well as trade unions working for homebased workers. The major findings of those meetings and training are there is lack of implementation guideline, procedures for the provisioned made within the labour laws and social security policy specific to informal, and homebased workers working in lower tiers of supply chains. Decent work deficits such as, hidden and disguised employment relationships, non-payment of piece rate wages in line with minimum wage, lack of written contracts, and provision of social security are common among homeworkers. For own-account homebased workers, despite provisions in policy, the contribution based social security fund does not yet have relevant mechanisms to allow access and participation of informal and home based workers.

Accordingly, it is planned to strengthen the cohesive action that should be coordinated through this joint platform. The platform helps coordinate individual actions by TUs and MBOs and allows for joint advocacy related to law and policy and its implementation, sharing evidence based research on home workers, informal workers, and own account workers, and develop advocacy campaigns with common messaging and capacity building on identified thematic areas to promote decent work and enable sustainable supply chains.

Objectives

The main objective of this meeting is to discuss major achievements as well as challenges, as well as way forward on advocacy and actions, as well discuss on issue related to 'working from home' to enable better understanding for promoting rights of homeworkers and homebased workers.

The specific objectives of this meeting are to

- a) Understand and document the major achievements related to advocacy and actions and identify key challenges experienced;
- b) Discuss concept on "Working from Home" and the recent ILO report on the same subject, sharing other countries experiences;
- c) Discuss on the formulation of "Guidelines to promote decent work for homeworkers and homebased workers". and set up a sub-group to draft these guidelines
- d) Set up a sub-group to draft national policy framework for home workers and homebased workers for presenting before the government to develop a national policy for home workers and homebased workers.
- e) Prepare the immediate and long term advocacy action plan on common agendas, with special focus to promote implementation of labour law and social security policy;

Participants

In this meeting participants from the unions and membership based organizations of this joint platform for advocacy and actions on workers in lower tiers of supply chains will participate. They are from the representatives of three Trade Unions i.e. All Nepal Trade Union Federation, General Federation of Nepalese Trade Unions and National Trade Union Congress. The representative from Joint Trade Union Coordination Committee will be also invited. Others are from membership based organizations like SAATHI Nepal, Home Based Workers Concern Society Nepal, Homenet Nepal, and SABAH Nepal, who have also participated in previous such meetings. The research organization, CLASS Nepal will also participate. Other Organizations like Women for Human Rights will be also invited who have been working on the protection issues of informal and homebased workers. There will be total 20 participants. This will be virtual meeting. The zoom meeting link will be shared to all participants.

Agenda of the meeting 14 May 2021 (9:30 hrs to 13:00 hrs)

Time	Sessions
9:30 -9:45	Inaugural Session Inaugural remarks: <i>Richard Howard, Director, ILO Country office for Nepal</i> Opening remarks: <i>Sho Sudo, Chief Technical Adviser (CTA) and Overall Coordinator, ILO/Japan Multi bi-Programme, ILO Regional Office for Asia and the Pacific, Bangkok</i>

9:45 – 10:30	Participants- Introduction Setting the context : - Sharing the major activities/actions performed by the members of the joint platform – moderated by <i>Bandana, NPC, SGSCs Project, Nepal</i>
10:30 – 11:00	Technical Session 1: Conceptual clarity on “Working from Home” and presentation of the latest ILO report – <i>Bharti Birla, Chief Technical Advisor and Project Manager, SGSCs Project, ILO DWT, New Delhi.</i>
11:00 – 11:15	Small break
11:15 – 11:45	Technical Session 2: Drafting of Guidelines for Homeworkers and HBWs, - Discussion on drafting guidelines - Setting up of a sub-group
11:45 – 12:15	Technical Session 3: Drafting of National Policy Framework - Setting up of a sub group to draft the framework
12:15-12:55	Technical Session 4: Immediate and long-term advocacy action plan with focus on labour law and social security implementation for home workers and home based workers. (Who, What and When)
12:55 – 13:00	Closing session