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*Towards Fair and Sustainable Global Supply Chains:
Promoting Decent Work for Invisible Workers in South Asia*

National Capacity Building and Planning Workshop

*For Central Trade Unions and membership based organizations working
with homebased and informal workers in lower tiers of supply chains*

30-31 January 2019, New Delhi

A Brief Report



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Introduction

National Capacity Building and Planning Workshop was conducted in Delhi on 30-31 January 2019. The workshop brought together national trade unions and membership/community based organizations for two days to build capacity, create common understanding, and concertize possible actions in the form of a joint strategic action plan for home workers, home based workers and other workers in informal economy, who are part of global (and domestic) supply chains.



Ms. Dagmar Walter, Director, ILO DWT and CO for India

The workshop was organized as part of the ILO-Japan project ***“Towards fair and sustainable global supply chains: Promoting decent work for invisible workers in South Asia”*** that aims at enabling development of ethical and sustainable global supply chains.

Background

Formal enterprises have linkages with enterprises within both formal and informal economies as we move down the global supply chains. Due to competitive labour markets and demand for speedy delivery, these enterprises often adopt highly flexible production and work patterns. This results in informal working arrangements, piece-rate production, home-based work, and non-standard forms of employment. With labour administration and labour inspection machinery under stress, the enforcement of labour rights, including wages, social protection, and working conditions, remain a challenge, unless the workers’ demand for it in a collective voice. With low wages, lack of social and income security, poor working and living conditions, and exploitative work arrangements, retention of wages, forced overtime, many times workers’ find themselves in situations similar to forced labour. Often child labour and children working in hazardous work is also seen. Many women and young worker work in home settings as (unpaid) family workers or as helpers or as informal apprentices.

R204 - Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) of the ILO recognizes that high incidence of the informal economy is a major challenge for enabling the rights of workers, including the fundamental principles and rights at work, right to social protection, and decent working and living conditions. These decent work deficits, lack of quality employment and absence of social dialogue – are most pronounced in the informal economy. Most people are in informal economy because of lack of formal job opportunities and are there not by choice.

Home workers: In the global supply chains, and in lower tiers of the economy, the work is often sub-contracted through the chains of contractors/sub-contractors/agents to workers’ in the informal economy, especially the casual, home workers’ and other home based workers. Defined by C177 - Home Work Convention, 1996 (No. 177), home work is ‘work performed by a worker in



Mr. Sho Sudo. CTA and Overall Coordinator, ILO/Japan Bilateral Programme

his or her home or in 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'. Enterprises under pressure to reduce costs (in multiple ways, including the labour and other laws), manage the seasonal demand pressure, lack of in-house capacity etc., contract out work to intermediaries who further subcontract to smaller informal enterprises with casual workers or to

home workers/home based workers. As the work is outsourced, the principle enterprises do not assume responsibility for the wages, working conditions or the rights and entitlements of the workers.

Often workers' of home based work can be either home workers (who work for the supply chains) or own-account workers, but many times, the same worker may be at home work as well as home based worker. As work mainly take place at home by women, home based work is often not recognized as "real" work, and remains an invisible part of the informal economy.

Nationally representative statistical data on the prevalence of home workers, and the larger category of home-based workers' (which includes home workers) is often contested and it is difficult to estimate workers' engaged in the global supply chains. The home workers, engaged in supply chains are often invisible and unaccounted for. While there have been many global and multi-lateral initiatives to promote labour law compliance and sustainable and ethical practices in global supply chains (which also improved business operations), most of these initiatives have been confined to the formal sector.

Other informal economy workers in lower tiers of global supply chains: Workers' in non-standard forms of employment – informal, casual and contract workers, working in both formal and informal enterprises in lower tiers of the global supply chains, are equally vulnerable and suffer from similar decent work deficits. They lack access to rights and entitlements which are available to regular workers in formal enterprises, including formal contracts, minimum wages, paid leaves, access to social protection etc. Experience shows that most of these workers' are also engaged in difficult and precarious work environments and often are exposed to occupational hazards. Often coming from excluded communities, these workers remain invisible and unorganized.

Against this backdrop, this National Capacity Building and Planning Workshop focussed on promoting decent work for home-based workers' and informal economy workers' in the lower tiers of the global (and domestic) supply chain, especially women workers was organized.

The purpose was to build common understanding amongst the key stakeholders working with such workers, so that they can work in tandem, have a joint strategic plan of action and can engage in joint advocacy for promoting decent work.

Objectives of the workshop

The key objectives of the workshop were to:

- Develop common understanding, conceptual clarity and coherence in advocacy initiatives among stakeholders with regard to workers in the lower tiers of the global supply chains, including home workers, casual and informal workers, and other home based workers, especially women workers.
- Build stakeholders' capacity on issues related to informal economy workers, including home workers' and other home-based workers, international labour standards (core/fundamental conventions, convention on home workers C177 etc.), labour rights and entitlements, wages, social protection, OSH under the labour law and gaps and challenges in law and implementation etc.
- Conceptualize a Joint Working Group on informal economy workers, for advocacy and action, develop medium term action plan, identify future technical capacity building needs and enable the stakeholders to work towards a collective goal (not necessarily work together, as both TUs and CBOs work differently).

Participants

Participants to the workshop included central trade unions, smaller sectoral trade unions/membership based organizations, civil society organizations/rights based organizations working on issue of home based workers etc. and ILO Resource persons and invited panellists

Resource persons (Panelists):

- Mr. C K Saji Narayanan, President, BMS;
- Ms. Amarjeet Kaur, General Secretary, AITUC;
- Prof. Ravi Srivastava, School of Social Sciences, JNU;
- Ms. Indrani Mazumdar, Director, Centre for Women's Development Studies (CWDS);
- Ms. Janhavi Dave, International Coordinator, HomeNet South Asia.

Resource Persons (from ILO):

- Ms. Dagmar Walter, Director, ILO DWT for South Asia and CO for India
- Mr. Sho Sudo, CTA, ILO/Japan Multi-bi Programme, ILO, ROAP-Bangkok
- Mr. Syed Sultan Uddin Ahmmed, Specialist for Workers Activities, ILO DWT for South Asia and CO for India
- Mr. Igor Bosc, CTA, Work in Freedom Programme, ILO DWT for South Asia and CO for India
- Mr. Xavier Estupiñan, Wages Specialist, ILO DWT for South Asia and CO for India
- Ms. Bharti Birla, Project Manager (CTA), Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India

Inaugural session

Ms. Bharti Birla, Project Manager (Chief Technical Advisor) - Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India, set the context for the National workshop. She explained that the workshop's objective was to look at home workers, homebased workers and other informal economy workers in the global (and domestic) supply chains with a special focus on homeworkers, identify their vulnerabilities and challenges, identify key areas for action,

develop an action plan, and eventually move on to areas where there could be collective action for promoting decent work for such invisible workers.

She hoped that by the end of the two day workshop an action plan can be developed and areas where the trade unions and membership based organisation could work together for joint policy action, as well as action by the organizations within their area of work can be identified for action. This also includes areas where ILO's technical support is needed including and any capacity building needs are identified.

Opening Remarks

In her opening remarks, Ms. Dagmar Walter, Director, ILO DWT for South Asia and CO for India



Ms. Dagmar Walter, Director, ILO DWT for South Asia and CO for India sharing her opening remarks

situated the need for working with the informal economy workers, especially homebased work, which is dominated by women workers. Ms Dagmar said that, as per ILO estimates, more than 60 per cent of the world's employed population, which is about 2 billion women and men, earn their livelihoods in the informal economy. Informal economies are typically characterized by a high incidence of poverty, inequality and vulnerability to decent work deficits. Evidence shows that most people enter the informal economy not by choice, but as a consequence of a lack of opportunities in the formal economy,

lack of access to decent jobs and in the absence of other means of livelihood. She pointed that most often the women, children and elderly engaged in this sector were amongst the most vulnerable. They suffered from severe decent work deficits in the form of low wages, lack of income and social security and exploitative working conditions.

The ILO- Japan project aimed to contribute to the development of ethical and sustainable supply chains and was geared towards providing decent work to workers in the lower tiers of the supply chain especially women homeworkers. The project will work towards developing successful models through integrated approaches that promote decent work at the lower tiers of global supply chains with focus on application of Core Labour Standards, application of R204 and C177 on Home Workers.

She explained that this is the second phase of the project titled "Way out of Informality in South Asia" which has been implemented in Bangladesh, India and Nepal during 2012-2016. The earlier phase focussed on MSMEs and their formalization. This project looks at workers in such MSMEs and informal and formal micro and homebased units, reaching upto the homeworkers and other informal workers in supply chains.

Setting the context

Relevance of the project in changing development paradigms and labour market inequalities

Ms. Bharti Birla, Chief Technical Advisor, ILO explained the need for the ILO/Japan Sustainable Global Supply Chains project in the context of the changing nature of employment and the emergence of global supply chains and expanding of domestic supply chains. She explained how structural transformations were taking place, and the labour regimes are changing. There is a rise in non-standard and informal forms of employment and exploitative labour arrangements were becoming more common. She also drew attention to the fact that these structural inequalities and vulnerabilities are capitalised by the market players, and the pre-existing vulnerabilities of workers because of gender, caste, class and age, migrant status etc. makes the workers even more vulnerable to such challenges. Feminisation of the labour force could be seen in the increasing number of women in low paid and exploitative sectors. Most of these jobs are low skilled, poorly paid and usually not covered by social protection. Access to rights and entitlements remains a problem. Issues relating to homeworkers, who constitute an invisible segment of the work force, remain largely unaddressed.

Ms. Bharti explained the objective of the ILO/Japan Project on Sustainable Global Supply Chains is to contribute towards ethical and sustainable global supply chains and promote decent work amongst workers in the lower tiers of the supply chain, focussing on women homeworkers, to enable their voices, and have wider stakeholder engagements. The project also recognises the wider challenges to this issue and see how wider socioeconomic policies could enable the rights of these workers.

Programme strategy is multipronged, engaging multiple stakeholders including: (i) workers' organisations; government employers' organisations; home-based workers and their organisations; contractors and their sub-agents; small and micro enterprises engaging these informal workers; (ii) medium and large enterprises which subcontracted out work to smaller enterprises; (iii) International buyers and retailers; consumers; civil society organisations; (iv) media and; (v) academia.

The expected results at the end of the project include:

- To have relevant policies and regulations which can support the implementation to improve working conditions of informal workers in the global supply chains
- To build capacities of the relevant stakeholders to enable them to act
- To enable women workers from selected communities to have capacity to improve their living and working conditions through ground level project implementation in India and Nepal.

Role of Unions and Membership based organizations

Challenges for promoting decent work for informal workers in lower tiers of supply chains including home based workers in India

Mr. Syed Sultan Uddin Ahmmed, Specialist for Workers Activities, ILO outlined the challenges faced while promoting decent work in the lower tiers of the supply chain. He explained that while it was commonly known that global supply chains exist, it is often difficult to understand where

the supply chain originated and where it ended. Problems arise as national laws are unable to reach and regulate these multinational employers and the international guidelines that exists are mostly non-binding or non-ratified.



Mr. Syed Sultan Uddin Ahmed, Specialist for Workers Activities, ILO DWT for SA and CO for India

Mr. Ahmed explained that usually sector based approaches have been adopted in South Asian countries instead of a national standard, as was evident from the existing labour law legislations. Another major challenge is that often workers like homeworkers are not recognised as 'workers'; nor are the places where they work (i.e. homes) recognised as 'workplaces'. In addition, unions continue to primarily work with organised workers even as informalisation has increased in the organised sectors.

Mr. Ahmed said, that there was a need to ensure that labour and natural

resources are not exploited in developing countries in order to produce cheap products for multinational companies. Trade unions need to continue pushing for solidarity and organisation amongst workers globally. There is also a need to struggle for recognition under the national law so that all the workers, irrespective of their workplace, are recognised as workers and get minimum wages, universal social protection, right to collective bargaining and minimum legal protection.

Finally, efforts have to be made to reach out to the bottom most tiers of the supply chain. ILO must work with trade unions to help bridge the gap between international stakeholders in the western countries and homeworkers in developing countries. He summed up the session by reiterating the need for organising home-based workers; ensuring that such workers are recognised by national law; and having internationally binding laws for improving accountability in supply chains.

Technical Session 1: Workers in the informal economy

Understanding key concepts, home workers Convention 177 with special focus on women workers in home based work

Ms. Bharti Birla, CTA, Sustainable Global Supply Chains in South Asia, ILO spoke about the different types of workers engaged in the lower tiers of the global supply chains, and how they remain unreached by either non-coverage under the existing labour legislations or even when covered by labour law, the implementation and enforcement of such laws is absent or negligible. So in practice such workers are not able to access any labour rights and entitlements as available to workers generally. To reach to these workers, it is important to understand specifically about who they are; how are they are organised across the supply chains; why they are vulnerable and; what actions can be taken in a comprehensive and integrated manner to address the decent work deficits in the supply chains.

Ms Birla explained that the workers in lower tiers of the supply chains are usually employed by multinational companies associated with different supply chains ranging from agricultural and related products; clothing, shoes and accessories; electronics; metal, minerals and gems; re-packaging and valuable packaging and; tourism and transportation services. Such challenges in decent work are even more pronounced in supply chains of companies sourcing from areas that suffer from conflicts and disasters. Global supply chains are organised across several tiers. The top of the supply chain consisted of the buyers and brands that are mostly located in the western countries. The Tier 1 companies are big garment factories that directly engaged with the buyers. Tier 1 companies subcontract out work to Tier 2 companies who may in turn outsource this work to Tier 3 companies. Along with these tiers, there are micro-enterprises and home-based workers who supply to the Tier 2 and Tier 3 companies. Usually multinationals have adherence guidelines/codes of conducts for enterprises to ensure the rights of workers (which may often be non-binding) in Tier 1 companies (or suppliers, as they are called). However, down the supply chains, the enterprises and the work become more informal and as such, may not even be covered by national labour legislations.

Ms Birla said that fragmented approaches often adopted for legislations results in the exclusion of certain workers and enterprises. Also, classifying informal economy workers by sector may not be very helpful as many of these workers have multiple identities (and moved from one sector to another), are in disguised/hidden employment relationships with their employers. Further, such classifications threw little light on these relationships. To this end, strategies may be taken up at several levels including strengthening policies at macro level, strengthening coverage and implementation of labour laws, promoting sustainability at the enterprise, better compliance at the level of brands and enabling rights for workers at the worker level.



Ms. Bharti Birla, CTA, Sustainable Global Supply Chains, ILO DWT for SA and CO for India, setting the context

Panel-I: Labour rights and decent work deficit for workers

Especially in the lower tiers of the global supply chains, with focus on women workers

The session was facilitated by Ms. Bharti Birla, ILO who welcomed and introduced the participants of the panel discussion. The purpose of the panel was to get insights on how trade unions could work towards enabling the rights of informal workers especially those in the lower tiers of the supply chain.

The session began with a presentation from Ms Amarjeet Kaur, General Secretary of AITUC. Using insights from her experience of working in trade unions and homebased workers, she stressed on the need for ratification of ILO Convention 177 on home work; appropriate need for national legislations and policies for identifying and ensuring rights to these workers and; adoption of effective strategies for unionising and organising these workers, who are also largely women.



Panel 1 (left to right): Mr. Syed Sultan Uddin Ahmed, Ms. Amarjeet Kaur, Prof. Ravi Srivastava, Ms. Indrani Mazumdar and Mr. Igor Bosc

Ms Kaur said that while a large number of required labour legislations do not exist in India, where they do exist, governance and implementation continues to be a serious issue. She also said that labour laws are being modified in India and other developing countries to suit the demands of multinational companies. Trade unions need to defend the existing labour legislations. She agreed that it may be true that a universal approach is

often preferred over a sectoral approach for dealing with such workers, but the codification of labour laws that is being proposed now is not an appropriate answer to this. Codification of labour laws would only further shrink the space for the rights of workers, especially of informal workers.

She explained that workers came into the informal sector not out of choice but because of lack of decent work opportunities in the formal sector. Formal jobs were most sought after as they accord protected labour rights protection to the worker. But India is moving towards fixed term employment which would result in further exclusion of workers and increase their vulnerabilities. Moreover, with respect to wages, she said that home-based workers are mostly paid piece rate wages which are much below the prescribed minimum wages and these rates seemed only to be decreasing further. It is the responsibility of the governments and other involved partners to ensure minimum wages to these workers while with the trade unions should organize them.

Discussing how the majority of home based workers were without any social protection, with the exception of a few sectors like *beedi* which have welfare boards she again pointed that the proposed Code on Social Security, as it stood currently, would most likely weaken the existing social security system. The code does not have any provision for additional funds for ensuring that coverage of the informal sector. There were discussions about the extension of maternity leave benefits to 26 weeks. But the reality is that in practice maternity benefits are available to less than 3 per cent of the women workers. There is a need for universal maternity entitlement and funds and to enable access to them for all workers.

The health and safety conditions for homebased workers are also a matter of grave concern. Giving examples of the production of *bindis*, beads and naphthalene ball, Ms. Kaur illustrated how these work places (homes) can be hazardous and have severe repercussions on the health of the women and children. But they are not covered under health or safety legislations. The proposed code on health and safety seemed to only address the formal sector workers, raising questions about the coverage of the informal sector workers under such a legislation, she said.

The next important question, according to Ms. Kaur, was about organizing workers. She said that it is becoming increasingly difficult to organize workers in the formal sector as they face immediate retrenchment. Given the shrinking scope of unionising workers in the organised sector, the challenge of organizing women homeworkers can only be more daunting. Ms. Kaur she reiterated that women home workers need to be organized and have their voices heard for ensuring their rights. Women's organization have proved helpful in this regard as they found it easier to approach these women.

In his presentation, Prof. Ravi Srivastava, School of Social Sciences, JNU pointed out how a lot of the ILO Conventions were out of sync with the current definition of 'worker' which included both paid and unpaid work; the latter allowed for the inclusion of a large number of women workers who worked as unpaid labour. He emphasised on the need to embrace the broadest universe of workers to include both unpaid and paid workers and understand the implications of this for various issues like social security coverage.

He also elaborated on the complexity of supply chains. The chains seldom exist as a dual relationship between the formal sector and home-based workers. In reality, between these two, there exists a myriad of micro enterprises which could be classified as belonging to the informal sector. For example, in the apparel sector there exists a variety of production arrangements including Tier 1 and Tier 2 factories, large informal workshops, micro-enterprises consisting of own account and paid workers and finally homeworkers.

Production relationships between these enterprises are mediated by a variety of intermediaries and contractors. He also said that a lot of the lower tier workers are part of shorter value chains, which may be geared towards domestic production. Thus while talking about decent work for workers in the lower tiers of the supply chain in the South Asian framework, there is a need to look at both global and domestic supply chains.



Relating to the magnitude of informal and homeworker, employment survey data showed that between 1999-00 to 2009-10, there has been an increase in the percentage of homeworker including the share of women homeworkers. Approximately, 1 in 8 workers was a home worker. So the

Interactions amongst panelists

working conditions of a staggering number of workers continues to be unregulated even as majority of these workers remain non-unionised. These workers suffer from significant decent work deficits including low wages, unsafe working conditions, poor working conditions, involvement of child labour, lack of recognition and low unionisation. He also suggested a few strategies that may be helpful in addressing these concerns, which include: a) enabling minimum wage for workers. As most such workers are employed on a piece rate basis, there is a need for linking piece rate work with nationally mandated minimum wage requirements. Moreover, since homeworkers use their own capital and workplace, there should be an implicit rental built into their minimum wages. The National skills council also need to work in tandem with the minimum

wage board to evaluate skill of women homeworkers and align them with their wages. b) Need for social security, which should be atleast at minimum base level for all workers; in the case of women this should include both paid and unpaid work. Minimum wages and social security provisions need to be backed up by sectoral considerations so that wages negotiations of state's tripartite boards are in line with the productivity of the sector, which may be above the minimum wage levels. c) Need to have visibility of workers, especially women homeworkers. He gave instances of some experiments that have been successful like the work sheds created by the state government in villages in West Bengal (Bankura). Such work sheds served to visiblise these women workers, gave them a sense of collective identity, putting them in safer work places and helped to segregate these women workers from their children. Trade unions should also work with self-help groups (SHGs) as the latter have been able to reach out to a large number of women workers in the country and creating rudimentary facilities to get these women together. d) Unionisation of workers by trade unions and the need to advocate to ensure recognition of such workers by the governments.

Ms. Indrani Mazumdar, Director, Centre for Women's Development Studies (CWDS) in her presentation reiterated that while global supply chains dominated worldwide discussions, a significant number of homeworkers may actually be producing for the domestic sector. Policy questions must thus not be framed solely on the basis of a global supply chain understanding and there was a need to look at the larger economy dynamics in which home-based work exists.

She also emphasised the central role of women in home-based work. She said that SEWA have put the question of centrality of women in home-based work on its agenda. But such considerations seemed to be missing from the understanding of most trade unions, even the ones working with home-based workers. Putting women workers at the centre also means that their work needs to be looked at not only in the context of their work place, but also in terms of their location in the society. Trade unions need to move beyond just economic considerations to the wider social context in which women are placed in society.

She spoke about the concept of 'fall back wages'. Most of the workers in the lowest rung suffer from the lack of availability of adequate numbers of work days. Though she acknowledged that it was a complex issue as it would be difficult to identify the employer or the person who would be responsible for paying these wages to these workers. But the question of inadequate work was a key issue for homeworkers and needs to be put on the agenda by trade unions.

She also suggested that trade unions need to relook at how they organise the workers. Unions need to work closely with women's organisation which often work around residential areas of the workers. She also spoke about the work sheds, that help workers to move out of their homes to public spaces which in turn facilitates collective organisation. There are also self-help groups with whom trade unions could discuss and establish a relationship of sorts as pooling of strength is required to transform the power relations and empowering the workers.

Pointing at recent developments in India, related to homebased work, she noted that in some sectors like the handlooms and custom tailoring in the apparel sector, there seemed to have been feminisation of the workforce, even in North India. These developments needed to be taken into cognisance so as to effectively organise home-based workers. Another point that needed to be kept in mind while talking about home-based workers, was the relationship between economic production and social reproduction.

Mr Igor Bosc, CTA, Work in Freedom Programme, ILO DWT for South Asia and CO for India, commenting on the session, highlighted five key points: a) Who is being talked about when one talked of home-based workers: Mostly women, *dalits*, *adivasis* and other marginalized workers. Thus not only are home-based workers invisible, they were also workers who are discriminated against. These discriminations may be internalized in the policy and social framework, and, even in trade unions. b) What are the sectors that were linked with home-based workers: The main sector engaging these workers was manufacturing, be it apparels, *bidis* or food products. Given the variable nature of home-based work, it is necessary for trade unions to look at the broad trends in manufacturing in India and the larger economic conditions under which the sector operated, and not limit themselves only to the sectors that they are working in. c) Issue of social reproduction: A lot of unpaid work done by women is not recognized. So when work is brought to the household by women homeworkers, it is often not valued. It might be more enabling to support frameworks where work is supposed to be disassociated from the type of social reproduction that happens in the family. Thus, facilities such as work sheds may be important for visiblising the workers and delinking them from what happens in the home. d) Global value chain dynamics: It is important to look beyond the lower tiers of the supply chain (whether global or domestic) as a lot of the capital investment is concentrated at the top. It may be possible to capture the capital and make it come down through effective collective bargaining if one understands the dynamics in the upper tier of the value chain. e) Formality versus informality: There has been a process of formalization of different kinds of precarious jobs even as there have been informalisation of formal sector jobs. Thus there is a need to look at the shifting nature of formality and informality and how it is defined by policy makers. Understanding this shift was important for unions in framing their actions.



Mr. Igor Bosc, CTA, Work in Freedom Programme, ILO DWT for SA and CO for India, sharing his views

Mr. Syed Sultan Uddin Ahmmed, Specialist for Workers Activities pointed that the main idea of the project is to ensure decent work for women homeworkers in the supply chain, whether domestic or global. The reason for focusing on this category of workers is that homes for these women were also their work places. But this 'workplace' is unrecognized and hazardous, which can have adverse effects on the health of women and children in the homes. Secondly, labour inspectors do not have any access to these homes for inspection. In addition, many of the women workers do not see themselves as workers even though they contributed to their family and economy. Unions need to first make women realise that they are workers and have concrete demands that are of interest to women. He emphasized that the issue of homeworkers should not be isolated from the larger social and economic context that they operated in. Lastly, power analysis is important and there is a need to strengthen the power base of informal workers to ensure that their voices are heard.

Panel –II: Way Forward: Possible strategies for action

In context of informal economy workers in lower tiers of supply chains (contract/casual), home workers and other home based workers

Ms. Bharti Birla explained that several unions and membership based organizations have been organizing beedi and other homebased workers and over the years have gathered some experiences and issues and challenges in organizing and unionizing workers. She said that the decent work challenges have been discussed in the previous sessions in great details. Given the scenario, and the current challenges, it is important to first learn from the experiences, practices and initiatives that have been taken, and use the learnings to device an action plan to enable the rights of informal and homeworkers in the supply chains. She invited the panellists to share their thoughts and experiences.

Janhavi Dave from HomeNet South Asia (HSNA), gave a quick introduction on the HSNA which is a network of home-based organisations comprising members of trade unions, producer companies, co-operatives and other membership based organisations. HSNA has been extensively working on global supply chains in South Asia. She also spoke about supply chains and how their drive to increase profits translated into low piece rates for homeworkers. Regarding the way forward, she made the following points:

- Engagement with global companies, which included mapping of supply chains for transparency and traceability; discovering replicable models of good practices; drafting inclusive codes of conduct and; having tool kits for facilitating engagement with homeworkers organisations.
- Organising home-based workers, through trade unions, self-help groups (SHGs), community based organisations (CBOs) and co-operatives, all of which need to work synergistically. Regional organisations could facilitate peer learning and networking amongst organizations in different countries. Partnership with other campaigns and rights based organisations is also needed.
- Preparing a national policy for home-based workers. Demands of home-based workers also needed to be incorporated in existing policies and schemes. In addition, there is a requirement for a common platform for different trade unions to work on a common agenda and lobby for policy implementation.
- Ensuring access to social security, where there needed to be a linkage with unorganised welfare boards. Other strategies included using weaver cards, producer companies and extending support to relevant campaigns.
- Emphasising that home-based work and employment of child labour were not necessarily linked. Some organisations like SAVE has been working to have child labour free work zones through sensitisation programmes, watch groups and child parliaments.

Ms Sonia George from SEWA, pointed that though SHGs are important, however in the SHG model, women are seen as beneficiaries and not workers; as such there is little discussion about their rights, be it, minimum wages, social security, job permanency, and unionisation. She also drew attention to the questions of patriarchy and caste which she pointed were often ignored while organising home-based workers. For example, many women may not join a union without getting permission from their husbands due to the existing patriarchal norms in society. These

differences have to be addressed while organising home based workers. She suggested a host of interventions for trade unions in the context of organising home-based workers including:

- Having an appropriate mapping process to determine the real number of home workers engaged in supply chains.
- Making a distinction between homeworkers and home-based workers as strategies for organising these different categories of workers may be quite different.
- The need to look at skill development and skill recognition in the process of organising homeworkers.
- Work with ILO standards committees and different labour departments to redraft the concept of minimum wages; minimum wages should be calculated on the basis of cost of living and pre-existing skills (women workers are often considered as unskilled).
- Intervening in the process of framing social security legislation for informal sector workers along with that on minimum wage, welfare contribution and maternity benefits.
- Addressing issues of violence at the workplace including domestic violence as the latter would be pertinent for home-based workers whose work place is the home.
- Having a trade union co-ordination platform to involve maximum number of trade unions and strengthening their respective areas of work in the process. Tripartite negotiations were also very important and ILO could help in facilitating this process.

Mr. Anand Swaroop from HMS, spoke about how home based workers continue to struggle on basic issues like fixing minimum wage, recognition of work place and visibilisation of workers. He thus emphasised on the need to jointly demand that 'homeworkers' and their 'place of work' get legal and social recognition. He also said that while there are number of unions and organisations working for home-based workers, the need of the hour is to have a joint platform of central trade unions. Such a platform could help create pressure and promote the issues at state and national level. He stressed that while framing strategies for overcoming the problems plaguing home-based workers, one should initiate a joint front and come up with a minimum common acceptable agenda, even if the modalities were worked out later.

He also said that while the top leadership is aware of the current economic developments, such information must also be transmitted to the rest of their membership. He discussed how the issue was not just about home-based workers, but also about the larger macroeconomic picture and workers in other sectors as well. He also voiced his concerns with the social security code which was now in public domain.

Mr Sho Sudo, CTA and Overall Coordinator for ILO/Japan Programme, sharing his comments thanked all the participants for co-operating with ILO's programme which was being supported by the Japanese government. He acknowledged the challenges expressed by the other panellists on issues such as social security, child labour and country dynamics. He spoke about the ILO Recommendation R209 regarding informality which supported the transition from informality to formality while creating decent jobs. He also expressed the view that informality itself may not be bad but often informality brought with it aspects that were not desirable like insufficient social protection and non-recognition of such workers.

For addressing these issues, he said, there was a need for much stronger action. ILO also needed to enhance the capacities of governments to make them aware of such challenges and enact laws and regulations properly. There also needed reach out to consumers. Consumers may refuse to

buy products produced in the informal economy, if such work is linked with forced and child labour even in cases where it may not be true. But this would serve only to worsen the suffering of such worker and may actually lead to child and forced labour. He concluded by saying that there should be a common understanding and common platform to raise awareness around these problems.

Mr. Xavier Estupiñan, Wage Specialist, ILO DWT for SA and CO for India, pointed out that more than 60 per cent of the world's employed population is engaged in informal work. He reiterated that informality may not be bad by itself but often brought with it lack of opportunities and visibility for the workers in the informal economy. Workers enter the informal economy not by choice but due to a lack of opportunities in the formal economy. Thus the main challenge in the transition to formal economy is to find the right policy mix that corresponded to diversity of characteristics and drivers of informality.

Mr Estupiñan put forth some common characteristics of homeworkers regarding:

- Nature of employment: Contracted workers who may be working for the global or domestic supply chain; the lines between the two may be blurred due to variability of such work. The work contracted is normally not in regards to a job but a specific activity. Employment relationships for such workers are usually not defined.
- Wages: Usually paid by piece rate which are low and well below minimum wages. Workers may not even know their minimum wages. It was also important to look at how their work is valued and relate it to minimum wages to see if they were being paid just wages. Homeworkers incur own costs for electricity, water, child care and transportation which are hidden.
- Social security: Universalization of social security is difficult given their invisibility and efforts needed to be made to visibilise them in various welfare schemes.
- Health and safety: Hazardous working conditions and women often faced harassment.
- Skill and qualification: Work performed may be quite skilled, but this was rarely recognised and this reflected in the payments. There needs to be some certification for the tasks and activities undertaken by these workers. Homeworkers also have low levels of education. Education was often essential for workers to raise their voice and demand for minimum wages and other entitlements.
- Unionisation: Low due to the unorganised nature of work, long working hours, and various cultural factors.

Lastly, he reiterated that some workers wanted to stay invisible because they may not have the right opportunity to unionize or see the desired results from it.

Addressing some of these concerns involved mapping of workers and their key characteristics; a clearer diagnosis through a needs approach to set the priorities of the workers; understanding the structure of global supply chains to engage with all the stakeholders including all the tiers; involvement of all the stakeholders through consultations and; sharing experiences of good practices and linking these institutions with ILO which could give policy solutions and connect the grass root levels with the policy.

Technical Session 2: Enabling Labour Rights and Entitlements

International Labour Standards and Workers in Lower Tiers of Global Supply Chains and National Laws, Rights and Entitlements

Ms. Bharti Birla, Chief Technical Advisor and Project Manager, Sustainable Global Supply Chains in South Asia gave a brief technical presentation on the international labour standards applicable to the workers in lower tiers of the supply chains and different labour rights and entitlements that need to be enabled for the workers. Labour law entitlements also differ based on the 'employment relationships' as well as formal or informal nature of enterprises and employment. In her presentation, she discussed three crucial questions: –

- a) who are the workers in lower tiers of the supply and why are they vulnerable?
- b) what are the labour rights and other international standards are applicable for these worker; and
- c) what can be a comprehensive and integrated approach to deal with the decent work deficits in supply chains to enable these rights and entitlements.

Ms Birla said that the most vulnerable workers are usually found engaged in the lower tiers of the global and domestic supply chains. Many of them are migrants or workers who are trying to escape conditions of distress - conflict situations or situations of natural disasters, displacements. The supply chains also include a huge proportion of women workers who are hidden and not recognized as workers. Workers who are in situations of vulnerability, are further forced to accept precarious jobs, and work in poor working and living conditions, and they lack collective voice and strength as the regular or formal workers. Ms Birla, said that International Trade Union Congress (ITUC) Frontlines Report 2016, highlights that 50 biggest companies have a revenue of 3.4 trillion dollars with a hidden workforce of 116 million across the globe. While a huge workforce is involved in the supply chains, there are significant decent work challenges. The race to bottom makes companies and workers compete against each other, businesses being shifted from one company to another and now from one country to another to get the cheapest product. The brands or buyers source from factories who in turn subcontract to smaller enterprises, and these in turn put out the work to further smaller enterprises, reaching home-based enterprises and home workers. Big factories may follow the legal provisions, often these are audited by brands/buyers and also visited by Labour Inspectors. However, as we go down the supply chain, the way work is outsourced and to whom, becomes increasingly invisible, and so are the workers working in these smaller informal micro enterprises and workers completing the production process, working from home.

She also highlighted the different categories of workers in the lower tiers of the supply chains including home workers, own account workers/self-employed, employers in micro enterprises who may also work in those enterprises, along with unpaid family members, casual and contract workers, and unpaid apprentices, trainees and interns or volunteers who do not fall under any other category of workers. She highlighted how the application of labour laws and visibilizing the employment relationship for these categories of workers is a challenge. Moreover, flexibilisation and informalisation of the economy is taking new forms with the advent of the gig and platform economy. Persons engaged in such newer forms of work engagements have varied working conditions and company norms may vary, and whether they are workers in disguised employment or own-account workers may depend on the conditions of the contract and control

exerted by the platforms. She added that, such non-standard forms and diverse forms of employment are growing in the economy.

Ms Birla also highlighted the need to focus on the core labour standards, especially Conventions 87 and 98 give workers right to organise, form a union and collective bargaining to informal workers like other workers; Convention 29, Protocol 29 and Convention 105 which states that no one should work under the conditions of forced labour and trafficking. Convention 138 and 182 on child labour and 100 and 111 with discrimination, wages and equal value of work. She also spoke about C 177 on Home Workers and related Recommendation 184, which are the labour standards specifically applicable to home based workers. Recommendation 204 (R204) talks about transition from formal to informal economy. The other key international instruments which are important are the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, OECD Guidelines for Multinational Enterprises, UN Global Compact, and the UN Business and Human Rights Framework & Guiding Principles.

Ms Birla elaborated elements of C177, which calls for a National policy to promote equality of treatment between home workers and other wage earners with respect to freedom of association and collective bargaining, non-discrimination in employment and occupation, occupational safety and health, wages/remuneration, statutory social security protection, access to training, minimum age for admission to employment or work and no hazardous work for children. The policy should also effectively establish an employment relationship.

She reiterated that responsibilities of key actors should also be discussed, including the brands/buyers, large and small enterprises, agents and contractors. It is important to resolve the issue of smaller lead times, longer term relation between buyers and suppliers, transparency and responsible purchasing practices and ensure that workers in the lower tiers also get same rights as all workers. When almost 60 percent of global trade is controlled through supply chains, these issues are critical to discuss, she said.

Group Work Sessions

Three group work sessions were facilitated by Ms. Bharti Birla, ILO on three thematic areas. These are described below.

Group Work-I: World Café: Sectoral Discussions

Facilitated by Ms. Bharti Birla, the purpose of the group session was to discuss the key challenges and strategies of organising home-based workers in five major sectors. Sectors included apparels and garments; leather and footwear; gems and jewellery and, mica and minerals; stones and tiles and; other value chains (electronics, pharmaceuticals, handicrafts etc). For the purpose, the participants were divided into five groups. Each sectoral discussion was facilitated by a particular resource



Group work in progress

person and the different groups were required to circulate between these different sectoral discussions and share their insights.

Group Work: Key challenges and strategies for organising homeworkers in various sectors

Sector	Geographical areas	Types of work subcontracted	Key challenges	Strategies
Apparels	NCR, West Bengal, Tamil Nadu, Madhya Pradesh, Andhra Pradesh & Karnataka	Sequin work, embroidery, zardozi, tailoring & finishing work	Lack of minimum wages, job security, social security & awareness of worker's rights	Issues taken up by unions; increasing awareness amongst workers; negotiating with management; reaching out to state welfare boards; training of union leaders; improving marketing ability of workers; joint action & advocacy by trade unions for workers' rights.
Leather & footwear	NCR, Tamil Nadu, Bihar, Uttar Pradesh, Jharkhand, Telangana , Andhra Pradesh & West Bengal. For exports Tamil Nadu & to some extent Agra	Making of wooden frames, uppers & soles; stitching & packing material; collection of leather; adding metal attachments or embroidery to leather products.	Discrimination as workers from marginalised communities; lack of minimum wages & social security; undefined employment relationships; difficulty in tracing supply chains; problems in unionising; need for state welfare boards; occupational hazards; non recognition & lack of dignity for these workers; problems of violence	Gaining access to workers through employers & state governments; identifying areas & groups of homeworkers &, doing their need assessment; motivating workers to join unions; encouraging active participation of women; involvement of community institutions; dissemination of information to workers; establishing contact with contractors & factory owners; advocacy for ratification of ILO Convention 177 & formulating a national policy.
Gems, jewellery, mica & minerals	Delhi, Rajasthan, Jharkhand, Madhya Pradesh, Orissa, Assam, Meghalaya, West Bengal, Himachal Pradesh	Polishing & cutting of marbles; debris collection in the case of mica & assembling of artificial jewellery	Irregular work; low piece rate; occupational hazards; no access to social security; non-recognition of workers, difficulty in unionising as workers had no proof of employment.	Tripartite negotiations & working with other unions on common issues; writing to NHRC; getting proof of employment; working with central & state governments, abolishing of contract labour; having women leaders; increasing awareness & workers' education.
Stones & tiles	No fixed area	Stone crushing; carving; construction; tile making	Low wages as sector not covered under minimum wages; bonded labour; undefined employment	Creating awareness among workers & civil society; organization of workers by trade unions; move towards co-operation between different trade unions;

			relationships; silicosis & dust exposure diseases; no grievance redressal mechanism; no inspection; difficulty in unionisation; no social security, inadequate legislation, poor implementation of existing law, non-recognition of workers, non-co-operation of administration, difficulty in accessing removed areas where workers worked and displacement of tribal population.	making unions knowledge based; identifying the principal employer & holding them accountable; ensuring welfare measures & basic civic amenities for workers.
Others	Handicrafts: spread across several states Electrical work: Ahmedabad & Delhi Electronics: Kerala.	Activities like brass polishing, bangle making, patch work, folding of paper for different products etc.	Low wages, absence of social security, undefined employment relationships, occupational health & safety, irregular work, lack of inspection, underpayment of wages by contractors, lack of documenting of the work done by workers, bribing of union leaders to undermine demands.	Organising workers; door to door campaigning; raising consciousness of workers; identifying particular trade communities & choosing leaders within them; campaigns on common issues; working with state welfare boards; skill training; trade & marketing facilitation centres; mapping of homeworkers; building capacities by linking workers; network with other unions & organisations.

Group Work-II: Key issues for advocacy & action

Facilitated by Bharti Birla, ILO, the participants were divided into groups. They did a problem tree analysis. In the analysis, the participants were asked to zero in on a particular problem that may be faced by homeworkers and then go on to identify the root causes and effects of that problem. Participants were divided into five groups & each group was assigned one of the challenges that had been discussed in the previous sessions. Once the participants had made their respective problem tree, they were asked to convert it into an objective tree by identifying the actions needed to correct the problem. This entailed looking at the root causes of a problem, strategizing how they could be eliminated to transform the problem and its consequences.

Problem tree analysis by different groups

Causes

- No stable employer-employee relationship
- No self-recognition
- Many different contracts, jobs & employers
- Household responsibilities are a priority
- Women are considered secondary earners
- Low wages
- Social factors like patriarchy
- Lack of legislation, social security etc.
- Work done is not considered work

Problem

- Lack of identity of homemaker as workers, lack of voice & bargaining power

Effects

- Low wages & exploitation
- At mercy of middlemen
- Low socioeconomic status; work not respected by family
- No fixed hours
- Health problems
- No grievance redressal

Causes

- Sub-contacted work
- Irregular work
- Lack of understanding on how to calculate piece rate
- Many employers
- No employer employee relationship
- Loss of work

Problem

- Lack of decent wages, lack of power to collectively bargain for wages

Effects

- Falling back into cycle of poverty
- Displacement (No housing rights)

Causes

- Sub-contacted work
- Lack of policy/legislation
- Lack of awareness
- Lack of recognition of worker & establishment due to informality, undefined employment
- Relationship & secondary worker status of women
- Lack of access to homebased work due to scattered
- Nature of work & lack of unionisation
- Poverty/ unemployment/ Underemployment

Problem

- Lack of decent wages, lack of power to collectively bargain for wages

Effects

- Denial of livelihood
- Low living standards and quality of life
- Poor nutrition & physical health
- Social stigma
- Child labour/forced labour/bonded labour
- Lack of opportunities
- Exploitation, alienation & stress

Causes

- Lack of coverage under law

Problem

- Lack/inadequate coverage by law, its implementation & enforcement (including inspection & grievance redressal)

Effects

- Invisibility as workers
- Lack of grievance redressal mechanism
- Lack of information
- Workers unable to fight for their rights

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Causes

- Women's income considered supplementary
- Shifting nature of work
- Mechanisation of work
- Non-recognition by government as "skilled" workers
- Minimum wages not fixed for many industries
- Mismatch of supply and demand of skill
- Lack of market knowledge due to as there is lack of mobility due to patriarchal setup
- Lack of solidarity as such workers are difficult to organise
- Unions do not have producer co-operatives or producer collectives
- Pressure of many layers of contractors
- Lack of social mobility & literacy

Problem

- Skill development of workers & marketing linkages for own account workers:
- Skill recognition & wage discrepancy

Lack of marketing linkage

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Effects

- Stuck in poverty cycle
- Social dependency on male members
- Exploitation by contractor
- Periodic reduction in market wages
- Lack of access to work
- No bargaining power for wages

Group Work-III: Formulating the big picture for National and State level advocacy and action (medium and long term)

Ms Bharti Birla, ILO, facilitated the group work. The purpose of the group session was to draft action plans using the synthesis of possible actions points that emerged out of the problem tree analysis and objective tree formation from the previous session. The groups were asked to state their key objectives in the action plan, and identify key stakeholders, strategies, and resources needed for achieving each of those objectives. For developing the action plans, representatives of different trade unions and membership based organizations were asked to sit with their own respective organisations.



Ms. Sonia George, SEWA presenting the group work

Action plans were to be drafted at two levels:

- At the organization level wherein the groups listed actions that may be taken within their own unions or organisations; members were also asked to identify areas where capacity needs could be provided by ILO.
- At the joint action level i.e. policy action points where unions and organisations could work together on a common agenda.



Ms. Vahida Nizam, Vice President, AITUC presenting the group work

Proposed action plan at the organizational level

The names of organizations have been removed and action points collated. The individual organizational actions will be discussed with the national leadership and finalized by individual unions and organizations. This group work and proposed agendas have been compiled below to also inform other unions and organizations who may want to initiate/intensify their work with women and men in lower tiers of supply chains, especially homebased workers.

Objective	Outcomes	Key stakeholder	Strategies	Resources needed
Visibility of workers	Workers should be visible and recognised	Trade unions	Systematic campaign for the rights of home-based workers; they may also collaborate with other unions	Help in creating IEC material, training and capacity building of activist and building up a campaign.

	Registration of home-based workers	Governments & trade unions	Have model facilitation centres for home-based workers which may be expanded	Support needed to set up model facilitation centres
	Have tripartite dialogues	Governments, trade unions & employers	Government helps in identifying the principal employer and enable dialogue between unions & employers	Facilitating dialogue between the stakeholders
Recognition & enforcement of rights for home-based workers	Build capacities of leadership especially among youth & women	Government	Technical training on connecting workers to the brands & identifying the middlemen; necessary for intermediaries to be registered	Help in technical training & consultation
	Ensure awareness amongst all stakeholders		Social media campaigns, documentation, recording case studies and creating audio visual materials	Creating resource materials in different languages
Minimum wages & working conditions	Enforcement wherever there are minimum wages		Legal teams and lawyers to file cases for workers	
Organise and unionise home based workers for fair wages	Recognition of workers and enforcement of their rights	trade unions, workers organisation, employers, governments	Reach out to workers' doorsteps by trade unions and other organisation	
	Formation of trade unions and building of leadership	Trade unions, states & local leaders	Awareness and campaigns	
	Collective bargaining and struggle for decent work	Trade union, government and employers	Mass movements and campaigns.	
National policy and legislation for home-based worker and supply chain enterprises	Legal rights for regulated work	State and central governments, trade unions, employers and ILO	Campaigning through legislative body and raising labour disputes	capacity strengthening and financial support
	Visibility of supply chain, contractors, intermediaries and principal employer	Trade unions, governments and employers		Technical and financial support; ILO should lobby and persuade the government
To achieve labour, civic and institutional rights	Legally protected workforce	Employer, government and trade unions		
	Enable bargaining to ensure labour welfare			
Building strong home based workers organisations	Organising, leadership building and formation of national trade committees for home based workers	State unions, leaders and workers	Campaigns, identifying leaders & capacity building	Modules, leaflets, audiovisuals, case studies of success stories and financial resources
	Developing model collective bargaining processes		Issues needed to be addressed sector	

Developing skills of workers	Skills are linked to wages and social security at national and state level		Tripartite and bipartite meetings, awareness programs, technical workshops, campaign resources & skill training both from the union level and, by linking different types of resources like financial organisations and different government departments.	
Mapping of home-based workers and supply chain	Mapping of these workers on basis of area as well as trade		Developing a new methodology for data collection & see how it could be linked to the different tiers of the supply	Human resources, trainings and processes such as compiling and publishing data were required

The suggestions given by the different groups regarding the joint action plan were combined and summarised in the following session and is given in the next section.

Common Agenda and Way Forward

This session brought together the synthesis of discussions and the way forward for action. The key points were summed up and ideas discussed to formulate the national level agenda and action plan towards enabling decent work for informal workers in the global and domestic supply chains, especially women workers and those in micro/homebased enterprises and homebased workers.

Ms Bharti Birla, ILO summed up the group points and ideas into a common agenda. It was decided that the unions and membership based organizations would shape their own agendas around it.

The group proposed a **Joint Platform/National Working Group** led by trade unions including membership based organisations. The idea was to collectively work on areas of policy and advocacy in the context of homeworkers and other informal workers working in the supply chains. It requested ILO to be the facilitator in its technical capacity building for meeting the needs of the group.

Some of the possible areas for joint policy action included:

- Having bipartite and tripartite dialogues, with the national and state governments which must play a crucial role in convening the action at national, state, and local level. Engagement with employers is essential.
- Recognition and visibility of homeworkers and home-based workers which involved looking at data collection, mapping and measurement of such workers. This would involve strengthening of existing data collection methods and tools, strengthening the lacunae in the PLFS, Census and other statistical exercises.
- Sharing best practices and experiences that other organisations and workers could build on, see synergies and build campaigns. Some campaigns can also be jointly organized.
- Organising and unionising of homeworkers around issues of fair wages and working conditions with some proposals on developing model collective bargaining processes which

could be sector specific or generic and enabling the voices of the workers in the social dialogue processes.

- National Policy and legislation for homeworkers is essential. Unions may give their inputs and propose it as a policy framework for adoption while also seeking a legislative framework for enabling the rights if the workers.
- Regulating intermediaries to make them more transparent and accountable. At the same time, the focus of sustainable and accountable chains should be also on different actors in the chain, based on their role, responsibility, and accountability.
- Labour dispute resolution wherein the State could help ensuring access to justice for informal economy workers and homebased workers.
- Joint campaigns for enabling civic, citizen, social protection, and labour rights of informal workers especially for homeworkers who work out of their homes.
- Formalisation of work and informal economy to enable decent work for informal workers and to reduce the decent work deficits.
- Building technical areas of expertise within unions and membership organisations as the nature of work changed and new technical areas for capacity building are emerging. These can be articulated by unions and membership based organizations based on their need.
- Protecting small producers, producer collectives, and co-operatives of homeworkers and ensuring protected markets for them.
- Sustainability of small and microenterprises as they engage homeworkers or the employers themselves.

Mr Syed Sultan Uddin Ahmmed, Specialist for Workers' Activities asked the unions and membership based organizations to take this issue as a priority issue. Ms Birla also highlighted the need to focus as a large proportion of workers in the sector are women, and many of them come from excluded communities, suffer multiple discriminations and their vulnerabilities are further exploited. She also thanked the unions and membership based organizations for their support, commitment, and collaboration. The Unions expressed continued support to the ILO and expressed that this consultation was timely and needed. The challenge of informal economy workers, women and homebased workers needed an immediate attention as they constitute a significant proportion of the workers, especially women workers. Mr Sho Sudo, ILO ROAP-Bangkok also thanked the participants and the Japanese Government for their support for the project. He expressed that the deliberations had been very productive and in coming days, the action plan would be put into action.



Annex 1: Agenda for the National Workshop

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

National Capacity Building and Planning Workshop

for CTUs and membership based institutions engaged working for informal workers
in lower tiers of supply chains and home based workers

30 – 31 January, 2019, Royale Hall, Hotel The Royal Plaza, New Delhi.

Agenda

Time	30 Jan 2019 (Wednesday)
9:00-9:30	Registration for first day and Tea/Coffee
9:30-10:30	<p>Inaugural Session: Context setting</p> <p>Opening remarks: - Ms Dagmar Walter, Director, ILO DWT for South Asia and CO for India.</p> <p>About the project and its relevance in changing development paradigms and labour market inequalities - Ms Bharti Birla, Project Manager (CTA) – Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India.</p> <p>Challenges for promoting decent work for informal workers in lower tiers of supply chains including home based workers in India - Mr Syed Sultan Uddin Ahmmed, Specialist for Workers’ Activities, ILO DWT for South Asia and CO for India.</p>
10:30-11:15	<p>Technical Session – I : Workers in informal economy: Understanding key concepts, home workers Convention C177 with special focus on women workers in home based work - Ms Bharti Birla, Project Manager (CTA) – Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India</p>
11:15-11:30	<p>Tea/Coffee break Group Photo Day 1</p>
11:30-13:00	<p>Panel – I: Labour rights and key decent work deficits for workers in the lower tiers of the global supply chains, especially women workers 3 Panellists - Ms Amarjeet Kaur, AITUC - Prof Ravi Srivastava, School of Social Sciences, JNU. - Prof. Indrani Mazumdar, Centre for Women’s Development Studies (CWDS). Comments: - Mr Igor Bosc, CTA, Work in Freedom Programme, ILO DWT for South Asia and CO for India - Mr Syed Sultan Uddin Ahmmed, Specialist for Workers Activities Facilitated by Ms Bharti Birla, Project Manager (CTA) – Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India</p>
13:00-14:00	Lunch
14:00-15:00	Technical Session – II: International Labour Standards and Workers in Lower Tiers of Global Supply Chains and National Laws, rights and entitlements



	<i>Ms Bharti Birla, Project Manager (CTA) – Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India</i>
15:00-17:00	<p>Group Work – I: World Café: Sectoral Discussions (Discussion on key sectors in global supply chains – 5 groups - garments/apparels, leather and footwear, gems and jewellery, stones and tiles, other global supply sectors – example mica and minerals, electrical and electronics, pharmaceuticals, handicrafts, etc.)</p> <p>Groups discuss: Key issues and challenges, strategies used for organizing, success and failure, possible next steps</p> <p>Report Back from World Café Facilitators</p> <p>Open House Discussion</p>
17:30	Closing of Day 1
Time	31 January 2019
9:30-10:00	Recap of previous day/Agenda of Day 2 Summarizing of group work outputs
10:00 – 11:30	<p>Group Work – II</p> <p>Key issues for advocacy and action</p> <p>Group work (Problem and Objective Tree analysis, stakeholder mapping, and resource and capacity needs) (mixed groups of TUs and CSOs)</p> <p><i>Facilitation: Mr Syed Sultan Uddin Ahmmed, Specialist for Workers’ Activities, ILO DWT for South Asia and CO for India and Ms Ms Bharti Birla, Project Manager (CTA) – Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India</i></p> <p>Presentation of group work</p>
11:30-11:45	Tea/ Coffee, Photo Day 2
11:45-13:30	<p>Panel – II: Way Forward: Possible strategies for action - in context of informal economy workers in lower tiers of supply chains (contract/causal), home workers and other home based workers</p> <ul style="list-style-type: none"> - Mr. C K Saji Narayanan, BMS - Ms Janhavi Dave, HomeNet South Asia <p>Comments:</p> <ul style="list-style-type: none"> - Mr Syed Sultan Uddin Ahmmed, Specialist for Workers’ Activities, ILO DWT for South Asia and CO for India - Mr Xavier Estupiñan, Wages Specialist, ILO DWT for South Asia and CO for India (TBC) - Mr Sho Sudo, CTA, ILO/Japan Multi-bi Programme, ROAP-Bangkok
13:30-14:30	Lunch Break
14:30-16:00	<p>Group Work – III: Formulating the big picture for National and State level advocacy and action (medium and long term)</p> <p>(Group work – respective organizations)</p> <ul style="list-style-type: none"> - Key agenda for Joint Action - Identification of capacity building needs - Organizational level medium term action plan <p>Report back</p> <p><i>Facilitation: Mr Syed Sultan Uddin Ahmmed, Specialist for Workers’ Activities, ILO DWT for South Asia and CO for India and Ms Ms Bharti Birla, Project Manager (CTA) – Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India</i></p>
16:00-17:00	<p>Summing up of group points and ideas into a common agenda for follow up</p> <p><i>Mr Syed Sultan Uddin Ahmmed, Specialist for Workers’ Activities, ILO DWT for South Asia and CO for India and Ms Ms Bharti Birla, Project Manager (CTA) – Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India</i></p> <p>Final comments from TUs and CBO</p> <p><i>Comments from - Mr Sho Sudo, CTA, ILO/Japan Multi-bi Programme, ROAP-Bangkok and Mr Syed Sultan Uddin Ahmmed, Specialist for Workers’ Activities, ILO DWT for South Asia and CO for India</i></p>
17:15	Closing of the Workshop

Annex 2: Concept Note for the National Workshop

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

National Capacity Building and Planning Workshop

For Central Trade Unions and Membership-based Organizations working with informal workers in lower tiers of supply chains and home based workers

30 – 31 January, 2019, Hotel Royal Plaza, New Delhi

Concept Note

1. Background

“Towards fair and sustainable global supply chains: Promoting decent work for invisible workers in South Asia” is an ILO/Japan project that aims to contribute to the development of ethical and sustainable global supply chains. It is geared towards promoting decent work in global supply chains – **specifically for workers’ who are engaged at the lower tiers**. They are typically home-based workers, subcontractors, and workers in medium and small enterprises in the informal economy in South Asia.

This project will work towards developing successful models through integrated approaches that promote decent work at the lower tiers of global supply chains. This is the second phase of the project titled “Way out of Informality in South Asia” which has been implemented in Bangladesh, India and Nepal during 2012-2016. The second phase will build on progress made in the first phase and continue to address the negative aspects associated with informality and the need to promote decent work through formalization in supply chains.

The immediate objectives of the project are:

- Improved and effective implementation of policies/regulations to promote decent work for home-based workers’ and other informal economy workers’ and units engaged in global supply chains.
- Strengthened governance to promote decent work and contribute to the development of ethical and sustainable supply chains especially at the local levels.
- Improved living and working conditions of home-based workers and other informal economy workers’ engaged in selected supply chains.

The project will contribute to the ILO’s agenda of Decent Work for All, as well as to the Sustainable Development Goals that have the principle of “Leaving No One Behind” - particularly Goal 5 on Gender Equality and Goal 8 on Decent Work and Economic Growth.

The project strategies and activities will be guided by ILO Core/Fundamental Conventions, C177 – Home Work Convention, 1996 (No.177) and Recommendation R 204 - Transition from the

Informal to the Formal Economy Recommendation, 2015 (No. 204) of the ILO. The R204 recognizes that high incidence of the informal economy is a major challenge for the rights of workers, including the fundamental principles and rights at work, right to social protection, and decent working conditions. These decent work deficits, lack of quality employment and absence of social dialogue – are most pronounced in the informal economy. The gap between the formal and informal workers in the informal and formal economies can be reduced by effective and inclusive laws and policies enabling the rights of the workers, and at the same time promoting competitiveness and sustainability of enterprises.

2. Context

Formal enterprises have linkages with enterprises within both formal and informal economies as we move below the global supply chain. Due to competitive markets and demand for speedy delivery, these enterprises often adopt highly flexible production and work patterns. This results in informal working arrangements, piece-rate production, home-based work and non-standard forms of employment. With labour administration and labour inspection machinery under stress, the enforcement of labour rights, including wages, social protection, and working conditions, remain a challenge, unless the workers' demand for it in a collective voice. With low wages, lack of social and income security, poor working and living conditions, and exploitative work arrangements, retention of wages, forced overtime, many times workers' find themselves in situations similar to forced labour. Often child labour and children working in hazardous work is also seen, as many work in home settings as (unpaid) family workers or as helpers or apprentices.

R204 - Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) of the ILO recognizes that high incidence of the informal economy is a major challenge for the rights of workers, including the fundamental principles and rights at work, right to social protection, and decent working conditions. These decent work deficits, lack of quality employment and absence of social dialogue – are most pronounced in the informal economy. The gap between the formal and informal workers in the informal and formal economies can be reduced by effective and inclusive laws and policies enabling the rights of the workers, by providing incentives to promote just transition to formal economy with decent work opportunities.

Home workers: In the global supply chains, and in lower tiers of the economy, the work is often sub-contracted through the chains of contractors and sub-contractors to workers' in the informal economy, especially the casual, home workers' and other home based workers. Defined by C177 - Home Work Convention, 1996 (No. 177), home work is 'work performed by a worker in his or her home or in 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'. Enterprises under pressure to reduce costs (in multiple ways, including the labour and other laws), manage the seasonal demand pressure, lack of in-house capacity etc., contract out work to intermediaries who further subcontract to smaller informal enterprises with casual workers or to home workers/home based workers. As the work is outsourced, the principle enterprises do not assume responsibility for the wages, working conditions or the rights and entitlements of the workers. Even when minimum wages are notified, enforcement remains a challenge for these invisible workers, with most of them not even recognized as workers.

Often workers' of home based work can be either home workers (who work for the supply chains) or own-account workers, but many time, the same worker may be at home work as well as home based worker. As work mainly take place at home by women, home based work is often not recognized as "real" work, and remains an invisible part of the informal economy. Home based workers are generally low paid and excluded from state mandated labour rights and social protection. Majority of home based workers tend to be women which makes them among the most disadvantaged group of workers.

Nationally representative statistical data on the prevalence of home-based workers' is often contested and it is difficult to estimate workers' engaged in the global supply chains. While, it is known that goods are produced for both national and international markets and this work is an important source of income for many women, it is also true that these workers' face challenges in receiving fair wages and securing regular work and income. They also lack access to social protection and mostly lack collective strength and voice.

The home based workers, engaged in supply chains are often invisible and unaccounted for. While there have been many global and multi-lateral initiatives to promote labour law compliance and sustainable and ethical practices in global supply chains (which also improved business operations), most of these initiatives have been confined to the formal sector. Those who work in the informal economy are overlooked despite the fact that decent work deficits become more prominent towards the lower tiers of chains, with workers' who are in disadvantaged position. These workers' are often not covered by labour legislations, have no access or limited access to legal and social protection, do not have collective voice and strength, which are key instruments to achieve better working and living conditions.

Other informal economy workers in lower tiers of global supply chains: Workers' in non-standard forms of employment – casual and contract workers, working in both formal and informal enterprises in lower tiers of the global supply chains, are equally vulnerable and suffer from similar decent work deficits. They lack access to rights and entitlements which are available to regular workers in formal enterprises, including formal contracts, minimum wages, paid leaves, access to social protection etc., Experience shows that most of these workers' are also engaged in difficult and precarious work environments and often are exposed to occupational hazards. Often coming from excluded communities, these workers remain invisible and unorganized.

When strategizing for enabling decent work for informal economy workers, it is also important to keep in mind the challenges faced by smaller enterprises engaging these workers. Lack of access to resources and business support services to grow competitive and socially responsible, informal enterprises also at the lower tiers of supply chains face multiple challenges. There is a dire need to address decent work deficits experienced by the informal workers and the economic units so as to realize decent work for all and fair and sustainable global supply chains.

3. Need for the workshop

This National Capacity Building and Planning Workshop is being planned especially in the context promoting decent work for home-based workers' and informal economy workers' in the lower tiers of the global supply chain, especially women workers. The purpose is to build common understanding amongst the key stakeholders working with such workers, so that they can work

in tandem, have a joint strategic plan of action and can engage in joint advocacy for promoting decent work. The workshop also aims to address the following issues:

a) **Conceptual clarity on C177 – Home Work Convention, 1996 (No.177) and key concepts:**

There is a need to revisit the key provisions on ILO Home Work Convention number 177 (C177) and also understand the key concepts related to home workers, home based workers, self-employed workers, and domestic workers' (including nature of employment relationships determining these) – these terms often overlap often creating a challenge for the policy advocacy as well as for measuring the numbers of workers' and contributions of these workers' to the economy.

b) **Understanding labour rights and key decent work deficits for workers' in the lower tiers of the global supply chains:**

Even when law covers informal workers, home workers and other home-based workers, often there are challenges in implementation, inspection and enforcement of labour laws for these workers. It is important to understand the laws and provisions applicable and where the gap remains in the law or its implementation. The new labour codes also intend to cover all workers, but in their present form, do they address and cover these workers. The key issues that need deliberations are:

- Fundamental principles and rights at work
- Determining employment/work relationships and conditions of work
- Wages and calculation of wages (especially piece rate wages)
- Social protection/social safety net and access to benefits and entitlements
- Occupational health and safety issues for workers
- Skills development, upgradation, and diversification
- Equal treatment of home workers' in relation to other wage earners performing similar nature of work.

c) **Organizing and unionizing workers:** One of the challenge with home-based workers' is that these workers' have multiple identities and some of them do not see them as workers, while others are invisible workers' or '*help*' male members of the family, who are seen as a skilled craftsmen. The unions in India and membership based organizations are organizing home-based workers' and there is a need for greater momentum to build up this process to enable collective voice and strength of the workers, especially women workers. This requires inputs and discussion on:

- Enhancing union membership/organizing by membership based organizations
- Development and capacity building of local leadership
- Innovative methods of collectivization and cooperative formation
- Initiating pilot initiatives to promote collective bargaining
- Enabling dispute resolution and grievance redressal

d) **Need for joint platform/working group for advocacy and action:** The unions and membership/community based organizations have been working on the issue of home workers' and informal workers. There is a need to create momentum and push the agenda, especially in the current context, when new forms of such non-standard forms of employment are increasing, as nature of work and employment is changing. Such platform/working group can deliberate and prioritize the key policy areas for advocacy, identify future technical capacity building needs, create and share knowledge, deliberate and analyze key issues that need attention, such as law

and policy, statistical measurements, and evidence gathering etc., This requires formulation of jointly agreed medium and long term goals backed by joint and individual organization level action plans.

This workshop is being held to build stakeholders' capacity on the above areas, and to develop a medium term action plan for joint advocacy and action. Wide range of topics for delivery and stakeholders involved requires that workshop be held over 2 days. A collaborative environment will be created to build rapport among stakeholders towards workshop objective.

4. Objectives

The key objectives of the workshop are to:

- a) Develop common understanding, conceptual clarity and coherence in advocacy initiatives among stakeholders with regard to workers in the lower tiers of the global supply chains, including home workers, casual and informal workers, and other home based workers, especially women workers.
- b) Build stakeholders' capacity on issues related to informal economy workers, including home workers' and other home-based workers, international labour standards (core/fundamental conventions, convention on home workers C177 etc.), labour rights and entitlements, wages, social protection, OSH under the labour law and gaps and challenges in law and implementation etc.,
- c) Conceptualize a Joint Working Group on informal economy workers, for advocacy and action, develop medium term action plan, identify future technical capacity building needs and enable the stakeholders to work towards a collective goal (not necessarily work together, as both TUs and CBOs work differently).

Expected outcomes of the Workshop are:

- a) The workers and membership based organizations are able to develop more coherent advocacy plans and are engaged in joint advocacy.
- b) There is a common understanding on law and policy related to rights and entitlements of informal economy workers, including home workers and other home-based workers, including entitlements, wages, social protection, OSH etc. and key challenges that need to be focused on.
- c) Medium to long term and individual action plans are formed.
- d) A Joint Working Group on informal economy workers in lower tiers of the global supply chains is conceptualized.

5. Participants

Participants (approx. 40) will include:

- a. *Central Trade Unions*
- b. *Smaller sectoral trade unions/membership based organizations*
- c. *Civil society organizations/rights based organizations working on issue of home based workers etc.*
- d. ILO Resource persons and invited panellists

“Towards fair and sustainable global supply chains: Promoting decent work for invisible workers in South Asia” is an ILO/Japan project that aims to contribute to the development of ethical and sustainable global supply chains. It is geared towards promoting decent work in global (and domestic) supply chains – specifically for workers’ who are engaged at the lower tiers. They are typically home-based workers, subcontractors, and workers in medium and small enterprises in the informal economy in South Asia. The project addresses the decent work deficits and negative aspects associated with informality, visiblizing the hidden and invisible workers, and enabling better outcomes for workers and suitability of supply chains.

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