

# ► Working from Home

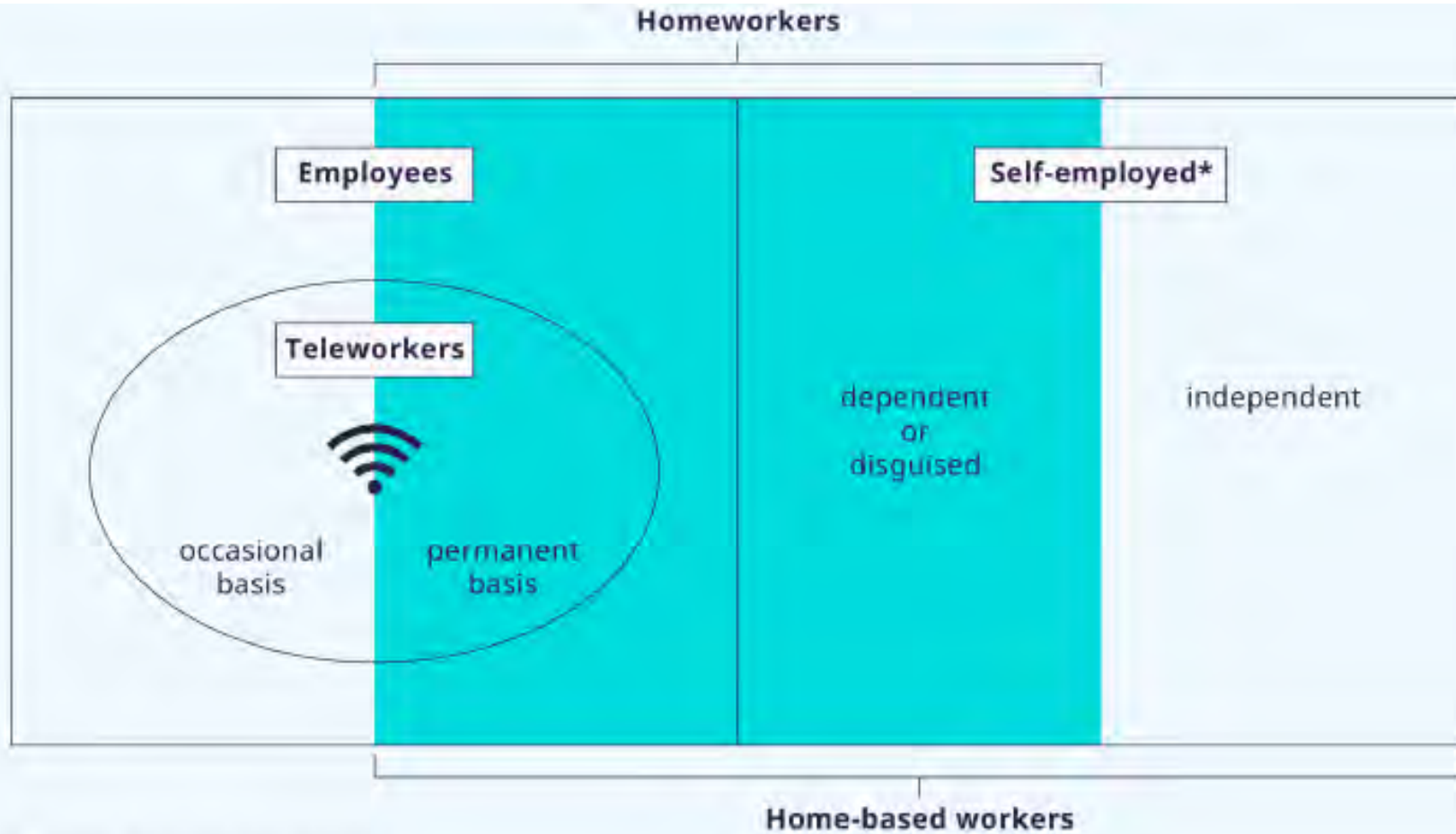
## From Invisibility to decent work



## Home work is a form of production that has survived several industrial and technological revolutions



## Homeworkers as defined by C177

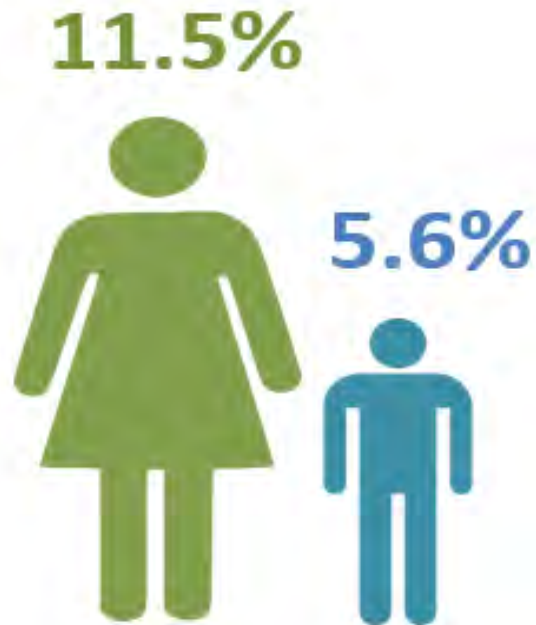




## Three types of homeworkers



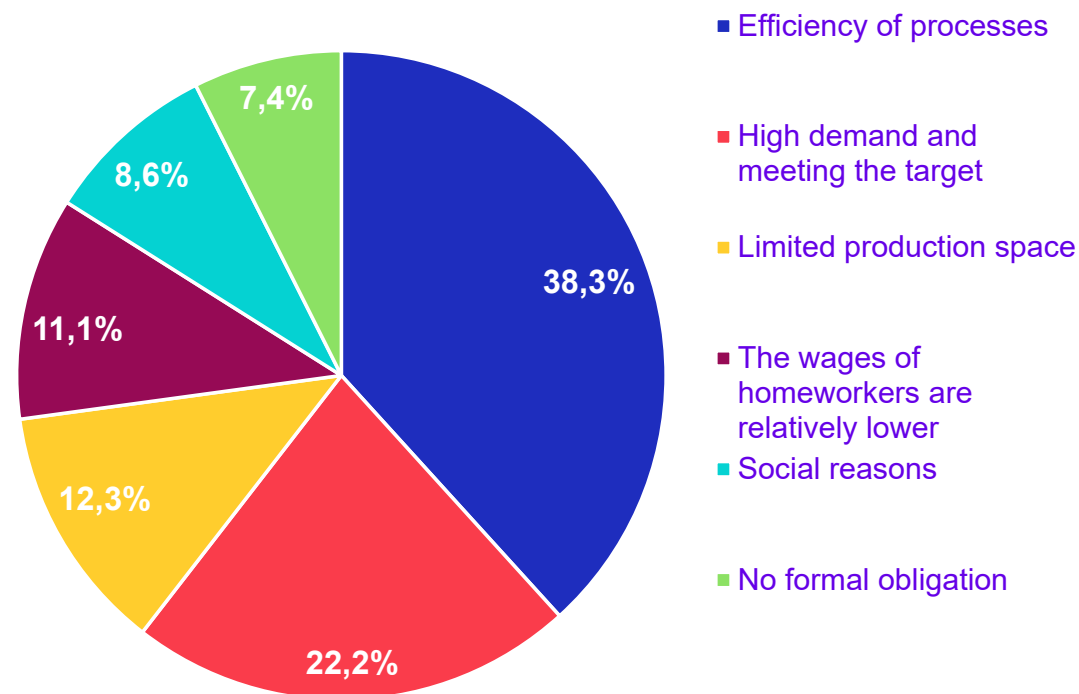
## ▶ Working from Home: A highly gendered mode of production



## Why enterprises engage homeworkers

*«People call my factory big not because I have twenty-some workers. It is because I can manage to produce twenty thousand pieces of jewellery boxes every month by using others' labour»*

- Factory owner, Taiwan (China)







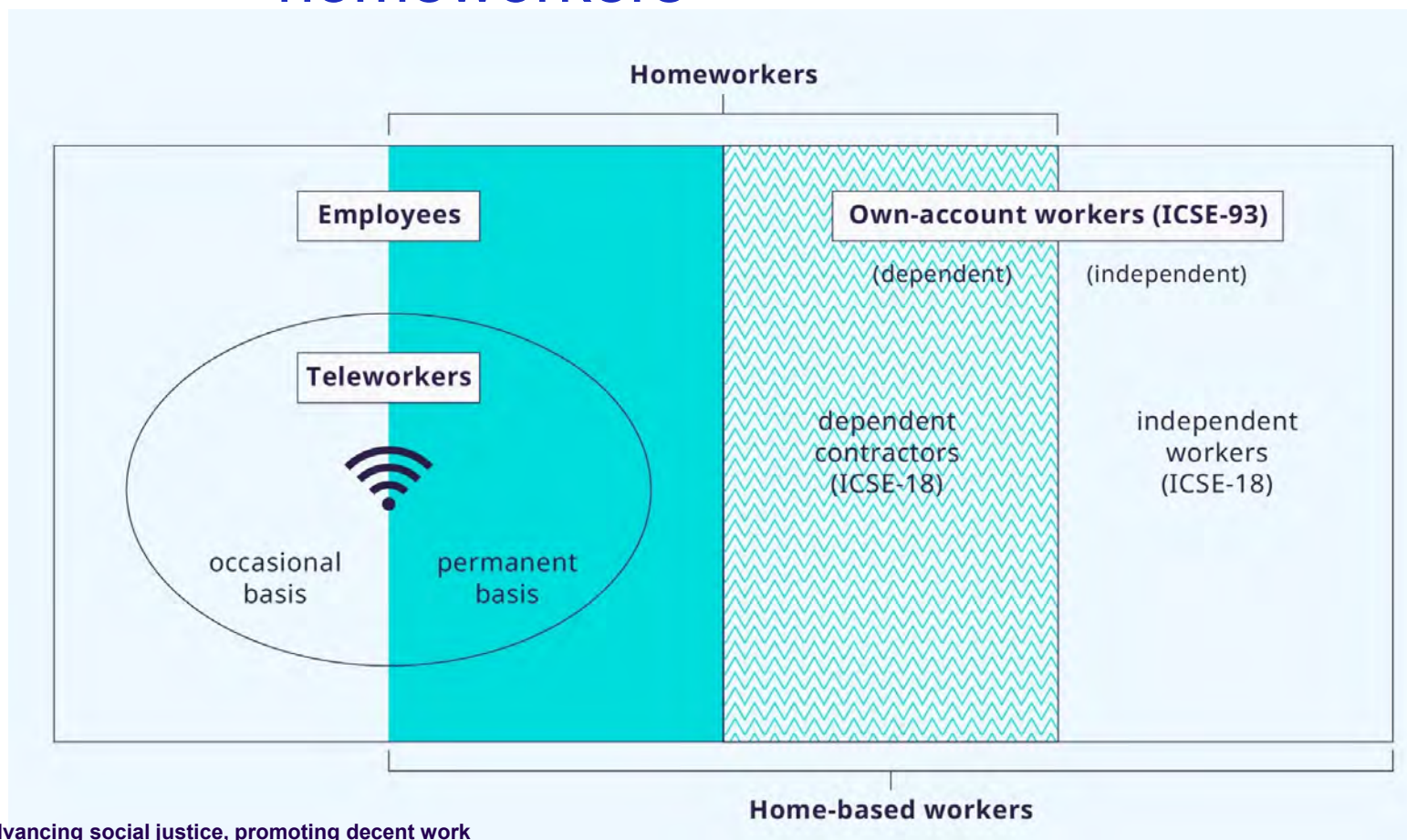
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# Home-based workers around the world



# What do global estimates capture?

## Good for home-based but only partial for homeworkers

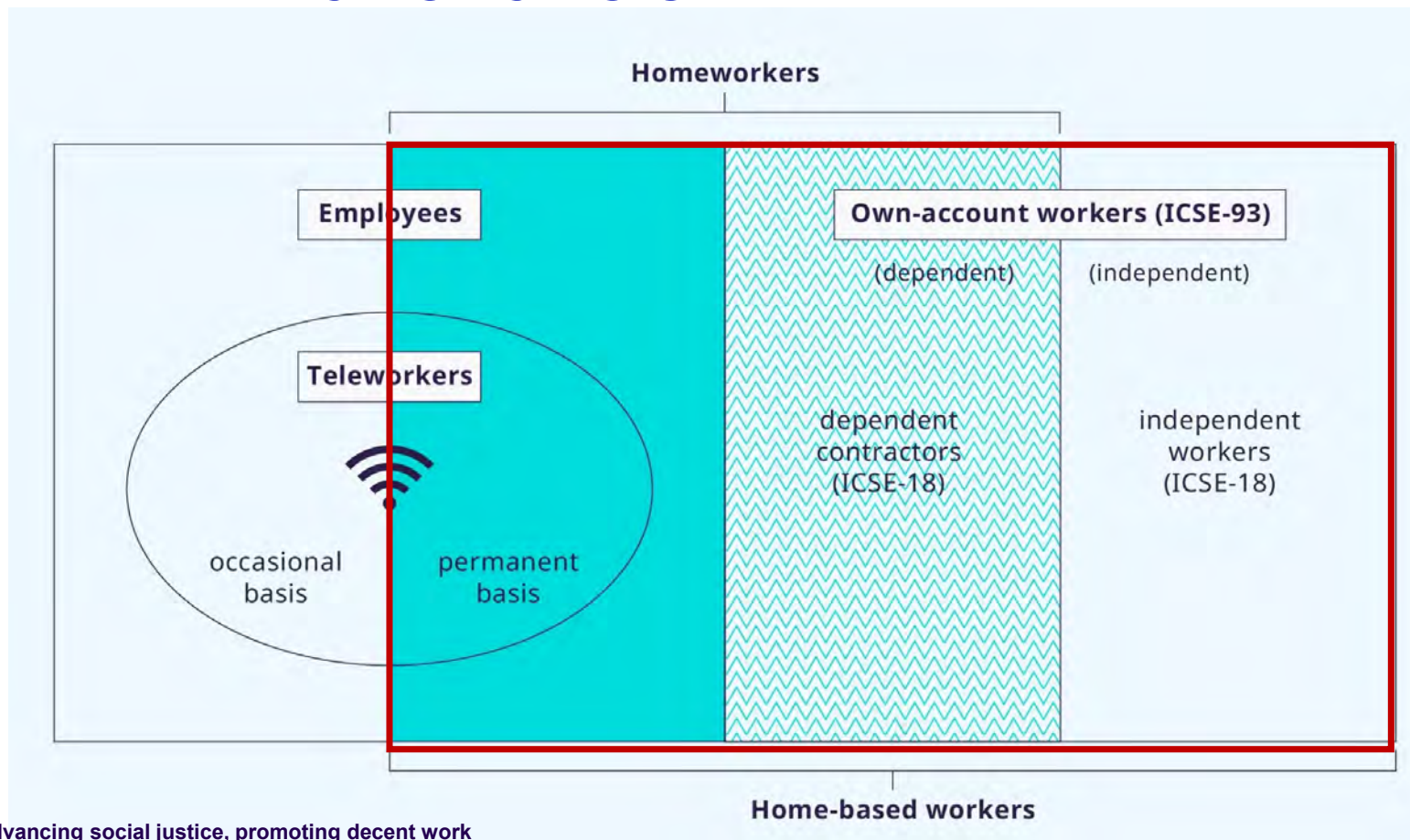


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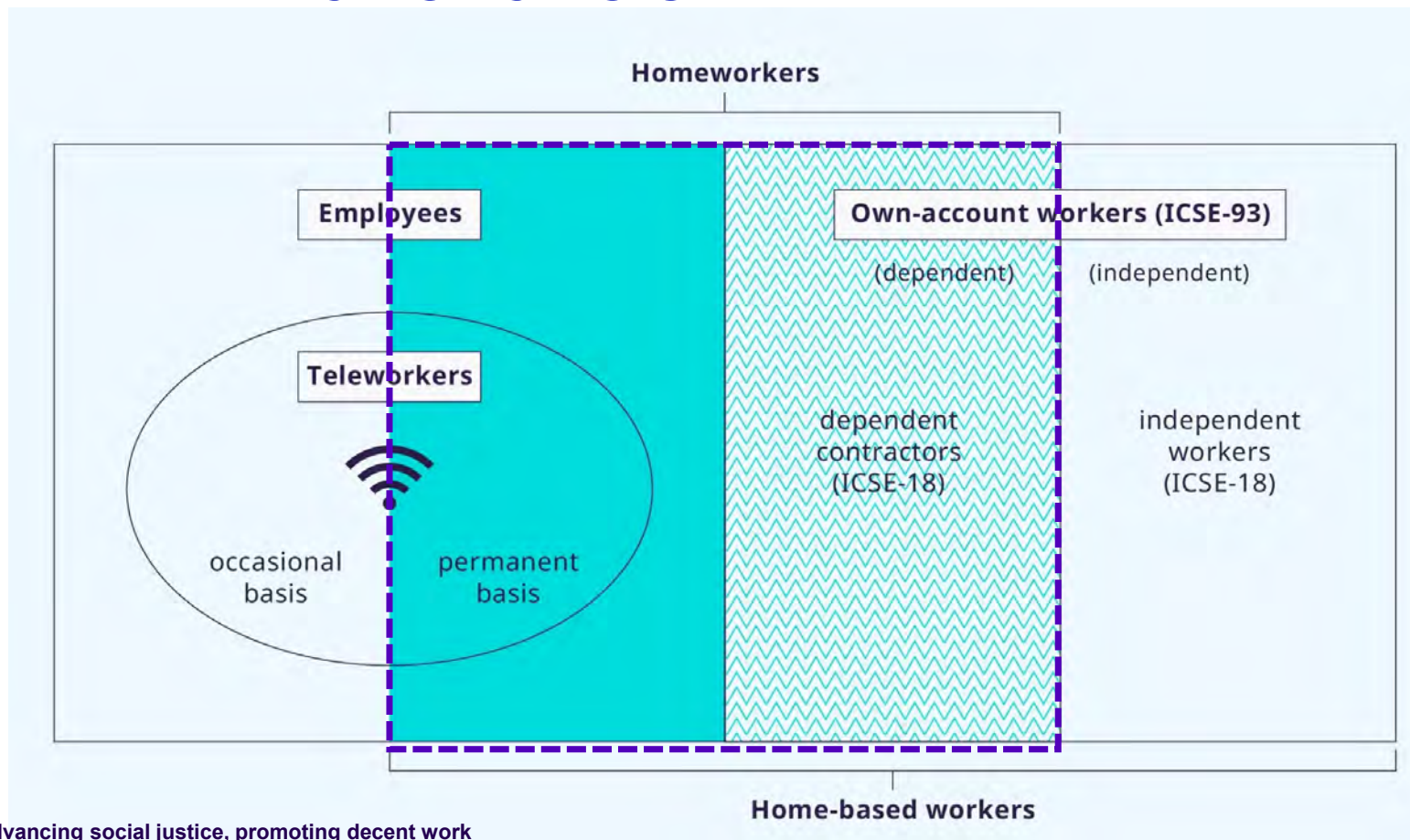
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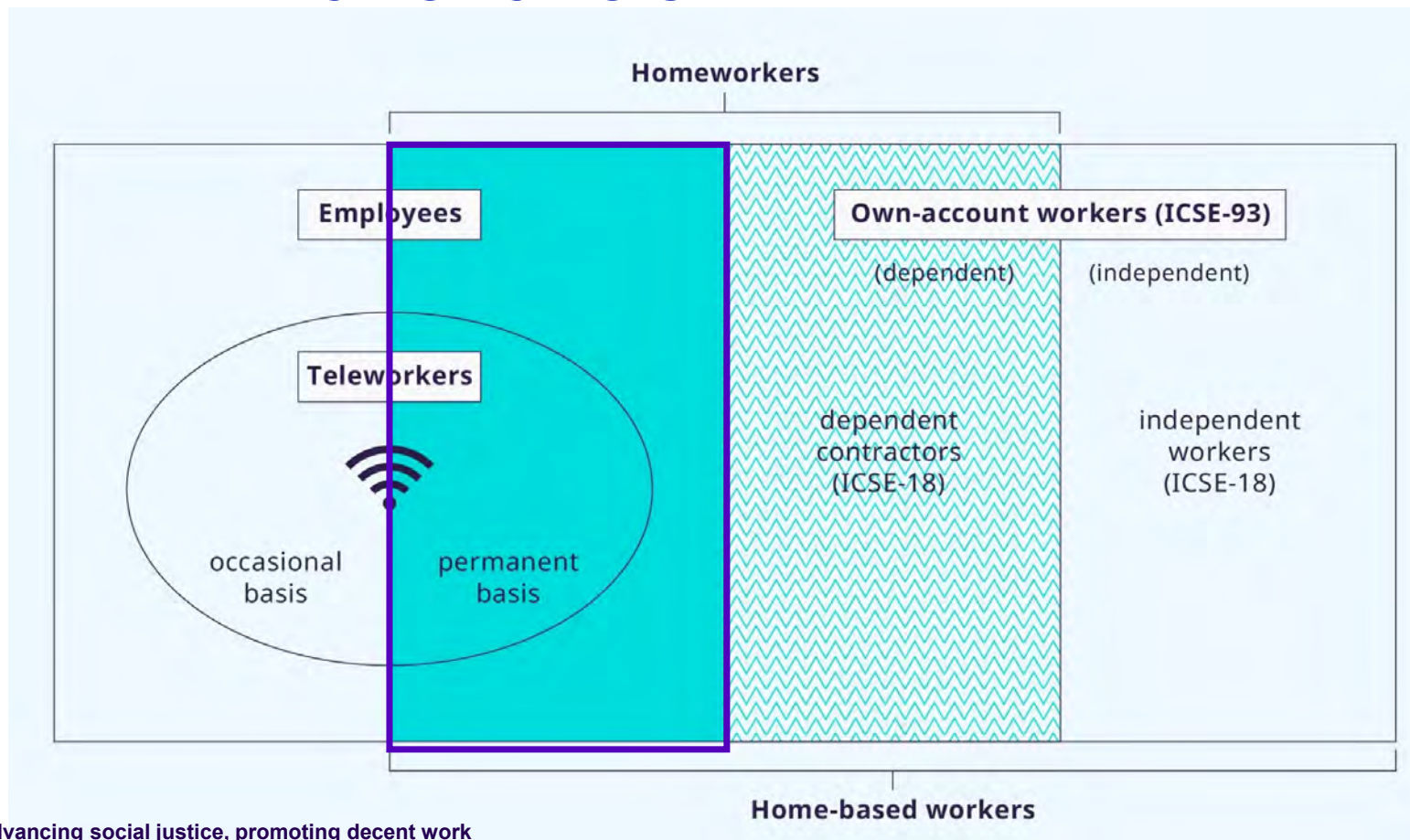
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### One segment only of Homeworkers

Home-based workers self-reported as employees

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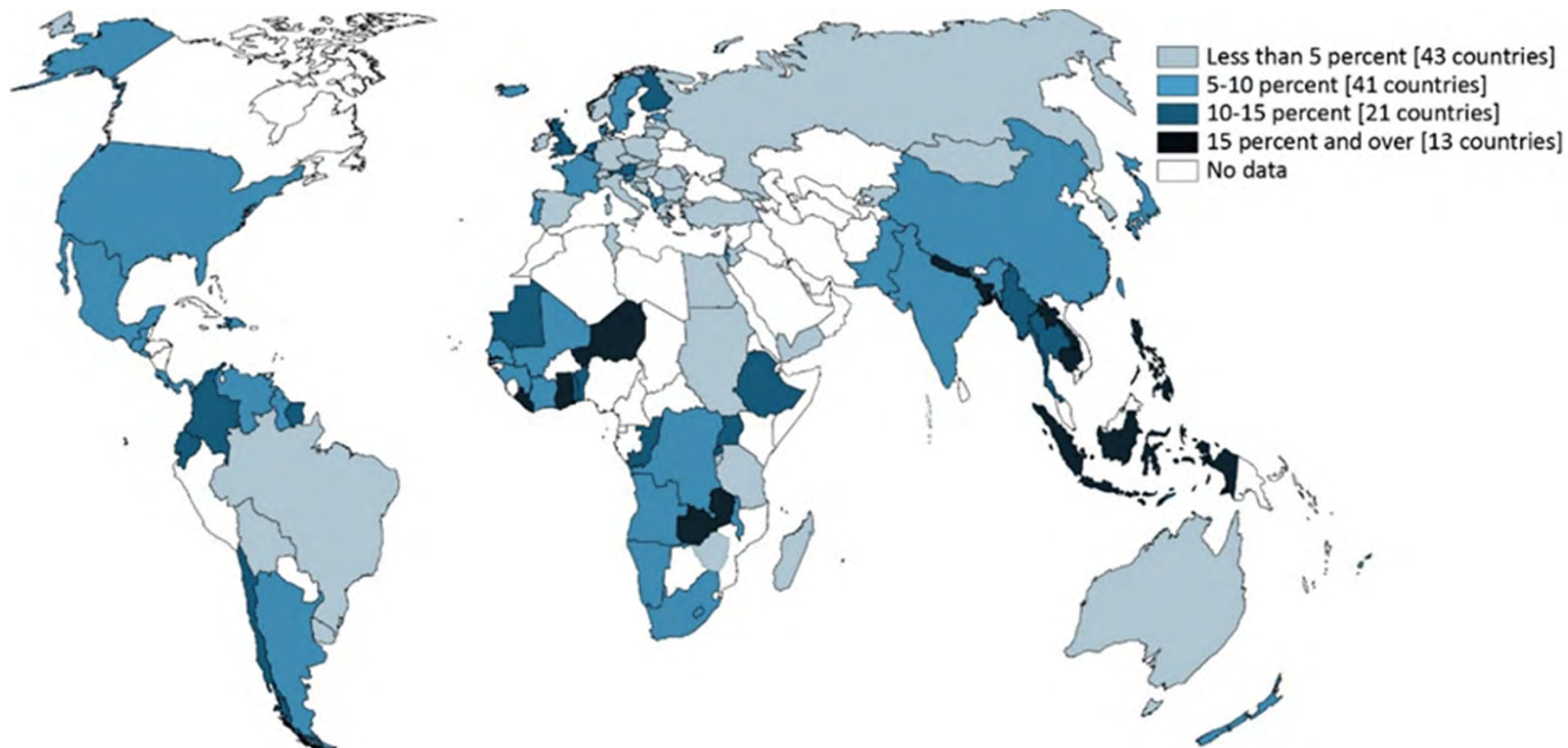
## Percentage of home-based workers, 2019

**260 million** home-based workers globally in 2019

**7.9%** of global employment

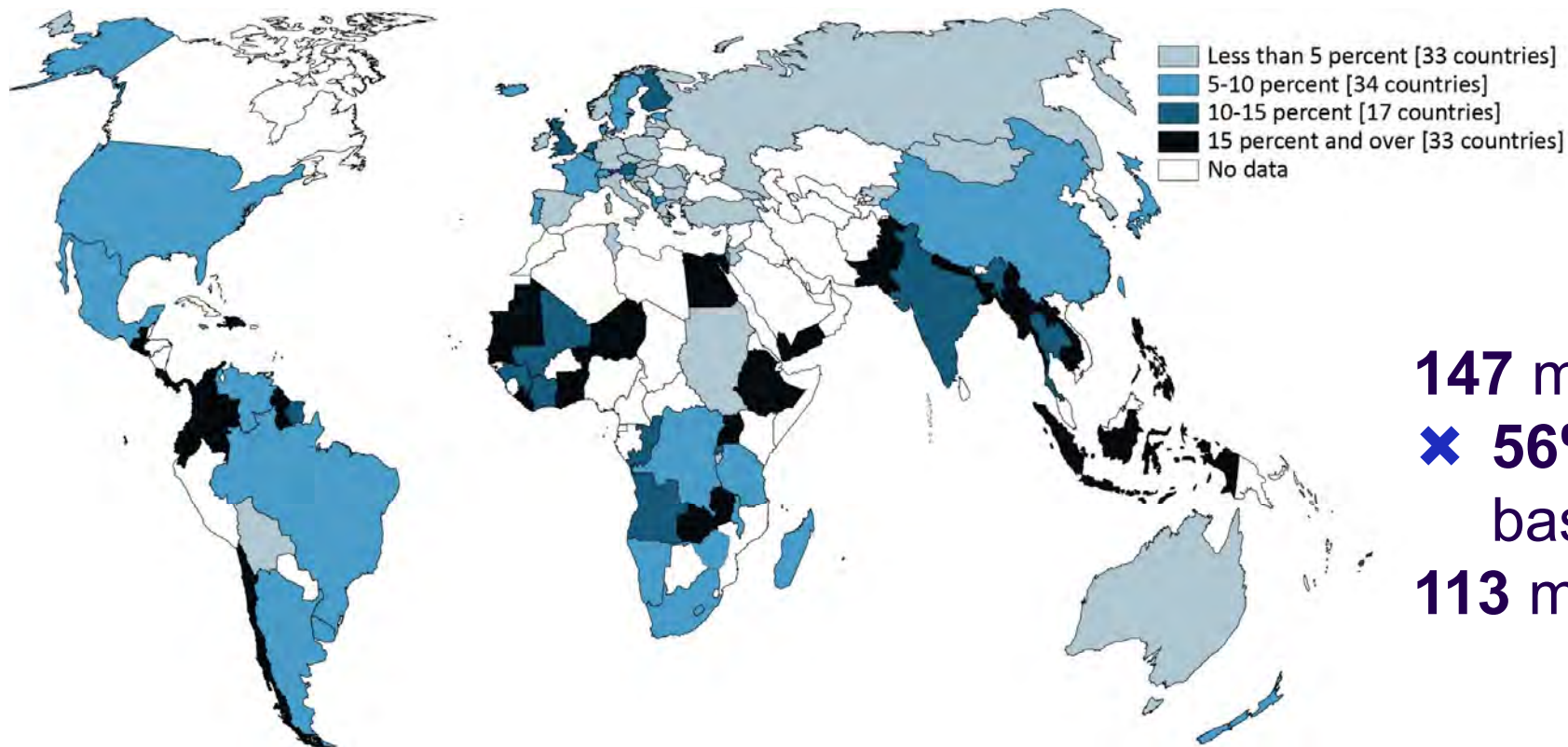
## Percentage of home-based workers, 2019

### TOTAL



## Percentage of home-based workers, 2019

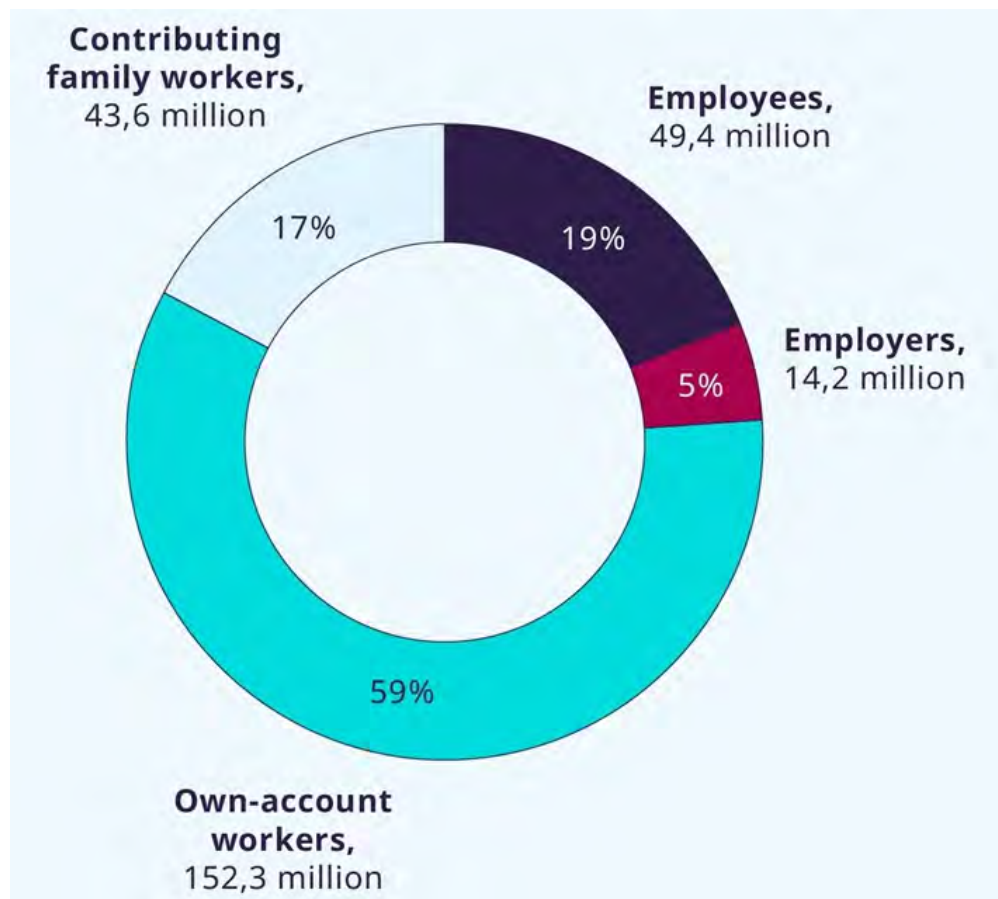
### WOMEN



**147 million women**  
**✖ 56% of all home-based workers**  
**113 million men**



## One out of 5 home-based worker self-reports as employee and own-account workers make up the majority

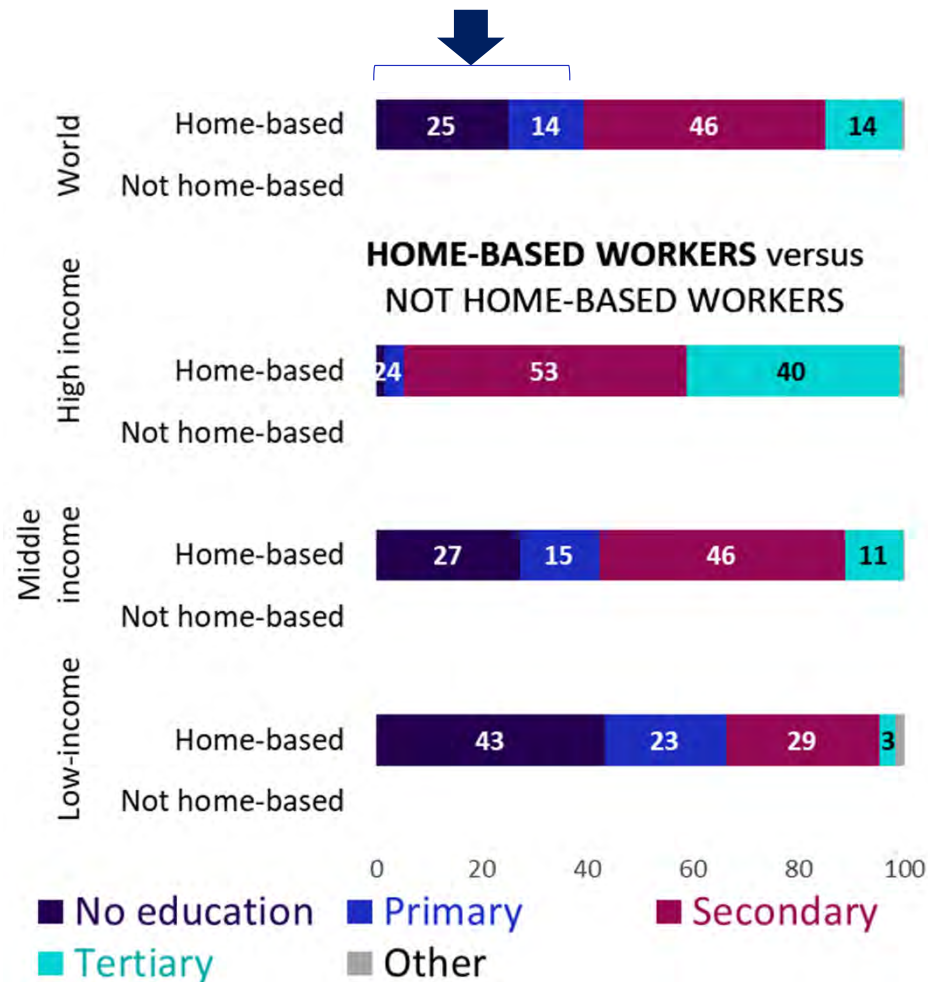


- ✖ **59%** of all home-based workers are **own-account workers** (self-reported)
- ✖ **19%** are **employees** the under-estimated “**homeworkers**” in global estimates representing close to **50 million**
- ✖ Employees represent **12%-13%** of home-based workers in low- and middle-income countries
- ✖ **54%** in high-income countries

## Home-based workers slightly less educated than other workers but not in high-income countries

**39%** of **home-based workers** have either no education or only primary ... compared to **28%** for other workers

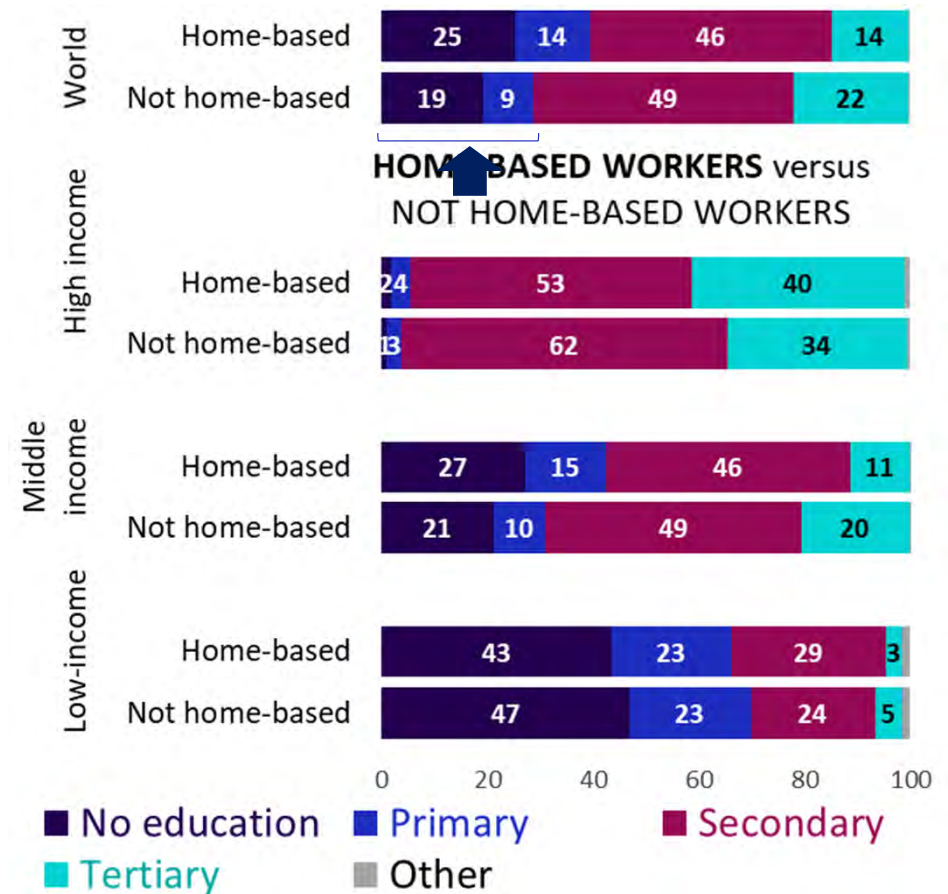
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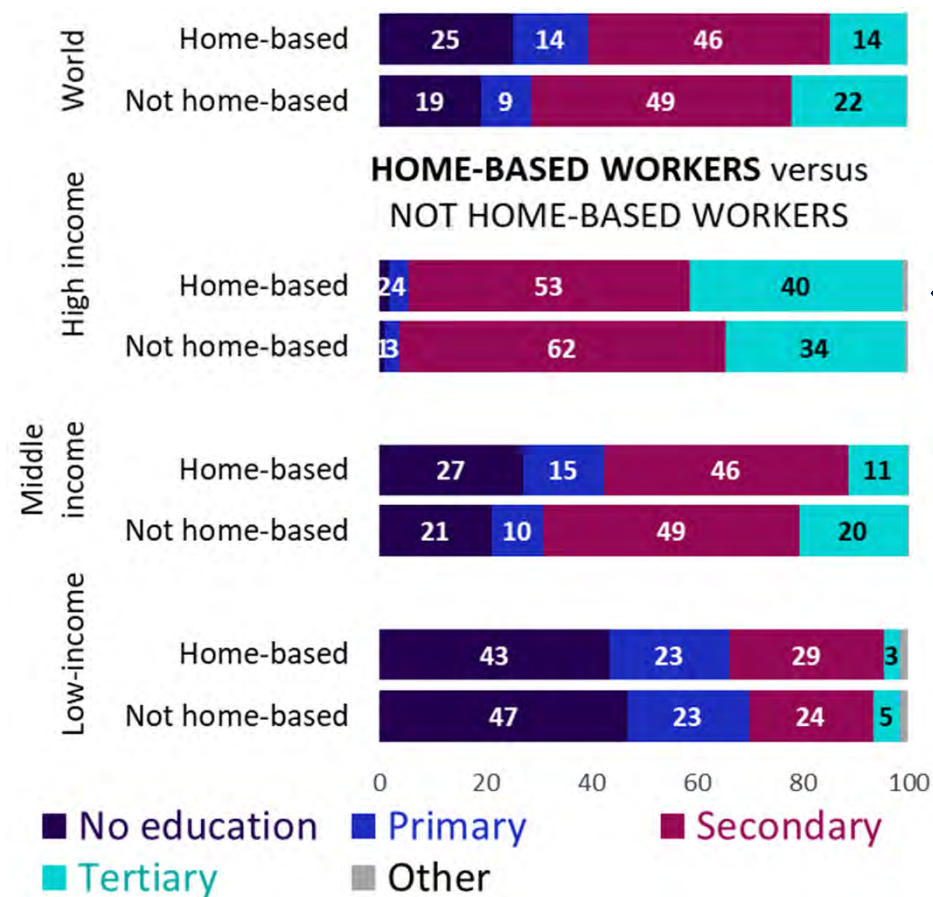




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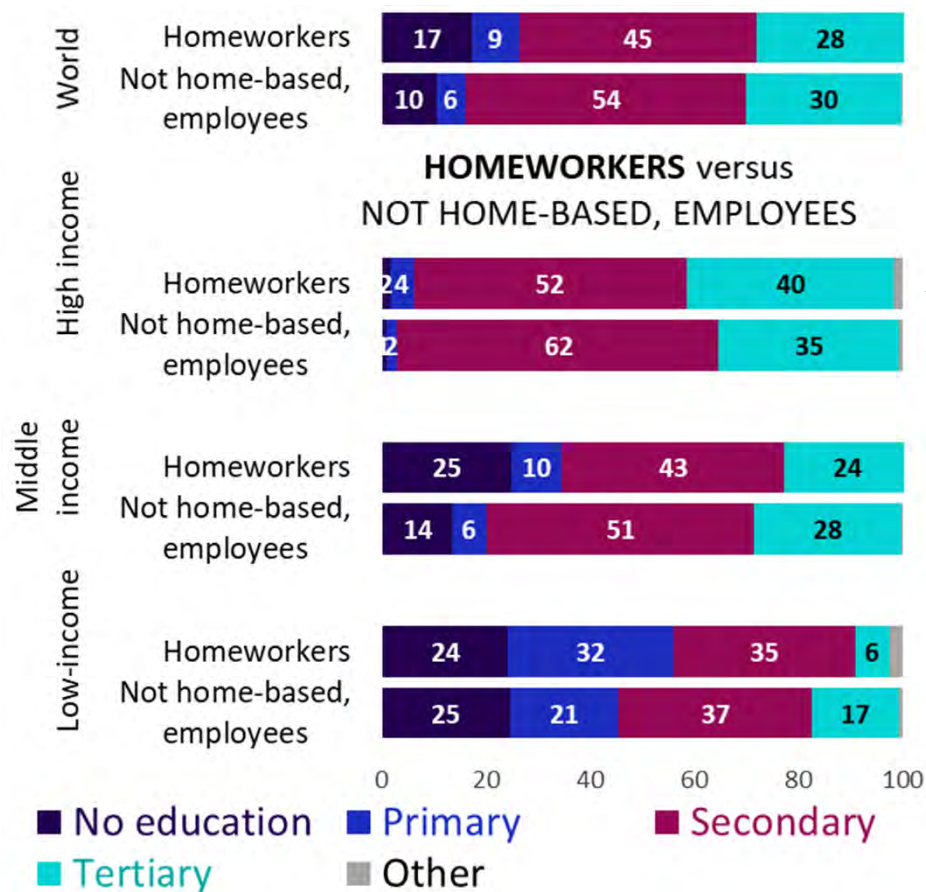


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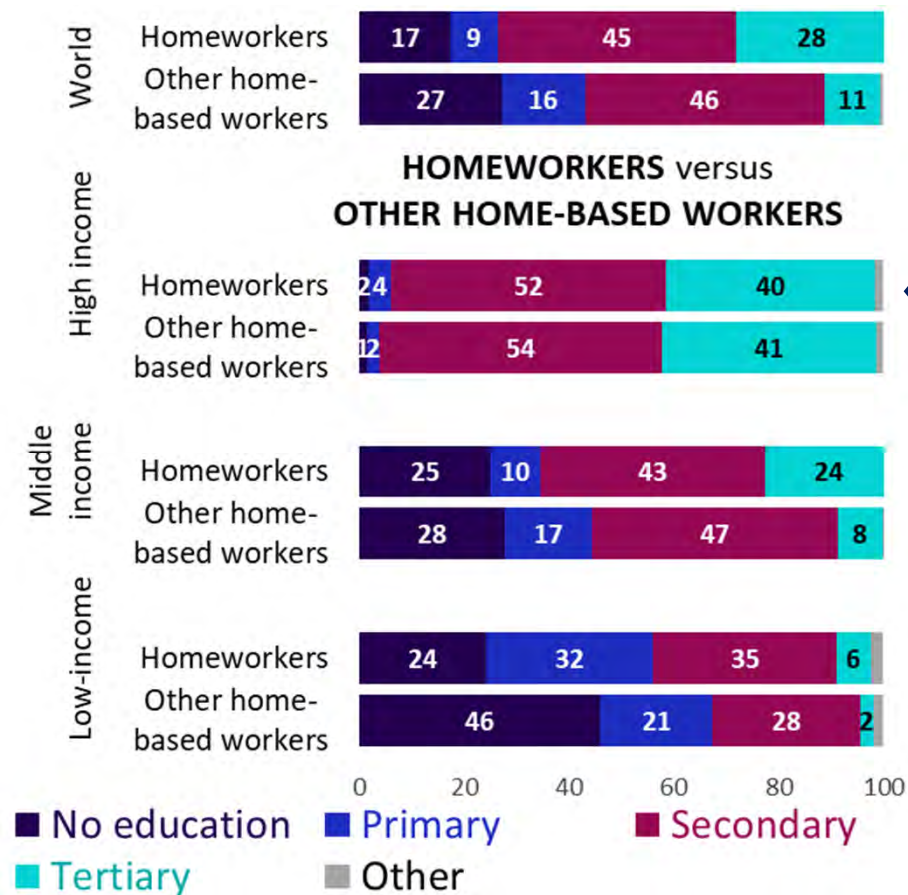
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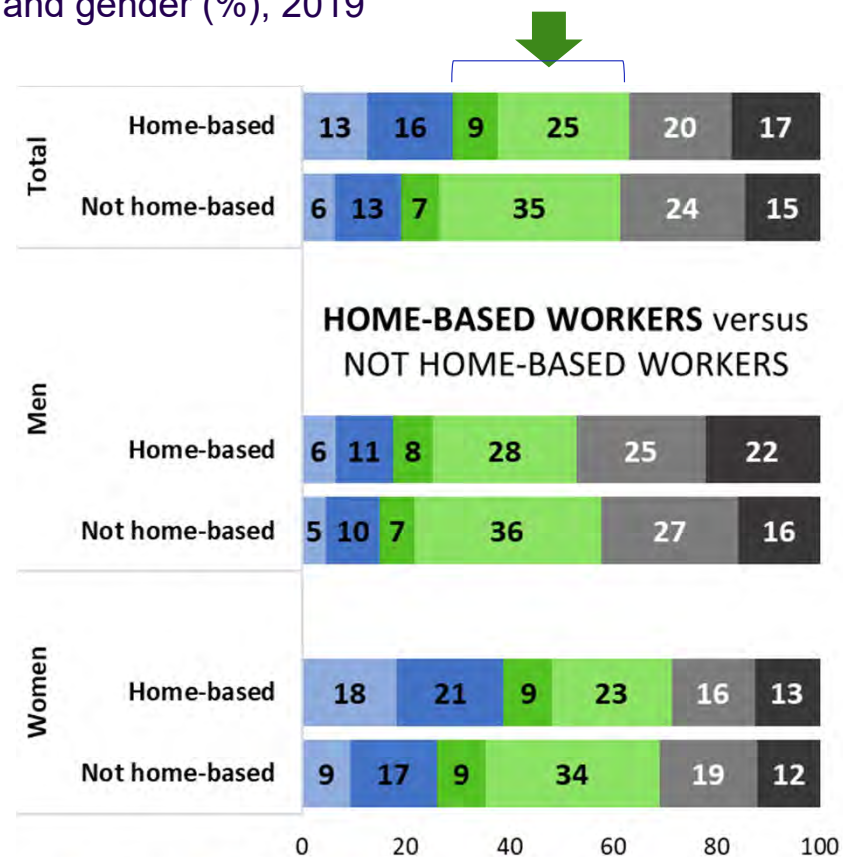
- ✘ Home-based workers have a lower level of education than other workers in low- and middle-income countries **but not in high-income countries**
- ✘ The same pattern applies to **homeworkers** compared to other employees but ...
- ✘ ... homeworkers are relatively more educated than other home-based workers.





## “Normal hours of work” is not the norm for the majority of home-based workers

Distribution of **homeworkers** by hours worked per week and gender (%), 2019

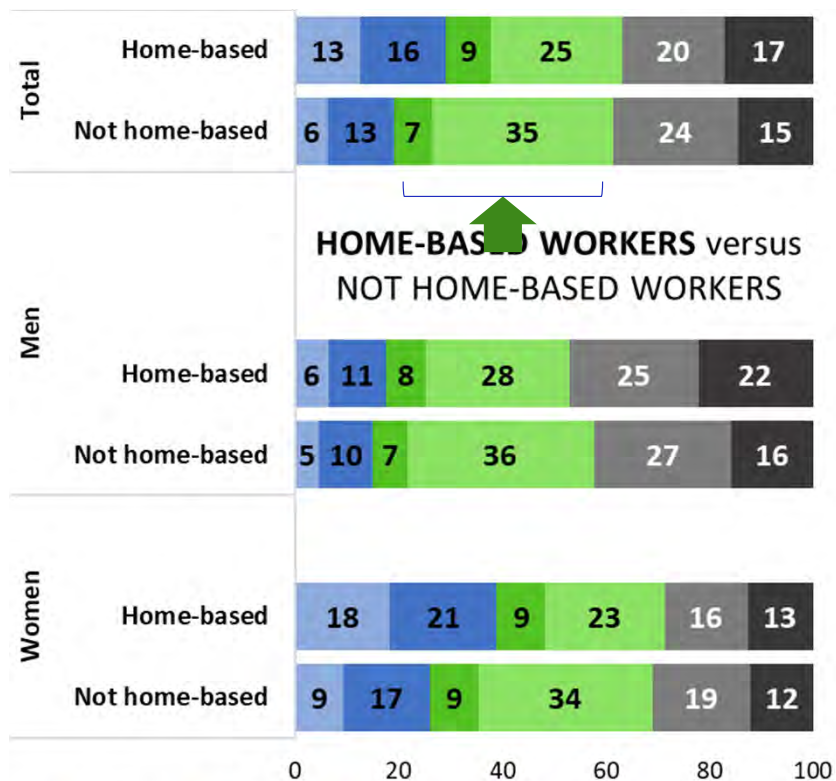


- ✗ One third of home-based workers work in the range of normal hours (35-48h a week) compared to 42% for other workers

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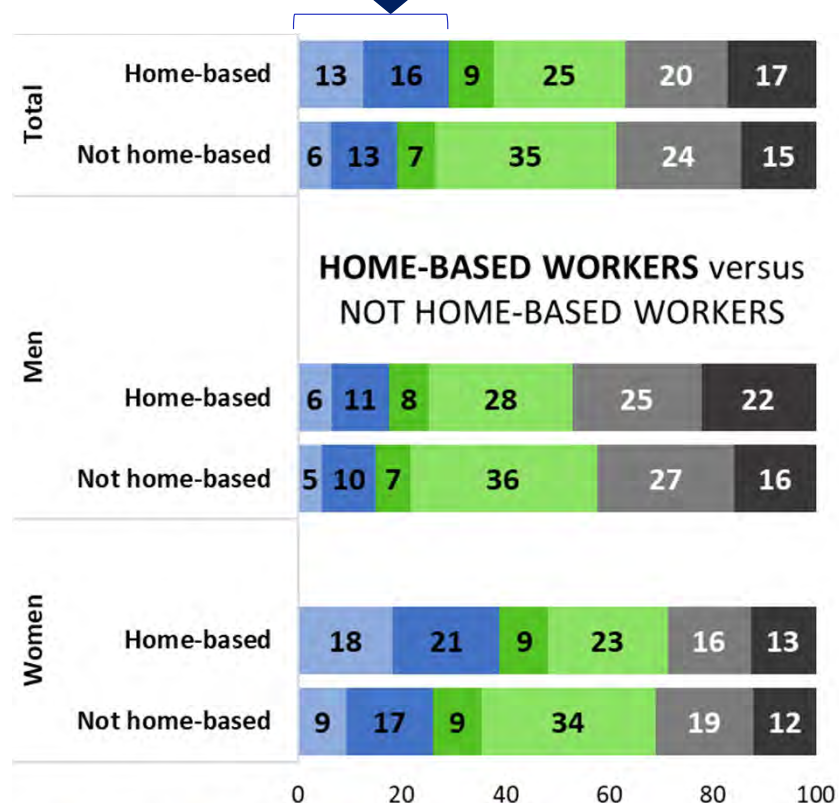
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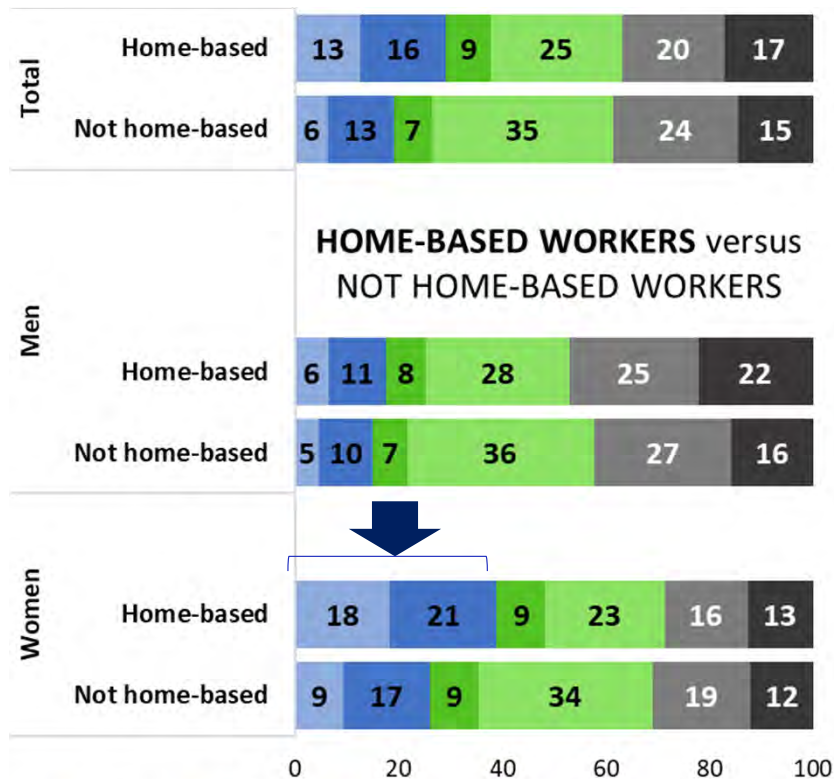
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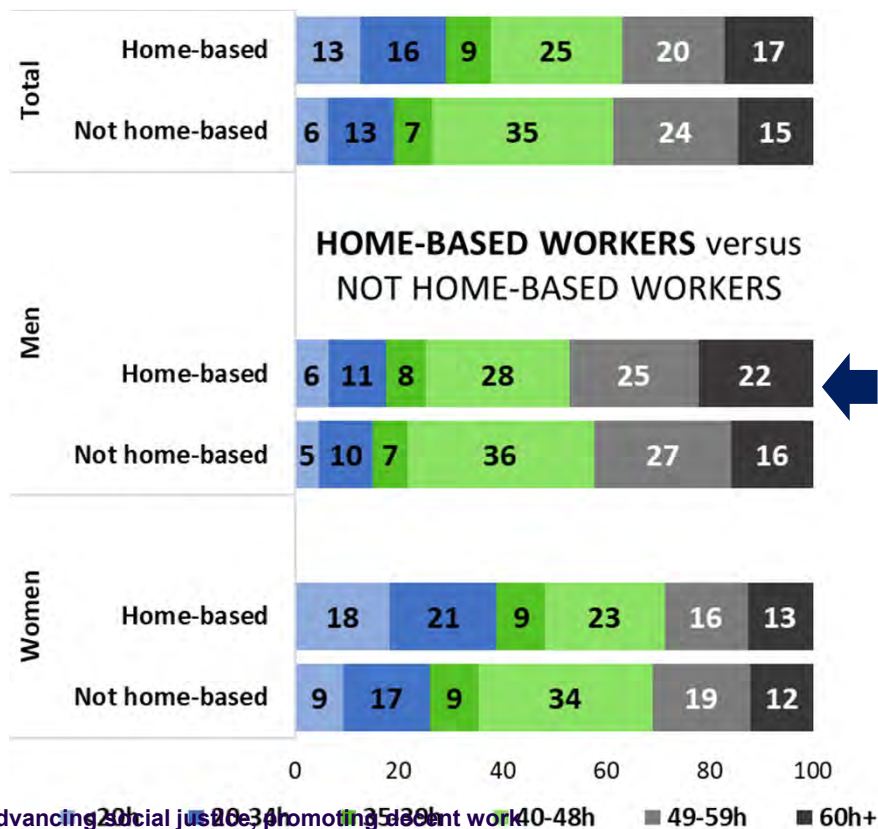
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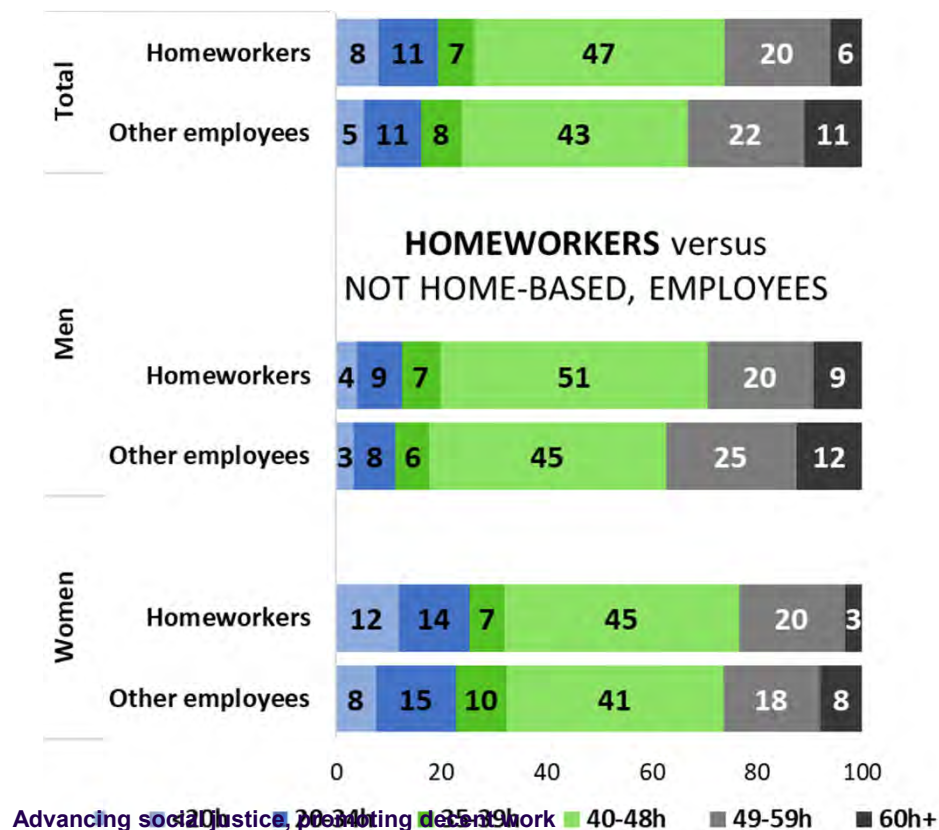
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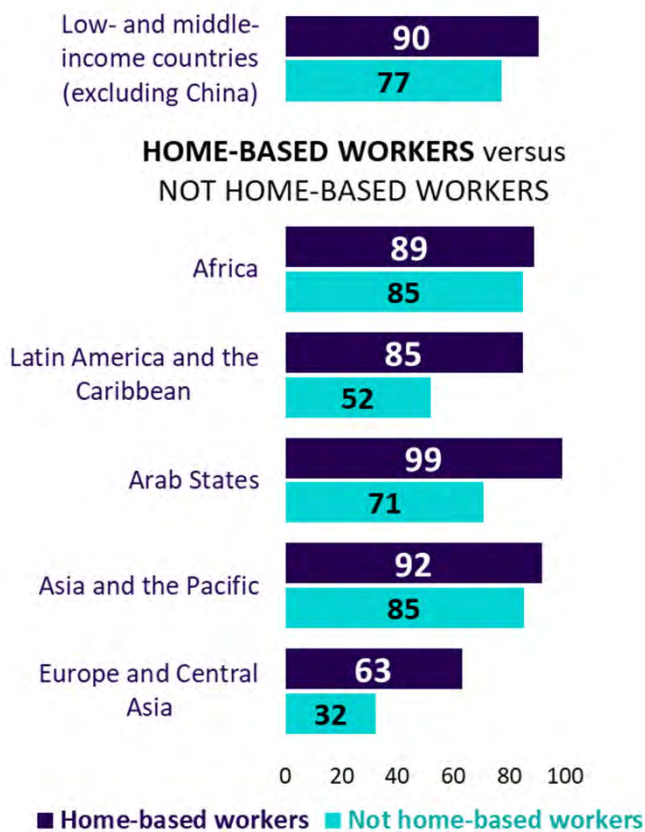
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- ✗ More homeworkers worked “normal hours” than other home-based workers... not so different from other employees with set hours

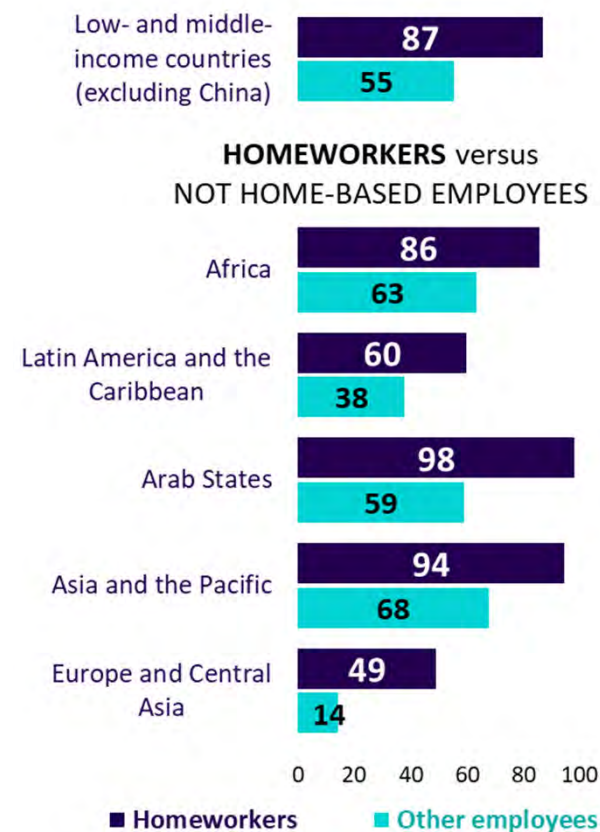


## 90% of home-based workers in low- and middle-income countries are in informal employment

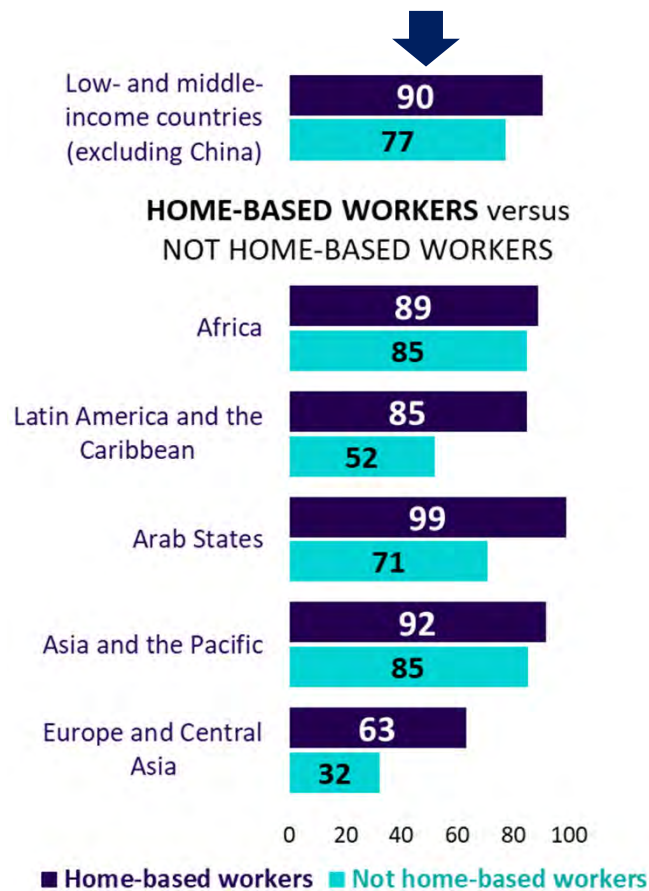


In low- and middle-income countries (excluding China)

- ✗ 90% of home-based workers are in informal employment
- ✗ 87% of homeworkers

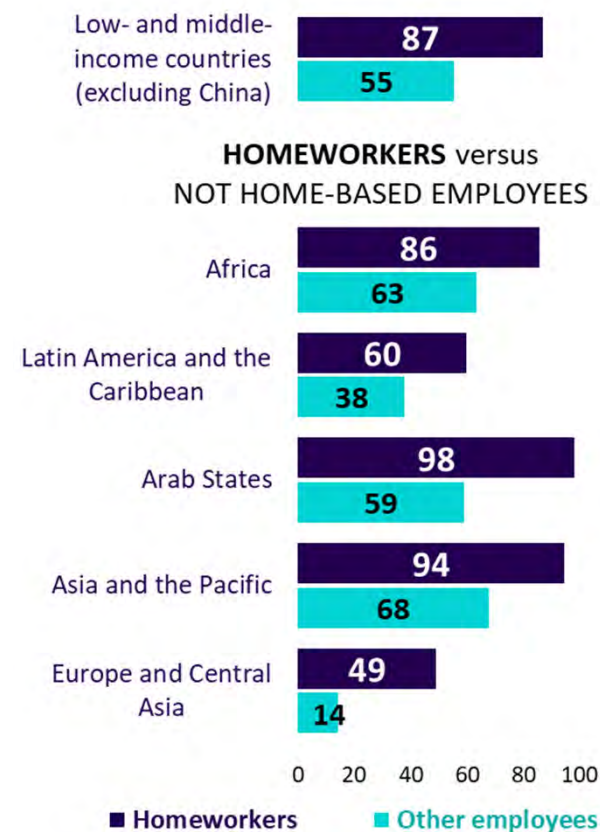


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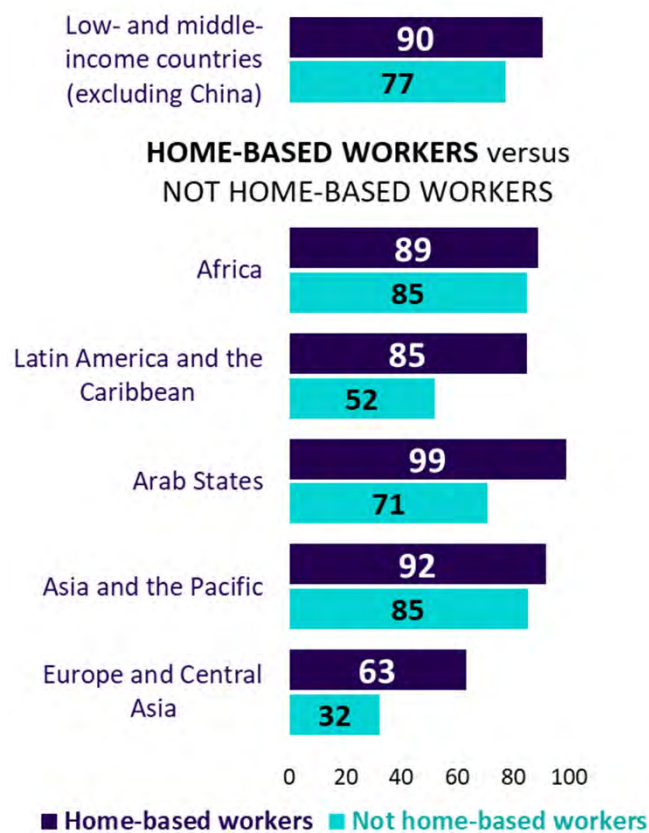


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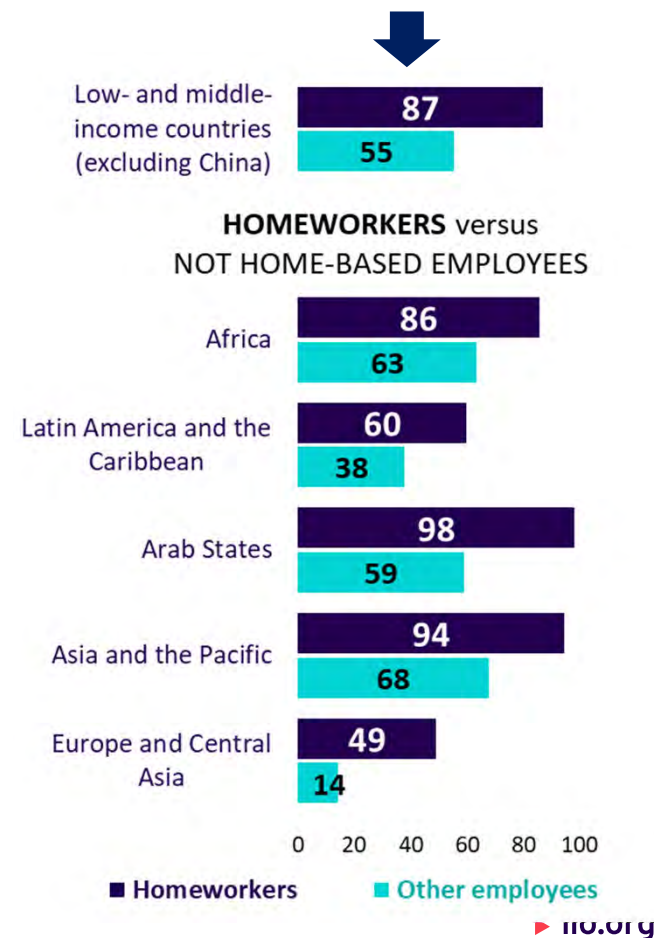


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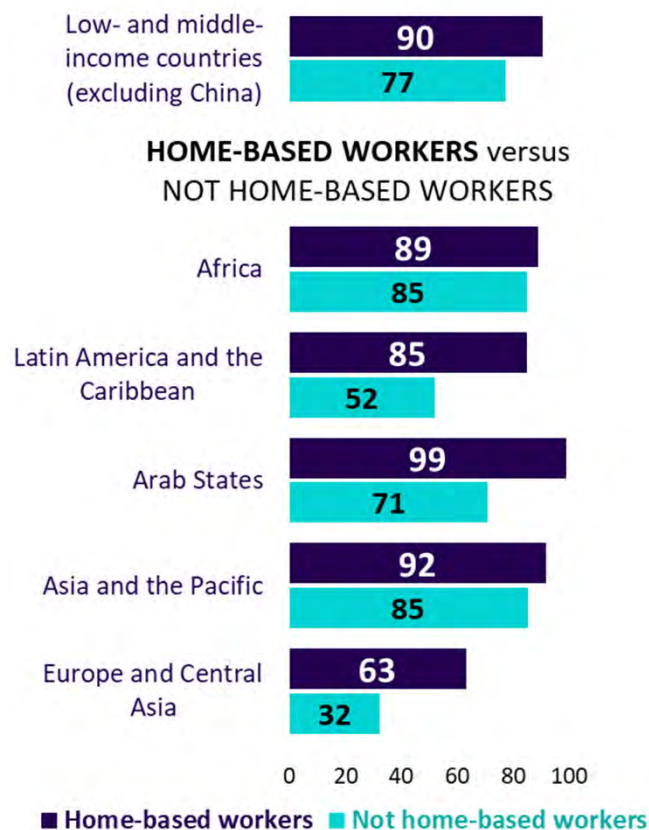
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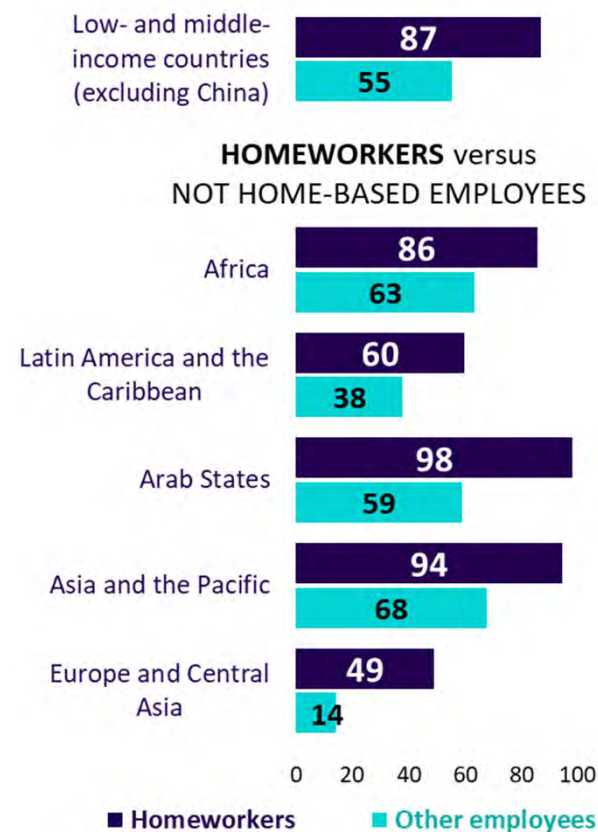


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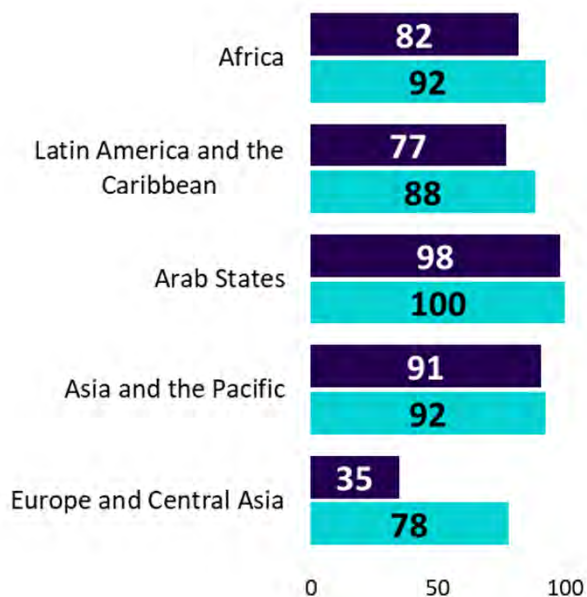
Higher informality in all regions for workers (and employees) working from home compared to those working outside their home



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### HOME-BASED WORKERS



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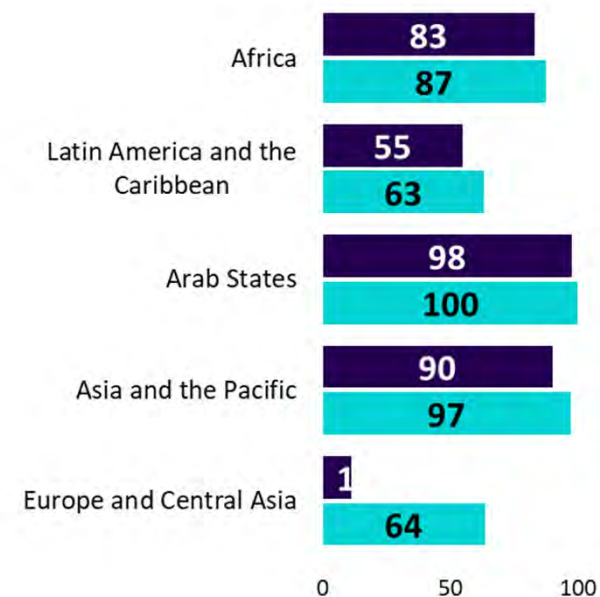
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Higher informality in all regions for workers (and employees) working from home compared to those working outside their home

Whether home-based or homeworkers, **women are more exposed to informality than men** for low- and middle income countries as a whole and in regions



### HOMEWORKERS





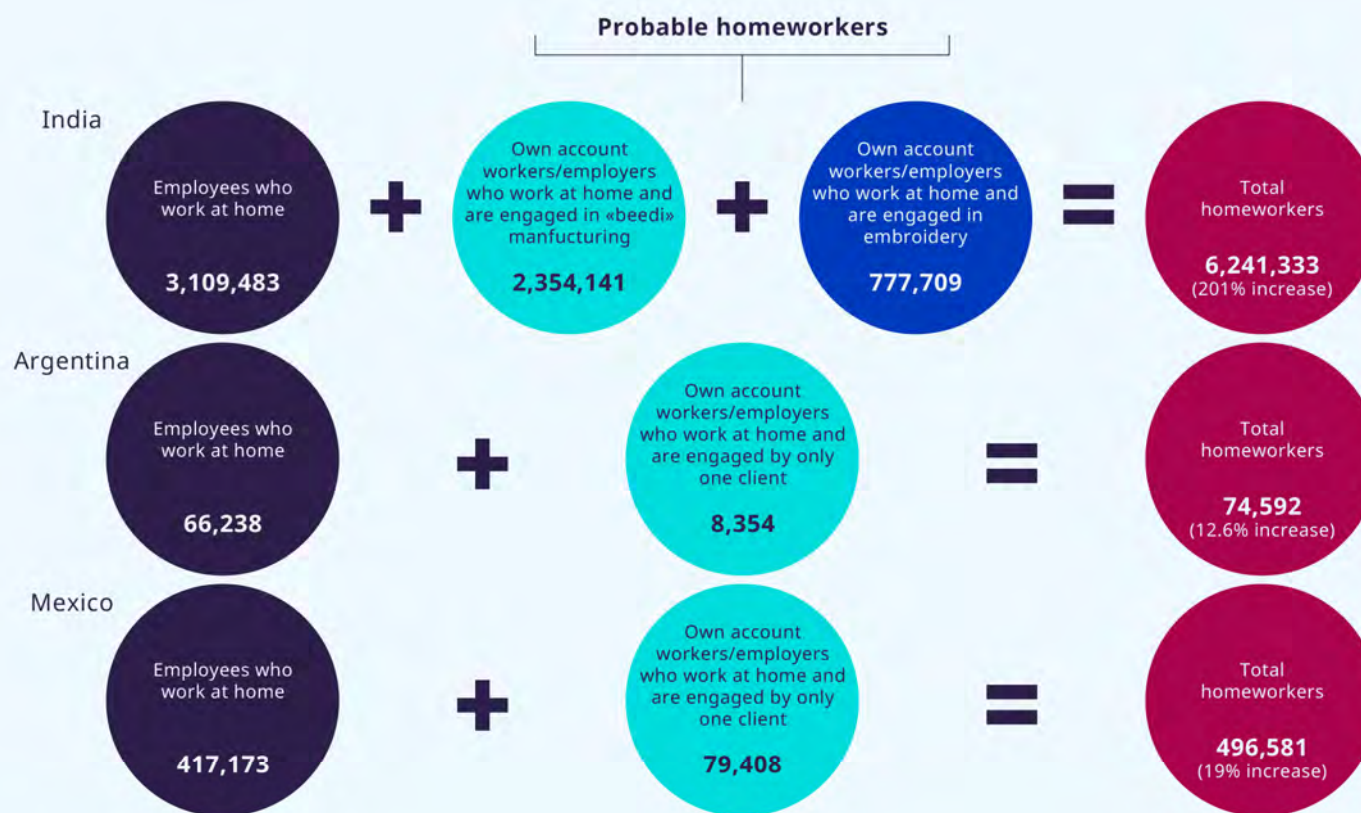


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# Implications for workers



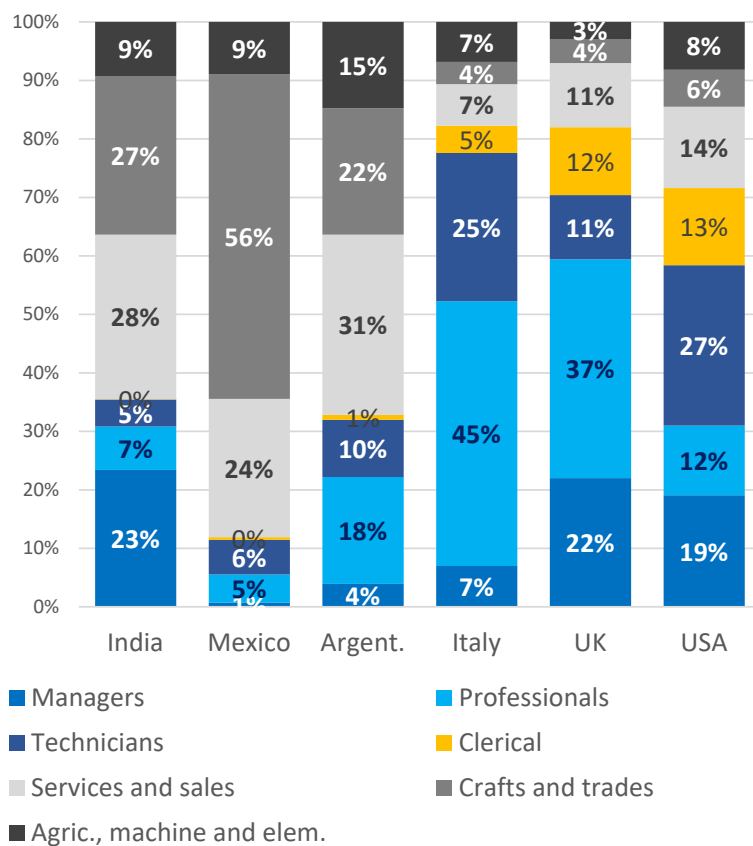
## How ICSE-93 undercounts homeworkers



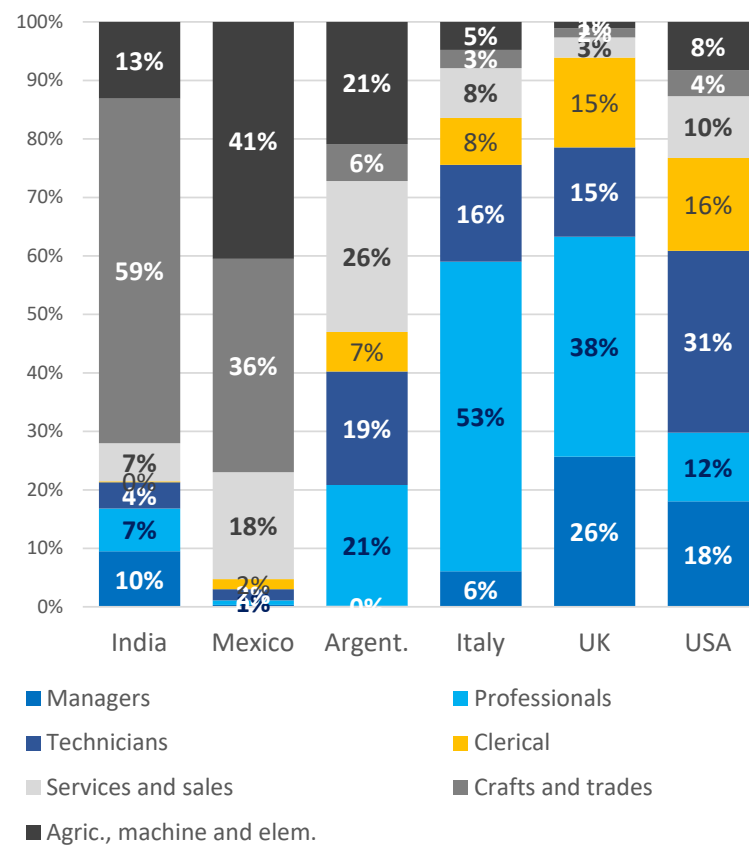


# Occupational Structure of Home-Based Work and Home Work

## Home-Based Workers

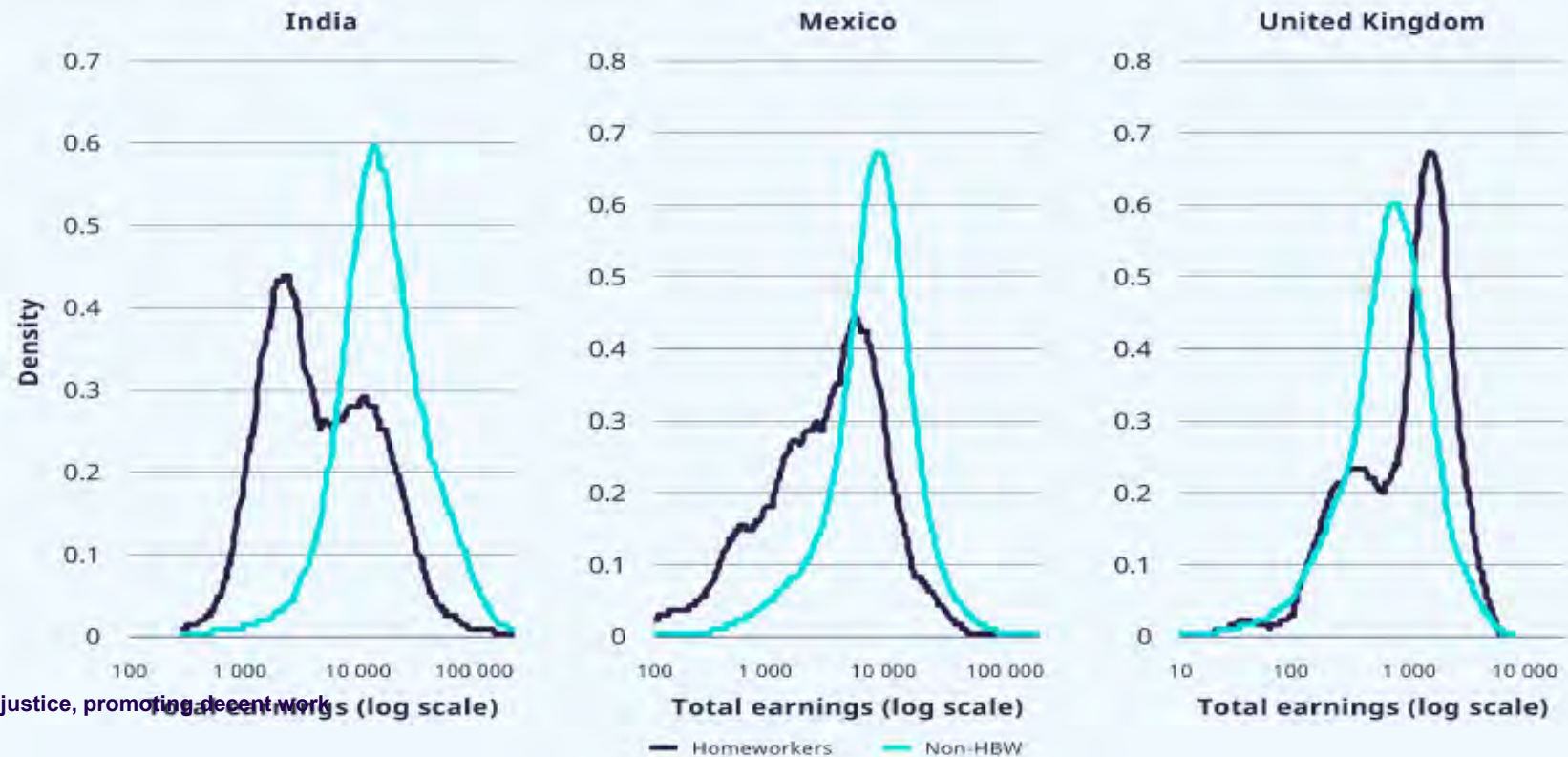


## Homeworkers



## Earnings Densities for India, Mexico and the United Kingdom (Total Earnings)

► Figure 2. Earnings densities for India, Mexico and the United Kingdom (total earnings)



## Homeworker penalty

### Homeworkers and their earnings

	Wage as % of Non-HBW wage	
	HBW	Homeworkers
India	73%	41%
South Africa	71%	64%
Mexico	63%	54%
Argentina	74%	101%
Italy		125%
UK		137%
USA	121%	140%

### Controlled Homeworkers Penalty

	Total earnings	
	Home-based workers	Homeworkers
India	79%	50%
South Africa	59%	75%
Mexico	60%	51%
Argentina	57%	48%
Italy		109%
UK		87%
US	78%	

## Homeworker earnings: case studies

Mean Homeworker Study Wage					Mean Country Wage			
Study	Industry	Sample Size	HW Wage	Wage Data Year	Currency	Value	Source	HW: Mean Wage Ratio
Aleksynska et al. (2018)	Digital platform workers	1000	1,878	2017	Ukrainian Grivna	7,746	Statistics Service of Ukraine	24%
Zhou (2017)	Garment workers	259	8,208 (5,057 with no embroidery)	2016	Pakistani Rupee	15,390	ILO Global Wage Report 2018/2019	53%
King-Dejardin (2019)		290	2000 to 6000	2016	Philippine Peso	10,458	ILO Global Wage Report 2018/2019	38%
Hirway (2019)	Textile and garment workers	25	1,693	2011-2012	Indian Rupee	9,194	ILO Global Wage Report 2016/2017	18%
Kalpana (2019)	Appalam workers	60	3,524	2015	Indian Rupee	10,885	ILO Global Wage Report 2018/2019	32%
Kara (2019)	Garment workers.	1452	2,072	2018	Indian Rupee	12,546	ILO Global Wage Report 2018/2019	17%
Datta et alii (2018)	Urban HW in chain/zip and decorative item industries	53	1,431	2018	Indian Rupee	12,546	ILO Global Wage Report 2018/2019	11%
ILO (2015)	HW in different industries.	3010	377,331	2014	Indonesian Rupee	1,927,994 men 1,403,925 women	BPS (2014) Labourer situation in Indonesia	20% (men) 27% (women)



## Homeworker earnings: case studies

*We are slaves to the contractors.  
They give us less wages, but we  
have no alternative.*

-30 year-old garment worker in India

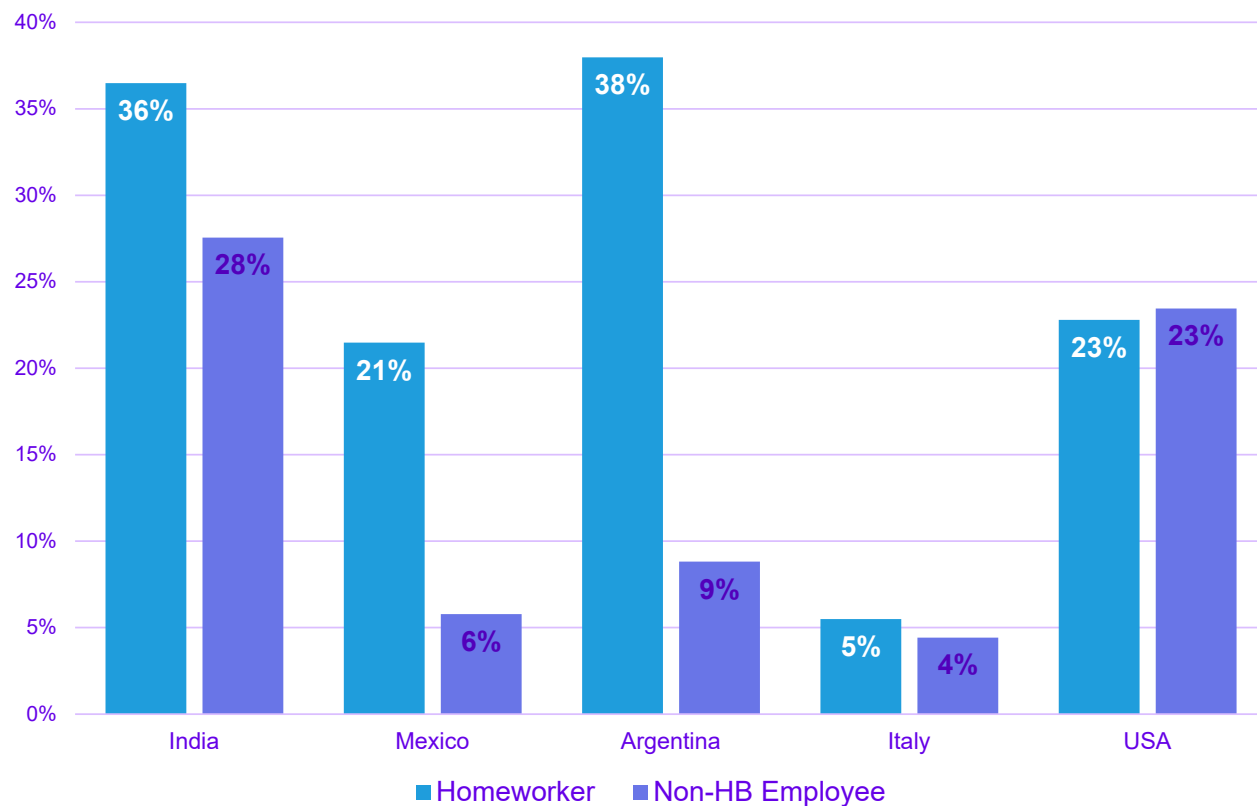
*In this job we can demand  
nothing, if we ask for anything  
additional, they fire us.*

-Clerical homeworker, Mexico

Advancing social justice, promoting decent work



## Gender wage gap



*“In our culture, women are not allowed to leave the home. What else can I do but this work?”*

-26 year-old garment worker near Shahjahanpur, India

## Other issues

- ▶ Child labour: having someone in the family involved in HBW or homework considerably increases likelihood of child labour.
- ▶ Workers with disabilities: homework holds promise but also contributes to double invisibility.
- ▶ Social protection: deficits of up to 40 percentage points.
- ▶ Occupational safety and health when homeworkers lack protective equipment and training.
- ▶ Training and career prospects.
- ▶ Challenges in organizing







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# ► The regulation of home work



## ► **Convention No. 177 and Recommendation No. 184 on home work**

- Adopted in 1996, C177 in force on 22 April 2000, 10 ratifications
- Prior to their adoption : no ILO standard regulated home work in a comprehensive manner or even provided a definition of home work and homeworkers
- Apply to all persons carrying out home work

## **Other important ILO standards**

- Employment Relationship Recommendation, 2006 (No. 198)
- Social Protection Floors Recommendation, 2012 (No. 202)
- Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

## ▶ A national policy on home work

- ▶ To eliminate decent work deficits for homeworkers
- ▶ Main requirement of C177: adopt, implement and periodically review **a national policy on home work** aimed at improving the situation of homeworkers, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations concerned with homeworkers and those of employers of homeworkers
- ▶ Can be integrated into a broader employment or labour market policy
- ▶ Must promote **equality of treatment** between homeworkers and other wage earners, taking into account the **special characteristics** of home work

▶ Examples: **Argentina, Belgium**

## Regulatory approaches

- ▶ Separate legislation on home work:

Germany, Mauritius, Thailand, Uruguay

- ▶ Specific regulation of telework through CBA (Denmark, France) or legislation (Costa Rica, Portugal)

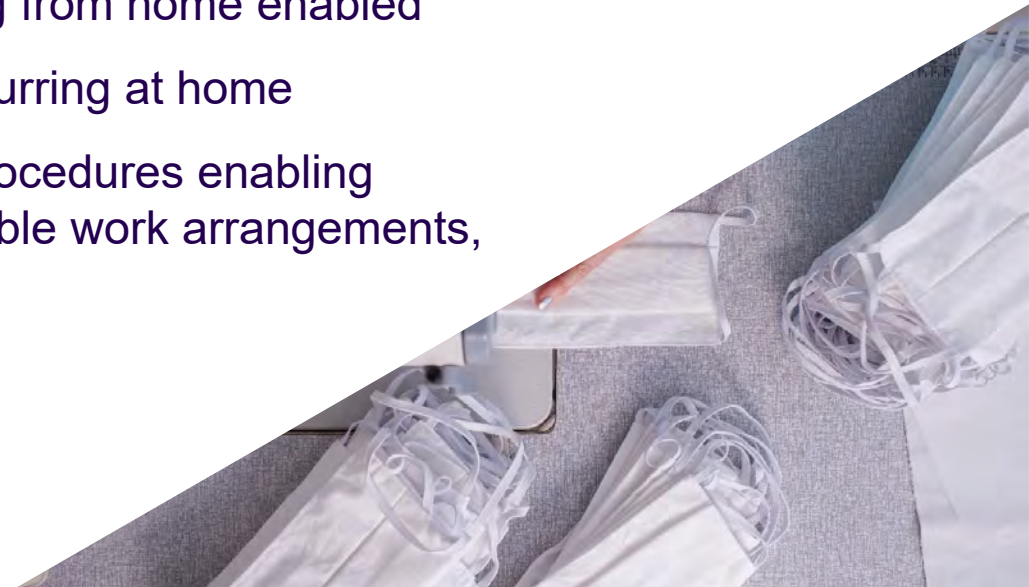
- ▶ Homeworkers' inclusion in the scope of general labour legislation:  
Armenia, Morocco

- ▶ Specific provisions on home work in labour legislation:  
Chile, Russian Federation



## ▶ The COVID-19 pandemic and the regulation of home work

- ▶ **Ecuador**: Organic Humanitarian Act of 19 June 2020 included provisions on telework in the Labour Code
- ▶ **Saudi Arabia**: Guidelines for Remote Work in the Private Sector published in March 2020
- ▶ **Greece**: electronic registration of employees working from home enabled
- ▶ **Argentina**: recognition of work-related accidents occurring at home
- ▶ **Republic of Korea**: temporary simplification of the procedures enabling employers to apply for a subsidy for introducing flexible work arrangements, including remote work
- ▶ **Germany**: plan for a legislation on remote working, beyond the health crisis





## ▶ Main subjects covered by laws and regulations

- ▶ Freedom of association and the right to collective bargaining
- ▶ The elimination of child labour
- ▶ Occupational safety and health
- ▶ Working time
- ▶ Remuneration
- ▶ Termination of employment
- ▶ Social security and maternity protection
- ▶ Access to training
- ▶ Supervision and enforcement measures

## Freedom of association and collective bargaining

Many countries: broad scope of application for legal provisions on FoA and CB

- ▶ **Philippines**: right to organize expressly recognized
- ▶ **Germany**, sectoral home work committees
- ▶ **Lithuania**: employers must enable teleworkers to communicate with employee representatives at the employer's premises and regularly inform the work council (number and positions of teleworkers, average remuneration by occupational group and gender)

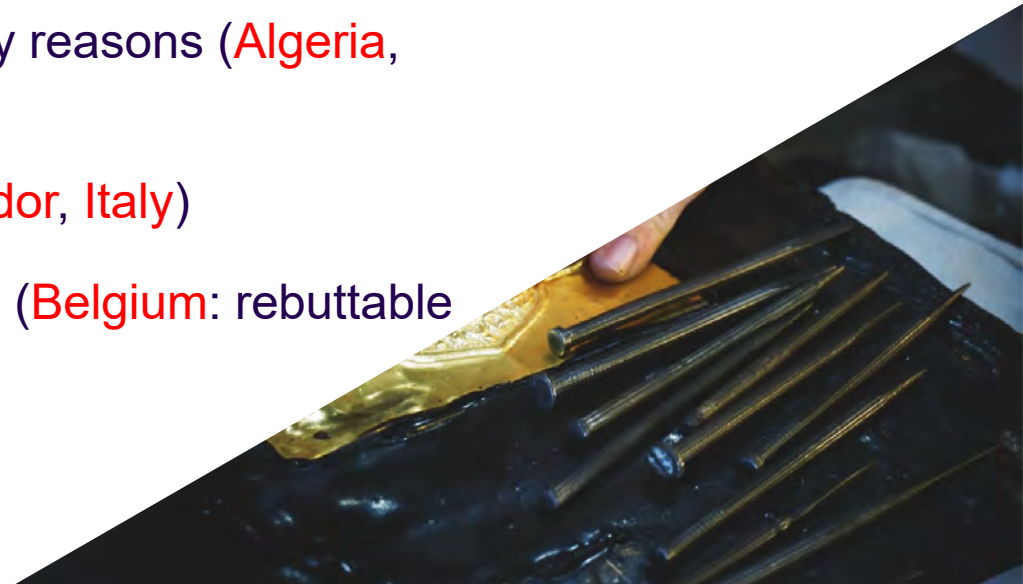
Participation in collective bargaining not widespread in industrial home work.

**Italy**, footwear industry: local CBAs (Veneto) and equal treatment clause in the national collective agreement of the footwear industry

**Germany**: sectoral agreements expressly apply to teleworkers

## Occupational safety and health

- ▶ Applicability of the general OSH legislation: Honduras, New Zealand, Spain
- ▶ Employer's duty to ensure avoidance of safety risks in home work (Germany, Serbia) or to provide specific instructions to homeworkers (Chile, Switzerland,)
- ▶ Prohibition of certain types of home work for safety reasons (Algeria, Thailand)
- ▶ Right to disconnect for teleworkers (France, Ecuador, Italy)
- ▶ Recognition of occupational accidents or diseases (Belgium: rebuttable presumption for teleworkers)



## ▶ Remuneration

- ▶ Homeworkers' wage cannot be lower than the applicable minimum wage: **Indonesia, Madagascar**
- ▶ Specific wage rates fixed for piece-rate workers (**Estonia, India**) or homeworkers (**Japan, Mexico**)
- ▶ Equal treatment with on-site workers: **Colombia** (for teleworkers), **Croatia, Nicaragua**
- ▶ Fair piece rates: **the Philippines, United Kingdom**. Importance of time and motions studies
- ▶ Compensation of costs incurred: **Hungary, Mauritius**



## Supervision and enforcement

- ▶ Employers' notification or registration: **Algeria, Switzerland**
- ▶ Register of homeworkers: **Argentina, Ireland**
- ▶ Workbooks: **Ecuador, Japan**
- ▶ Written contract: **Belgium, Peru**
- ▶ Joint liability: **El Salvador, the Philippines**
- ▶ Labour inspectors' access to workplaces vs privacy: **Morocco, Portugal**
- ▶ Responding to the challenge of supply chains: **Australia, GFA** between Inditex and IndustriALL Global Union



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# Towards decent work for homeworkers



## Limits of national legal provisions on home work

- **Partial solutions instead of a national policy**
- **Do not take into account the special characteristics of home work**
  - ❖ **Informality, disguised employment**
  - ❖ **Invisibility**
  - ❖ **Isolation**
  - ❖ **Piece-rate pay**
  - ❖ **Cross-border activity**





## ► Different actors and levels of intervention

### ► Intergovernmental organizations:

- ILO standards and MNE Declaration
- UN Guiding Principles on Business and Human Rights
- OECD's Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector

### ► Private compliance initiatives: unequal results.

Example: Pentland Brands' Homeworking Policy, supply chain mapping, identification of urgent issues, new wage system based on time and motion studies, job cards to track orders and payments.



## Different actors and levels of intervention

- ▶ **Workers' organizations:** SEWA in India, 1,4M members, ITUC member; HomeNet Thailand; role of traditional unions: Argentine union of textile home and allied workers; FairCrowdWork launched in 2015 by IG Metall; Cooperatives (the Philippines, Thailand)
- ▶ **Employers' organizations:** Indonesia, APINDO's Good Practice Guidelines for the Employment of Homeworkers; IOE Guidance on Teleworking in the Times of COVID19

### **! Collective bargaining and social dialogue**

Sector-wide bargaining, extension of agreements (Italy)

Social dialogue: code of conduct for crowdworking platforms, signed in 2015 by eight digital labour platforms, with the support of the German Crowdsourcing Association and IG Metall



## Different actors and levels of intervention

- ▶ **Governments**: adopt, periodically review and implement a national policy on home work, in line with C177 and R184.
- ▶ Industrial home work: special characteristics and difficulty to establish an employment relationship -> argument for specific laws or provisions on home work, possibly complemented with sectoral or occupational collective agreements.
- ▶ The legal definition of homeworkers must be broad enough to include all those protected by Convention No. 177

# Key policy actions for governments

## **Adopting a national policy on home work**

Develop and implement a gender-responsive legal and policy framework that provides equal treatment for all categories of homeworkers in relation to other wage earners and, for those in the informal economy, facilitate their transition to formal employment.

Regularly review and, if necessary, clarify and adapt regulations on the employment relationship following the guidance of Recommendation No. 198.

## **Freedom of association and collective bargaining**

Ensure that homeworkers effectively enjoy freedom of association and the right to collective bargaining.

## **Improving homeworkers' visibility**

Adopt ICSE-18 principles in household survey questionnaires.

Improve labour registries.

## **Raising awareness**

Ensure that homeworkers are provided with written documentation of their contractual conditions, in understandable language.

Undertake campaigns to improve homeworkers' knowledge of their legal rights and employers' understanding of their responsibilities towards homeworkers.





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# Key policy actions for governments

## Setting fair wages and limiting working hours

Ensure that homeworkers receive at least the applicable minimum wage rates.

Ensure equal treatment between homeworkers and similar workers on employers' premises.

Ensure the payment of fair piece rates, including with the use of time and motion studies.

Limit homeworkers' workload and ensure that reasonable deadlines are set for the delivery of work batches.

Provide teleworkers with the right to disconnect.

## Ensuring safe and healthy workplaces

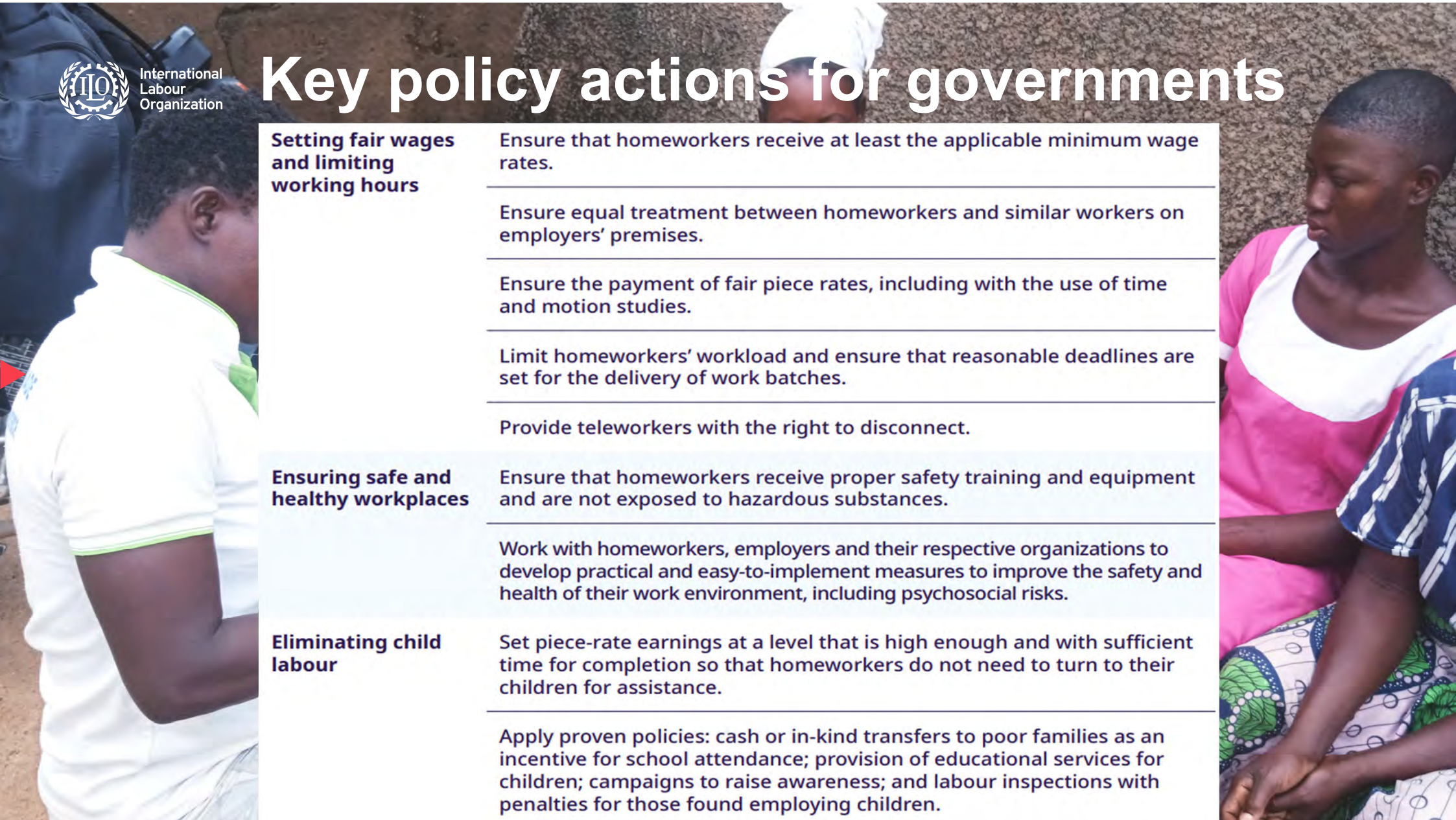
Ensure that homeworkers receive proper safety training and equipment and are not exposed to hazardous substances.

Work with homeworkers, employers and their respective organizations to develop practical and easy-to-implement measures to improve the safety and health of their work environment, including psychosocial risks.

## Eliminating child labour

Set piece-rate earnings at a level that is high enough and with sufficient time for completion so that homeworkers do not need to turn to their children for assistance.

Apply proven policies: cash or in-kind transfers to poor families as an incentive for school attendance; provision of educational services for children; campaigns to raise awareness; and labour inspections with penalties for those found employing children.







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# Key policy actions for governments

## Applying a strategic compliance model of enforcement

Work with labour inspectorates to improve their understanding of home work and how to enforce protections. Facilitate labour inspectors' access to homeworkers' workplaces in appropriate cases, taking account of privacy regulations.

Harness the expertise and ground-based knowledge of employers' and workers' organizations and work with them to promote compliance.

Harness the potential of digital technologies for improving compliance.

## Ensuring social protection coverage

Extend existing labour and social security legislation to homeworkers, through either specific legislation or judicial or administrative action.

Establish contribution levels and mechanisms that are adapted to homeworkers' practical situations.

## Ensuring access to quality child care

Expand the provision of publicly provided childcare, while regulating and supporting community childcare.

## Promoting training and career development

Expand and diversify modalities of training in order to increase homeworkers' access to training and career development.

Ensure the recognition and certification of the skills acquired by homeworkers through non-formal and informal means.

# Thank you!

