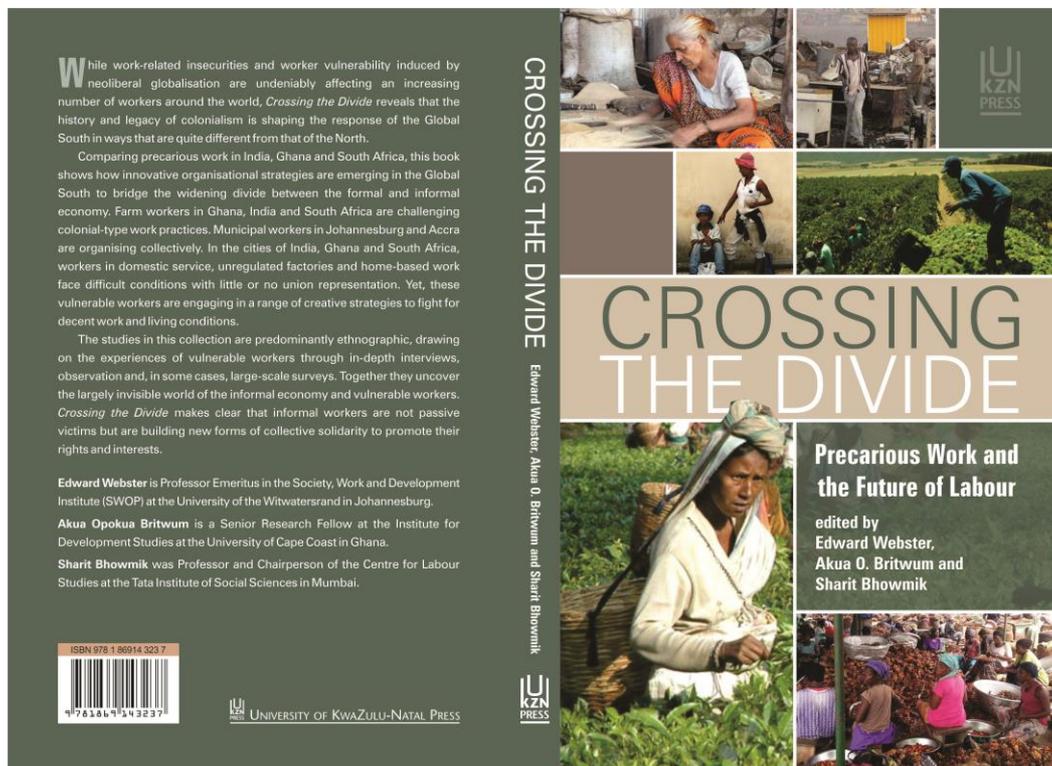


# Report of a Workshop and Book Launch

University of the Witwatersrand, Johannesburg

8 August 2017



## 1. Workshop Organisation

### 1.1 Organising partners

The Workshop was jointly organised by the [Friedrich Ebert Stiftung](#) (FES) in Johannesburg, the [Society, Work and Development Institute](#) (SWOP) at the University of the Witwatersrand, and [Women in Informal Employment: Globalizing and Organizing](#) (WIEGO) in Gauteng.

We gratefully acknowledge the financial and technical support of the FES.

## 1.2 Aims and structure of the workshop

The aim of the workshop was to identify and systematically examine new organising strategies by trade unions and other forms of worker organisations that are emerging in the face of the growing informalisation and fragmentation of work. Participants included representatives of informal worker organisations and trade unions, labour research and support organisations, and representatives from global and sub-regional trade union organisations, as well as university-based labour scholars and students.

The workshop revolved around the findings of two research projects carried out by scholars and activists committed to rebuilding the democratic labour movement. The first was a collection of research-based essays edited by Edward Webster, Akua O. Britwum and Sharit Bhowmik. *Crossing the Divide: Precarious Work and the Future of Labour* (University of KwaZulu–Natal Press, 2017) shows how innovative organisational strategies are emerging in the Global South to bridge the informal–formal divide. The second project is “Trade Unions in Transformation”, an FES initiative. This project has been researching examples of the successful use of the Power Resources approach to revitalise trade union organisation.

The proceedings drew on selected cases where worker organisations (unions and others) have “bridged the divide” between traditional and non-traditional methods of organising precarious workers in Africa and India. Each case study was followed by a response from a local South African organiser working in the same sector as the case study.

Each participant was given a copy of *Crossing the Divide*, courtesy of the Friedrich Ebert Stiftung. They were encouraged to read the other case studies in the book in order to gain further insights into organising possibilities in precarious environments, especially given the rising levels of unemployment in various countries.

A copy of the Programme is provided as an annexure to this Report.

## 2. Opening and Welcome



*Jane Barrett, Director: Organisation and Representation, WIEGO, opened the Workshop.*

Today we want to introduce you to this book – *Crossing the Divide* – which documents a number of interesting case studies on precarious work. We hope that you will read these case studies to learn more about the processes of organising in various precarious environments.

We are meeting at a time when unemployment continues to grow, which means that the question of organising workers has become more and more important. We are pleased that

we have some comrades from the rest of Africa – John Mark Mwanika from Uganda and Akua Britwum from Ghana. In the room today we have a good mixture of activists and academics, and I'm confident that this will enable us to have good discussions today.

### 3. Keynote Speakers

#### 3.1 Bastian Schulz: Trade Unions in Transformation project

*Bastian Schulz, Director of FES's Trade Union Competence Centre (TUCC) for Southern Africa, summarised the Trade Unions in Transformation project, and explained its significance for this workshop.*



The TUCC's core priority is transnational trade union cooperation. It was launched in 2015, and has three aims:

- (1) to contribute to an understanding of critical factors for successful trade union action in the global economy of the twenty-first century;
- (2) to generate new impulses for strategic transformation of partner trade unions;
- (3) to develop new approaches for FES project work related to trade unions.

The TUCC has commissioned twenty-seven case studies in a variety of different contexts and locations around the world. Five of these are from Africa – two from South Africa relating to the Congress of South African Trade Unions (COSATU) and the new South African Federation of Trade Unions (SAFTU); one on private security workers in Kenya; one on a textile union in Nigeria; one on a transport union in Uganda. For every case study there is a [two-page "story"](#) about that case on the FES website, and academic papers are being written.

The overall aim of the project is to strengthen trade unions and other organisations that function as representatives of working people in an attempt to create a more democratic and just society. One dimension of the project is internal and looks at innovations and strategies of trade unions that have been forced to react to a rapidly changing environment, and that therefore want to expand their scope of action and undertake organisational reforms. The other dimension concerns the role that trade unions play in transforming economic, social and political aspects of society, for example by influencing regional integration processes, forcing democratic change, or fighting for respect for workers in the informal economy.

The conceptual framework of the Trade Unions in Transformation project is based on the

“power resources and capabilities” approach. This deals with the resources that trade unions can use to tap into new and existing power. The approach is explained in detail in *Crossing the Divide*, but is summarised briefly here.

There are four fundamental power resources:

- structural power – the status of workers within the economic system (workplace bargaining power and marketplace bargaining power);
- associational power – generally lies with organised labour, and is contingent on organisational strength and the ability to mobilise membership;
- institutional power – labour’s influence in institutional arrangements, which is the result of struggles that are based on structural and organisational power (for example, the National Economic Development and Labour Council, NEDLAC);
- societal power – society’s support for trade union demands; this rests on the ability to mobilise societal support for a particular goal and over a particular period of time in support of a particular demand.

It should be remembered that power resources are never stable, and that trade union strategies have to be related to how power resources function. Unions and other worker organisations can strategically choose to rely on or develop new power resources.

This workshop and the book are about the main challenge facing trade unions in both the Global South and Global North. It is about overcoming the external crisis of weak representation (and therefore weak structural and associational power). Informal workers can develop power, and many of the case studies deal with how that can be done.

### **3.2 Akua O. Britwum: Bridging the Divide in Africa and Beyond – The Case of Ghana**



*Professor Akua O. Britwum presented this address. She is an Associate Professor at the Centre for Gender Research, Advocacy and Documentation (CEGRAD) at the University of Cape Coast in Ghana.*

Professor Britwum focused on the Ghana case, but first gave a general introduction to informality. She argued against a dualist approach in favour of seeing informality as a continuum in conditions of work. She suggested that the “bridge” required is one based on both concept and activity. She argued that the scale of informalisation from above in Africa, brought about by enterprise restructuring (driven in large part by structural adjustment

programmes), is a reflection of the failure of the “Independence promise” of development and full employment. The traditional sectors of trade unions have shrunk, down from an already small base; for example, the formal labour force in Ghana has never been higher than 14 per cent, and even within this many have always been non-standard employees. This has triggered the need for revitalisation.

She argued that in most African countries (with the exception of South Africa) peasant agricultural production has deliberately been kept alive alongside the informal–formal division within capitalist expropriation. Peasant producers therefore must be kept in the picture when devising new strategies of organising workers.

On top of this there have been various policy inadequacies – in the sense that, although the dominant form of the labour force was informal, the policies were not geared to that. Some international federations as well as NGOs and local formations did try to bridge this divide but not very successfully.

Professor Britwum then turned to the Ghana case.

In Ghana, a mere 14 per cent of the labour force is in formal, standard employment relationships. Furthermore, most of the employed population has few benefits. Professor Britwum presented a brief timeline of the history of the Ghana trade union movement’s response to informal work:

- 1945: The Ghana Trades Union Congress (GTUC) is formed.
- 1967: The Ghana Private Road Transport Union (GPRTU) joins the Ghana TUC.
- 1979: The General Agricultural Workers’ Union (GAWU) organises rural self-employed agricultural workers.
- 1990: The Ghana Hairdressers’ and Beauticians Association joins the Industrial and Commercial Workers Union (ICU).
- 1992: The GTUC decides to organise workers in the informal economy.
- 1996: The GTUC develops an informal-sector policy.
- 2015: The Union of Informal Workers Associations (UNIWA) is formed. Today it has a variety of types of members.

Despite these efforts, traditional organisational divides have not easily been overcome. Internal divides relating to representation within the GTUC also exist. These divides include:

- Dispersion: Informal workers are widely dispersed rather than located in one workplace.
- Employer: There is often an absence of an identifiable employer.
- Union subscriptions: Given the low income of many precarious workers, it is often difficult to collect dues.
- Institutional anchoring: Workers in informal economies are not seen as traditional trade union members.

There are also divides relating to union membership:

- Defining union membership: In the GTUC, paying dues provides access to voting rights, the right to be elected and the right to attend conferences.

- Admitting workers who do not pay dues as associational members has been used to deny access to union services.
- There are limited opportunities for informal-economy members to develop and test their political capacity – for example, they could not access training offered by the ICU, and had difficulties with state licencing and similar issues.
- Service provisioning had a dampening effect on the political capacity of informal-economy members: the unions become providers of services that should actually be offered by the government, thus using up capacity that should be used for political work.
- Union activities are limited: unions often organise parades instead of doing union work.

Other divides have to do with voice and representation:

- Access to union governing structures and leadership is sometimes limited for informal worker members, who may not be eligible to stand for leadership positions.
- The union's official language is often English, and uses a lot of union jargon, which restricts understanding and the feeling of belonging.
- The union's grasp of the informal workers is sometimes limited, and union leadership is quite often oblivious to their internal dynamics.
- Sharing union space and resources can result in an “us–them” perception and may lead to the feeling that resources are being used incorrectly.
- The interests of formal and informal workers are sometimes divergent, and the union may not be able to connect their differing concerns.

Despite all these problematic issues, there are some factors that can facilitate bridge-building. On the side of trade unions, they are eager to arrest decline and enhance their legitimacy. They realise that informal workers can strengthen unions' political power. Furthermore, donor funding is crucial to union activities, and donors are often more willing if informal workers are involved. On the side of the informal workers, they realise the importance of organising in pursuit of their interests. Often their emphasis is on the welfare (informal social protection) of their members. There is increasing interest in working with the GTUC.

In terms of the future, there are some bridge-building materials that can be used :

- The function of unions is being reconceptualised beyond traditional collective bargaining.
- The union terrain is expanding – connecting the workplace, the community and the national space.
- The “workplace” is being redefined.
- There is an increased focus on local government levies and infrastructure provisioning in pursuit of betterment for informal workers.
- Trade unions have to be aware of national government focus on legislation and policies affecting informal workers.
- On the international level, unions have to be aware of trade rules.
- Unions have to connect to other actors, such as NGOs, to expand their spaces if they are to move towards social movement unionism.

### 3,3 Comments and questions

Following Professor Britwum's presentation, there was a lively discussion. In response to points raised from the floor, Professor Britwum made the following comments:

- There is sometimes contestation between two similar unions for physical space and financial resources. It is important to recognise what unites us rather than what divides us.
- With reference to recent attempts in Ghana to build dedicated "market" spaces for traders: There has been much controversy in Cape Coast about open and closed market spaces. Some groupings are using this to consolidate their political power, and others are saying that the new spaces are "too good" for the market women. This is an ongoing debate.

## 4 Case Studies Session I: Transport Workers

### 4.1 *John Mark Mwanika: Transforming transport unions in Uganda through mass organisation of informal workers*

*This case study was presented by John Mark Mwanika, Projects Coordinator of the Amalgamated Transport and General Workers Union (ATGWU) in Uganda.*



I would like to begin by thanking the FES for helping us to document our story.

Our story has been influenced by various issues:

- One is the thinking that informal workers are not real workers because they don't have a traditional employer–employee relationship.
- Second is that they're difficult to organise.
- Third is that many traditional trade unionists look at informal workers as a threat to gains made by the labour movement.

These attitudes have influenced the labour laws. Labour legislation is skewed to the thinking that workers are those who are in an employer–employee relationship. There is no space in the legislation for informal workers. Recently we have seen that there is a shift in thinking, and this is credited in large part to organisations like WIEGO, who have helped us to improve our understanding of the informal sector. For instance, we had a problem of understanding what a home-based worker is; it is actually not a domestic worker. We have also learned that

there are different ways of organising informal workers.

The informal sector is growing all the time in both the developing and developed worlds. Despite this, we discovered that as a union we were becoming irrelevant because there were fewer and fewer workers in the formal sector. The ATGWU's membership shrank dramatically after the Structural Adjustment Programmes of the mid-1990s resulted in the privatisation and then disappearance altogether of bus services. Over time, membership dropped from about 30 000 to just above 3 000, mostly based at the airport. We realised that we had to change in order to be relevant.

The union had to face an entrenched attitude toward informal workers, including among the leadership, who took three years to come on board! An HIV and AIDS project was used as an entry point, and the leadership was finally persuaded after participating in a labour studies course, which helped them understand the future of labour. Once attitudes changed, the leadership became more responsive. We began with a taxi organisation working near the airport (but whose drivers were not allowed to actually work inside the airport). We had a relationship with the Civil Aviation Authority, and we were able to organise the taxi association.

To go back into history, the ATGWU was originally formed (in 1938) by organising informal workers – drivers of civil servants and others. These drivers were not recognised as workers by the colonial authorities. In forming the union, the workers agitated for and won formal contracts. In Kampala today there are about 50 000 boda-boda (motorcycle taxi) drivers and 25 000 minibus taxi drivers. So although we started with an informal association, we later abandoned the informal workers. Now we have to come back to them.

When our numbers fell, our strategy was simple. There is no public transport provision in Uganda; all transport workers are informal. Individuals can buy vehicles and operate them as they wish. We realised that the only way to go was to organise the small self-help informal organisations. We brainstormed and drew up several criteria: the association had to be registered, and have a constitution, a leadership, a physical address, a bank account.

We approached some associations and negotiated memoranda of understanding with them – how the union and the association could understand each other better. We didn't struggle to get each association recruited. We tried to ensure that the first association we recruited had a quick win – for instance, with our help the airport taxis got security passes from the airport management which allowed them to operate there. Those drivers told others about what we had achieved. That helped us market the union to the other transport associations. Some of the big associations had refused to join us because they thought we just wanted the money from fees. Now they saw that they could gain something useful from the relationship.

There was some resistance from the police and some politicians, because they owned many of the vehicles that were already at the airport and thought that they would lose money. The actions of the police against the union were captured on video and circulated internationally. That made the mayor call off the police. This showed the informal transport workers what a union could achieve, and galvanised support for the ATGWU. They now saw the benefits of a relationship, and were willing to pay membership fees. We are considering how best to formulate how much these fees should be (since informal drivers don't have a stable income) and how best they can be paid. We have started piloting using a cell-phone platform for

payment. The union's Congress has been postponed to allow time for the payment system to be in place, to allow as many members as possible to be voting members.

Membership has increased from about 3 000 members at our lowest point to over 90 000 today. The growth in membership includes an increase in membership among formal transport workers.

#### **4.2 Clement Doncabe: Organising taxi drivers in Durban**



*This report was given by Clement Doncabe, South African Public Transport Workers Union (SAPTWU).*

SAPTWU is not a registered union yet. We started to organise in the transport sector in 2012. At that time, the Metro Police were harassing taxi drivers. They said they were trying to reduce the number of taxis in the streets, and the noise of their hooting. We marched against the police, and the result is that the municipality has told the police to stop harassing the drivers. We have reached an agreement with the municipality. The police lost the bribes that they were demanding from the drivers, and they started harassing us again.

Part of the problem is that there are not taxi stops on the streets. We aren't allowed to use the bus stops. Our research has shown that the taxis transport over 70 per cent of the working population, and we also play a big role in scholar transport, but we are being treated as stepchildren in South Africa. There are complaints that we have old vehicles, and we are being harassed. The police say that the cars are too old, but they are not doing anything to help us. The government is supposed to come up with a solution for the people who are doing the job. Taxi operators and drivers are doing the government's work to transport the people. If the government isn't doing the job, they should step in and help us to do it properly.

Since 2015 we have been engaging with the government, as an association. Now we are trying to become a union. We have the opportunity to grow and have members all over South Africa. It is only us who have stood up to tackle the problems of the taxi industry. The South African Transport and Allied Workers Union (SATAWU) has tried, but they have failed. This is because they are not in the industry, but we understand it.

There are people who are suffering a lot. Without formalisation of the industry, workers are suffering. Their taxi owners do not treat the drivers well; the workers are very vulnerable. We are asking everybody who is here to understand the problem that we have and to help us organise in the taxi sector. We need help. We can't sit here as if nothing is happening. We have the opportunity to grow and make a difference in South Africa. We need an organisation that can train taxi drivers and the union executives in negotiation skills and other skills.

### 4.3 Questions and comments

#### Queries to John Mwanika, AGTWU

- What are the objectives of the ATGWU for the next five years? How do you inform members about how to grow their business? John Mwanika response:
  - We are doing a lot of trade union education and empowerment to help members understand the union, but there is also a demand for training on things like financial management and business management. We have partnerships with other organisations to provide this.
  - Some of the associations are working towards making their drivers owners of their own vehicles; this will change the dynamic in future. We aim to sign collective bargaining agreements with these associations.
  - The boda-boda association is becoming an enterprise; it will be negotiating bank loans for motorcycles as well as low-cost housing for its members.
  - Five years from now, the informal transport sector will be formal.
  
- In eight years the composition of the ATGWU has completely changed. How has this affected the internal culture of the union? And what is the dynamic now in the run-up to the Congress? John Mwanika response:
  - We have established two structures – a shadow set of committees, parallel to the formal sector committees – with connections between the two. At a joint meeting of all the committees a decision was made that there should be one executive committee, one women’s committee, one youth committee, etc. We still have to finalise how best to design the best method of representation.
  - What has been good is that the discussions have exposed both sections to each other’s challenges and needs.
  - The interim agreement is that in this coming Congress no informal worker will stand for election, while capacity to lead is developed.
  - There is a new energy among the formal sector workers, too – with a reversal of the service model of organising, and taking power back to the shop floor and branch structures. The formal membership itself has grown from 3 000 to 12 000.
  - Informal workers are currently paying a nominal fee – paid by their associations, not by individuals.
  
- In Uganda has any other historical power been accessed – for example, sitting in a NEDLAC-type organisation? John Mwanika response:
  - The union went to court at one point to challenge the restrictions in membership of unions. We won the case; now, as long as the member is not a manager he/she can join the union.
  
- What is a boda-boda?
  - A boda-boday used to be a non-motorised bicycle transporting workers from one side of the Kenya–Uganda border to the other– hence “boda”. It now refers to a motorcycle taxi that operates anywhere in the country.

## Queries to Clement Doncabe, SAPTWU

- Does SAPTWU have a code of conduct? What efforts are you making to register? Will you expand to other provinces? And what is SAPTWU's approach to service, including addressing harassment of women passengers? Clement Doncabe response:
  - The Department of Labour has put obstacles to registration; for example, it demands proof of employment. We can meet other criteria but not this one. So we are continuing on a non-registered basis.
  - We don't yet collect membership fees from workers, because of the registration problem.
  - Regarding a code of conduct and gender-based violence – We are concerned about gender-based violence. However, taxi drivers are perceived as violent people, and there are stories of rape. But people always assume that a kombi is a taxi. In one of the cases where a rape was reported, it was a company's staff transport vehicle, not a taxi, in which the assault took place.
  - There is a Sectoral Determination for the taxi industry, but the taxi bosses don't follow it, and the government doesn't inspect or enforce.
  
- Are taxi owners in South Africa registered as companies? Do the taxi associations recognise SAPTWU? Clement Doncabe response:
  - Associations are formed by the owners; these are sort of like companies. The associations in turn are affiliated to national bodies. But as a driver you are employed by a single owner, not by the association. When you complain to the individual owner, he refers to Association rules. So the best way to penetrate is to penetrate the Association. There are some who understand and even agree to register their drivers – e.g. NTA affiliates.
  
- Comment from the floor:
  - In South Africa the existing law should recognise SAPTWU as a union, as the Department of Labour knows very well that the workers are employees. In the case of own-account workers, there is a push at NEDLAC that the law must be changed to allow all informal workers (whether employed or not) to register as a union.
  - There should be more sensitisation of taxi drivers in South Africa about gender-based issues.

## 5. Case Studies Session II: Farm Workers

### 5.1 uMbuso weNkosi: Organising farm workers in Gauteng

*uMbuso weNkosi, University of the Witwatersrand, presented his case study of the horticultural sector in Gauteng. His chapter in Crossing the Divide is called “Organising Farm Workers in Gauteng: Economic Upgrading and Social Downgrading”.*



Reforms do not come as gifts from the state, but are hard-won gains by the workers. In my case study I'm focusing on the horticultural sector in Gauteng. First, I'll present the case described in the book chapter. Second, I'll tie together the two questions around difficulties of organising farmworkers and where the sources of power are. The horticultural value chain plays an important role in employment creation. The argument is that there are possibilities for value addition. At the same time, this is no longer just a relationship between farmers and their workers; major retailers are now making their presence felt.

More than half (55 per cent) of the vegetable production in Gauteng is for export. The chapter in *Crossing the Divide* is subtitled “Economic Upgrading and Social Downgrading”. By economic upgrading, I mean the production process, the product and value addition. Social upgrading refers to improvements in labour standards, working contracts, health and safety, and the work of trade unions. Economic upgrading does not necessarily lead to social upgrading. It is a question of class struggle.

There are four National Fresh Produce Markets (NFPM) in South Africa, which are described in the book. The one in Johannesburg has a 35 per cent market share. It is important to understand how this works, because that will inform how you organise. The idea is that the “price is set by the market”, but what does this actually mean? The fact that agents collude means that the price paid to farmers is kept quite low, and that certain middlemen can realise a greater profit. The existence of processors, exporters and large local retailers complicates the picture even further.

For Gauteng vegetable produce, the price structure is buyer-driven. Some of the large local retailers are now going directly to the farmers so that they can cut out the middlemen and keep their own costs low. The retailers can be characterised as oligopolistic, and they have much more power than the farmers. One of the main strategies of the retailers is to use “preferred suppliers”, with whom they often have only a verbal contract. Very little attention is paid to social and health standards on the farms; the workers are not important; the focus is on improving the product and getting it to the retailers and customers on time.

Commercial farmers are always afraid that there will be a strike, and that they'll lose control of their workers. In South Africa today, most farm workers are seasonal or casual workers.

Here are some of the findings of the case study:

How do farm workers view their situation?

- Only 29 per cent of horticultural workers have a written contract. Many are unaware of their actual employment status.
- Farm workers can be dismissed at any time, without notice. Many were reluctant to confront the boss because of this.

What is the workers' perception of trade unions?

- Only 4 per cent of horticultural workers are unionised.
- Workers often feel that they are wasting their money by paying union dues, because they don't see any benefits of belonging to a union.
- However, some saw that they made gains after they were unionised by FAWU.

What about the farmers?

- Production calendar – For horticulture, there is an all-year calendar.
- Price fluctuation – When supplying one retailer, there is no control over prices. That is why some farmers have gone back to the NFPM to sell their produce. But there they can be treated unfairly by the price-collusion.
- Employment creation vs. better working conditions: The size of the workforce is one of the few areas where farmers can reduce costs – by lowering wages, by hiring migrants, or by mechanising. There is more and more mechanisation, and this leaves many people unemployed. (One farmer said he used to employ a hundred people; now he has a machine and two workers.)
- Unions: Many farmers don't like unions because they put "strange ideas" into the heads of workers.

In summary, while the farmers experience economic upgrading, the workers experience social downgrading. This means we have to look at the question of power – where does it come from, and who has it?

Horticultural workers have structural power. This means that strikes on certain days affect the farmers more than others. This can help to convince the workers to organise, and thus gain associational power. Before you can organise, you have to know where the workers live – some on the farms, some in the townships (because they no longer work full-time on the farms). It's easier to talk to the workers who don't live on the farms.

Re symbolic (social) power – how can we involve other stakeholders, and broader class alliances? This opens up the possibility of organising boycotts of certain goods or certain shops.

It is also possible to make linkages with other countries, and to draw on their experiences. This can help to provide information for future struggles.

What about the state? Without a strong trade union movement, you will never be able to influence the state to act on behalf of the rights of farm workers. This would affect many issues, such as how the Competition Act works, land redistribution, and access by unions and inspectors to workers on farms. It will not be possible to regulate large retailers such as supermarkets unless there is a strong degree of organisation among workers.

## 5.2 Response: The FAWU experience

*It was hoped that there would be a report from the Food and Allied Workers Union (FAWU), but unfortunately the FAWU speaker could not be present.*

## 5.3 Questions and comments

- Have the unions contacted any of the workers in your survey?
  - The unions said it's too difficult to access workers, but the experience in my research was different; access to workers was not a problem. Jesse Wilderman, in his chapter in *Crossing the Divide*, argues that organising farm workers is not that difficult if you move away from the assumption that you have to get permission from the farmer to access the workers; you also have to move away from the idea that organising means bringing forms to be signed by workers. It is necessary to engage in a much longer process of getting to know the workers and earning their trust.
- What are the limits of mechanisation to reduce labour and avoid unions?
  - Mechanisation is often used as a threat, a tactic. However, many farmers actually can't afford to mechanise. Generally, large equipment is needed, and that is very expensive.
- How are the street traders experiencing the squeeze by the supermarket chains?  
Response from the street vendors in the audience:
  - Most street traders in Johannesburg rely on the fresh produce market to source their goods.
  - In Polokwane street traders have grouped themselves together and decided to open a market where small-scale farmers can sell their produce to the traders. The traders themselves do not have the capacity to produce, but this collectivisation helps to keep the prices down. This may become a stepping stone to production by the traders.
- Comment re distribution: Adcorp (the biggest labour broker company in South Africa) contracts to Shoprite; it has eight sub-contracted labour brokers at its distribution centre in Midrand.
- Tell us more about who else lives in the informal settlement.
  - It is mostly women in the informal settlement.
- How do workers understand the structure of the value chain, and how does this relate to organising?
  - Their analysis is mostly about when to strike – usually Mondays. This demonstrates a knowledge of the chain.
  - It must never be assumed that there is no organisation. There is often a long history of organising.

- Is there a potential for farmers to collectivise as employers, and through this to change their own attitude to unions?
  - They do have a strong union, AgriSA, to speak for them. This doesn't change their attitude towards workers' unions.
  - I believe that this is a class struggle. For me, the important thing is to understand workers' sources of power, and how we can vitalise that power.
- Re seasonal workers: Are they migrants? What do they do for the rest of the year?
  - There are only anecdotal examples. For example, some farm workers have a small spaza shop in order to cover the non-season times. But most of the seasonal farm workers don't have the wherewithal to set up in other kinds of work.
  - Others go home and "take a break".
  - Health and exposure to pesticides is often an issue. Some have worked for over twenty years, and many pass away during the off-season.

## 6. Case Studies Session III: Unions and Cooperatives

### 6.1 *Melanie Samson:*

#### ***The Politics of Blending Unions and Co-ops: Lessons from the KKP KP Trade Union of Waste Pickers in Pune, India***

*Melanie Samson, University of the Witwatersrand, spoke to the chapter in the book co-authored by her and Malati Gadgil – “Hybrid Organisations, Complex Politics: When Unions form Cooperatives”.*



The KKP KP is a trade union formed in 1993; since then it's formed a number of co-ops. The chapter looks at how such unions sustain themselves and at how the union has transformed itself. It's "hybrid" because it's a union but it has also created other formations. As they developed cooperatives, how did other issues arise around this – particularly in the union's relationship with its members?

The driving notion in the KKP KP is development from below. The union does not focus on building leaders, but on building leadership. It was agreed that members could not benefit from any of the activities unless they were up-to-date with their membership dues; it is a way of ensuring that dues are paid, despite the uncertain incomes of the members.

Why did the organisation start forming co-ops? The KKP KP is focused on challenging existing power structures. However, they also realise that this poses a cost to members. So they try to ameliorate that by forming cooperatives.

The first co-op is a savings-based cooperative. Its members can each borrow up to four times the amount that they have saved there. It is fully self-financing. The co-op is only open to members of the union. It also became a space for organising – for example, a group of domestic workers who did waste picking on the side wanted access to the savings co-op, so they became primarily waste pickers.

The second co-op is a scrap store. This helps to reduce the exploitation that is normally associated with waste buyers. The waste pickers sell to the cooperative scrap store, and the material is aggregated until there is enough bulk to sell on. In the process, the workers learned about how scrap shops and scrap buyers operate, and this empowered them.

The third co-op is the SWaTCH cooperative. Here the waste pickers had an agreement with the city to collect from certain households (separation at source). After some time, the city insisted that other urban poor (who were not members of KKP KP) had to be allowed to be part of the co-op. This resulted in a much more complex system of power dynamics between the employees and the waste pickers. This taught the union many valuable things.

Basically, what we're trying to do with the chapter is to emphasise that in considering cooperatives as a vehicle for servicing and organising informal workers, one has to look at cooperatives politically, including in their relations to other groups. We hope that this will help other waste-picker associations to think about what kind of organisational form would work for them, and to give an indication of the possibilities and challenges facing them.

## **6.2 Mantua Mokoena: How South African waste pickers see themselves in the struggle for workers' rights**



*The presentation was made by Mantua Mokoena, South African Waste Pickers Association (SAWPA). She spoke in seSotho, with an interpreter.*

My organisation's name translates as "Hustling". This reflects the difficulty of the waste pickers' work. We knew what we wanted when we started this cooperative in 2014. Even now it's still challenging, because there's no space given for the cooperative to work from. They tell us that cooperatives collapse, but we know that they do work if they are given the necessary support.

We want our work to be treated like any other informal work. We don't want middlemen to speak on our behalf. Those middlemen don't work hand in hand with us; they present what they don't know about. The cooperatives that we have now are business-based; that's not what

we want – we want them to be worker-based. The difficult part of having a boss is that they just stand there telling you what to do. We want to be at the forefront, and understand

everything, including how we get the funds. The middlemen say they have funds for us, but they don't give us the space to do the work. You find that even some government representatives say they're going to give us the protective clothing and so on, but they don't give us the space; there is some crooked way of getting the space.

The other problem we are having is the municipalities. What we do gives support to the municipality, but they don't support us. Instead of giving tenders to people who don't know about waste picking, they should give those tenders to the people on the ground who know about it. No one wants to work on the landfills for nothing. We would like to see the recycling industries owned by waste pickers. We want people to see that the cooperative is something that is useful. But the challenge in South Africa is that when you talk about waste, they treat it as a nonsensical thing; they don't think it's important. I've got twenty-six years working with waste pickers. I've been able to train my child up to university, and that child is now working. I know what I want.

We would like this waste to be treated like resources. It should be brought to us, not just thrown on the dumping site. It should be separated at source. Unfortunately the government is not recognising our record of trying to get to zero waste, like in other countries. As time goes on, our work and it's importance should be recognised.

I'd like to tell you a short story from where I come from in the Vaal. One day they told us that we were not needed there; they would bring other people to work. We didn't know what to do. Then came an NGO that we did not know; we did not trust their representative. We thought he was just a white guy who was going to annoy us, because before there had been others who had come saying they would help us but then disappeared. We reached a point where we didn't want to see anybody coming with a camera to the landfill. They would take pictures of us, and then take those pictures to raise funds. Then the NGO decided to send us someone who was black like us. That fellow explained to us, and we started listening. He wanted to understand our work and our problems. We explained to him that the municipality was threatening to chase us from the landfill. He explained that he was from an NGO called GroundWork. We made a follow-up on this organisation, and that's how we got help working on the landfill.

GroundWork spread across the country, and we got to the point where we formed an association, the South African Waste Pickers Association (SAWPA). That's how we got recognised. For them to recognise us, during COP17 we threatened to empty the dust bins in Durban. That's how waste picking started being treated as another form of informal work – for them to recognise us and to realise that we are existing. They started treating us like human beings. Our desire is that our work should be recognised and respected like any other form of employment. I will stop here before I get too emotional.

### **6.3 Questions and comments**

- Comments from the floor:
  - A common feature of waste pickers across the world is that the struggle is for the recognition of waste pickers as workers AND for the recognition of waste collection as work.
  - Mantua's story shares the lesson that an NGO has to work hand-in-hand with the workers, not run ahead of them. Informal workers have a hard time

- and need help, but organisations should work together with them, not dominate and take over.
- A national process is under way to develop guidelines for the integration of recyclers into the municipal waste system.
- What about toxic waste? Response from Mantua:
    - Control of toxic waste is a challenge. Waste pickers can play a role in preventing illegal dumping. For instance, they take the registration numbers of vehicles dumping toxic waste, and that has helped to reduce the problem.
  - How do we deal with the arrogance of the municipalities who continue to give tenders to big companies? How do we ensure that waste pickers on the ground benefit? Response from Mantua and Melanie:
    - Waste pickers use the threat of protest and action.
    - In Johannesburg as a result of a march against the intended appointment of recycling companies, the CEO of Pikitup is now engaging the workers who are organising to be part of the value chain. He has a different lens, which helps – he comes from a poor background. [The WIEGO website has information on the dispute between waste pickers and Pikitup.]
  - How did the KKPKP coop bring a new culture? Melanie's response:
    - They were bridging the divide between politics and work.
    - They got a memorandum of understanding (MOU), equipment, financial support and so on. On reflection, however, they realised they should have thought more carefully, as the culture of mobilising was lost a bit, so that when their rights were rolled back by the municipality, workers weren't ready to take action. When the municipality unilaterally cancelled the money being transferred, the union was forced to re-think its sustainability as well as its determination to become self-sufficient. They also had to re-think donor funding and ensure income from dues.
  - What are the advantages of building a co-op rather than working for oneself? And what are the challenges? Mantua's response:
    - We had to explain first to fellow workers how a co-op works. When it was time to contribute, the numbers reduced from 100 to 26. We managed to get enough money together to register in Pretoria.
    - Forming a cooperative and registering it is not easy. You get told you need a consultant to do it for you, because you haven't filled in the forms properly. You get sent from pillar to post, which needed more money and people were unwilling to pay. It took us around a year running up and down to Pretoria to get it formed. We had to engage a consultant who also wanted money to get registered.
    - As for the advantage of forming a cooperative, we realised that we weren't getting anywhere as individuals. The municipality wants to talk to a group.
  - What are your observations of the fake co-op roll-out by municipalities and other state institutions? Melanie's response:
    - There has been a push by Pikitup and the government to roll out such co-ops. They want an organisational form that will create more distance between them and the workers. If you are told the only way to save your job is to form a co-op, you'll try to form one. But it is no surprise that 92 per cent of co-ops fail. You end up with "co-opreneurs". The workers talk about the

co-op bosses who take power for themselves. We have to think about these issues.

- Co-ops could come together as an association or as a union. What kind of organising would you prefer? Melanie's response:
  - There is a difference between organisational form and organising. A co-op is an organisational form; organising means bringing people into some kind of structure. The political orientation of KKPKP was to fight on a class basis, but they also recognised that their members had other needs that could be met by co-ops.

## 7. Closing Session

### 7.1 Pat Horn

#### *Street vendors and collective bargaining rights*



*Pat Horn, International Coordinator for StreetNet International (SNI), talked about her organisation's work.*

In 2002, the ILO developed a term for people like street vendors; the term was “own-account workers” – these workers were not recognised as having the right to be represented, did not have legal protection, and so on. When I started working with street vendors in the 1990s, they always had organisations, but there wasn't a lot of unity between them. This meant that sustaining gains was a problem. StreetNet today has 54 affiliated organisations globally.

The common factor that street traders face is harassment. They also suffer from poor urban planning and the impacts of privatisation. Many street traders are also cross-border traders. Because of this, they face harassment and bribery at border crossings.

When StreetNet started, we were trying to coordinate existing organisations of street traders, so that people could begin speaking with one voice. There was some room for international worker solidarity. One of the first things that we dealt with was how to develop the capacity among the organisations to enable them to negotiate with municipalities for improvement in the conditions of street traders. We also dealt with the concept of decent work.

One of the key issues is the right to represent your own sector in negotiations. Organised labour has a bit of a blind spot on informal workers. They often deal with organisations of informal workers in a patronising way.

New kinds of bargaining forums are needed for the sector. The officials are not used to negotiating with anybody, never mind informal workers. We have adapted the normal

principles of collective bargaining. Some people find it difficult, but actually it's quite simple.

- The first step is to find out what the complaints are and then to convert those complaints into demands for negotiation.
- The next step is to identify a negotiating counterpart, which is usually the municipal authority. You have to decide at which level to negotiate – city or district.
- Then you have to do research so that you're armed with information.
- The next thing is to establish your mandates by meeting with your members.
- The next step is to sit around the table with the counterparts. In our case the counterparts are not obliged by law to negotiate, so getting them to a meeting is a struggle in itself.
- Report back in between meetings, to keep the members informed.
- The final aim is to end up with an agreement in writing. If there is a failure to reach agreement, it is necessary to adopt pressure tactics – for example, boycotting market levies. Withdrawal of labour, as is the case for workers who have an employer, is not the only pressure tactic available to workers!

We now have members all over the world who have these kinds of negotiations with authorities. We did some research as SNI into what kind of ad hoc negotiations are taking place, and then developed a model framework for converting ad hoc arrangements into permanent negotiating forums. We have also distributed our model framework to workers in other sectors, for them to adapt the framework to their needs.

We have been doing negotiating skills training, focusing on developing skills among women leadership to negotiate. In some countries we have done this jointly with other sectors, and in some cases even jointly with slum dwellers.

In Honduras, Costa Rica and El Salvador the ILO has taken up the idea.

Workers in the informal economy are starting to make progress, but there are issues about sustaining the processes, especially when there are new city managers or new political bosses. We believe that setting up the negotiating forums is a prelude of getting them to become statutory forums. The only place this has happened is in India, where there is 2014 legislation for town vending committees (pushed by SEWA and NASVI) – tested out for a few years before being put into the law. The ruling party tried to prevent it being passed, but NASVI went on a hunger strike. Government now has to implement the legislation.

## 7.2 Comments and questions

- Comments from the floor:
  - This is an excellent example of how to turn structural power into institutional power.
  - John Mwanika praised StreetNet International's training on collective bargaining. He stated that it was a success story with his organisation. As a result of the training, his associations now negotiate with the police, town councils, etc. The associations collect taxes and hand them over. In Kampala they collect 1.6 billion shillings every month (about \$500,000) instead of contractors who handed over half of that.

- Do we need bargaining forums? Pat's response:
  - Bargaining forums are definitely needed in order to protect against a political backlash and the rolling back of victories that have been won through negotiations. Forums help to ensure continuity, and work towards extending the gains already made.
  
- Have you taken the idea of bargaining forums to national government? Pat's response:
  - SNI has been pushing government for about ten years. Progress is slow, but it is being made. We had to find out which platform to use to get them to listen to us. We now have a space on implementation of Resolution 204. We have now got the Minister of Labour to listen to us, and she has agreed in principle that the laws have to change. We do not want national government to trickle it down, but we do need agreement on national policy. We are trying to get the Department of Cooperative Governance and Traditional Affairs (COGTA) and the South African Local Government Association (SALGA) involved. We now have an agreement from a workshop in May to have workshops at local government level. These things don't happen fast. In India NASVI took ten years to get the law passed.
  
- Existing structures are loose. How can they be brought together and strengthened? How can capacity be built? Pat's response:
  - SNI's approach to organisation-building is to get organisations to come together to form national bodies – for instance, the South African Informaal Traders Association (SAITA) was finally established in 2013 after starting to support this consolidation process in 2003. So there is now a national body where there wasn't one before. The same goes for Kenya, where there were warring organisations and now there is one single KENASVIT, which is now negotiating with about nine municipalities. There is never a demand from us as SNI for organisations to merge; instead, we suggest developing an umbrella structure where workers can speak with one voice.

### **7.3 Edward Webster: Closing remarks**

*Closing remarks were made by Professor Eddie Webster from the Society, Work and Development Institute (SWOP).*

This is an historic day because I think this is the first time that we at SWOP have really connected here with a gathering of mostly precarious and informal workers rather than with traditional trade unions.

I want to thank my colleagues from SWOP and also the Friedrich Ebert Stiftung. Thanks to Bastian for introducing this fascinating work on the TUCC and to Ayanda for her organisational help. Our third partner is WIEGO. We've never worked with them before. I would particularly like to thank Jane Barrett and Vanessa Pillay from WIEGO.



In summing up, I want to make a few observations. Reflecting on the programme, I want to mention the input from our Ghanaian colleague, Akua Britwum, a leading scholar in her country and in Africa. She approached the idea of the divide as not simply something between the formal and the informal, but introduced other aspects as well. Strikingly, Ghana labour organising is so far ahead of South Africa in terms of informal workers. Thank you for that input.

The three case studies were an important part of today's activities. They were examples of successfully crossing the divide. The study of the transport workers in Uganda is quite extraordinary. The private sector virtually wiped out the transport union sector, but once they started to grapple with that, they realised that the type of work had changed. They drew in the boda-boda drivers. Once they were recognised as workers, they grew very quickly to over 90 000 members.

The second case study on farm workers was quite crucial. It showed how horticulture has been transformed by the way in which large retailers have changed the relationships in the sector. We have to start looking at global value chains, from the farm workers through to retail, and thinking about new ways of organising workers.

It was wonderful to have Mantua, a representative of the new recycling cooperative, and Melanies' input on the Indian case. It is crucial to get people to recognise these hidden activities as work, and the people who do that as workers. Paper recycling is one of our largest economic functions, after all. Not only are the recyclers providing an income for their families, but they are doing a green job.

Finally, Pat, you brought out the crucial importance of sustaining the gains of workers, whether formal or informal. Sometimes the way to do that is to create new institutions.

Thank you all for being such a wonderful group. Having made these links, I hope we can sustain them.

## Appendix

### Workshop Programme

- 09:00 **Opening and Welcome**  
*Jane Barrett, Director: Organisation and Representation, WIEGO*
- 09.15 **Introduction to “Trade Unions in Transformation”**  
*Bastian Schulz, Director, FES TUCC*
- 10:00 **Bridging the Divide in Africa and Beyond**  
*Akua O. Britwum, University of Cape Coast, Ghana*
- 10.45 **Tea Break**
- 11:00 **Case Studies I** (*chaired by David Dickinson, Wits University*)
- Transforming transport unions in Uganda through mass organisation of informal workers  
*John Mark Mwanika, Projects Coordinator, Amalgamated Transport and General Workers Union (ATGWU), Uganda*
- Response: Organising taxi drivers in Durban  
*Clement Doncabe, South African Public Transport Workers Union (SAPTWU)*
- 12:30 **Lunch**
- 13:30 **Case Studies II** (*chaired by Bastian Schulz, Director, FES TUCC*)
- Organising farm workers in Gauteng  
*Mbuso we Nkosi, University of the Witwatersrand*
- Response: The FAWU experience  
*Representative of the Food and Allied Workers Union (FAWU)*
- 14:45 **Tea Break**
- 15:15 **Case Studies III** (*chaired by Vanessa Pillay, Programme Officer, WIEGO*)
- The Politics of Blending Unions and Co-ops: Lessons from the KKPKP Trade Union of Waste Pickers in Pune, India  
*Melanie Samson, University of the Witwatersrand*
- Response: How South African waste pickers see themselves in the struggle for workers’ rights  
*Representative of South African Waste Pickers Association (SAWPA)*

16:30 **Closing Session** (*chaired by Edward Webster, SWOP*)

Street vendors and collective bargaining rights – an international campaign  
*Pat Horn, International Coordinator, StreetNet International*

Closing remarks  
*Edward Webster, SWOP*

18:00 **Book Launch** (*chaired by Sonwabile Mnwana, Deputy Director, SWOP*)

**Crossing the Divide: Precarious Work and the Future of Labour**  
*edited by Edward Webster, Akua O. Britwum and Sharit Bhowmik*

Speakers: Edward Webster and Akua Britwum (book editors)  
Respondent: Jane Barrett (WIEGO)