

VULNERABLE WORKERS: INFORMALITY, MIGRANT LABOR, UNPAID CARE WORK

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Gender, Labor & Safeguarding

INTRODUCTION

- Majority of women in the workforce (85%) can be found in the informal economy.
- According to an (ILO) survey 2015, women are more likely to be engaged in informal employment than men.
- It is estimated that in Africa 74% of women's non-agricultural employment is informal in contrast with 61% for men.
- Workers in the informal economy are not there by choice; they would rather work in the formal sector due to the assumption that it guarantees better income and protection for women workers.
- Unpaid care work still not counted as part of the GDP
- Several categories of migrant labour – as both foreigners and citizens move about

ARGUMENT

- Given the opportunity, the formal economy would have been a preferred choice for work due to the assumption that it guarantees better income and protection for women workers.
- Drawing on the case of Ghana, I argue, however, that unfortunately today, the formal economy itself is bedeviled with precarity and informality. This is due to the continuous deregulation and strengthened protection for corporations vis a vis workers especially women.

CONDITIONS IN INFORMAL & FORMAL ECONOMIES

- Protection by law
 - Protection by Institutions
 - Legitimacy – access to SP, SD, adherence to laws, contract
 - Exposure to harm – GBVH, OSHE
 - Domestic regulations
 - Wages
 - Collective bargaining
 - Freedom of association
- Workers
- New forms of employment
 - Deregulations
 - Neo-Liberal Policies
 - Protection by law and institution
 - IMF- In Ghana, conditionalities of 2015 & 2022 led to a **freeze on public sector employment**
 - Job and income insecurities – NABCO etc

CASE 1:

- In February 2017, a worker contacted the staff member of a union to complain about the conduct of the Human Resource (HR) Manager for recalling a colleague, Abiba, to work. Abiba had delivered 2 weeks earlier and had suffered a still birth due to birth complications during labour. For the HR manager, since Abiba had no baby to breastfeed, she did not deserve any of the protections provided for under any of the legal frameworks on maternity protection. The HR manager forgot that Abiba went through all the processes of childbirth including a caesarean section only to lose the baby. In this instance, Abiba deserved the provisions under the law and more because of the traumatic experience of losing the baby.

REALITIES

Memo

To: Reliance Staff (TiGo)
From: Management of Reliance Personnel Services
Date: April 5, 2016
Subject: Maternity Leave Policy

Kindly be informed that effective January 2016, an employee who wishes to go on maternity leave will have to apply for a break (leave without pay) and reapply for their position after the maternity break.

Also note that, contract duration is for six (6) months and renewable upon availability of the job and performance.

Thank you.

Yours faithfully,



Delia Ayisi-Okyere
General Manager

GhanaCelebrities.Com

IS THE FORMAL SECTOR SAFER

- Coverage of rights in the Labour Act: For instance, the section is silent on how antenatal and post-natal care for pregnant women and lactating mothers are to be addressed
- Several incidences and cases at workplaces have continued to expose the vulnerabilities of women who turn to fulfil their biological and reproductive role of child bearing as indicated in the cases.
- GBVH
- Job and income securities
- This makes the formal economy no different from the informal economy when it comes to poor earnings.
- Today, it is no news that workers in Ghana's formal economy are engaged in what Niger-Thomas (2000) calls straddling, that is to say, they take on jobs in the informal economy such as trading alongside their jobs in the formal economy to be able to make ends meet.
- Freedom of Association & right to Collective Bargaining (enhanced protection)
- Equal pay

CONCLUSION

- It is evident that the formal economy even with all supposed protective legislation as well as the establishment of institutions to attain the goal of decent work for all is simply non-existent.
- The inability to truly guarantee adequate social protection, promotion of social dialogue and adherence to international labour standards has made workers' interests in work in the formal economy to secure their present and future a fallacy.
- If African governments continue to renege on their primary responsibility of protecting and promoting the basic rights of workers, the formal economy will remain employer driven with a goal to grab wealth to the detriment of workers. African governments can and should do better.

REFERENCES

- Asiedu, Kwasi G. 2019. "Women dismissed for getting pregnant reinstated by Ghana Police Service." CNN, 1 April. Available at <https://edition.cnn.com/2019/04/01/africa/ghana-firefighters-reinstated-asequals-intl/index.html>
- Baah-Boateng, William., and Vanek Joann. 2020. Informal Workers in Ghana: a Statistical Snapshot. Accessed at https://www.wiego.org/sites/default/files/publications/file/WIEGO_Statistical_Brief_N21_0.pdf on 10/12/22
- Ghana Celebrities.com, (2016) "Tigo Ghana Introduces 'An Illegal' & the Most Absurd Maternity Leave Policy Ever | Asks Staff to Go on Maternity Without Pay & On Return Must Re-Apply for their Jobs" available at <https://www.ghanacelebrities.com/2016/04/05/tigo-ghana-introduces-an-illegal-the-most-absurd-maternity-leave-policy-ever-asks-staff-to-go-on-maternity-without-pay-on-return-must-re-apply-for-jobs/>
- ILO. 1998. *ILO Declaration of Fundamental Principles and Rights at work*. Available at: <http://libguides.ilo.org/c.php?g=657806&p=4649148> retrieved on 4/25/2019
- ILO. 1999. "Address by Mr. Juan Somavia, Secretary-General of the International Labour Conference 1 June 1999" available at [https://www.ilo.org/public/libdoc/ILO_Chronology/09616\(1999-87\)Somavia.pdf](https://www.ilo.org/public/libdoc/ILO_Chronology/09616(1999-87)Somavia.pdf)
- ILO. 2015. "Five facts about Informal economy in Africa". Available at https://www.ilo.org/africa/whats-new/WCMS_377286/lang--en/index.htm
- Krugman, Paul. 1997. "In praise of cheap labor." Slate, 21 March. Available at <https://slate.com/business/1997/03/in-praise-of-cheap-labor.html>
- Labour Act, 2003 (ACT 651). (2003). 1st ed. [Accra, Republic of Ghana]: Ghana Publishing Company Limited (Assembly Press) Accra.
- National Pensions Regulatory Authority (2011). www.presidency.gov.gh
- Niger-Thomas, Margaret. 2000. 'Buying Futures': The Upsurge of Female Entrepreneurship Crossing the Formal/Informal Divide in South West Cameroon. Leiden: University of Leiden Research School CNWS.
- Statista, 2021; female labour force participation in Ghana from 2010 – 2021. Available at <https://www.statista.com/statistics/1244969/female-labor-force-participation-rate-in-ghana/>
- Weil, D. (2014). *The fissured workplace: Why work became so bad for so many and what can be done to improve it*. Cambridge, Massachusetts; London, England; Harvard University Press.
- Weil, D. and Tanya G. *Labor Standards, the Fissured Workplace, and the On-Demand Economy*. Employment regulation available at: https://www.fissuredworkplace.net/assets/Weil_Goldman.pdf