

FINAL REPORT

PROJECT:

**LEGAL EMPOWERMENT OF
WORKERS IN THE
INFORMAL ECONOMY**

December 2012

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Local partner	ISCOD
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I. SUMMARY OF THE STATUS OF THE PROJECT

1. BRIEF DESCRIPTION OF THE PROJECT

The project's overall objective is to significantly contribute to the development of favorable regulatory framework for men and women in informal employment, especially women.

Further, the project also aims to strengthen the capacity of the organizations of men and women workers in informal employment to effectively participate in processes that lead to legal reforms and their practical application.

2. BRIEF DESCRIPTION OF THE PERIOD COVERED

The reporting period is 2012, which includes the second and third phases of the project. During this period, activities were implemented to achieve the objective of the intervention, which entailed the analysis of the regulatory framework that applies to workers in informal employment in four occupational groups: street vendors, waste pickers, market porters and domestic workers, which would allow the development of proposals and public advocacy initiatives.

This report will provide details regarding the training component of the project, where workers were trained on topics like: unionism, social security, health and safety at work, social protection and legislation (of their respective sector). Further, other initiatives included: i) the development of plans of incidence for each of the occupational groups included in the project; ii) technical assistance for the development of plans of incidence; and iv) research regarding the legal framework.

In addition, other initiatives included: i) maintaining the website up to date, ii) the development of training materials for a number of workshops, iii) the creation of four Facebook pages (one for each of the sectors) and iv) the development of a didactic cartoon-format document that explains the regulatory framework of each occupational group.

Finally, two round tables (aimed at domestic workers and waste pickers) were conducted. The objectives of these round tables were to: i) analyze the weak enforcement of their laws, ii) present international best practice examples and iii) propose future joint actions. Of note, at both round tables Government representatives and civil society were present.

II. ACTIVITIES COMPLETED

2.1 ACTIVITIES COMPLETED

PHASE 1:

ACTIVITY 1: REPORT DEVELOPMENT ON SYSTEMATIZATION AND ANALYSIS OF THE LEGISLATION.-

The report "Labor Conditions and Rights of Men and Women Workers in Informal Employment" is now concluded.

Regarding the investigation, during phase 1 a progress report was presented. Further, with regard to this preliminary draft a number of modifications were recommended, e.g. in relation to the outline and the content based on the literature found as well as the different laws and regulations available for each of the occupational sectors.

This document focuses on the pursuit of workers in informal employment with regard to their access to social protection systems; a topic that raises great debate at State level as well as amongst society at large. Further, the document establishes the current regulatory framework for each occupational sector; with special emphasis on the labor conditions and rights that derive from the legislation and the degree of compliance at a national level; proving two key points: i) current legislation in each of the sectors is limited, and ii) current legislation is not enforced by the institutions of the State, either because its implementation is too complex, or by the sheer indifference on the part of the authorities in charge. In addition, it has been demonstrated that, on the one hand, there is a lack of legislation that regulates the

rights of workers in informal employment in an integral/comprehensive manner; and on the other; that the scant regulations that exist are dispersed due to the fact that the sectors themselves present a number of differences and are (in some cases) contradictory. Similarly, workers do not know the system and the rules that protect them, coupled with the fact that the State lacks an active role, i.e. not being capable of informing and enforcing the limited legislation available.

It is important to highlight that during the "*Organizing and Strengthening Self Employed Men and Women Workers in the Informal Economy*" training program; the workers provided their views with regard to the current legislation and its application as well as to the legislative pieces that are being proposed. As such, this research was enriched by the workers' participation and comments during the training sessions where they provided valuable feedback based on their own practical experiences.

With regard to the "Labor Conditions and Rights of Men and Women Workers in Informal Employment" report; key highlights follow:

1. Chapter I: "Informal Workers".- This chapter presents an analysis of the concepts and definitions on the subject (e.g. perspectives on informality, definitions of the informal economy, informal employment, self employment) as well as some up-to-date statistics (e.g. figures and trends).
2. Chapter II: "Decent Work and Labor Conditions in Peru".- This second chapter presents a brief diagnostic regarding the status of decent work in Peru with special emphasis on the full observance of the principles and rights at work through a review of the current regulatory framework and its compliance. Also, time is spent on topics like fundamental labor rights, freedom of association, collective bargaining and right to strike, social protection, safety and health at work and social dialogue.
3. Chapter III: "Informal Employment in Peru".- The third chapter reviews informal worker's present situation, including their limited access to the health and pension systems and the lack of a coherent, integral legal framework (as viewed from a rights' standpoint). Also, a brief analysis on the legal initiatives that are being promoted by some workers' organizations is included.

4. Chapter IV: “Legal Framework by Occupational Group”.- The fourth chapter, presents a meticulous normative analysis on the regulatory framework of the four occupational sectors: domestic workers, market porters, waste pickers, and street vendors by providing a historical perspective of the legislation, as well as highlighting the positive and negative aspects of the regulatory frameworks.

5. Conclusions and Recommendations.- Chapter five presents a series of conclusions and recommendations for each of the four sectors, so that they become useful proposals, either for the workers or by the organizations that represent them.

PHASE 2:

ACTIVITY 2.1) DEVELOPMENT OF THE TRAINING PROGRAM AND METHODOLOGY:

The development of the training program included three stages: i) identification of key training needs, ii) implementation of one workshop for the different occupational groups, and iii) implementation of the training program.

During the implementation of the project, the original plan was that workers would be involved throughout the process in one single group, which would receive the same training and only upon completion of the training program groups would be formed in order to develop and implement advocacy programs. However, during the execution, we identified significant differences between the groups participating in the project, i.e. varying levels of education, different levels of experience in regard to training processes and training courses, poor knowledge of the basic concepts re unionism, and, especially, poor knowledge with regard to their specific regulations (both current legislation and proposals being presented by their organizations for approval in their specific sector).

To this end, the technical team agreed to make modifications to the training program, which were based on a previous study by ISCOD. This meant a change from the original proposal, i.e. developing one differentiated program for each of the four occupational groups, namely market porters, domestic workers, waste pickers

and street vendors. The training proposal was developed taking into account the following factors:

- Progress in the regulatory frameworks of the four occupational groups
- Experience participating in previous programs by ISCOD
- Availability during scheduled training programs

As a result of the above, a working meeting was called with the local representatives of these sectors, in order to establish consensus regarding the scheduling of the training courses. The meeting was held on Tuesday, 7th February at the ISCOD facilities in Peru, with the aim of defining details regarding the training course: "*Organizing and Strengthening Self Employed Men and Women Workers in the Informal Economy*".

In addition, other topics covered included: accreditation of participants, dates, times and venues, etc.

The meeting was attended by representatives of SINTRAHOL (Union of Male and Female Domestic Workers of Lima CGTP), FENAREP (National Federation of Waste Pickers), SINTTRAHOGARP (National Union of Domestic Workers), FEDEVAL (Federation of Street Vendors of Lima and Callao), FETTRAMAP (National Federation of Market Porters and Manual Carriers) and the Lima Womens' Network.

Likewise, at this meeting the attendees were shown: i) a proposal for the different topics to be covered at the training programs, ii) a tentative schedule for the different training sessions, and iii) some time slots for the event (given that they have varying time schedules). The syllabus can be found in Annex 3.

ACTIVITY 2.2) COMMUNICATION OF THE TRAINING AND INFORMATION PROGRAM

For the communication of the training program, a leaflet about the event and a registration card were developed. In addition, a Google group was formed where the different contact names of representatives were provided in order to enable communication via e-mail and social networks.

Likewise, from the offices of ISCOD phone lines were provided to the different group coordinators to enable them to call and coordinate with the different workshop participants. Of note, a small monetary incentive (coming from the funds of the project) was given to each group coordinator.

It is important to mention that the <http://www.odeiperu.com> webpage was developed; where all the activities to be conducted as part of the project were detailed. Of note, these activities have also been communicated via the ISCOD Peru facebook page:

ISCOD PERU PROJECTS

<https://www.facebook.com/ProyectosISCOD.PERU>

In addition, four facebook pages from the different workers' organizations have been developed to disseminate information about their activities and their rights. Links are provided below:

WASTE PICKERS:

<https://www.facebook.com/pages/Fenarep-PERU/362812453740573?ref=ts>

MARKET PORTERS:

<https://www.facebook.com/DerechosestibadoresPeru>

STREET VENDORS:

<https://www.facebook.com/pages/TrabajadoresdelComercioAmbulatorio/216578761801553>

DOMESTIC WORKERS:

<https://www.facebook.com/trabajadorasdelhogarperu>

These efforts were developed due to the "viral" nature of social media vehicles, like facebook, as they allow users to share the information more effectively. Of note, these pages also communicated details of the training program.

ACTIVITY 2.3) DEVELOPMENT OF TRAINING MODULES AND DIDACTIC MATERIALS:

During the program, six training modules (courses) were developed; for which specific educational materials, handouts, case studies, powerpoint presentations with key concepts were developed. Details regarding the modules follow:

Modules		Duration <i>(teaching hours)</i>
Module 1	Useful Technological Media to Enable Unions' Communication	8
Module 2	Basic Concepts Regarding Unionism	12
Module 3	Human Rights and Labor Rights	8
Module 4	Informal Workers	8
Module 5	Work Conditions in Informal Employment	8
Module 6	Legal Framework by Occupational Group	8

MODULE 1) USEFUL TECHNOLOGICAL MEDIA TO ENABLE UNIONS' COMMUNICATION:

Module 1 was conducted at ISCOD's IT Center; given that it was a practical course, the following powerpoint presentation was prepared:

<http://www.slideshare.net/comunicacionesiscod/presentacion-modulo-1pptx>

MODULE 2) BASIC CONCEPTS REGARDING UNIONISM:

In the case of Module 2 "Basic Concepts Regarding Unionism" powerpoint presentations for each of the sessions, case studies, and thematic videos were presented. Of note, there were three sessions in total. During the first session, activities included: i) presentations about "basic concepts regarding unionism" and "basic concepts regarding union freedom", and ii) the showing of the film: "Pan y Rosas". The activities covered during the second session included a review of the topic "basic concepts regarding labor conditions and mechanisms available to workers" (for this, powerpoint presentations about "decent work and social dialogue" and "social security" were presented). In addition, a group dynamic regarding the film "Pan y Rosas" was conducted. Finally, during the third session, the second part of the "decent work and social dialogue" presentation and another on "safety and health at work" was covered.

MODULE 3) HUMAN RIGHTS AND LABOR RIGHTS:

For Module 3, the handout provided below was used for the two sessions.:

<http://es.scribd.com/doc/117157006/MODULO-3-DERECHOS-HUMANOS-Y-DERECHOS-LABORALES>

In addition, powerpoint presentations to address key topics related to human rights were developed, i.e. basic principles, classification, conventional manifestation, treaties and agreements, key international human rights instruments and their relationship with the local legal framework.

Further, a work group analyzed the *Pedro Huilca* case study. Of note, a union leader, Pedro Huilca was killed and the investigation of his murder as well as the indemnization to his heirs marked a landmark precedent in the local human rights history (see annex).

MODULE 4) INFORMAL WORKERS:

For Module 4 a handout divided into two learning units was prepared. The first unit, "Informal Employment", covered (via powerpoint presentations) the following topics: perspectives re informality; definitions and evolution of informality; the informal economy; and labor and employment in the informal sector. The second unit was named: "Informal Employment in Peru". Of note, Module 4 can be accessed through the the following link:

<http://es.scribd.com/doc/117162117/MODULO-4-TRABAJADORES-DEL-EMPLEO-INFORMAL>

For perspective, it is worth highlighting that during the presentations the technical team decided to conduct a thorough review and an exam with the participants to assess their level of understanding and learning in order to make relevant adjustments/modifications to the presentations. In addition, an exercise called "agenda by sector" was also completed.

MODULE 5) LEGAL SYSTEM IN PERU AND LABOR JUSTICE ADMINISTRATION.-

For Module 5, a training handout was developed; this can be accessed through the the following link:

<http://es.scribd.com/doc/117162214/Modulo-5-Sistema-normativo-en-el-Peru-la-administracion-de-la-justicia-laboral>

The contents included in the above material are divided into two Units: Unit 1 covered "The Peruvian State and its Structure"; and Unit 2 covered "The Rule of Law Within the Peruvian System. Of note, in Unit 2 the following topics were discussed: labor process in Peru, social security and occupational health at work, and regulatory framework for informal workers.

2.4) DEVELOPMENT OF THE TRAINING PROGRAM (DEVELOPMENT OF THE TRAINING MODULES)

The training program developed theoretical and practical elements of information technology, historical and legal elements of organized labor, human rights, labor rights and sectorial regulation and of the self-employed sector.

The project envisaged the implementation of a participatory methodology adapted to the needs of the workers, based on their prior knowledge, where ISCOD's technical team applied methodological strategies depending on the specific sector for which the training was provided.

During the entire training process, the opinions of the workers were gathered in order to foster the sharing of individuals' knowledge and experiences as well as to serve as a forum to answer any queries that may arise. The program was an on-site training with special advice and mentoring at the request of the participants. Of note, some of the dynamics used included: recreational strategies, group work, case studies, visual aids and presentation of videos related to the training program.

For this training process, the following objectives were identified:

General Objective:

Train leaders that are committed to their unions and/or social associations from the men and women sector of the informal economy and self-employed workers who are capable of strengthening their organizations and, in turn, engaging and effectively interacting in processes that lead to legal reforms (in their respective sector) or their enactment.

Specific Objectives:

- 1) Raise the awareness of men and women workers about the importance of organizing and the strengthening of their organizations.
- 2) Strengthen the organizational capabilities of men and women workers in the informal sector and the self-employed sector through a training process in Human and Labor Rights, Regulatory Framework of their specific occupational group and different ways that the law provides for the protection of their rights.

- 3) Improve the communication capabilities of men and women workers using Web 2.0 communication tools like *Facebook* and *Twitter* as vehicles for them to interact (with other workers) and disseminate the labor challenges in their sector.
- 4) Create a space for gatehring, interaction and feedback amongst men and women workers of the specified sectors, in order to analyze the existing legislation in each sector and generate concrete proposals concerning the promotion, protection and accessability of their rights.

The topics covered were as follows:

Modules		Duration (teaching hours)
Module 1	Useful Technological Media to Enable Unions' Communication	8
Module 2	Basic Concepts Regarding Unionism	12
Module 3	Human Rights and Labor Rights	8
Module 4	Informal Workers	8
Module 5	Work Conditions in Informal Employment	8
Module 6	Legal Framework by Occupational Group	8

For perspective, module 1 was implemented at ISCOD Peru IT Center given the nature of the subject matter. Of note, participants (from the four occupational groups) were limited to a small group, i.e. four representatives for each labor organization.

From module 2 and onwards, participants were split into four groups; one for each of the specific occupational groups (market porters, street vendors, waste pickers, and domestic workers). The actual scheduling and times of the training events was agreed with the respective workers' organizations. These were as follows:

N°	ORGANIZATION	DAY	TIME
1	FETTRAMAPs	Wednesday	10am - 2pm

2	FEDEVAL	Thursday	3pm - 7pm
3	RED DE MUJERES	Thursday	3pm - 7pm
4	FENAREP	Saturday	10am - 2pm
5	SINTTRAHOGARP	Sunday	10am - 4pm

Likewise, the delegates accredited by each organization were agreed. Please refer to the table below for details:

ORGANIZATION	ACCREDITED DELEGATES
FENAREP	Basilio Gómez
FENAREP	Juan Manuel Quispe
FETTRAMAP	Raúl Chupica Alor
FETTRAMAP	Raúl Diego Navarrete
FEDEVAL	Manuel Sulca
SINTRAHOL	Obdulia Guevara Neyra
SINTRAHOL	Carmen Rosa Almeyda Obstusa
SINTRAHOGARP	Pemina Gamboa Urquiza
SINTRAHOGARP	Paulina Luza Ocsa
RED DE MUJERES	Gloria Solorzano
RED DE MUJERES	Alcira Varillas Alejos

For the selection of participants, a profile of the attendee was defined so as to ensure a smoother and more effective training process. To this end, the following criteria were considered:

- Being affiliated to the organization
- Knowing how to read and write
- Having basic computer skills
- Having a commitment and an interest to participate
- Having the ambition to lead and promote changes in their unions
- Not having direct responsibilities in the union (desirable)
- Not being part of other projects (desirable)

Further, a leaflet and a registration card were developed. However, it was observed that even though a specific profile and requirements of the participants were

determined, in practice this was not possible to attain. What follows are the observations by occupational group:

Market Porters: One of the main problems found was the exhaustion of workers that attended the courses, given that their work starts at dawn. However, they did not show problems with regard to reading comprehension since the organization with which we coordinated, (i.e. the National Federation of Market Porters and Manual Carriers - FETTRAMAP, through their unions: Único, Corn, and Los Olivos Union, have affiliates with both primary and secondary education. In addition, each of these unions considers in their statutes the participation of their affiliates in training programs as mandatory. All in all, despite the fact that the times were not ideal for them, this group, given their educational level and their experience attending training courses, responded well to the training activity.

Street Vendors: The main problem for this occupational group was the poor level of education; thus the training sessions used basic language and plenty of illustrative examples. Even though there were some outstanding examples of leadership amongst the group, there were some participants (older ones) who showed problems with reading comprehension. Of note, we worked with two organizations, i.e. Federation of Street Vendors of Lima and Callao - FEDEVAL and the Lima Women's Network.

Waste Pickers: This sector participated through the National Federation of Waste Pickers - FENAREP. In the case of this group, where participants represented their district organizations; an optimal level of interest, understanding and participation was observed. It is important to mention, that unlike market porters and street vendors, ISCOD had not worked with this occupational group before. As such, it was necessary to bring them up to speed on some basic concepts (e.g. unions, social security, health at work, social dialogue, decent work, etc) so as to improve the effectiveness of the training program with positive results.

Domestic workers: The training was coordinated through the National Union of Domestic Workers - SINTRAHOGARP. The majority of participants lacked basic computer skills and showed learning difficulties, which led to repeated reviews of the content covered and variation of the methodology used (from lecture-type to workshop format). It was noted that many of the participants used the training session as a kind of

"catharsis" where they expressed their experiences at work, i.e. feeling victims of abuse by their employers. The latter should be taken into consideration for future training programs.

DEVELOPMENT OF THE MODULES:

Module 1: Useful Technological Media to Enable Unions' Communication (8 hrs):

In this module the plan was for workers to learn about social media and their potential use as a tool for the dissemination of their demands and proposals. It was requested that participants had basic computer skills in order to make better use of the training. The sessions took place in a classroom with computers and multimedia tools. The objective was for participants to create an e-mail address, develop their facebook profiles and learn how to design a Facebook page for their organizations.

Module 2: Basic Concepts Regarding Unionism (12 hrs)

This module covered the following topics: i) general concepts about unions and types; ii) basic concepts about freedom of association; iii) the importance of trade unions, iv) decent work and social dialogue; and v) social security and health and safety at work. During the three sessions, group practices and showing of videos were some of the methodologies used. of note, active participation by the attendees was promoted throughout the process.

Module 3: Human Rights and Labor Rights (8 hrs)

In this training module, key concepts, fundamentals and principles of human rights were covered; a historical review of human rights and their classification was also presented. During the second session, the topics covered included: labor rights, the process to develop norms and freedom of association.

Module 4: Informal Workers (8 hrs)

The fourth module focused on basic concepts regarding informal workers. Thus, concepts, definitions, terminology, industry statistics, and its relation to decent work were presented. Further, the four occupational groups and their relation with the current union scenario were presented.

Module 5 : Working Conditions in Informal Employment (8 hours):

This module covered fundamental labor rights, social protection and social security. In addition, the current local regulatory framework was reviewed, i.e. constitutional norms, Acts, Draft Bills and other norms.

Module 6: Legal Framework by Occupational Group (8 hrs):

Module 6 consisted of discussion groups which evaluated the current regulatory framework from each of their specific occupational group in terms of reviewing the current legislation and the main difficulties in its application, as well as providing ideas/proposals for areas that were deemed as uncovered.

CONSOLIDATED ATTENDANCE RESULTS: The consolidated attendance report can be found in the table below:

TRAINING MODULES (FETTRAMAP) - WEDNESDAY (10am - 2pm)	
MODULE 2	MEN
14 March	17
21 March	15
28 March	15
MODULE 3	
11 April	16
18 April	19
MODULE 4	
16 May	15

23 May	17
MODULE 5	
30 May	20
06 June	16
MODULE 6	
13 June	18
20 June	9
AVERAGE ATTENDANCE	16

TRAINING MODULES (SINTTRAHOOGARP) - SUNDAY (10am - 4 pm)	
MODULE 2	WOMEN
18 March	38
01 April	24
MODULE 3	
15 April	29
MODULE 4	
27 May	21
MODULE 5	
03 June	26
10 June	26
MODULE 6	
24 June	27
AVERAGE ATTENDANCE	27

TRAINING MODULES (RED DE MUJERS; FEDEVAL) - THURSDAY (3 - 7pm)			
MODULE 2	Women	Men	Total
15 March	19	16	35
22 March	18	12	30
29 March	14	13	27
MODULE 3	Women	Men	Total
12 April	16	11	27
19 April	16	12	28
MODULE 4	Women	Men	Total
17 May	9	8	17
24 May	7	10	17
MODULE 5	Women	Men	Total

31 May	10	16	26
07 June	13	13	26
MODULE 6	Women	Men	Total
14 June	7	13	20
21 June	20	21	41
AVERAGE ATTENDANCE	13	13	26

TRAINING MODULES (FENAREP) - SATURDAY (10am - 2pm)			
MODULE 2	Women	Men	Total
17 March	3	9	12
24 March	3	6	9
31 March	4	8	12
MODULE 3	Women	Men	Total
14 April	3	12	15
21 April	2	9	11
MODULE 4	Women	Men	Total
19 May	1	8	9
26 May	2	7	9
MODULE 5	Women	Men	Total
02 June	2	9	11
09 June	2	9	11
MODULE 6	Women	Men	Total
16 June	1	7	8
23 June	1	11	12
AVERAGE ATTENDANCE	2	9	11

METHODOLOGY:

The training programme "*Organizing and Strengthening Self Employed Men and Women Workers in the Informal Economy*" mixed a theoretical and a practical methodology which aimed at informing, motivating and involving men and women workers in the active development of their own learning. Further, attendees' participation was encouraged through previous experiences from the participants and

a joint approach in developing the different elements (between the workers and the facilitator).

At the learning sessions it was encouraged for participants to reflect on the current situation through the use of practical examples related to their specific sector. Also at the events discussion, explanation, reflection, debate and interchange of experiences was fostered. In addition, in order to further enhance understanding of the concepts covered at the sessions the use of working groups was favored ("learning-by-doing").

Thus, the following methodological strategies were used:

- a) Presentation: Using this technique the facilitator presents the concepts and raises the awareness of participants.
- b) Group learning activities: Participants are encouraged to solve cases, questions or make proposals about a subject for them to present and support before the larger group. The facilitator intervenes at the end either to expand, or summarize the subject at hand. The final objective is for the larger group to reach some agreed conclusions.
- c) Debate: During the development of a topic or learning activity a specific point will be debated so participants can learn to listen, analyze, enquire about others' views. to then, in a strategic manner, propose their own ideas supported by some theoretical basis.
- d) Consultant Workshops: The main objective is to review and evaluate the proposals and projects (Final Work) prepared by each occupational sector.

ACTIVITY 2.5) CONFIGURATION OF TEAMS OF REPRESENTATIVES TO BE TRAINED:

Throughout the development of the training course, the participants agreed that after its completion, workshops would be conducted (by sector) to develop specific advocacy plans, in order to positively influence organizations of the State and civil society, which would allow their demands to be included in their respective agendas. To this end, eight workshops (two per occupational group) were conducted to

develop Action Plans and implement some of the proposals with the assistance of the technical team.

The methodology utilized for the workshops had two parts. On the first day through a brainstorming process the organizations had to provide a qualitative diagnostic regarding their key issues, key priorities, strategic partners and main opponents. Then, main courses of action as well as some possible activities that could be implemented during the following months were determined.

What follows is the detail regarding the workshops conducted:

2.5.1) WORKSHOP - ACTION PLANS – MARKET PORTERS - FETTRAMAP (26 September and 03 October):

Attendees: Antonio Carranza, Rubén Galván, Luis Salazar and Felix Mendoza (Fruits Union); Wilfredo Aller and Hernán Coronado (Los Olivos Union); Raúl Diego Navarrete, Nicolás Yauli and Vidal Maguiña (Choclos Union); and Carlos Polanco and Edison Pomallihua (CGTP).

As a result of the brainstorming session, the following priorities/needs were identified;

1. The need for the FETTRAMAP to be respected and recognized so they can be considered in the move to the new Santa Anita wholesale market.
2. There was a problem with the age of some of the members of the FETTRAMAP as it relates to their ability to move to the new Santa Anita wholesale market.
3. The reduction in the number of workers for fruits, potatoes and corn; it would be limited to a maximum of 100 workers (given that the Municipality of Lima was planning to use forklifts).
4. The need to respect the trade of the other fellow members.
5. Respect the signed agreements reached (as an institution) by EMSA, the Municipal Enterprise for Markets
6. Improve the working conditions (believed to be worse) at Santa Anita. Of note, there is no proposal regarding available space to set up an office for the Union.
7. Full compliance with the laws protecting market porters. Specifically, the law and regulations regarding safety and health at work; law and regulations regarding

social security, technical norm regarding occupational medical exams; municipal ordinance No. 072 (respect to the organizations once they are established) and Supreme Decree No. 056-89-AG, i.e. technical norms regarding packaging from the National Institute for the Defense of Competition and Protection of Intellectual Property (INDECOPI).

On the second day, an action plan which identified the following streams of work and possible activities were developed:

1) ORGANIZATIONAL STRENGTHENING

2) COMMUNICATION AND DISSEMINATION

- Develop one banner per union
- One leaflet (responsible: Luis Salazar, to coordinate with CEN Frutas)
- Dissemination via social networks (facebook, hi5), internet (e-mail) and youtube videos.
- Dissemination in traditional media (radio, television, press); march to press for the compliance with the laws (towards the Ministry of Labor).
- Flash mob at the Main Square.

3) TRAINING

Unico Trade Union

- Training course on forklift operation - financed by CIES /WIEGO

Fruits Trade Union

- Two-day workshop on Union Training (13 and 20 October); Self Esteem and Leadership.

Corn Trade Union

- Workshop on Union Training (five Tuesdays 9, 16, 23. 30 October and 6 November at FETTRAMAP (from 10am - 2 pm).

LOS OLIVOS Trade Union

- Workshop on Union Training (17 and 18 October).

It is important to note that these workshops were held before the Municipality of Lima closed the "La Parada" wholesale market in favor of the new wholesale market of Santa Anita. Thus some of the action plans and ideas regarding possible activities would not fit within the current context, as the workers are focused on reaching consensus with the authorities of the Municipality of Lima regarding the recognition of the signed agreements and their right to work.

2.5.2) WORKSHOP - ACTION PLANS - WASTE PICKERS - FENAREP

Attendees: Juan Herrera and Pilar Tineo (ATALIAR); José Venturo (Magdalena district); José Reyna (Surco district); José Gayoso and Juan Quispe (La Unión); Raúl Ochante and Basilio Gómez (ATRIMAC); Andrés Cortez (Santa Anita Wholesale Market); Víctor Rojas (9 de Setiembre Market); and Carlos Quispe (Antonio Raymondi).

As a result of the brainstorming session (conducted during the first day), the following priorities/needs were identified;

1. Right to work, respect for their trade/activity and recognition as protectors of the environment.
2. Acknowledgement of their laws and regulations.
3. Inclusion and social protection for which the following steps have to be followed:
 - *What do we want to achieve?*
 - > Recognition as workers
 - *Why do we want to achieve this?*
 - > Because we will help protect the environment, properly dispose of the waste and be respected as workers.
 - *Why would other people also desire this change?*
 - > Because the programs of trash collection run by the municipalities are not efficient and we, waste pickers, can help with management of solid waste.

On the second day, an action plan which identified the following streams of work and possible activities were developed:

1. ORGANIZATIONAL STRENGTHENING

- Develop a financing system for the FENAREP (weekly fees, sponsorships, donations, fund raisers).
- 24 visits to the grassroots.
- 12 talks aimed at getting new affiliates to the FENAREP.
- Establishment of the office.
- Prepare projects for NGOs and the like.

2. COMMUNICATION AND DISSEMINATION

- Development of communication materials, e.g. leaflets.
- Meeting to set up a dissemination plan.
- Clean up of the Wetlands of Villa.

3. TRAINING

- Two training talks for the leaders regarding Leadership and Organization.

4. STRATEGIC PARTNERSHIPS

- Establishment of a multi-sector committee re waste pickers (with Congress)

2.5.3) WORKSHOP - ACTION PLANS - STREET VENDORS - FEDEVAL (27 September and 03 October):

Attendees: Nancy Quispe Peña, David Montalbán, Miguel Ángel López La Rosa, Digna Estefa Cubanillas Bocacín, Ana Gonzales, Manuel Sulca, Josué Ramos, Juvencio Cayari and Teodora Asencio.

As a result of the meeting, the following priorities/needs were identified;

1. ORGANIZATION

- Conduct training meetings to affiliate more grassroots associations by conducting general registration during visits to six districts, namely: Lima Center, La Victoria, El Rímac, San Martín de Porras, Los Olivos, and Comas.
- Conduct training meetings to acquire three bases in the Regions, namely: Ica, Junín and Tacna.

- Strengthening of the financing system (contributions from affiliates, loans, donations, sponsorships, etc).
- Workshop - Development of the 2013 - 2017 Action Plan.
- Workshop - Development of the 2013 Operating Plan.

2. TRAINING

- Nine workshops at district and regional level regarding the training of leaders with gender equality.
- Computer training courses aimed at the board members of each organization (12 members).
- Two training talks regarding Decent Work.

3. COMMUNICATION

- Discussion group regarding Decent Work, Self Employed Workers and Actions by the Local Government (Municipality of La Victoria; 4 October)
- Institutional leaflet; pennant and baner for the FEDEVAL.
- Workshops to disseminate and promote the Ordinance proposal and the law of Self Employment.
- Dissemination in social networks, e.g. facebook, twitter, google+ and youtube.

4. STRATEGIC PARTNERSHIPS WITH PUBLIC AND PRIVATE ORGANIZATIONS

2.5.4) WORKSHOP - ACTION PLANS - DOMESTIC WORKERS - SINTRAHOGARP (30 September and 07 October).

Attendees: Pemina Gamboa, María Cecilia Soto, Paulina Luza, Yolanda Villanueva, Sofy Ayma, Alfonsina Muñoz, Inés Meza, Flora Quispe, María Luz Vilca, Rosa Vilca, Adelinda Uriarte, Cornelia Rojas and Juana Dextre.

The following priorities for the organization were identified:

1. Ratification of ILO Agreement No. 189.
2. Compliance of the law and regulations of domestic workers
3. Strengthening of the organization (bases at Lima, Piura, Cajamarca, Chota, Jaén, Huánuco, Huancayo, Cusco and Arequipa).

4. Empowerment and strengthening of the union's structure.

On the second day, the following streams of work and possible activities were developed:

1. ORGANIZATIONAL STRENGTHENING

- Permanent office.
- Loan equipment (computers).
- Financing system.
- Technical consulting.

2. TRAINING

- Training School (to be proposed)
- Training on the legal analysis of the ratification of ILO Agreement No. 189.
- Computer training.
- Union Leadership training.
- Political Impact training.

3 COMMUNICATION AND DISSEMINATION

- Public hearing.
- Hearing on "Domestic Workers' Day".
- Dissemination of information in communication media.
- Institutional brochures
- Development of an institutional leaflet.
- Banners and flyers regarding the ratification of ILO Convention No. 189 and domestic workers' laws.
- Posters.

4 STRATEGIC PARTNERSHIPS

- Establish partnerships with CCTH, Flora Tristán, ISCOD, ANTTTRA, DEMUS, IPROFOTH, SINTTOAH, CUSCO and WIEGO.

ACTIVITY 2.6) SUPPORT FOR THE DEVELOPMENT OF POPOSED REGULATIONS (ANNEX 2):

The "Technical Committee for the Review and Preparation of a proposal to amend the Law of Self Employed Men and Women Workers" was implemented; it consisted of a group of experts, e.g. representatives from trade unions, civil society institutions and public administration officials involved on the subject. The participating organizations were the Unitary Confederation of Workers of Peru - CUT-Peru; the Peruvian Federation of Market Porters and Manual Carriers - FETTRAMAP; the Forum of Micro and Small Enterprises in Peru - FOROMYPE-PERU; the Union Institute of Cooperation and Development - ISCOD; the Spanish General Union of Workers - UGT; the Association for Educational Development - ADEC-ATC; and EsSalud.

This committee held eight meetings to prepare a Draft Bill for Self Employed Men and Women Workers which started from previous policy initiatives and foundations conceived by the CUT-Peru decades ago; taking into account the existence of a favorable context as it is in line with a Draft Bill prepared and officially published by the Ministry of Labor and Employment Promotion (MTPE).

The Draft Bill starts by recognizing the legal status of the self employed worker by all and the obligation of the State to respect, promote, protect and ensure the worker's rights that derive from their status, as well as the creation of public policies that provide them with decent work.

This Draft Bill contained three fundamental lines, thus, the members of the Technical Committee, predominantly the CUT-Peru, decided to implement a better strategy and resolved to split the existing proposal in three Draft Bills. The first one was related to the definition and recognition of the legal status of self employed, independent, and autonomous workers; the second one was related to their access to social security and health and safety at work; and the third one was related to the promotion of self employed workers (please see attachments).

At present these three draft Bills are being discussed by CUT-Peru and members of the Board of EsSalud and the Ministry of Labor and Employment Promotion (MTPE).

Separately, technical assistance was also provided to the FENAREP and the SINTRAHOGARP throughout the entire project. Of note, the technical team at ISCOD provided legal advice about the actions to implement in relation to the ratification of ILO Agreement No. 189.

ACTIVITY 2.7) DEVELOPMENT AND DISSEMINATION OF VIRTUAL BULLETINS AND LEAFLETS

A cartoon about self employed workers was developed using the Draft Bill by CUT-Peru as a reference. The cartoon shows, in a didactic way, the main concepts related to what it is to be a self employed worker. For details please refer to the link provided below.

<http://es.scribd.com/doc/113140239/Historieta>

PHASE 3:

ACTIVITY 3.1) FORUM FOR THE PRESENTATION OF PROPOSALS:

The original design of the project considered appropriate to conduct a thematic forum for all workers in informal employment. However, as previously mentioned, this idea (that all sectors participate together) was deemed as non viable, especially considering the different realities and complexities inherent to each of the occupational groups.

To this end, it was considered more appropriate, and effective, to conduct separate round table discussions with each of the occupational sectors (using two groups as case studies, namely: domestic workers and waste pickers). Of note, the original plan was to also have a forum on market porters; however, the violent events around the relocation of the Wholesale Market to Santa Anita and the rapid development of events afterwards prevented the participation of the Federation, that was completely focused on the issue of work at the new market.

3.1.1) ROUND TABLE - DOMESTIC WORKERS:

On December 5th, (within the scope of the project "Legal Empowerment of Workers in the Informal Economy" of ISCOD-WIEGO) the round table: Regulatory Framework for Domestic Workers was conducted at the auditorium of the Friedrich Ebert Foundation. The event was attended by representatives from ESSALUD, the Ministry of Labor, the Office of the Ombudsman, SUNAT (Tax office), ONP (the State Old-age Pension office), CCTH, SINTRAHOGARP, CEDAL, AMIMPER, among others. At this round table the regulatory framework for Domestic Workers was analyzed. Key discussion points included: i) the current situation regarding legislation for this sector, ii) examples of international best practice in the application of laws that regulate domestic workers' activities, and iii) proposals to enforce current legislation.

Raúl Tecco from the Friedrich Ebert Foundation started the event by welcoming the representatives from State, civil society and the workers. He stated that the Foundation was also working towards promoting activities that contribute to the strengthening of the workers' organizations, in line with the work being done by both ISCOD and WIEGO.

Later, Carmen Roca from WIEGO greeted the attendees briefly commenting the larger framework under which this activity was taking place. She noted that this project was also being implemented in Ghana, Thailand, and two cities in India, after pilots in India and Colombia. The idea of forming an informal "Mesa", a Board that can meet every two months, gathering representatives of different Government sectors and practitioners, just as in this forum, was presented, and well taken by participants.

Ines Meza Ccuno, General Secretary of the National Union of Domestic Workers of Peru - SINTRAHOGARP presented the topic "Situation / Context of Domestic Workers and Proposals" covering an analysis of the status of this sector, some updated statistics from INEI, WIEGO, SUNAT ESSALUD, as well as a precise listing on the current labor situation. Later she spoke about the SINTRAHOGARP

organization (purpose, members, locations, major accomplishments, etc.). Finally, she presented their key proposals, which include: i) the reformulation of the existing legislation regarding domestic workers, ii) the establishment of the minimum wage for this activity, iii) the eight-hour working day (recognizing overtime), iv) the need for a written labor contract, v) the mandatory issuance of the work certificate, and vi) protection of teen domestic workers. Also, as part of their demands the following were noted: i) the process of ratification of ILO's Convention 189, ii) the registration of domestic workers in municipalities, iii) the registration of their contracts with the Ministry of Labor, iv) supervision of those employment agencies which violate their rights, v) that the Ministry of Justice informs regarding prosecuted cases of domestic workers, vi) that the Ministry of Interior, via the police stations, serve the domestic worker population, vii) that the Office of the Ombudsman be vigilant regarding the compliance of their rights, viii) that the Ministry of Women Affairs intervene with regards to cases of homicide, ix) the need for free Sunday education, and x) that teen domestic workers are protected through the Ministry of Women and Vulnerable Populations

Patricia Balda from ISCOD presented "Highlights of the Regulatory Framework of Domestic Workers" covering the positive and negative aspects of the current legislation, as well as some key recommendations to enable enforcement of the law. She started by explaining how the terminology regarding domestic workers had changed through the years, initially using terms like "servant" and "patron" to then evolve and use less discriminatory definitions such as "employer" and "domestic worker"; in addition, she highlighted the fact that domestic workers are now a recognized occupational sector. Separately, she presented four specific characteristics of domestic workers which differentiate this sector from others in the private sector, namely:

1. Invisibility. The activity is developed in an ambit that is not visible to the eyes of the outside world; it often has not been declared, and is not bound by a written and signed contract; it remains outside the scope of labor inspection and other forms of conflict resolution. Foreign female domestic workers, especially those with an irregular immigration status, and child domestic workers are particularly vulnerable to exploitation and are unlikely to be willing, or able, to claim their rights.

2. Increased power imbalance between employer and employee: Whilst in most workplaces, there is one employer for a group of several workers; in this occupation, there is one worker for several employers (with conflicting demands with regard to time and attention). The menial category attributed to this type of labor and the inherent servitude weakens, even further, the domestic worker's ability to bargain. Add to the latter, the inferiority situation of the woman in comparison with the man, the differences in education, and, sometimes, to make matters even worse, even racial or ethnic factors (amongst others).

3. Prevalence of feudal and paternalistic attitudes. Many employers do not consider themselves as employers and do not see their home as a workplace. They think they are doing a favor in "welcoming" the domestic worker to their home and feel that the services that they receive in return do not necessarily deserve a financial reward.

4. Absence of a precise description of the work to be performed. Generally there is an expectation on the part of the employer to benefit from an unlimited availability (at all hours) for the worker to comply with orders; in addition to the myriad of tasks already assigned to the domestic worker.

On the positive side, it is noted that the current legislation recognizes rights of domestic workers which they previously did not have. Of note, even though this law makes reference to the labor regime in the private sector, this law, as such, is a special norm. Further, through the law and its regulations a number of rights are recognized; these include, the right to a work contract; entitlement to holidays; access to social security (health and pensions); bonuses; severance pay; weekly rest and during public holidays; and the eight-hour working day. In addition, domestic workers have the right (when the service arrangement is "living in") for the employer to provide accommodation and food in line with the socioeconomic level of the household. Further, discriminatory acts against domestic workers have been typified, as well as the fact that they are not forced to wear uniforms in public spaces.

On the negative side, it is noted that even though rights have been recognized to domestic workers, these are minor when compared with other activities in the private sector. For instance, the annual holiday period can only be 15 days (half of the

allowance for workers in the private sector); likewise their bonuses and severance pay are only half a salary. Of note, they do not enjoy a minimum wage, thus, this has to be agreed with the employer. Similarly, the law does not consider inspection mechanisms of the workplace, limiting the ability to enforce compliance given that the activity is conducted in the privacy of the household. Other examples include: i) there is no penalty for failure of registration and affiliation to social protection, and ii) the poor dissemination of these regulations, at the regional and local levels, which leads to domestic workers not being aware of their rights and precludes them to fight for these. Finally, the ignorance about the law by both employers and local and regional organizations was also mentioned.

In terms of recommendations, it was noted that the State should: i) promote effective strategies that enable both domestic workers and employers to understand their rights and duties; ii) establish effective sanctions in case of breach of the law; iii) propose creative labor inspection mechanisms with judicial support; and iv) extensively spread to domestic workers the legal mechanisms at their disposal in order to claim the fulfillment of their law and to report any violations of their rights. In addition, the need to focus efforts on the part of the State to ratify ILO's Convention 189 "Convention on Decent Work for Domestic Men and Women Workers" was also stressed. Of note, this international instrument establishes the mandatory nature of equality in the treatment between domestic workers and workers in general, especially in relation to working hours, overtime compensation, rest periods and holidays. In addition to other issues such as minimum wages, collective rights, food and lodging conditions.

It is also important to have the State's commitment to recognize the valuable contribution of domestic workers, eliminating any discriminatory acts. Similarly, the strengthening of their capabilities through training programs should be promoted. For these reasons, it is important that State institutions include in their agendas this occupational sector, with the participation of their technical teams.

Similarly, within the decentralized educational process, the Regional Labor Directorates should be included.

Further, the need for domestic workers to organize and join existing union structures in order to significantly strengthen this sector should be highly encouraged. In addition, it is also recommended to conduct qualitative and quantitative studies in order to determine the status of their work conditions so as to give visibility to the reality in which the sector is in, as well as the risks facing them.

Jaime Sánchez, an attorney specialized in Social Security, commented on the topic of compliance with the legislation that it all started with the lack of a State policy that regulated social protection; therefore, there were sector-specific standards which often can be contradictory and difficult to meet. For perspective, he stated that when the legislation and its regulations were discussed, the issue of minimum wage was considered, but it was stated that to enforce it would mean that many of the workers would be left out (as it would not be possible for all families to afford this costs). Thus, it is imperative for the State to promote inclusive policies that embrace all sectors that currently are subject of social exclusion.

Carmen Roca from WIEGO presented about "Experiences in Other Countries and Proposals for the Enforcement of the Law in Peru" commenting on the positive experiences in Uruguay, Spain, South Africa, Hong Kong, Thailand, Philippines, India and Kenya. In order to boost the awareness of the rights and duties of domestic workers and employers, the proposal is to implement a campaign led by the Ministry of Labor, in coordination with SUNAT (tax office), Essalud (Social Security System for Health), MEF (Ministry of Finance), and MIMDES (Ministry of Women Affairs) that includes a number of different TV spots aimed at these two targets. This effort should be combined with radio, newspapers, a specialized website, and social networks. In order to address the issue of lack of registration and payment of social security the proposal included the following points: i) start campaigns of registration in the different districts of Lima specifying final due dates up to which registration can take place, with penalties for non-compliance, while complementing this initiative with campaigns of incentives for prompt payment; ii) send monthly bills to the employer's household "piggy backing" on the electricity or water bills (with a specific due date - after which interest and charges would apply) to act as a reminder; and iii) implement payment via internet banking or at supermarkets and pharmacies (as is done with other type of bills like utilities, school fees, insurance payments, etc.). All of these would have to be complemented with

an inspections campaign after the due dates established by the districts. Separately, it should be allowed (through a judicial/court order) to conduct inspections at those households that refuse to speak to the inspectors; the latter should be combined with inspections outside the households (e.g. asking for their Essalud card when out shopping, with children, elderly or while walking household pets). Of note, sponsorship for this campaign could be asked from the companies that commercialize products related to the tasks performed by the domestic workers.

Once the presentations were finished, representatives from the State were invited to participate.

Office of the Ombudsman (OO): Dr. Liliana Salomé mentioned that her institution was greatly interested in supporting the domestic workers' sector and that they had recently presented a report to this effect. Further, Dr. Salomé noted that whilst the OO has no competence in penalizing, they do issue recommendations and urge institutions to fulfill their obligations. The OO will fully support this sector.

Ministry of Labor: Present at the event were representatives from the Ministry of Labor (Directorate of Employment Promotion), who expressed their full availability to provide support, commenting that the Ministry has programs where domestic workers could be included. They also mentioned some successful experiences at the regional level (sub-national regions) regarding topics such as labor conversion and others. They stated that the inclusion of domestic workers could be evaluated, albeit following the regular channels. Finally, regarding the topic of inspections, they commented that whilst these, at present, prove difficult, the subject has to be addressed in order to enforce compliance with the law.

EsSALUD: The representative mentioned that social insurance provides attention to affiliated domestic workers. However, she noted there were some cases where people approached the institution for attention stating that they were affiliated, without actually being so (i.e. the employer had not affiliated them). The representative stressed that in order to provide care for domestic workers, they must be declared by their employer.

ONP: The representative mentioned that the procedure for domestic workers to follow in order to access the national pension system is through their contributions. He also insisted on the importance of employers making their contributions.

SUNAT: The representative mentioned that as an organization, SUNAT, raises the awareness and registers domestic workers. He stressed that they were eager to support future initiatives.

Finally, Carmen Roca from WIEGO informed that this round table constituted a first invitation, and that there is interest in establishing a work group which can discuss State proposals to guarantee the enforcement of the law. She mentioned that invitations to the latter would be issued in early 2013.

What follows is a list of the participating organizations and their representatives:

No.	NAMES AND LAST NAMES	INSTITUTIONS
1	Liliana Salomé Resurrección	Office of the Ombudsman
2	Ana Arrunategui Morales	AFAMIPER Peru - Lima Region
3	Adelinda Díaz	SINTRAHOGARP Peru
4	Penina Gamboa	SINTRAHOGARP Peru
5	Maria Maima	Friedrich Ebert Foundation
6	Eliana Gamboa Baca	ISCOD
7	Ana Maria Salinas Medina	ESSALUD
8	Claudia Gamarra Herrera	ISCOD
9	Gabriela Delgado	ISCOD
10	Luz Uriel Zarate	CEDAL
11	Raul Tecco M	Friedrich Ebert Foundation
12	Federico Valencia	SINTRAHOGARP
13	Christian Zegarra Carrillo	Ministry of Labor and Employment Promotion
14	Jorge Grandez	ESSALUD
15	Madelina Quilca	SINTRAHOGARP
16	Teresa Huamán	SINTRAHOGARP
17	Paulina Barrios	SINTRAHOGARP

18	Rafael Blancas	CUT Peru
19	Alfonsina Muñoz	SINTRAHOGARP
20	Jorge Pancini Bustos	ONP
21	Ines Meza	SINTRAHOGARP
22	Katherine Adriazola	Ministry of Labor and Employment Promotion
23	Gerson Merma	Ministry of Labor and Employment Promotion
24	Jaime Sanchez	Independent Consultant
25	Casiana Carpio	SINTRAHOGARP
26	Juan Granda	SUNAT
27	Maria Luisa de la Torre	AFAMIPER -
28	Paulina Luza	SINTRAHOGARP
29	Adelinda Diaz	SINTRAHOGARP
30	Julia Rivera de Córdova	Center for the Training of Domestic Workers

3.1.2) ROUND TABLE - REGULATORY FRAMEWORK FOR WASTE PICKERS (11 December 2012)

With the participation of State institutions and organizations of waste pickers, the second round table was conducted. The round table took place at the Friedrich Ebert Foundation on December 11th, 2012. The event was attended by representatives from the Ministry of Labor, the National Environmental Fund, the Directorate General for Environmental Health, the Integral Health Insurance (SIS), a Member of Parliament, the Ministry of Environment, the Municipalities of Lima, and San Luis (district of Metropolitan Lima), as well as representatives from the National Federation of Waste Pickers of Peru (FENAREP). This round table served as the forum to analyze the main problems that hinder the enforcement of the Waste-pickers law and this sector's regulations, as well as possible alternatives and/or proposals to enable its application. The event started with the welcoming by Raúl Tecco from the Friedrich Ebert Foundation.

Carmen Roca from WIEGO followed and made a brief explanation of the ISCOD-WIEGO project in Peru, and at the global scale.

Juan Herrera, President of FENAREP, presented the topic "Situation of the Waste Pickers' sector with Regard to the Compliance of the Law; Strengths and Weaknesses", where he mentioned the main challenges of his sector and the difficulties that exist and prevent enforcement of their legislation.

Subsequently, the Municipality of San Luis district and the Municipality of Lima made presentations about the implementation of their programs of waste pickers' formalization. The following can be noted:

Program of the Municipality of San Luis: Arch. Adolfo León Chumpitaz represented the Municipality of San Luis and explained how they were implementing their program. He stated that many years ago there were no programs aimed at waste pickers – their carts were confiscated when found working and waste-pickers were subject to attacks and theft. A first effort to register them started 7 years ago. Arch. León mentioned that he recognized that waste pickers were an emerging sector with which projects could be developed at a local level; as such they defined the issues to be dealt with regarding this group. Of note, in order to implement the latter an Ordinance was needed, one that required participation of waste-pickers. A system of selective solid waste collection (initially with four waste-pickers organizations in the municipality) was instituted. The municipality has identified better places where waste pickers can collect and sort waste, they gave waste-pickers a storage and sorting area, and were able to fence it through a donation of Cartotek, which gave them 50 boards that they used to fence the Collection Centre. Waste-pickers still collect tetra-pak to exchange it for additional Cartotek boards. The Municipality finds good sources of recyclables for waste-pickers: factories, transportation firms, grocery stores, schools. Currently 95 waste-pickers are registered out of 200 who work in San Luis – registration for all is always open for when WPs are ready. They have been working with the Ministry of Labor to build a profile of waste-pickers, aiming at establishing accreditation for the profession. He considered that for these types of programs to succeed and be effective, much political will is needed.

Mr. León emphasized the savings that the municipality currently has, as it collects seven tonnes less of waste per day, which allows them to save 700 soles per day or 21,000 soles per month (close to 10,000 USD per month) (by not contracting services from waste collection businesses), and to take better care of the environment.

Talking about the role of Municipalities, he stated that the OEFA and the Office of the Ombudsman can have influence over Municipalities, even environment attorneys.

He ended suggesting that the community should be encouraged to participate. In San Luis, the neighbors have been trained to separate recyclable materials. The Ordinance issued by this Municipality reduces the Municipal fees that neighbors have to pay by 15%, if the neighbor gives its recyclables to the registered waste-pickers, who collect the materials and take signatures of neighbors when they do. Good practices are promoted. Waste-pickers wear uniforms and know how to manage dangerous goods.

Program of the Municipality of Lima: The presentation was given by Diego Sotomayor, of the Sub-Gerencia of Environment. When this administration took office, they found 460 waste-pickers registered, but they knew there were many more working in Lima. They started a registration effort: for two weeks, non-stop, they had two locations in downtown Lima where waste pickers could register and got 1,404 waste-pickers registered. Each waste picker was informed and received a package explaining the steps they had to follow after registration, which included affiliating to an existing association. In 2013, all registered waste-pickers will receive vaccines and training. Those who follow all the steps will receive an ID that credits them as part of this formalization process.

A new Ordinance to regulate Solid Waste Management is in draft form now, and circulating within the Municipality of Metropolitan Lima for approval. It was necessary to change the last Ordinance because its requisites for Collection and Selection Centres are impossible to be filled at present. A Collection Centre requires 500 square meters, and a Selection Centre, 1000 square meters, both with particularities about the zones that surround them – not residential nor commercial areas, etc. The Municipality performed a search for available spaces with those characteristics and could not find any, therefore the need for the new regulation. Access to Collection and Selection (treatment) Centres is key for waste-pickers to move up in the value chain. The priority for the Municipality of Metropolitan Lima is that the work of waste-pickers is performed under legal and safe conditions, with security, within a local especially established for their work.

Another issue raised is that of waste-pickers who do not work in the Historic Centre of Lima, nor in Lima Downtown, but do pass through those areas in their routes of work.

Those in transit are not regulated and can face problems with the Municipal security agents.

He concluded stating that from his experience this program could be replicated in other districts; however, much political will from the local authorities was needed. Of note, the municipality of Lima has no competence over district municipalities.

Upon completion of the two presentations, Patricia Balda of ISCOD briefly covered the scope of the norm (the Waste Pickers' Law and its Regulation). At the end of her presentation, the representatives from the State institutions were invited to contribute to the discussion.

Participations by State representatives:

The representative from the National Environment Fund explained that her institution could finance waste-pickers projects that are business projects of a minimum scale. They have been working with the Ministry of Environment, but have no projects so far with waste-pickers. The Fund works with all existing finance institutions: banks, cooperatives, municipal *cajas*, etc. They can build the financing structure for viable business projects, sharing the cost with the waste-pickers involved – this is not free money or donation, but a financing mechanism based on a viable business which can partner with a Ministry or Municipality or with an NGO.

The representative from The Ministry of Labor - Directorate of Labor Policies and Norms (Ms. Vanessa Almeida) stated that it was necessary to issue a norm (Supreme Decree) that would outline the benefits that waste pickers may access. The norm would clarify the legal status of waste-pickers, defining them either as independent or dependent workers (depending from a Municipality or enterprise, for example).

Representative from the Integral Health Insurance (Health Insurance for the Poor) - SIS (Ms. Martha Aliaga – she has been a participant at the EDP conducted in Lima, Peru, in 2012, staying at a waste-picker's home). Martha stated that insurance was now available to everyone through SIS. Free access to SIS is for households classified as living in extreme poverty, according to the Household Focalized System that used to belong to the Ministry of Finance and is now under the jurisdiction of the Ministry of Social Inclusion MIDIS. For those who do not qualify for the free SIS, they can access the *SIS Independiente*, with a cost of 15 soles per person, and 14 soles extra per

dependent family member. Another alternative is the *SIS Microenterprise*, for enterprises of 10 workers or more, at a cost of 15 soles for the worker and 15 soles provided by the State.

From the Directorate General for Environmental Health, Eng. Yngrid Alvarado, stated that the competence with regard to the formalization of waste pickers rested more with the local authorities than with the Central government. At present, the Ministry of Health (through DIGESA) registers the service providers and those who commercialize solid waste; but the authorizations, (and the like) correspond to the municipalities. The role of DIGESA is more oriented towards normative aspects, and to the proposal/presentation of technical guidelines.

Finally, from the opinions expressed through the different interventions it was identified that it is a priority to: i) recognize the work performed by waste pickers, ii) define their worker status, occupational profile, and the State institutions that will regulate their activities at Central Government, and iii) promote their professional certification to move up in the value chain.

The list of participants at the Waste Pickers' round table is provided below:

No.	NAMES AND LAST NAMES	INSTITUTIONS
1	Katherine Adriazola Jokada	Ministry of Labor and Employment Promotion
2	Gerson Merma Abad	Ministry of Labor and Employment Promotion
3	Juan José Serrano Remón	ISCOD
4	Zoila Vanesa Almeida Briceño	Ministry of Labor and Employment Promotion
5	Eliana Gamboa Vaca	ISCOD
6	José Chilloson	FENAREP
7	José Ventura Castillo	FENAREP
8	Hugo	ATARICA
9	Teófilo Condori Coilla Fernández	FENAREP
10	José Reyna Huapuya	FENAREP
11	Victor Rojas Puris	FENAREP

12	Carlos Quispe Pantoja	FENAREP
13	Antonio Olórtegui Huamancaja	Ministry of Labor and Employment Promotion
14	Carmen Roca	WIEGO
15	Pilar Tineo Floriano	FENAREP
16	Juan Herrera Martinez	FENAREP
17	Yngrid Alvarado Rojas	DIGESA, Ministry of Health
18	Arch. Adolfo León Chumpitaz	Municipality of San Luis
19	Carlos Barrera Carbajal	Ministry of Labor and Employment Promotion
20	Juan Quispe Pantoja	FENAREP
21	Diego Sotomayor	Municipality of Lima - Sub Gerencia of the Environment
22	Andres Cortez	ARCE
23	Marta Aliaga	Integral Health Insurance - SIS
24	Julia Justo Justo	FONAM – National Environment Fund
25	Oswaldo Campos	Parliament Advisor
26	Elsa Celia Anicama Ñañez	Member of Parliament
27	Basilio Gómez Arhuiz	FENAREP
28	Luis Eduardo Quispe Cuenca	Ministry of the Environment
29	Karla Bolaños	Ministry of the Environment
30	Raul Tecco M	Friedrich Ebert Foundation

ACTIVITY 6: PUBLICATION OF THE RESEARCH REPORT

The project concluded with the publication of the investigation which has been digitally developed and can be found on the following link:

OTHER ACTIVITIES IMPLEMENTED:

TRAINING COURSE FOR THE WORKERS OF THE FEDERATION OF STREET VENDORS OF LIMA AND CALLAO - FEDEVAL

SESSION 1 10 November	SESSION 2 17 November	SESSION 3 24 November	SESSION 4 15 December
Union Training – Collective Bargaining Policy Influence Workshop: Development of Proposals for the Formalization of the Sector (Part I)	Leadership and Teamwork Workshop: Development of Proposals for the Formalization of the Sector (Part II) Policy Influence	Key Legal Initiatives for the Self Employed Sector Law of Health and Safety at Work	Social Dialogue and Decent Work

Prior to the training program that included all four occupational sectors, a training course named "Strengthening of Capabilities for Self Employed Workers" was given to participants from FEDEVAL. The course was divided into four training sessions which included presentations, active participation, group dynamics and the like.

At this program, the following topics were covered:

The training course was attended by a relatively large group of workers. Please refer to the table below:

No.	SESSIONS	DATE	PLACE	M	W	T
1	Session 4	15 December	Lima	14	15	29
2	Session 3	24 November	Lima	17	18	35
3	Session 2	17 November	Lima	23	16	39
4	Session 1	10 November	Lima	18	14	32

It is important to highlight that during the workshop surveys regarding the workers' training needs were conducted in order to gather valuable feedback from the

participants so as to avoid a 'top-down' training style; favoring one where workers can be able to express their demands.

On a separate note, technical assistance was provided to the group of domestic workers by organizing a workshop on ILO Convention 189 named "Decent Work for Men and Women Domestic Workers - From Theory to Action". Of note, the event was conducted on 24 March and counted with the participation of 17 workers.

Finally, assistance was provided to the workers' organizations so that these could develop their action plans which were financed by a project from WIEGO (Market Porters Unions of Los Olivos, Unico, Fruits, and Corn, and domestic workers from SINTRAHOGARP).

III. REVIEWS OF THE INTERVENTION:

A) ACHIEVEMENTS:

The project had good response from the participating organizations as well as civil society, with satisfactory results in terms of the components of the project. It is also important to note that from the second stage, the project gathered momentum, i.e. implementing the entire training program, developing action plans, conducting two round tables (which were originally envisaged as one forum) and completing other documents outlined as part of the project.

The participating organizations (FETTRAMAP – Market Porters National Federation, FEDEVAL – Lima Federation of Street Vendors, Lima Womens' Network – Street Vendors, FENAREP – National Federation of Waste-pickers and SINTRAHOGARP) actively contributed during the entire project, evidencing that there is still unmet demand on the part of workers who consider these training programs necessary in their quest to strengthen their union organizations.

Therefore, it is critical to promote the training, the dissemination and the awareness both, internally (within the unions), and externally (amongst State organizations that are

directly or indirectly involved with the compliance of these regulations or that have political responsibility in the development of regulations). Change of staff at Government is frequent (central, regional or local) as well as of technical teams, therefore, it is imperative to periodically convene the new representatives of relevant State organizations and make them strategic partners so they become acquainted with the problems of the different sectors. It is also of value to convene the 'career' personnel of the relevant ministries as they have some seniority and experience within their institutions and their position in these organizations transcends political party affiliation.

Regarding street vendors, the FEDEVAL and the Lima Women's Network had constant participation in the training program. In addition, there were efforts by these organizations to work together to amend the municipality ordinance which regulates street vending; through this group proposals were made to the document being prepared by the Municipality of Lima.

Moreover, at the request of CUT-Peru, ISCOD continued to participate in the round tables to prepare a Draft Bill regarding Self Employed Workers. CUT-Peru is a union with ample experience working with self employed workers; thus ISCOD provided technical assistance in reviewing the proposed Draft Bill of Self Employed Workers developed by the Ministry of Labor and developed a counter proposal for the unions. As a result of this, CUT-Peru eventually developed three Draft Bills, i.e. the first one was related to the definition and recognition of the legal status of self employed, independent, and autonomous workers; the second one was related to their access to social security and health and safety at work; and the third one was related to the promotion of self employed workers. If this proposal comes to fruition, the sector of Self Employed Workers could access rights that currently are elusive to them and become part of integrated social protection systems.

With regards to domestic workers, this was one of the occupational groups that showed the most interest in learning about their regulations and unionism for which they requested the possibility that the scope of the project be expanded beyond the grassroots associations in Lima onto sub-national Regions; however, this request could not be accommodated due to budgetary constraints. Their motivation should be highlighted as they sacrificed their weekly day of rest to participate in the training

programs. Likewise, one can observe their motivation to promote improvement processes in their sector; for instance, the affiliates of SINTRAHOGARP are at present immersed in the campaign for ratification of ILO Convention 189 which regulates the working conditions in their sector. As a result of this, they have been implementing dissemination activities, e.g. one public hearing and several training programs with their grassroots members with ISCOD's support. This occupational sector also has a proposal to amend their current legislation, as they consider that the existing regulations are difficult to implement and that the rights given to them still, in a way, are discriminatory when compared with workers in the private sector. Noteworthy, this organization has leaders that can achieve a multiplier effect as they manage concepts related to their legislation very well.

Regarding waste pickers, although this is a new area of work for ISCOD, the FENAREP has summoned their district leaders to replicate the training program and its activities, thereby generating an important multiplier effect of the contents shared in the original program. For perspective, district leaders represent between 60 - 100 workers per district. Similarly, given that waste pickers are a new sector, they have an interest in participating in training courses on general concepts (e.g. organization, trade unions, social security, health and safety, collective bargaining, social dialogue, etc.) and in receiving technical assistance to enforce the compliance of their existing legislation. This sector has strategic partners both in State organizations as well as in civil society, which could provide them with support in their demands.

Finally, regarding market-porters, this occupational sector actively participated during the training program up until the Municipality of Lima decided to relocate the Wholesale Market to Santa Anita, which negatively impacted the last months of execution of the project as market porters are focused on reaching consensus with the authorities of the Municipality of Lima regarding the recognition of the signed agreements and their right to work in the new wholesale market.

B) PROBLEM AREAS:

As previously mentioned, the move to the new wholesale market of Santa Anita negatively impacted the execution of the project amongst market porters. Likewise, the

recent change of the board of FETTRAMAP may have also negatively affected the flow of communication and coordination with this organization (understood, to an extent, given the present circumstances faced by the Lima unions). Importantly, the aforementioned move not only affected the participation of market porters, but also that of street vendors (affiliates of FEDEVAL).

The internal problems at FENAREP between members of its board (President, Vicepresident and Secretary) generated at times contradicting views when coordinating with the project team; nonetheless, it is worth noting that when they had to participate in public events, representing their organization, these problems were not evident.

The differences between the two organizations that represented street vendors (FEDEVAL and Lima Womens' Network) were evident during the implementation of the training program, which finally resulted in the preparation of two separate action plans. In the end, the Lima Womens' Network abstained from participating in the development of action plans stating that other, previously arranged, engagements prevented them to participate at the working groups.

The same could be said in the case of domestic workers; where we had an interest to invite both the unions of the CGTP and CUT-Peru to the training program, but there was no response from the CGTP union.

Finally, during the development of action plans (activities that were supported with some other intervention funds from ISCOD and WIEGO) the requests for support on the part of some organizations focused more on infrastructure issues (improving and conditioning of locales, provision of computers, etc.); which albeit important, appears to show a "reflex reaction". That is, when analyzing the main difficulties of the organization, they always give priority to material aspects rather than institutional ones (like strengthening the organization, improved leadership, more members, registration of members, etc.). This probably traces to the fact that training processes have been scant, i.e. even though training programs have reached a certain group of workers, it is essential that these programs can also reach the grassroot members, either through projects of partner organizations or via the multiplier effect from the groups already trained. Lastly, the organizations would do well in providing logistical support by taking on minimal operating costs (e.g. rental of the venue, lunches, training materials, etc).

C) RECOMMENDATIONS:

During the development of the training program, one of the key issues observed has been the difficulty shown by some workers in understanding technical documents. To this end, it is recommended to develop "user friendly" documents for the workers (all materials should be didactic and validated by both specialists and workers); otherwise the investment in training materials can be wasted.

For compliance with the regulations of the different sectors, the relevant State institutions must be involved, through their high-ranking authorities, as well as (appointed) members from their technical teams.

The existing legislation for market porters, domestic workers and waste pickers has been written in a manner in which compliance with the norm depends more on the "will" of the employer than on enforcement by the State. For instance, in the case of waste pickers a few "best practice" examples in some municipalities such as San Luis, Jesús María, and Lima Center, have been observed. In fact, they have implemented formalization processes for waste pickers effectively, which has, in turn, generated significant savings for these local governments. However, given that these programs are the direct responsibility of each municipality, the potential for fast replication on a larger scale is diminished. A similar pattern can be observed amongst domestic workers, where only some of the employers have complied with the registration requirements. For perspective, as of latest information of 2012, EsSALUD (the Social Security System for Health) reports a population of insured domestic workers of 90,764 (61,334 holders and 29,430 beneficiaries), whilst ¹ SUNAT reported in April 2011 81,933 registered domestic workers; which, in contrast to the 453,272 domestic workers reported in the Census of INEI, signals the existence of a gap in registrations of 371,339 workers. This evident gap in the number of registered domestic workers can

¹ (3) Datos estadísticos de ESSALUD al 2012 (4) Presentación de la SUNAT para el Seminario Nacional Trabajo decente, economía del cuidado y derecho a la seguridad social de las trabajadoras. Octubre 2011, considerando la información del registro de empleadores de trabajadores del hogar al 15 de abril del 2001 y la Encuesta de ENAHO del 2008. Información reportada por el MTPE.

be traced to the fact that even though the enforcement of the law lies with the Ministry of Labor, in practice, compliance with the norm lies within the privacy of the home, making labor inspections very difficult. As such, actions should be focused on awareness and dissemination campaigns aimed at both, employers and State institutions (at central, regional or local level) in order to convey the content of the norm. Of note, to date spaces for dialogue have been established, but mostly by NGOs and other cooperation organizations; it is posited that, as long as the State is not involved at these fora, this will continue to hinder compliance with the legislation as the interests of the workers will not be represented in the public agendas.

Moreover, it should be encouraged that workers' organizations develop action plans with State institutions and civil society. Action plans were developed as part of this project. In them, organizations recognized the importance of organizational strengthening, i.e. organizations identified internal training as having higher priority than other efforts.

Finally, the processes started by this project should be strengthened. To this end, both round tables, the one for domestic workers and the one for waste pickers, had very positive attendance from Government institutions which showed willingness to remain committed in taking part in these efforts. Thus, it is imperative to continue with these round tables in order to include their demands in the public agendas and policies of the relevant authorities. This strategy has been successfully applied by ISCOD in previous work with Market Porters, where important relations were forged with the Health Ministry (the General Directorate of Environmental Health - DIGESA, the Directorate of Occupational Health - DESO and the National Center for Occupational Health and Environmental Health Protection - CENSOPAS) as well as with the Ministry of Labor (through its Directorate of Health and Safety at Work). The technical teams of these institutions actively participated in training courses not only in Lima, but also in the regions, collaborating in the development of risk-maps, studies and reports. The above mentioned collaboration was the result of having them commit institutionally, with them assigning human resources and materials to the efforts. This kind of commitment allows having sustainable actions, which allow workers to develop lasting bonds with key strategic partners.