



*All informal workers are likely to experience violence due to their status in employment and lack of protection. Women informal workers are more vulnerable to gender-based violence due to the intersection of their gender and insecure working conditions. Photo: Jonathan Torgovnik/Getty Images Reportage*

## 1. Introduction

In light of the ILO standard setting item on the International Labour Conferences (ILCs) 2018 and 2019: “Violence and harassment against women and men in the world of work,” this briefing note highlights the causes and impact of violence that informal workers experience in trying to secure their livelihoods. The briefing note focuses on the specific forms of violence informal workers face across four sectors: home-based work, domestic work, street vending, and waste picking. It identifies the different perpetrators of violence against informal workers including the state, employers and owners of capital, service users, criminal actors, other workers, and household members. The experiences described here, gathered from WIEGO members and partners across these sectors, demonstrate the urgent need to address both gender-based violence targeted predominantly at women informal workers and the lack of recognition, protection and access to justice that both women and men informal workers face, which results in frequent and persistent incidents of violence in the workplace.

## Women, Informal Work & Informal Workplaces

- Sixty-one per cent of total global employment is informal; nearly 70 per cent of employment in developing and emerging countries is informal (Bonnet 2017 cited in Vanek 2017).
- Informal employment represents more than half of non-agricultural employment in all developing regions except the Middle East and North Africa (MENA) where it represents 45 per cent of non-agricultural employment (ILO-WIEGO 2012).
- In Latin America, Africa, and Asia plus urban China, informal employment is a greater source of non-agricultural employment for women than for men: the exceptions are the MENA region (where the percentage for women is lower than for men) and the East Asia region (where the percentages are equal) (ILO-WIEGO 2012).
- Women (and girls) are concentrated at the base of the economic pyramid (see figure 1) in more vulnerable activities/tasks as self-employed workers within the informal economy, such as own account workers, outsourced or dependent contractors, and contributing family workers (Chen 2012).

## Violence in the Workplace and Informal Workers

- The informal economy is heterogeneous, made up of different sectors, with different statuses in employment and different workplaces (*i.e.* streets, construction sites, markets, landfills, private homes, etc.). Where all informal workers are likely to experience violence due to their status in employment and lack of protection, women informal workers are more vulnerable to gender-based violence due to the intersection of their gender and insecure working conditions (ILO 2017). Sector, place of work, and gender all have an impact on the types of violence experienced by different groups of informal workers. Violence can take different forms including physical, verbal, sexual and psychological abuse. It can also include economic deprivation through low and irregular earnings or prohibited access to valuable productive resources and public spaces.
- The violence that informal workers experience can be rooted in material conflicts, manifesting especially when there is competition for scarce resources such as productive urban space or valuable recyclable material. Other workplaces, such as private homes, leave women susceptible to violence due to isolation and a lack of access to complaint and legal recourse mechanisms.
- Women are concentrated at the base of the economic pyramid as self-employed informal workers due to gender discrimination and segmentation in the labour market (Chen 2012). Violence is a way to discipline and control women's labour, both inside and outside of the home (Bhattacharya 2013). The causes for this can be rooted in strong views regarding women and men's gendered roles within the family, workplace and society. Therefore, discussions on violence in the world of work cannot be divorced from domestic violence or from violence in public spaces; all intend to suppress and control women's mobility, sexuality and access to resources.

- Poverty and deprivation do not necessarily lead to gender-based violence but can be contributing factors to the violence women informal workers experience. Low earnings, dangerous or poor working conditions and inadequate living conditions leave informal workers at a higher risk of violence in the world of work – both in private homes and in public spaces.

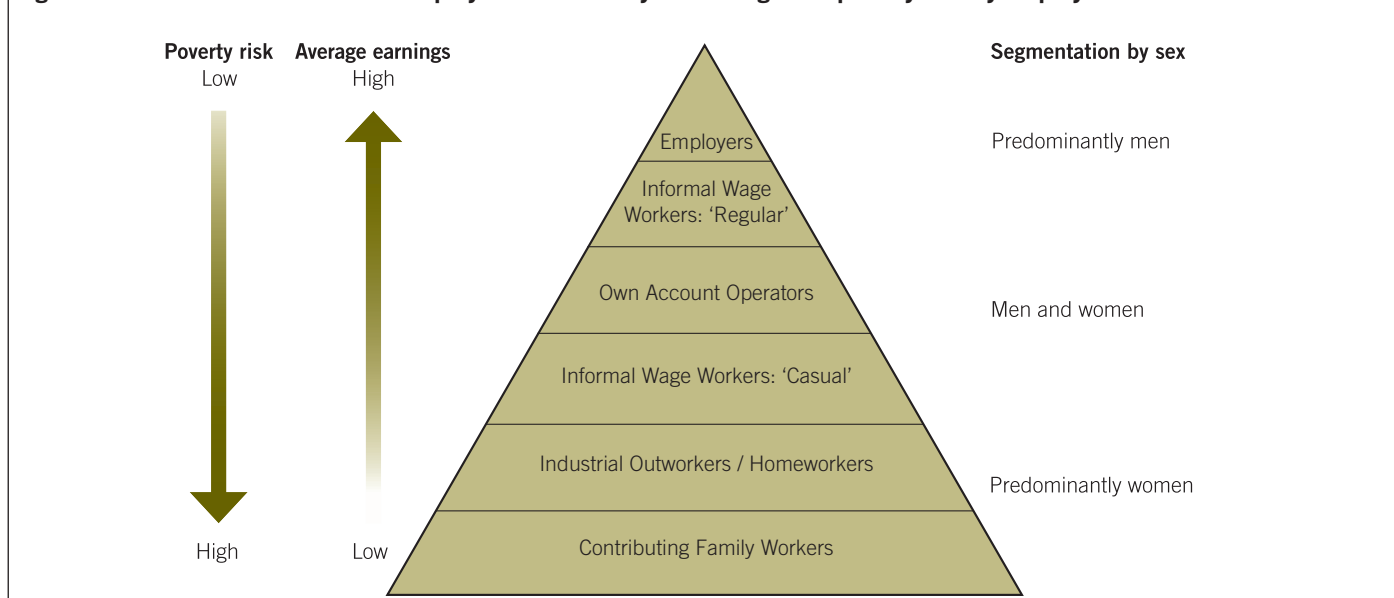
## 2. Addressing Violence Against Women and Men Informal Workers

Informal workers' organizations are calling for *a convention supplemented by a recommendation* concerning violence and harassment in the world of work. A convention is justified given the scope and scale of violence affecting all workers, formal and informal. This is particularly important because the informal economy remains the main source of employment in the Global South. Power imbalances resulting in gender-based violence in the workplace are that much more pronounced for women informal workers due to their gender, status in employment, and place and sector of work. An ILO standard on violence in the world of work must address the specific aspects of violence at the workplace, based on experiences and demands of informal workers' organizations.

The aspects that must be addressed in an ILO standard include the following:

**Violence occurs in informal workplaces:** The conclusions from the **ILO Tripartite Meeting of Experts on Violence** adopt a broad understanding of the world of work, which includes the formal and informal economy (ILO 2016: para 4). Specific mention of non-traditional workplaces are highlighted, such as public spaces where street vendors operate, and private homes, where homeworkers, domestic workers and teleworkers engage in economic activities (ILO 2016: para 5). This draws on the ILO Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) which recognizes the need for regulated access

Figure 1: WIEGO model of informal employment: hierarchy of earnings and poverty risk by employment status and sex





*Workplaces, such as private homes, leave women susceptible to violence due to isolation and a lack of access to complaint and legal recourse mechanisms. Photo: Juan Arredondo/Getty Images Reportage*

to public spaces and the use of public natural resources. Private homes in which home-based workers and domestic workers operate are considered high-risk workplaces due to the isolation of these workers (ILO 2016: para 14).

In drawing attention to these specific informal workplaces, an ILO standard must also consider those who regulate these workplaces if it is not a specific employer. Here, the role of urban authorities is critical as they control, manage and oversee informal workplaces such as public markets and streets, landfills, and poor urban areas or informal settlements where informal workers reside and work. These authorities have control over the physical infrastructure, which can often either promote or mitigate against violence. As the world rapidly urbanizes, the growing prevalence of informal work means it is no longer sufficient to rely on state institutions directly related to labour to address issues. Rather, a pluralistic and coordinated response is required from across government services and functions.

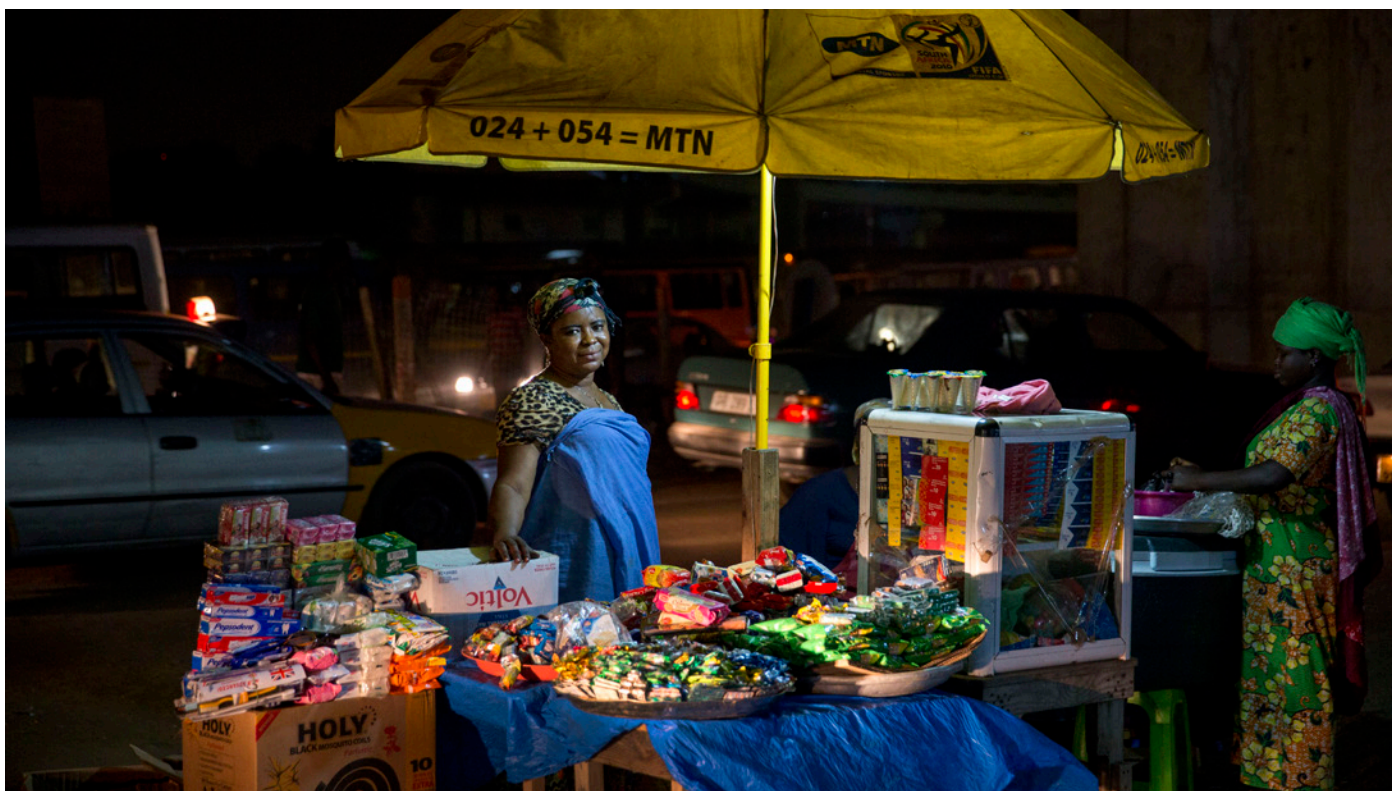
**Perpetrators of violence in the workplace are diverse:** For informal workers, work-related violence can come from a number of sources, most prominently: the state (for example municipal police, traffic officials, border officials), fellow workers, household members, the public and/or users of the service provided by the informal worker, criminal actors, and powerful vested interests who have control over the working conditions of informal workers and their workplaces (see Table 1). For domestic workers, perpetrators can include family members and friends/relatives of the employer, owners and employees of employment/placement agencies and brokers (IDWF 2017). As many informal workers are self-employed, and given the prevalence of urban violence, the state and criminal elements can be important perpetrators of violence against women and men informal workers. The ILO Meeting of Experts notes that informal

workers can be exposed to harassment by local authorities in public spaces (ILO 2016: para 14).

There is widespread criminalization of the urban working poor, and this leads to a perception of violence as the outcome of deprivation – that people become violent because they are poor. This in turn escalates the violence meted out on the urban poor. An alternative perspective is needed that sees violence as a source of deprivation – violence disrupts economic activities and deprives the urban working poor of their livelihoods.

**Informal workers are excluded from legislation on violence and harassment:** In the majority of the 80 countries reviewed by the ILO report on violence in the world of work, most apply work-related violence and harassment provisions only to persons in an employment relationship (ILO 2018a). Labour, occupational safety and health (OSH), non-discrimination and other laws that address violence in the world of work do not apply to informal workers – particularly the self-employed. Urban policies and legislation either ignore or prohibit informal workers from exercising their economic activities, resulting in violence and confrontations with local authorities. Certain categories of workers, such as domestic workers, can also be explicitly excluded from labour law and cannot benefit from the same protections as other workers. The ILO notes that 20 countries, of the 80 studied, exclude domestic workers from labour laws, while eight countries exclude contributing family workers. As women are disproportionately represented in these forms of employment, this kind of legal exclusion entrenches gender discrimination and allows gender-based violence to go unaddressed.

**Legal recourse outside of the standard employment relationship is necessary:** Informal workers report widespread exposure to violence and harassment and cannot access



Work-related violence can come from a number of sources, most prominently: the state, fellow workers, household members, the public and/or users of the service provided by the informal worker, criminal actors, and powerful vested interests. Photo: Jonathan Torgovnik/Getty Images Reportage

dispute mechanisms or benefit from labour inspections. Strengthening regulatory frameworks to prevent gender-based violence in the world of work must include measures to strengthen women's access to justice in cases of physical, sexual and psychological violence experienced at the hands of state officials, criminal actors, employers, household members, fellow workers, and consumers.

The Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), calls for the adoption of an integrated policy framework to facilitate the transition to the formal economy that addresses, among others, the promotion of equality and the elimination of all forms of discrimination and violence, including gender-based violence, at the workplace (para 11). In addition, most governments, employers and worker organizations agree that an ILO standard on violence should recognize *“that Members should provide resources and assistance for informal economy workers and their associations to prevent and address violence and harassment, including gender-based violence, in the informal economy”* (ILO 2018b). Integrated strategies to address violence can aim at improving national legal frameworks, strengthening OSH and labour inspection, extending social protection, and organizing informal workers (ILO 2018a). A more pluralistic approach is needed. First, this requires bringing together different parts of government beyond the labour inspectorates, including urban authorities, law enforcement, and legal and social security services to prevent and address the violence informal workers face. This includes regulating owners of capital that may be a source of violence for informal workers. Second, it requires broadening out beyond labour law. Administrative law, for instance, can be more relevant to protecting informal workers' access to public space for street trading and waste picking (see section 3).

**Informal workers' organizations must be included in consultations on national legislation against violence in the workplace:** The Tripartite Meeting of Experts on Violence agreed in its conclusion that

*“...governments should adopt or reinforce a policy or policies, in consultation with social partners and with other relevant and representative organizations of persons concerned... Due attention should be paid to workers in the informal economy, in line with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)”*

(ILO 2016: para 19).

The following table outlines a typology of violence faced by informal workers. It is derived from WIEGO's experiences in working with urban informal workers across four sectors – home-based work, domestic work, street vending and waste picking. It is not a comprehensive account but rather, is intended to give an overview of how sector, place of work and gender interact with sources of violence to determine the types of violence experienced by informal workers. It also enumerates the potential perpetrators of violence based on the experiences of informal workers.

### 3. Strategies to Address Violence Against Informal Workers in the Workplace

Women informal workers are among the most marginalized as their work is not recognized and their experiences of violence are ignored. There are few work-related complaint mechanisms for workers in the informal economy. They often lack access to state-provided complaint and

**Table 1: Types of violence experienced by informal workers, by sector, place of work and source of violence**

	<b>Home-based work (own homes)</b>	<b>Domestic work (private home of employer)</b>	<b>Street vending (public space)</b>	<b>Waste picking (public space, landfill sites)</b>
<b>State</b>	<ul style="list-style-type: none"> <li>• Harassment</li> <li>• Evictions</li> </ul>	<ul style="list-style-type: none"> <li>• Immigration status investigations</li> <li>• Exclusion from legal provisions due to immigration status</li> </ul>	<ul style="list-style-type: none"> <li>• Harassment, verbal and physical abuse/ beatings</li> <li>• Evictions</li> <li>• Violent arrest</li> <li>• Immigration status investigations</li> <li>• Exclusion from legal provisions due to immigration status</li> </ul>	<ul style="list-style-type: none"> <li>• Harassment, verbal and physical abuse/ beatings</li> <li>• Violent arrest</li> <li>• Evictions</li> <li>• Immigration status investigations</li> </ul>
<b>Public/ users of service provided</b>		<ul style="list-style-type: none"> <li>• <i>(For employers, see below)</i></li> </ul>	<ul style="list-style-type: none"> <li>• Harassment and verbal abuse</li> <li>• Arguments over prices</li> </ul>	<ul style="list-style-type: none"> <li>• Harassment and verbal abuse</li> <li>• Arguments over prices</li> </ul>
<b>Fellow workers</b>			<ul style="list-style-type: none"> <li>• Transactional sex for access to trading space, licenses, permits and goods</li> <li>• Rape</li> <li>• Disputes over vending spaces</li> </ul>	<ul style="list-style-type: none"> <li>• Transactional sex for access to waste and recycling processes</li> <li>• Rape</li> <li>• Violent enforcement of gendered division of labour</li> <li>• Competition over access to waste</li> </ul>
<b>Household members</b>	<ul style="list-style-type: none"> <li>• Domestic violence/ intimate partner violence</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic violence/ intimate partner violence</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic violence/ intimate partner violence</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic violence/ intimate partner violence</li> </ul>
<b>Criminal elements and/ or criminal practices</b>	<ul style="list-style-type: none"> <li>• Theft</li> <li>• Evictions</li> <li>• Violent assault</li> </ul>	<ul style="list-style-type: none"> <li>• Trafficking</li> <li>• Bonded labour</li> <li>• Criminal practices of migration agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Theft</li> <li>• Evictions</li> <li>• Violent assault</li> <li>• Rape</li> <li>• Murder</li> </ul>	<ul style="list-style-type: none"> <li>• Theft</li> <li>• Violent assault</li> <li>• Rape</li> <li>• Murder</li> </ul>
<b>Powerful vested interests, incl. employers/ owners of capital, contractors, intermediaries, moneylenders and landlords</b>	<ul style="list-style-type: none"> <li>• Harassment and verbal abuse</li> <li>• Threats and physical abuse</li> </ul>	<ul style="list-style-type: none"> <li>• Rape</li> <li>• Murder</li> <li>• Violent assault</li> <li>• Deprivation of mobility and basic needs</li> <li>• Verbal and emotional abuse</li> <li>• Slavery</li> </ul>	<ul style="list-style-type: none"> <li>• Evictions from valuable urban space</li> <li>• Theft</li> </ul>	<ul style="list-style-type: none"> <li>• Transactional sex for protection and access to waste and recycling processes</li> <li>• Evictions from sites and/or streets where most valuable waste can be collected (esp. private waste management companies)</li> </ul>

recourse mechanisms and lack the financial means to seek legal recourse; they cannot afford to pay legal fees or spend time away from work in legal proceedings. As highlighted above, the perpetrators of violence can include representatives of the state, employers and owners of capital, other workers, and criminal actors; these perpetrators are difficult to confront given the unequal power balance. Further, when women informal workers seek justice, their employment status, gender, class, race, ethnicity, sexual identity, and nationality can contribute to the discrimination they face before the law.

Strengthening and revising legal and regulatory frameworks to protect informal workers from violence must be a key concern of the ILO labour standard on violence and harassment against women and men in the world of work. Prevention and protection against violence must consider informal workers' places of work, namely public spaces (i.e. streets, landfills) and private homes, alongside the most frequent perpetrators of violence within these spaces. It must consider that providing protection against violence at work for those who work in informal workplaces has to move beyond formal labour regulation.



*Home-based workers are vulnerable to contractors who may refuse to pay a decent rate, delay or withhold payments and subject women workers to psychological violence. Photo: Paula Bronstein/Getty Images Reportage*

It requires a more integrated approach that draws on the resources of not only labour inspectorates, but numerous government entities at all levels, incorporating in particular the municipal authorities who control many informal places of work and owners of capital that influence how public space is used. It must also look beyond labour law to incorporate other areas of law that can more easily provide legal protections to informal workers (for example administrative law and municipal by-laws).

Organizing informal workers through unions, associations and cooperatives is an important tool that is used to protect against work-related violence and to promote more effective legal and regulatory frameworks. Below is a summary of the issues and some successful interventions in each of the four occupational sectors mentioned in this paper. The information was gathered from WIEGO members and partners across these sectors.

## Home-Based Workers

Home-based workers are often women who have taken up paid work that they can do in their homes in order to balance care responsibilities with their need to earn an income. They are isolated from other workers and from the public spaces in which waste pickers and street vendors experience violence. However, their position in the home also makes them vulnerable. They may experience violence from male family members. Often this is exacerbated by low earnings. “Fighting and violence erupts at home when we do not earn,” said one home-based worker from Lahore, Pakistan (WIEGO 2014). Many homeworkers are sub-contracted and represent the very bottom of value chains. The little money they earn for their piece rate work is also a type of violence – one that is enforced by the contractors who refuse to pay a decent

rate, delay or withhold payments and subject women workers to psychological violence.

Appropriate legislation to address domestic violence must be promoted through the international standard. It is a form of gender-based violence that affects women more than men in their private homes, which can also be their places of work. Legislation leading to greater transparency and regulation in global and local supply chains is also an important way to address the violence and harassment homeworkers face at the hands of contractors. Access to legal recourse becomes possible when a clearer working relationship can be established between homeworkers and suppliers, even if still operating in the informal economy.

## Domestic Workers

Domestic workers are, like home-based workers, working in isolation in private homes. However, the difference is that they are working in their employers’ homes and thus have a direct personal dependency relationship as workers. They face multiple forms of violence including physical abuse, intimidation, threats, bullying, sexual assault, harassment, being provided poor-quality food and a lack of privacy (IDWF 2018). Severe instances of violence against domestic workers can include bonded labour, rape and sometimes even murder. Migrant domestic workers can experience violence in each stage of the migration cycle, which must also be considered as violence within the world of work.

In response, the International Domestic Workers Federation (IDWF) is calling for national legislation against violence at work that includes domestic workers, official legal complaint mechanisms for domestic workers, private home inspections, and official efforts aimed at raising

awareness about relevant legislation among domestic workers. Domestic workers' organizations provide a range of services to their members in response to gender-based violence including legal advice, referrals to legal centres and government services where these exist, training and awareness raising campaigns, and immediate support through shelters, job placements and financial assistance (IDWF 2018).

## Street Vendors

Street vendors are often subjected to harassment from municipal officials, and frequently evicted from their places of work in markets and roadsides. Sometimes this is because cities are attempting to modernize their public spaces, and other times it is because powerful private interests are seeking to secure valuable public space for their own commercial ends. Street vendor organizations are calling for the legalization of street trade and the implementation of transparent licensing systems for vendors to protect them from harassment from police and the municipality. However, even where street trade is legal, and traders have licenses to sell such as in Lima, Peru, insecurity remains. "When we have permits that protect us, they [the municipal officials] don't threaten us much, but they don't protect us...and there is a lot of crime around...a lot of street gangs," complained a woman trader in Lima (WIEGO 2014).

In Durban, South Africa, street trader John Makwicana won a landmark case against the confiscation of his goods by police officers, setting a legal precedent that recognizes the validity of informal work (WIEGO 2015). Makwicana received support from the Legal Resources Centre to seek legal recourse. Such provisions should be considered in an international standard to specifically address the lack of access and affordability of legal services for informal workers.

Women vendors also report that poor urban infrastructure exacerbates their insecurity. For example, lack of adequate lighting, unsafe toilet facilities, and unsafe public transport stations all contribute to gender-based violence in public spaces, particularly when women are working very early in the morning or late at night. If the ILO standard recognizes public spaces as workplaces, then recommendations must emphasize governments' responsibility to protect informal workers operating in public spaces, rather than criminalizing their activities.

Another significant source of violence and harassment for women is through cross-border trade (Yusuff 2014). A standard on violence must include provisions for gender sensitive border control procedures and training to tackle the multiple forms of violence women cross-border traders face such as sexual harassment, rape, detention, confiscation of goods, and financial extortion (UN Women 2010).

## Waste Pickers

Waste pickers work in different urban spaces – on landfill sites, on the streets and in some cases in municipally-sanctioned sorting sheds. The type of violence experienced differs according to the place of work – the most vulnerable

waste pickers tend to be those who are unorganized and work on landfills and streets. Waste pickers working on streets often complain of harassment from the public and/or users of their services, as well as from the police – apart from verbal abuse, dogs are set on them and objects are thrown at them. Those working on landfill sites work in highly insecure conditions, where criminal elements are often present and the use of violence to protect territory is common. Sexual and physical abuse against women waste pickers at the hands of private security forces, law enforcement, and other workers is prevalent. Many waste pickers also live in fear that the state (usually the municipality) will take away their livelihood by banning them from the landfill sites where they access the recyclable materials they recover and sell.

In the Dominican Republic, 421 waste pickers were forcibly evicted from an open dump to protect the interests of a private company (Espinosa and Parra 2017). They were prohibited from entering the waste dump, Rafey, by the company's private security service and received no protection from the municipality. In response, waste pickers from the *Asociación de Recicladores de Rafey* marched 160 kilometres to present their case to national government and regain access to the waste dump. They pushed their case in the media; allies from national and regional waste picking associations and in the National Human Rights Commission have challenged the government for a response.

Violence has been the catalyst for the formation of some of the strongest informal worker organizations. For example, the formation of the *Asociación de Recicladores de Bogotá* (ARB), an organization of waste pickers located in Bogota, Colombia, was a response to the murder of waste pickers in the city streets during the 1980s. WIEGO and its network have noted a decided trend that those informal workers who are organized are less susceptible to violence than less organized workers.

Again, it is important to reiterate that domestic violence has an impact on the workplace and must be addressed through the international standard. In Brazil, women waste pickers who are part of the national waste pickers movement, MNCR, were able to share their experiences of domestic violence and how this impacts on their lives at home and in the workplace through a participatory action research programme on [Gender and Waste](#) (Dias and Ogando 2015).

## 4. What Is Needed for All Informal Workers

Strategies by informal workers' organizations to address violence can be strengthened with an ILO instrument – a convention, supplemented by a recommendation – which recognizes and addresses the specific forms of violence and harassment at the workplace. Informal workers are the majority of workers across the Global South. Therefore, the instruments must include provisions to protect all workers, formal and informal, most of whom are not in a standard employment relationship.

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**About WIEGO:** Women in Informal Employment: Globalizing and Organizing is a global research-policy-action network that seeks to improve the status of the working poor, especially women, in the informal economy. WIEGO builds alliances with, and draws its membership from, three constituencies: membership-based organizations of informal workers, researchers and statisticians working on the informal economy, and professionals from development agencies interested in the informal economy. WIEGO pursues its objectives by helping to build and strengthen networks of informal worker organizations; undertaking policy analysis, statistical research and data analysis on the informal economy; providing policy advice and convening policy dialogues on the informal economy; and documenting and disseminating good practice in support of the informal workforce. For more information visit: [www.wiego.org](http://www.wiego.org).