

Commemorating Twenty years of the ILO Home Work Convention 177 (1996-2016)



Ela Bhatt, founder of the Self-Employed Women's Association (SEWA), led the struggle for C177 at the ILO. Photo: L. Tuttle

The ILO Convention 177 on Homework (C177) was adopted at the International Labour Conference (ILC) on 20 June 1996. Organized homeworkers were campaigning to be recognized as workers with rights equal to those of other wage earners. It was the first time in the ILO's history that a group composed mainly of women workers in the informal economy was covered by an ILO Convention.

Today, homeworkers are campaigning again, this time for ratification of C177, supportive policies and laws, the right to collective bargaining, and inclusion in decision-making processes which affect their work and lives.

Despite many obstacles, homeworkers have organized and achieved better working conditions. Unfortunately, as of today, only 10 countries have ratified the Convention. In many countries, even where homework is wide-spread, the Convention remains un-ratified.

Similarities between 1996 and 2016

The IUF leaflet below was produced in 1996 before the second year of negotiations on the Convention began. It explains the situation of homework and homeworkers and gives strong arguments for why a Convention is needed. This same text could have been written today as the reality it paints of the millions of homeworkers is still an accurate picture of this invisible work force, who work from their private homes or spaces close by and whose contributions are still indispensable for the global economy.

"Our movement has started from zero almost. So it is a time to celebrate our journey together and taking up the cause to improve the lives of home-based workers."

- Ela Bhatt at the "Celebrating Home-based Workers: 20 years and Time for Action" meeting in Ahmedabad, India, 20 March 2016

Homeworkers still face the same arguments from opponents that are listed in the IUF leaflet. One of them is that an "over-regulation" of homework would only serve to drive it underground. The problem is the same as 1996: "homework is underground already precisely because of the lack of enforceable regulations".

No changes?

What has changed is that an international standard exists and homeworkers in some countries have achieved protective laws, inclusion in social protection schemes, and decision-making processes. This was only possible because home-based workers are organized now. They organize in unions, associations, cooperatives, and into country and regional networks. Many see the first global meeting of home-based workers, which took place in February 2015 in Delhi, India, as the beginning of a global movement. The Delhi meeting was concluded by the adoption of the "Delhi Declaration" and Action Plan¹.

The future? - Act Now!

As in 1996 we urge governments to Act Now!

Twenty years is long enough to wait for equal rights and equal treatment!

Homeworkers are not asking for much. They are asking for what other workers have already. In particular, they want:

- Ratification of the ILO Convention 177 on Homework
- Which should be translated into a national policy on home work, which (Per Article 4 of C177):
 - "...shall promote, as far as possible, equality of treatment between homeworkers and other wage earners, taking into account the special characteristics of home work and, where appropriate, conditions applicable to the same or a similar type of work carried out in an enterprise.
 - Equality of treatment shall be promoted, in particular, in relation to:
 - a) the homeworkers' right to establish or join organizations of their own choosing and to participate in the activities of such organizations;
 - b) protection against discrimination in employment and occupation;
 - c) protection in the field of occupational safety and health;
 - d) remuneration;
 - e) statutory social security protection;
 - f) access to training;
 - g) minimum age for admission to employment or work; and
 - h) maternity protection."

GOVERNMENTS: You have the chance to change the lives of millions of homeworkers for the better:

ACT NOW! Ratify and Implement C177!

<http://www.wiego.org/C177>

 WIEGOglobal  @WIEGOglobal #C177Now

¹ Read more on the Declaration and Action Plan at: <http://wiego.org/home-based-workers/delhi-declaration-of-home-based-workers>



"This leaflet was published and distributed in 1996 by the IUF"

FOR AN ILO CONVENTION ON HOME WORK!

Home-based Workers in the Global Economy

Home-based work, often mistakenly thought of as an antiquated remnant of an earlier phase of industrial development, is on the increase throughout the world. The number of home-based workers is growing, both absolutely and relatively, as a component of the international labour force. Far from being confined to traditional sectors of production such as textiles and apparel, an increasing number of home-based workers can be found today in industries such as data processing, electronics, and advanced metalworking.

Much of this home-based work takes place in the "informal", or unregulated sector, but is inextricably linked with the global chains of subcontracted goods and services which now encompass the entire globe. The current rapid expansion of home-based work is thus a thoroughly modern phenomenon linked to globalization, investment and labour market deregulation, changes in retailing and production techniques, and the spread of subcontracting.

Why a Convention is Needed

In the global labour market, home-based workers face common problems: low pay, long hours of work, exclusion from social security systems, and inadequate standards of health and safety. The expansion of home-based work at the expense of formal, regulated employment deepens labour market inequalities both internationally and at national level. Without international standards establishing minimal conditions and terms of employment, home-based workers are trapped in a global race to the bottom as employers compete internationally to produce at the lowest possible unit cost. Society as a whole is the loser in this global competition. For this reason the international trade union movement has called for an international Convention on home-based work.

At last year's ILO Conference, the Workers' Group won majority support for the principle that homework be covered by a Convention, to be supplemented by a Recommendation. A Convention would have the binding force of international law. A Recommendation, particularly one which is not accompanied by a Convention, is non-binding and therefore carries with it a vastly reduced commitment to meaningful action on the part of governments and employers.

The second – and final – discussion concerning home-based workers will take place at the 83rd Session of the International Labour Conference in June this year. It is imperative that this conference adopt the Draft Convention and Recommendation agreed upon last year.

Equality of Treatment

The adoption of the proposed international standards on homework will provide basic social protection and trade union rights for millions of workers around the world in essential production sectors including food, agriculture, textiles, electronics, automobiles, chemicals and computerized administrative work. A main objective of the Convention is to promote equality of treatment between homeworkers and other wage earners.

Opposition from Employers and Governments

The Employers' Group and a number of governments remain opposed to such a Convention. Below, we list the most common arguments which are routinely invoked against the adoption of a Convention, together with our response:

Over-regulation" of home work would only serve to drive it underground.

Homework is underground already precisely because of the lack of enforceable regulations. Homework has therefore become a magnet for employing women, migrant workers and other socially vulnerable groups who are particularly susceptible to exploitation owing to the limited possibilities of contesting unfair treatment.

Implementation of standards will reduce employment opportunities.

There is no proof that minimum standards have reduced employment opportunities. What is true, however, is that the absence of minimum standards has contributed to the growth of child labour as the wages paid to homeworkers are often far below the minimum requirements and families necessarily rely on the additional income their children can bring in.

Diversity of conditions in different countries and diversity of types of work makes it impossible to consider homeworkers as a single group.

and/or

Precise data about the situation of homeworkers is lacking, and more information is needed before action can be taken.

There are more common elements regarding conditions and types of work among homeworkers than there are differences, especially regarding the lack of basic social protection and trade union rights. The definition of the homemaker as defined in the current Draft Convention conforms accurately to the situation of the vast majority of the world's homeworkers, and is fully operational in terms of the proposed Convention. Abundant information exists, all of which points to the need for international action. Moreover, Article 6 of the current Draft Convention states that "Basic labour statistics shall include homeworkers". Adoption of the Convention would therefore contribute further to the availability of information in this regard.

A Convention may weaken existing legislation.

Very few countries have established legal protection for home-based workers. The function of a Convention is to establish minimum standards. The proposed Convention is a flexible one, whose application, like all international Conventions, can under no circumstances serve to weaken existing national legislation which may contain specific provisions superior to the minimum standards. By expanding protection to home-based workers in countries where no such protection currently exists, the Convention can only strengthen existing national legislation by reducing international competitive pressure on social legislation at a national level.

None of the arguments opposing a home work Convention are new or particularly original. They form part of the general stock-and-trade of opposition to all forms of regulation. They have been employed time and time again in opposition to international Conventions and national legislation concerning minimum wages, child labour, consumer and environmental protection – in fact every social issue, which, left entirely to the discretion of employers, produces precisely the conditions which require intervention in defense of society as a whole.

Act Now!

Home-based work is expanding internationally, and therefore calls for action at the international level. At a time when the standards-setting role of the ILO is under attack, the ILO must be given the necessary support to carry out its mandate. A Convention on home-based work, supplemented by a Recommendation, is urgently needed. Failure to adopt the Convention, without which the Recommendation has little force, will mean that the issue of home-based work has been effectively removed from a meaningful agenda for international action for the foreseeable future. The time to act is now, at this Conference.

International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)

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