



Proposals and demands of workers in informal employment for the new government of Mexico City

Mexico City, March 2018







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Platform Authors

This platform was created by representatives of the following organizations of workers in informal employment:

Agrupación de Desempleados Dedicados al Pequeño Comercio, A.C.
Consejo Coordinador del Comercio Social, A.C.
Cooperativa No Asalariada de Cafeteros, S.C. de R.L. de C.V.
Sindicato Nacional de Trabajadores y Trabajadoras del Hogar (SINACTRAHO)
Trabajadores Organizados Recolectando y Reciclando, S.C. de R.L. de C.V.
Trabajadores Voluntarios y Desempleados de la Ciudad de México, A.C.
Unión de Aseadores de Calzado del Distrito Federal
Unión de Comerciantes y Tianguistas No Asalariados en el Distrito Federal, A.C.
Unión de Músicos Norteños en el Distrito Federal
Unión de Organilleros de México
Unión de Trabajadores de Artesanías Mexicanas, A.C.
Unión de Trabajadores No Asalariados con Carritos de Mano, Ayateros y Restauradores, A.C.
Unión de Vendedores de Revistas y Publicaciones Atrasadas de la República Mexicana, A.C.
Unión Mexicana de Trovadores del Distrito Federal

The contributions of the informal economy in Mexico are substantial. With our activities in 2016, informal workers contributed approximately 22.6 per cent to the country's gross domestic product (GDP), according to official data from the National Institute of Statistics and Geography (INEGI, in its Spanish acronym).¹

Behind these contributions, there are 30.2 million people (57 per cent of the economically active population nationwide), who are informally employed.² Our activities vary greatly, but what we do have in common is that we have no access to social security or to any other benefits through our work.

At a national level, 14.2 million of us work in small, unregistered family units, while 2.3 million work as domestic workers, according to INEGI's late 2017 report.³ In Mexico City in 2017, workers in informal employment represented 47.8 per cent of the economically active population.⁴

Despite the contributions we make and the importance of our presence in the labour market, we work in difficult conditions without any access to social protection and our voices are not taken into account. It is common to overlook the fact that, in general, the lack of access to education has pushed us to do the work we do, which is honourable and honest.

Unlike those who work in formal employment, our workplaces and homes are precarious and our economic situation leaves us vulnerable. Among us, there are more women and men who live and work in poverty, and the possibility of obtaining a formal job is minimal.

Given the need to find alternatives to improve our conditions, a group of organizations of workers in informal employment gathered from 19-22 March 2018, along with our partner organization, Women in Informal Employment: Globalizing and Organizing (WIEGO). Through a participative process, we discussed the needs and demands we have in common, as well as the rights that have been denied to us for working in the informal sector.

In that process, informal workers from numerous occupations (as listed above) made a common platform of proposals, which we believe should be considered by the head of Mexico City's government so our working conditions are no longer invisible.

To date, a legal framework that includes all people in informal employment is nonexistent. Our activities are regulated by diverse norms and regulations. Those among us who are self-employed fall under the Regulation for Self-Employed Workers in the Federal District (Reglamento de Trabajadores No Asalariados del Distrito Federal); those among us who work in street markets are regulated by Minimal Operation Rules for Mobile Markets (Normas Mínimas de Operación para Mercados Móviles); and those who work domestically are regulated under Chapter XIII of the Federal Labour Law (Ley Federal del Trabajo). Those among us who work as unpaid waste pickers are not yet recognized as workers by the Government of Mexico City. However, our situation and our rights are stated in Recommendation 07/2016 of the Commission for Human Rights of the Federal District (CDHDF, in its Spanish acronym).

We are workers, and as such, our rights — including the right to choose our occupation, to have a job that is just and equitable, and to have access to social security — are delimited by the Political Constitution of the United Mexican States, by the international treaties that Mexico has ratified and by the recently enacted Constitution of Mexico City.

Knowing that we have these rights, and insisting on what is stipulated in the Constitution of Mexico City, we present, for your attention, the following list of proposals to guarantee the exercise of these rights to workers in informal employment.

1. Access to social protection

Problem: We do not have health care. Going to medical consultations or buying medication is very expensive and is out of our reach. Moreover, we do not have retirement savings for older informal workers. We live day-to-day and our education level is low; many among us do not know how to read or write. We do not have access to housing credits. And despite the fact that many among us who work in informal employment are women, we do not have access to daycare services.

Proposals:

- According to the Constitution of Mexico City (art. 10.B.13), the law must determine the mechanisms for a gradual process of regularization so we can have access to social security. Therefore, a hospital must be assigned to people who work in informal employment with the latest equipment and constant renovations, where we are granted access to **health care services and medications**. In the case of women, we also demand quality **maternal health services**.

In the past, Gregorio Salas Hospital was designated to provide health care services to self-employed workers, but it has been years since those services were last provided, even though the Regulation of Self-Employed workers in the Federal District (Reglamento de Trabajadores No Asalariados) still states this designation.

- We want to be trained regarding savings plans. Likewise, we demand a **framework of retirement savings** to be designed, taking into account the economic dynamics of our work.
- In regards to **access to adequate housing**, credits for workers in informal employment must be created so that we can have access to suitable housing of decent size, or to lands we can manage ourselves. The design of these credits must take into account our particular economic situation with more flexible requirements, as established in article 9 (E.2 and E.3) of the Constitution of Mexico City.
- We must all have **access to full-time daycare services** near our workplaces where our children can be taken care of while we work.
- Regarding our leisure time, we must have **access to sports centres and recreation spaces** free of charge. In these spaces, technological workshops for children and youth should be offered so they can have access to a range of training opportunities.

2. Legislation of workers in informal employment

Problem: The judicial instruments that regulate our work not only vary, but are also applied by the government according to their own criteria and not objectively; which compromises the rights we have already obtained. Very often, authorities make demands or take actions against us without any legal foundation.

Proposal:

- The Constitution of Mexico City (Art. 10.B.12) mentions guaranteeing our rights. We propose the **creation of a law that protects the human rights of workers in informal employment and**

respects the historical achievements of each sector. We demand that this law be made with our participation, both from its creation at the Department of Labour and Employment Development (Secretaría del Trabajo y Fomento al Empleo) and/or at the Ministry of Interior (Secretaría de Gobierno) and during the work in the corresponding commissions in the Congress of Mexico City.

3. Simplification of procedures to obtain work licenses and permits

Problem: Obtaining work permits involves a highly bureaucratic process. We are asked to provide many documents or must meet requirements that are impossible for us to achieve given our social situation. Also, permits are frequently given as a result of political clientelism. This contradicts our right to a formal identity as specified in the Constitution of Mexico City (Art. 10.B.12).

Proposal:

- We demand that all abuse of authority stop. **Work licenses and permits should be issued through a clear application of the law** by governmental instances, taking into account the recognized organizations of workers, while ensuring an **administrative simplification of the whole process**, without bureaucracy.

4. Respect for our workplaces

Problem: Despite holding licenses or work permits, we are removed by the authorities from the spaces we have worked for years. Authorities treat us poorly, do not recognize us as workers, do not respect our right to have subsistence minimum, do not recognize our right to work, and do not recognize our right to the city and to public space — all of these are contained in articles 9.A.2, 10.B.12, 12 and 13.D of the Constitution of Mexico City. Moreover, authorities sometimes grant conflicting permissions that can lead to multiple groups making claims on the same spaces.

Authorities often commit abuses because they do not know the regulations related to our work or, when they do know them, they may act arbitrarily. Moreover, the acts of corruption committed by the government also affect us, such as favouring groups that support the administration while undermining those who do not.

In the case of the work that is carried out in private spaces, such as domestic work, there are not any mechanisms in place for labour inspection.

Proposals:

- The government should take us into **consideration so we can have a say about our sources of employment and avoid being removed from our workplaces due to abuse of authority. There should be greater verification of work licenses and permits** from the government, who should act impartially. For the process of issuing licenses and permits, authorities should consider the unions and organizations that could be affected.
- Authorities must **respect** agreements so **spaces that are already allocated to unions and organizations** can be re-used by new people proposed by those same organizations and unions, in case of dismissal or death.

- **Working groups among authorities and workers in informal employment should be established in order to inform authorities about the judicial framework** that protects our rights, as well as to create spaces for dialogue about the needs of each occupational group. These spaces for social dialogue should be a long-term permanent project.
- Our **workplaces should be established in accordance with the law**, and not according to political interests or clientelism.
- In the case of **domestic workers, signing contracts with our employers should be encouraged**. A **mechanism of labour inspection within our workplaces** should be established to guarantee the full exercise of our rights according to article 10.B.4.d of the Constitution of Mexico City.

5. Access to social programmes and social policies

Problem: Because we are workers in informal employment, we are not recognized as workers, and for this reason we do not have access to specific social programmes that could be beneficial to us, such as funerary services, programmes for single mothers, services for workers with disabilities, or economic aid for our uniforms or for the reconstruction of our union buildings. On top of that, when our co-workers grow old, they very often end up homeless and have to live on the streets.

Proposals:

- Authorities must create a **funding scheme together with workers, authorities, funerary agencies, and registered charities** to provide people who work in informal employment with funerary services.
- We also demand access to **social policies** that are designed with our participation according to the needs of the people who work in informal employment — for example, scholarships for our children to be able to attend school.
- For the older workers in informal employment, we ask the government to build a retirement home. By doing so, the government would be complying with the standards contained in the Chapter on a Solidarity-based City of the Constitution of Mexico City, specifically in regards to the right to a decent life (Art. 9.A).

6. Access to credit

Problem: We do not have access to credit that supports and promotes our activities.

Proposals:

- The government must generate **agreements with a financial institution to offer us flexible credit** as we do not have the capacity to prove our income and the available credits have very high interest rates. These credits should also be available for buying infrastructure or a space where we can work, as well as equipment, including work vehicles. Thus, authorities would be complying with article 10.D of the Constitution of Mexico City, which refers to productive social investment.

7. Problems with neighbours

Problem: We are very often removed from our workplaces due to the intolerance of neighbours that live in the areas where we work, despite the fact that we have most likely occupied those areas before they lived there.

Proposal:

- The government should create **working groups among neighbours, workers, and authorities where we could work on win-win agreements for all actors involved**. These working groups should be framed within an anti-discrimination logic for people in informal employment and must protect our right to work in public spaces. These principles are based on the right to the subsistence minimum (Art. 9.A.2), right to work (Art. 10.B.12), right to the city (Art. 12), and our right to public space (Art. 13.D), as established in the Constitution of Mexico City.

8. Discrimination

Problem: We are discriminated against and stigmatized for the work we carry out and for being workers in informal employment. However, it is thanks to our occupations that we survive and contribute to the economy of the city.

Proposals:

- According to the measures of inclusion and equality that Mexico City must implement to guarantee equality among all people without any distinctions, based on the principle of equality and no-discrimination contained in article 4.C of the Constitution of Mexico City, **workshops on discrimination and its reach should be imparted to workers in informal employment through the Council to Prevent and Eliminate Discrimination in Mexico City (COPRED, in its Spanish acronym)**.
- Additionally, through **COPRED**, in order to show that our work is honorable, as well as to show the environmental, cultural, and economic benefits we represent for this city, a **media campaign should be created to raise awareness and sensitivity among our neighbours and society in general about the discrimination we suffer for being workers in informal employment**.

¹ INEGI (2018). *PIB y Cuentas Nacionales de México, Medición de la Economía Informal*. Last accessed March 2018. Available at: <http://www.inegi.org.mx/est/contenidos/proyectos/cn/informal/default.aspx>

² Informal employment includes those who work in the informal sector; those who work as remunerated domestic workers; people who work in the agricultural sector without protection; as well as self-employed workers who work for companies, governmental instances, and other institutions (in other words, in the formal economy), but without protection. INEGI. 2018. Cifras y definición: *Resultados de la Encuesta Nacional de Ocupación y Empleo: Cifras durante el cuarto trimestre de 2017, Comunicado de Prensa número 70/18*. Accessed 13 February 2018, p. 6. Available at: http://www.inegi.org.mx/saladeprensa/boletines/2018/enoe_ie/enoe_ie2018_02.pdf

³ Ibid. p. 8.

⁴ Ibid. p. 13.

About WIEGO:

Women in Informal Employment: Globalizing and Organizing (WIEGO) is a global network focused on securing livelihoods for the working poor, especially women, in the informal economy. WIEGO members include membership-based organizations (MBOs) of workers in informal employment, researchers, and experts in the informal economy.

In 2017, WIEGO started working in Mexico City through the Focal Cities programme, which brings together a variety of groups, including research institutions, civil society organizations, and MBOs of workers in informal employment. The project focuses on securing the livelihoods of workers in informal employment and improving their labour conditions by building capacity among informal worker organizations, expanding the knowledge base, and influencing local, national, and international policies.

The objectives of the project include:

- Strengthening informal workers' capacities in different areas, such as promoting changes in public policies, knowledge of legal frameworks and their implementation, strategic negotiation, and collective organization.
- Supporting people in informal employment and their organizations during development and dissemination of platforms of demands and/or recommendations about inclusive planning and legal frameworks in Mexico City.
- Supporting MBOs through dialogue and negotiation with public servants in order to encourage mutual understanding, as well as through promoting participation of informal workers in law and regulation-making processes, especially those that affect their livelihoods directly.

To learn more about WIEGO's work in Mexico, please visit <http://www.wiego.org/wiego/focal-cities-mexico-city>

