

# Collective Bargaining Negotiations Between Street Vendors and City Government in Monrovia, Liberia

By Milton A. Weeks

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## Collective Bargaining in the Informal Economy

“Collective Bargaining Negotiations Between Street Vendors and City Government in Monrovia, Liberia” is one in a set of five case studies examining collective bargaining by informal workers. This research was conceived by Women in the Informal Economy: Globalizing and Organizing and supported by the Solidarity Centre. Each of the case studies covers a different category of informal workers in a different country. Please see a list of case study titles and their authors below.

- “Negotiating the Recycling Bonus Law: Waste Pickers and Collective Bargaining in Minas Gerais, Brazil.” by Vera Alice Cordosa Silva
- “Collective Bargaining and Domestic Workers in Uruguay.” by Mary R. Goldsmith
- “Collective Bargaining by Workers of the Indian Unorganized Sector: Struggle, Process, Achievements and Learnings.” by the Indian Academy For Self Employed Women
- “Collective Bargaining among Transport Workers in Georgia.” by Elza Jgerenaia
- “Collective Bargaining Negotiations Between Street Vendors and City Government in Monrovia, Liberia.” by Milton A. Weeks

To access these case studies, as well as, the summary of these case studies titled, “Informal Workers and Collective Bargaining: Five Case Studies” by Debbie Budlender, please visit [www.wiego.org](http://www.wiego.org).

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# Table of Contents

Context.....	1
Background.....	4
Bargaining Action .....	6
Achievements.....	11
Appendix I .....	13
Appendix II .....	14



# Context

Liberia is located in West Africa and is bordered by Sierra Leone, Guinea and Cote D'Ivoire. The country is made up of a total of 111, 369 km<sup>2</sup> divided into 15 sub-divisions, which are referred to as counties. Its capital is Monrovia. Liberia is one of Africa's oldest nations, having declared its independence on July 26, 1847. The official language is English, and the country is rich in natural resources including iron ore, rubber, diamonds, timber and gold. However, 80 per cent<sup>1</sup> (2000 estimate) of its 3.9 million citizens live below the poverty line.

The country and its people experienced a bitter civil war between 1989 and 2003. This led to the death of an estimated 250,000 people or about seven per cent of the population, and many thousands more fled the fighting. In 2003, an interim government was installed and took the country to free and fair elections in 2005. Through the elections, Madame Ellen Johnson Sirleaf became Africa's first female head of state. Sirleaf was re-elected for a second six-year term in 2011.

The conflict left the country overrun with weapons and in economic ruin. Even now, nine years after the end of the conflict, the capital has very limited electricity and running water. Corruption is rife in government and in the private sector. Unemployment and illiteracy are endemic.

Since the end of the civil crisis and the installation of the democratically elected government, Liberia has experienced relative but fragile peace and stability. Most of the infrastructure of the country was destroyed during the years of conflict. Economic and social progress has been slow but positive. Protection of civil rights has become a top-of-the-agenda issue, and numerous civil society groups have sprung up to advocate for people's rights. The rights of workers have improved, but a long debated Decent Work Bill, which focuses on the rights of employees, has still not been passed by the national legislature.

The city of Monrovia consists of several districts spread across the Mesurado peninsula, with the greater Metropolitan area encircling the marshy Mesurado River's mouth. The historic downtown, centered around Broad Street, is at the very end of the peninsula, with the major market district, Waterside, immediately to the north, facing the city's large natural harbour. Northwest of Waterside is the large, low-income West Point community. To the west/southwest of downtown lies Mamba Point, traditionally the city's principal diplomatic quarter. South of the city center is Capitol Hill.

The population of the capital Monrovia has ballooned since the end of the civil crisis. Many Liberians migrated to the capital city seeking refuge as the fighting around the country intensified. Most of these have not returned home, and a city that was built for a population of 300,000 inhabitants now has a population of over one million, containing 29 per cent of the total population of Liberia. This population explosion has put significant strain on the resources of the city, including in the areas of garbage collection, water and sanitation, traffic control and congestion, housing, and crime.

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<sup>1</sup>Central Intelligence Agency World Factbook. 2013. "Africa: Liberia." Available at <https://www.cia.gov/library/publications/the-world-factbook/geos/li.html> (accessed 31 September 2013).

## Map of Liberia with Identification of the Capital City, Monrovia



Monrovia lies geographically within the political subdivision referred to as Montserrado County but is administered separately. The city is governed as a metropolitan city called Greater Monrovia District. Monrovia is the cultural, political and financial hub for the entire country.

The Monrovia City Corporation (MCC), established in 1973, is the Liberian capital city's governing body and is responsible for running many of Monrovia's services. The MCC is headed by a mayor, who is appointed by the President of Liberia and supported by a city council, which is also appointed by the President. The current mayor is Madame Mary Broh. The MCC has stated that it is dedicated to the task of revitalizing Monrovia and taking it into the future as a clean, green and progressive capital city. The city government has been actively involved in promoting the cleaning of the city, initiating "green" projects, constructing a new landfill for secondary waste collection, and decongesting the city centre.

The informal sector of Liberia's economy is very large. The majority of Liberians work in the informal sector. According to Core Welfare Indicator Questionnaire (CWIQ) 2007, out of an estimated 1.1 million people in the workforce, just 170,000 are employed in the formal sector.

The National Petty Traders Union of Liberia (NAPETUL) was established in November 2009 with the objective of "interceding and advocating for the social and economic emancipation and rights of all street sellers in Liberia and to inject into them the spirit of awareness, self-esteem and self-actualization." Members of NAPETUL are engaged in the sale of dried goods (non-perishables) including shoes, hand bags, slippers, cosmetics, clothing, and electronic goods. They hawk their wares on major streets. Most do not have permanent structures from which they operate. Some use wheel barrows or set up a table on sidewalks and street corners. Perishable goods including foodstuff are sold in open air markets by marketers grouped under a separate organization, the Liberia Marketing Association (LMA).

Membership of NAPETUL, estimated to be about 3,000, is comprised of both Liberians and non-Liberians. NAPETUL strives for gender equality amongst its membership. This is evidenced in the leadership structure of the organization in which the national chairperson, treasurer and field coordinator are currently all women while the co-chairperson, secretary general and assistant secretary general are men. Many of the members of NAPETUL are single young women, most of whom are also single mothers. NAPETUL estimates that roughly 60 per cent of its total membership is female.

Over 50 per cent of NAPETUL's members are youth, many of whom lost their parents, sponsors and guardians during the civil crisis. As a result, these youth have decided to engage in street vending, petty trading and hawking as a means of ensuring economic survival. As many were very young and had no sustainable source of income after they lost their parents or guardians, they were unable to pursue higher education or vocational training; this is evident in the level of education of the average member.

Many thousands of Liberian youth are also former combatants from the civil crisis. According to NAPETUL, of the over 40,000 petty traders, only one per cent are college graduates or college drop outs. A little over 50 per cent have some level of high school education while about 45 per cent are elementary or junior high school students or dropouts. This is not surprising as, according to the World Bank (World Development Indicators database), the average years of formal schooling of Liberians over the age of 15 is only 2.5 years.

Starting in 2009, NAPETUL leadership engaged the Monrovia City Corporation in collective bargaining to protect the rights of the NAPETUL membership. The initial negotiations involved the leadership of the two organizations that later joined to form NAPETUL. These were the Small Business Alliance (SBA), formed in 2008 (and which, despite the name, is made up entirely of street vendors), and the Petty Traders Association (PTA), formed in 2009.

The Mayor of Monrovia, Madame Mary Broh, is a no-nonsense administrator appointed by the President of Liberia to head city management. She had previously successfully held a number of "tough" public assignments. She initially came to public limelight when she was appointed by the President to head the Liberia Passport Office in the Ministry of Foreign Affairs. She effectively cleaned up a highly corrupt and inefficient passport office and won wide acclaim for her effectiveness. Subsequently, she was appointed deputy managing director for administration at the National Ports Authority (NPA) and again was applauded for cleaning up the corrupt and inefficient operations of the NPA, especially at the Freeport of Monrovia. When the President appointed her to head up the Monrovia City government, it was with the express mandate to clean up what had become a very dirty, unhygienic and congested city and a generally poorly run city administration. By 2009, she had achieved significant success in cleaning up and giving a facelift to City Hall and had started developing a waste management system for the city and instituting various other innovative initiatives to improve the city's image. Her stated objective was to take Monrovia into the future as a "clean, green and progressive capital city".

# Background

In 2009, what would later become the Petty Traders Union of Liberia entered into collective bargaining negotiations with the Monrovia City Corporation following repeated raids on its members by the City Police and the Liberia National Police. The police had said the raids were due to the petty traders selling on the sidewalks and roads of Monrovia, which was resulting in obstruction to the free flow of vehicular and pedestrian traffic.

Many of the petty traders were young women who had invested all of their savings in the few goods they were selling on the streets. With the confiscation of these goods, many traders had essentially lost all of their savings and assets and were literally destitute.

A group of petty traders, numbering about 1,000 men and women, decided to march to the Monrovia City Hall to protest the police actions. At City Hall, the petty traders presented a petition to the Mayor suggesting that the parties should meet to see how the matter could be amicably resolved. The suggestion for collective bargaining negotiations was thus instituted at the initiative of the petty traders who felt they were being unduly harassed and so incurring significant losses.

Meanwhile, in an attempt to build governance structures for street vendors, the Small Business Alliance (SBA), headed by Seyon Tweh as its chairperson, had been working with a local business consultant who provided pro bono advice, the former Mayor of Monrovia who served as SBA's board chair, and the international NGO, Realizing Rights, which was represented in Liberia by Armah Gray. Realizing Rights was founded in 2002 by Mary Robinson, former President of Ireland (1990-1997) and former United Nations High Commissioner for Human Rights (1997-2002). Realizing Rights activities in Liberia focused on promoting the Decent Work agenda and greater job opportunities for the most disadvantaged.

The group that initially marched on City Hall did not include the SBA leadership but was an independent group of traders that subsequently became known as the Petty Traders Association. When the group of traders arrived at the City Hall, it met with the mayor, Madame Mary Broh. In response to the concerns raised by the traders, the mayor promised to work with them for an amicable solution, and she immediately joined the traders in a solidarity march to central Monrovia to demonstrate unity of purpose. This was the start of a complicated and on-going period of negotiations between the traders and the city government.

The crux of the MCC position regarding the petty traders selling in the streets was based on what was then an obscure old city ordinance from 1975 entitled Monrovia Ordinance No 1 (Revised), as follows:

The City Government of Monrovia Ordinance No 1 (Revised) states:

"NOW THEREFORE, it is ordained that effective November 15, 1975:....

...SECTION 2 (a) No selling of foodstuff on the street, sidewalk or through government offices within the city shall be permitted. Items affected by this ordinance include such edible as: oranges, bananas, corn, cassava, peanuts, sugarcane, avocados (butter pear), coconut, candy, cigarettes, chicklets, fish and other sea food, etc. Anyone found guilty of violating this provision shall be subject to a fine of not less than \$200.00 for each offence.

(b) The Monrovia City Corporation shall have the sole responsibilities for, and to ensure the proper collection and disposal of garbage within the limits of the city of Monrovia, so as to enhance not only the beautification and orderliness of the city, but also for conducive sanitation and healthy



environment, food and water condition for its residents in accordance with municipal regulation on public health and environmental safety law.”

Also, Section 4 states,

“The City Government shall bear the responsibility of cleaning sidewalks and streets ONLY. Any owner, lessee, or occupant found violating this provision shall be subject to fine of not less than \$100.00 and not more than \$250.00.”

It seems that the first sentence was intended to mean that the city government alone bore this responsibility.

Section 11 states,

“To further enhance the cleanliness of the City Markets, marketers shall be allowed to operate from 6 A.M. to 6 P.M. Mondays through Saturdays, [but] selling on Sundays in various markets in the City is strictly prohibited. Violators of this provision shall be subject to a fine of not less than \$100.00 and not more than \$200.00 for each offence.”

Although the ordinance appeared to focus on the selling of foodstuff on the streets, the MCC in its interpretation extended it to include any form of selling on the streets. In addition, the MCC stated that the street sellers were depositing a lot of trash on the streets and were contributing to the continuing decline in the cleanliness of the city. As MCC was responsible for cleaning the city streets, MCC’s reasoning was that if the street hawkers were contributing to the filthy streets then it could remove them in order to ensure cleaner streets. The traders countered that the ordinance did not apply to selling of non-perishables. The traders also said they were prepared to oversee the cleaning of the streets at the end of a work day instead of having the MCC be responsible for the cleaning.

In addition, a 1979 city ordinance (Ordinance No. 3) entitled “An Ordinance Making it a Misdemeanor for Hawkers or Peddlers and Petty Traders to do Business Within the City Limits of Monrovia Without Securing Business Permits from the Monrovia City Corporation” was also applied by the Monrovia City Corporation in its dealing with the street vendors.

Section 2 of Ordinance No. 3 states:

“That from and immediately after the passage of this Ordinance:

- (a) It shall be an unlawful business practice for hawkers or peddlers and petty traders to do business within the City limits of Monrovia without securing permits at \$20.00 each from the Monrovia City Corporation.
- (b) Any hawkers or peddlers and petty traders found engaging or attempting to engage in the offering of their goods or wares for sale to the public without permits shall be guilty of a misdemeanour.
- (c) Any hawkers or peddlers and petty traders found liable of the offense shall be subject to a fine of not more than \$50.00.”

Section 3 states:

“The Monrovia City Corporation reserves the right to approve or to deny the locations hawkers or peddlers and petty traders shall offer their goods or wares for sale to the public.”

# Bargaining Action

The traders' march on City Hall led to an initial meeting between the petty traders and the City Management. The Mayor called the meeting at the Monrovia City Hall after she received the petty traders there on the day of the march. The petty traders were led by Abel Jones as Chairperson of the Petty Traders Association (PTA). Other members of the team included Comfort Doryen, Co-Chairperson responsible for Mobilization, Daoula Kamara, Christian Obi, and Cecelia Teah, the latter three being non-office bearers of the PTA. The membership of the PTA negotiating team was agreed at an informal meeting of the PTA after the march. The MCC team was led by the mayor, Mary Broh, and included the then special advisor to the mayor, Abraham Ganeoh, Mr Frank Krah, consultant to the mayor, and Ms Fasiah, one of the MCC's directors. The PTA negotiating team's mandate was verbally agreed to during the informal meeting of approximately 1,000 members after the march. The singular objective was to get the MCC to stop raiding the street vendors and seizing their goods, but the traders did not approach the meeting with a formal defined objective or document.

At the meeting, the MCC informed the petty traders that it would introduce a vendor license system whereby each petty trader would pay a US \$10 annual fee to the MCC and then be issued a license to operate on the street. The US \$10 fee was below the \$20 stipulated in MCC Ordinance No. 3. The petty traders were very happy with this development and agreed to work with the MCC for its immediate implementation. There was no written document signed by the MCC and the traders on the outcome of their meeting. The traders were excited that they had made progress in their discussions with the MCC and did not further pursue any documentation of the decisions.

At the end of the meeting, Abel Jones met with a throng of reporters who were awaiting news of the outcome. He confirmed to the press that the traders had agreed to work with the MCC and informed them of the decision reached regarding the introduction of a vendor license system.

The very next day, the traders began to register. The mayor told the traders that, in line with MCC Ordinance No. 3, the MCC City Planning Director would demarcate zones to facilitate the registration process as licenses were issued for specific areas. A total of five zones were identified for demarcation: (i) Central Monrovia to City Hall; (ii) City Hall to Nigeria House (Old Road) in Sinkor; (iii) from Central Monrovia to the Freeport; (iv) Freeport to St Paul Bridge; and (v) Freeport to Double Bridge. The demarcations were quickly completed and registrations begun.

The MCC appointed Ms Fasiah to serve as Director of the Vendor Registration Programme. Fasiah served as primary liaison with the traders and established teams from the city government that went out into the streets of Monrovia to register the street vendors. This registration process only applied to street vendors as those traders in the open air markets were registered separately by the Liberia Marketing Association. Each trader was issued an official receipt by the MCC, but no licenses were ever issued. In a short period of time, a total of over 450 traders had paid the registration fee to MCC totalling in excess of US \$4,500.

Despite these developments, after a short lull, the Liberia National Police and the City Police once again started harassing the traders on the streets and seizing their goods. The reason for the resumption of the police action and seizures is still not clear. Traders said they were surprised by the police action especially since they had already started to pay the registration fees to the MCC.

The situation quickly deteriorated, and there was a loud outcry from the traders. Subsequently, a meeting was arranged with the President of Liberia, Madame Ellen Johnson Sirleaf, to discuss the grievances of

the traders. The meeting was initiated by the president's office because of the huge publicity that accompanied the police action against the street vendors. At the end of the meeting, which was held on Randall Street in the Central Business District (CBD) of Monrovia, the president suggested that the traders get together and formalize themselves into a legal entity to negotiate with the city government. At the end of the meeting, the president made a personal donation of US \$200 plus L\$14,000 (approximately US \$430 in total) to assist the traders formally incorporate and register as a legally registered organization. As a result, the Petty Traders Association was formally registered and was headed by Abel Jones as chairperson. Jones, although himself a street trader, also served as the Beauticians' Union President. His vice chairperson was Comfort Doryen, who would go on to become the first Chairperson of NAPETUL. As the organization has no full-time officials, Doryen, like all other leaders of the organization, was also herself a trader.

The SBA, which also had a membership entirely made up of petty traders, had heard of the PTA's efforts and had also attempted to advocate for petty traders at City Hall. However, the city leadership said it could not be talking to two different groups at the same time. As a result, Armah Gray of Realizing Rights suggested to the Small Business Alliance that it consider merging with the PTA into a union in order to have a more effective voice in promoting the petty traders' cause.

Finally, after numerous negotiation sessions between the SBA and the PTA, an agreement to merge into a union was reached. To this effect, a letter was written to the Minister of Foreign Affairs on November 23, 2009 declaring that the Small Business Alliance was evolving into the National Petty Traders Union of Liberia. The letter was addressed to this ministry because, despite its name, one of the Ministry's functions is to oversee the incorporation of all organizations and institutions in the country (organizations must be incorporated before they can be registered).

The newly established board included members of both the SBA and the PTA: Comfort T. Doryen (former Vice Chair of the PTA) as chairperson; Seyon L. Tweh (former Chair of SBA) as vice chairperson; Charles W. Konnah (former Vice Chairperson of SBA) as secretary and Helen Z. Walker of PTA as treasurer.

The mayor's office contacted NAPETUL and informed the union that the MCC had identified a temporary site in central Monrovia where the vendors could safely hawk their wares without impeding traffic or causing congestion. The mayor suggested that in the interest of reaching a cooperative settlement, the vendors should move to the identified area, a vacant plot of land located on Broad Street in the Central Business District, as soon as possible and that NAPETUL monitor its members to ensure compliance. The site was deemed "temporary" because the city government did not own the land but had negotiated with the land owner to allow the street vendors to use the site until a permanent location could be identified. NAPETUL members initially expressed reservations about moving to one centralized location, but the MCC insisted that the relocation be pursued. Some NAPETUL members found the proposed arrangement attractive as they hawked their wares near the proposed location. Others, who were further away, were not as receptive. All of these back and forth discussions were conducted verbally, between MCC officials and the NAPETUL leadership.

With advice from Armah Gray, NAPETUL had by now realized that there was a need to begin to document its negotiations with the MCC. NAPETUL, in an effort to demonstrate to the MCC a cooperative posture, wrote to Mayor Broh on November 28, 2009 informing her that the union had established a task force to help the MCC in coordinating the activities of vendors in the city as of early January 2010. The union confirmed that a data base would be put in place for membership registration. NAPETUL also suggested that the MCC and the union enter into a Memorandum of Understanding (MOU) that would address all issues related to the street selling and that would resurrect the earlier vendor license scheme. In the process, the proposed MOU would establish a more reasonable annual license fee for the vendors.

When it did not receive a formal response from the mayor, NAPETUL wrote another letter to the mayor on December 8, 2009 in which it thanked the mayor for the temporary site that had been identified for its members and for the MCC's promise to provide mobile toilets and storage facilities. The letter also suggested that further negotiations lead up to the signing of an MOU between the MCC and NAPETUL.

A Memorandum of Understanding (MOU) was drafted by NAPETUL and submitted to Frank Krah, the MCC IMPAC<sup>2</sup> Project Coordinator and senior advisor to the mayor, for his consideration as Fasihah had resigned from the MCC to work for the United Nations Development Programme. Mr Krah called a meeting to discuss the draft MOU, but no agreement was reached; the MOU was not signed although negotiations continued through a number of meetings.

When there was again no response, NAPETUL wrote another letter to the mayor on December 15, 2009, this time to request that vendor registration fees collected by the MCC be used to construct market tables and to rent a site for the vendors to use. The union also again asked the MCC to provide the promised toilet facilities and storage facilities for NAPETUL's members.

There followed a lull in the frenzy of negotiations and letter writing as the holidays came and went. The vendors returned to the streets and the city and police temporarily backed off.

Eventually, towards the end of the first quarter of 2010, another meeting with the street vendors was called by the mayor and her team. At this meeting, the mayor again informed the union that she had identified a space in Monrovia's CBD where she wanted the vendors to move to hawk their goods. NAPETUL informed the mayor that its members would not move to the new site without a signed MOU that clearly outlined all conditions to be attached to the move. NAPETUL leadership stated that when the mayor had previously suggested a move, NAPETUL had perceived a lack of cooperation by the MCC in facilitating the move, so it was hesitant to trust that the MCC would be cooperative this time around.

The mayor responded that if the vendors did not move off the streets, she would have the police raid the vendors and seize their goods. When the vendors still resisted the move, the police began to institute raids and seize vendors' goods. The MCC then required the vendors each to pay US \$50 to get their goods released from impoundment. The MCC relied on the provisions of City Ordinance No. 3, which specified a fine of \$50. This action put a lot of pressure on the NAPETUL leadership to follow the mayor's instructions; eventually, the NAPETUL leadership was forced to encourage their members to move.

Between May and June 2010, over 350 of NAPETUL's approximately 3,000 members registered to move to the Walker Field location on Broad Street in Monrovia's CBD. The MCC subsequently identified another site on Johnson Street to accommodate some of the street vendors. NAPETUL leadership said it did not agree to this move but, rather, was forced to do so. Once again, there was no MOU signed to govern the terms of the move. Essentially browbeaten into submission, NAPETUL wrote a letter to the Monrovia City Police on July 12, 2010 to inform the MCP that it had established a task force to work with the city to regulate vendor activities in the streets of Monrovia. Despite what NAPETUL believed was a reconciliatory move, the police continued to raid the vendors and seize their goods as many had not moved to the identified site.

After being at the Walker Field site for only three months, NAPETUL was informed that its members would have to move again as the site was not appropriate for them. Both City Hall and NAPETUL confirmed that the president's office had instructed the MCC to move the street vendors from this location because it was not appropriate for traders to be situated on the main thoroughfare of the city, Broad Street. In addition, the owner of the property had started asking vendors for rental payments for

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<sup>2</sup>The Improved Primary Solid Waste Collection in Poor Communities of Monrovia known as the MCC IMPAC Project is an initiative funded through a commitment of US \$5 million from the Bill & Melinda Gates Foundation to the MCC under its Global Program for Inclusive Governance.

use of the property. NAPETUL informed the landlord that it was the Monrovia city government that had authorized it to use the empty space. However, the MCC told the vendors they had to move again. When the vendors resisted, the City Police moved in and forcefully evicting them while breaking all of their market tables. The MCC told NAPETUL that there was land in the city of Brewerville, a small town on the outskirts of Monrovia. An additional site identified was on the highway that led out of Monrovia to the Roberts International Airport. The vendors rejected these options as being too far out of the city. The official response conveyed verbally to NAPETUL by the MCC was that the government did not have land in the city to make available but would look around to see if some could be located. NAPETUL complained that even the other, less controversial site on Johnson Street that had been identified by the MCC was also still being raided and the vendors were still being harassed by the police.

As a result, on July 21, 2010, NAPETUL took the extreme move of writing directly to the President of Liberia to request her intervention to stop the MCC from continuing the raids on its members and seizure of their goods. In the letter, NAPETUL reminded the president that she had financed the establishment of the group through her personal contribution and implored her to intervene “following several attempts to abide by the agreement reached with Madam Broh”. In response to the NAPETUL letter, the Minister of State for Presidential Affairs and Chief of Office Staff invited the NAPETUL leadership and the mayor to join the president for a meeting on August 19, 2010. The meeting was subsequently postponed due to the president’s scheduling conflicts, but the meeting eventually took place on August 28, 2010 in the president’s office.

The president listened to both sides and tried to explain to the NAPETUL leadership the challenges that the mayor was facing to decongest and keep the city clean. However, she agreed that it was not necessary to have broken the tables and used force. She asked the two groups to work together as it was in everyone’s interest to avoid conflict. By the end of the meeting, the president told the mayor to pay the vendors for the market tables that were broken and work out an amicable solution to stop the raids and seizure of the vendors’ goods.

A few days after the meeting with the president, Mayor Broh invited the NAPETUL leadership to a meeting with the visiting Mayor of Freetown, Sierra Leone. This was interpreted by the street vendors as an attempt by the mayor to extend an olive branch to them following the meeting with the president. In the presence of the Monrovia mayor, NAPETUL’s leadership sought to find out from Freetown’s mayor how his city was handling the issue of street vendors. During the discussion, the Freetown mayor confirmed to NAPETUL and Mayor Broh that vendors in Freetown have rights that the city ensures are not trampled upon. NAPETUL used the Freetown mayor’s comments as ammunition to press the Monrovia city government to stop the harassment of the street vendors.

Following this meeting, the mayor invited NAPETUL to resume discussions on how to come up with an amicable solution to the street trading problem; in the ensuing meeting, the mayor and the City Planning Director presented an updated plan on where street vendors would be allowed in the city. Despite the goodwill on both sides, the negotiations did not result in an agreement, and the talks eventually broke down.

As the year drew to a close and the holiday season approached, the city government and the Liberia National Police, represented by the deputy director for operations, Col. Al Karley, again engaged NAPETUL. In a letter to NAPETUL, Col. Karley stated that the intent was to “arrange its street vendors orderly so as to create space for the free movement of pedestrians and vehicles within the city limits”. In response, NAPETUL wrote a letter to Mayor Broh on December 20, 2010 in which it unconditionally accepted to cooperate and specifically proposed the areas where its members were concentrated that would be cleaned up. The letter did not, however, provide any specific details on how NAPETUL intended to comply with the MCC’s insistence on the removal of petty traders from the city streets.

In response to the NAPETUL letter, a series of meetings were organized by the MCC between the MCC, the police and NAPETUL. As a result, a temporary arrangement was worked out whereby the petty traders and street vendors were given specific areas on identified streets to sell their goods. It was further agreed that immediately after the holidays, the parties would meet again to review the plan and come up with a more long term and sustainable arrangement. The temporary arrangement was implemented, and it significantly reduced the congestion and avoided further confrontation between the parties during the holiday season. Some suggested that the relatively soft approach adopted by the authorities was due to the upcoming presidential elections in 2011 because the president could not afford to antagonize the petty traders as she needed their votes. This, of course, was just speculation.

On January 10, 2011, the petty traders met with Mayor Broh and her team to discuss the deadline given for them to move off the streets and the traders' own plan, even though it did not specifically present a plan for the transition of the traders from the streets to designated locations.

Apparently, the mayor was not happy with the petty traders' plan submitted nor with the fact that some of the petty traders had apparently contacted the president's older sister and confidante to intervene on their behalf. In a newspaper article dated January 20, 2011, the mayor discussed the lack of understanding between the petty traders and the city corporation. The mayor was quoted in the article as saying, "I don't have time for those stupid people. They think by telling the president's sister and threatening not to vote will make me afraid of removing them from the street? That's a lie. I will make sure I remove them through the court process". According to the news article, the petty traders were to submit to the city "a structural plan". But according to Mayor Broh, "the group sent something that really annoyed her".

No evidence has been located to suggest that the mayor went ahead with her threat to sue the petty traders to get them off the streets. Instead, the temporary arrangement that had been put in place for the previous holiday season was maintained, and the Liberia National Police took the lead in negotiating with the NAPETUL. The Inspector General of Police has subsequently, on a number of occasions, written to NAPETUL to invite its leadership to meet with the police to review the arrangement of street vendors on designated streets. There is no set schedule or agenda for the meetings, which are called by the police as and when it deems necessary and which are held at the National Police Headquarters on Capitol Hill. In addition, no minutes have been issued from any of these meetings although NAPETUL officials have confirmed a generally cordial relationship with the police in each meeting.

As at the time of writing the situation still remains unresolved; the petty traders remain on the streets (not just the sidewalks) in certain concentrated areas of the city. However, based on the agreement with the police, certain streets have been designated specifically for use by the petty traders, and these streets are also being actively used by certain street vendors. The police still make intermittent raids on the petty traders when they are found on streets not designated for street peddling. The MCC has not paid the vendors for the destroyed market tables that as had been previously agreed. The vendor licensing scheme has not been reintroduced to date, so the traders have not been asked to pay any new fees. Mr Krah of the MCC has confirmed that the funds collected by the MCC from the petty traders were still being held by the MCC in a special account and once negotiations resumed, the MCC and the traders would agree on how the funds would be used.

# Achievements

The gains NAPETUL has achieved from collective bargaining have been few and far between. It is obvious that the leadership is much more aware of the need for informed negotiations. NAPETUL's governance structures have also improved, and its members are much more aware of their rights. However, Chairperson Doryen is the first to admit that the leadership still needs a lot of help in strategizing in preparation for negotiations.

In addition, Doryen feels that part of the reason for the failure in reaching agreement with the MCC was due to a personality clash between the mayor and the former chair of the Petty Traders Association, Seyon Tweh. Although NAPETUL still faces challenges in dealing with the mayor, the relationship is a lot more cordial than it was previously. Tweh was a lot more militant in his approach in dealing with the MCC, and the mayor responded in kind.

The Mayor of Monrovia, on the other hand, appears to feel that NAPETUL's members exhibit lawlessness, and therefore she has to "fight fire with fire". Another way of putting it is that because of what she perceives as the intransigence of the petty traders, she has to use more forceful means to achieve her objective of making Monrovia a cleaner, less congested capital city. The Mayor has made tremendous progress in cleaning up the city and has made progress in most areas, but the street vendors remain a serious unresolved issue. There appears to be an air of exasperation because of the amount of time that has elapsed without being able to resolve this issue. The mayor's senior advisor, Frank Krah, acknowledges that the city government is aware that the issue of street vendors will not go away and that the MCC will have to reengage the NAPETUL. He expects the MCC will do this early in 2013.

NAPETUL, on the other hand, feels that the mayor lacks interest in the concerns of NAPUTEL and its members although trading is the only source of income for these young people at present. They cannot just stop hawking their wares and find an alternative source of income. Many of them have been street vendors all of their young lives. They are fighting back because they do not have an immediate alternative. NAPETUL seems to feel that the mayor is only interested in implementing her objective without considering how it affects the vendors themselves. NAPETUL points to the better working relationship with the Liberia National Police in reaching compromise.

Part of where NAPETUL went wrong was due to its lack of negotiation skills. In the early days of the collective bargaining negotiations, the leadership took a lot of what was said and agreed to it at face value. There were no minutes of meetings and there were no follow-up letters to document what was agreed to, and as a result, there was difficulty in achieving structured follow-up to the negotiations. This is all understandable given the limited education and experience of the union's leadership. All of its leadership are petty traders themselves. They have natural leadership skills but no actual experience in negotiating skills or strategy development.

The off and on approach to addressing the problem may have also contributed to the failure of collective bargaining. It appears that as the holiday season approached, the objective of finding a solution to the street vendors' problem became more intense for the MCC and the police. The sustained push to find a

permanent solution appeared lacking though this may also be due to political considerations. There is no doubt that the government recognizes the political clout the street vendors have given their numbers. The mayor may be less concerned about this as she is appointed and not elected, but her political bosses may be a bit more circumspect. As a result, when there has been a strong push by the city government and a pushback by the vendors, the national government has cautioned that negotiations must continue to avoid getting to a breaking point. These prolonged intermittent negotiations have worn down the negotiating parties.

In addition, the NAPETUL leadership was not proactive and instead proved more reactive to events as they occurred. Most of the meetings that were held were initiated by the MCC, which would set the agenda as to what was to be discussed. NAPETUL did not have legal counsel or advice, and the leadership relied on their limited negotiating skills. NAPETUL did and still does provide regular feedback to its members through calling meetings, but the lack of clearly identifiable success in negotiations is resulting in some members questioning the ability of the union to represent their interest. The NAPETUL leadership has said it recognizes this risk and has intensified its interaction with the rank and file to ensure it has a full appreciation of the efforts being made. To further the objectives of NAPETUL, the leadership has now registered the union with the Ministry of Labour and has taken membership in the Liberia Labour Congress in 2012.



# Appendix I

## List of persons interviewed:

<u>Name</u>	<u>Institution</u>	<u>Position</u>
Boyenneh, Prince B.	Monrovia City Corporation	Former Legal Counsel
Doryen, Comfort	NAPETUL	Chairperson
Fahnbulleh, Delux	NAPETUL	Secretary General
Fidelis, M. O.	NAPETUL	Asst. Treasurer
Konah, Charles	Small Business Alliance	Former Co-Chairperson
Kpeh, Nelson P.	NAPETUL	Asst. Secretary General
Krah, Frank A.	Monrovia City Corporation	Senior Advisor to the Mayor
Nyipon, Theresa	NAPETUL	Treasurer
Page, Caroline	Monrovia City Corporation	Environmental Director
Peters, G. William	NAPETUL	Block Leader/Mechlin Street
Thabafre, Masa	Monrovia City Corporation	Sanitation Director
Tweh, Seyon	Small Business Alliance	Former Chairperson

# Appendix II

Articles of Amendment of the Articles of Incorporation of National Petty Traders Union of Liberia.

Deputy Minister of Commerce & Industry. Letter to NAPETUL. February 4, 2010.

Director of the Liberia National Police. Letter to NAPETUL. December 6, 2011.

MCC. Letter to NAPETUL. September 23, 2010.

Minister of State for Presidential Affairs/Chief of President's Office Staff. Letter to NAPETUL. August 9, 2010.

Municipal Government of Monrovia. Ordinance No. 1 (Revised).

Municipal Government of Monrovia. Ordinance No. 3.

NAPETUL. Annual Report. 2010.

NAPETUL. Annual Report. 2011.

NAPETUL. Letter to Mayor Mary Broh. November 28, 2009.

NAPETUL. Letter to Mayor Mary Broh. December 8, 2009.

NAPETUL. Letter to Mayor Mary Broh. December 15, 2009.

NAPETUL. Letter to Mayor Mary Broh. December 20, 2010.

NAPETUL. Letter to Mayor Mary Broh. March 12, 2011.

NAPETUL. Letter to Monrovia City Police. July 12, 2010.

NAPETUL. Letter to President Ellen Johnson Sirleaf. July 21, 2010.

National Chronicle Newspaper. "Mary Broh Threatens to Sue Petty Traders." Vol. 16, No. 200. Page 8. 20 January 2011.

Proposed MOU between MCC and NAPETUL.



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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).

