













“Health and labour considerations are an integral part of 3R promotion!”

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Overview

1. Quick review of workers' "fundamental principles"; and how they relate to waste industries
2. A deeper look at one of these: children working in the waste industry
3. ILO experience in improving waste work and working conditions
4. Some recommendations based on that experience

Main points

1. Social issues must be considered at the same time as technological ones
2. Workers – even in the informal economy – have rights. It is a legal, economic and humanitarian issue.

Fundamental Principles and Rights at Work

Four basic human rights relate to the world of work

1. freedom of association and collective bargaining
2. elimination of all forms of forced or compulsory labour
3. abolition of child labour
4. elimination of discrimination in employment

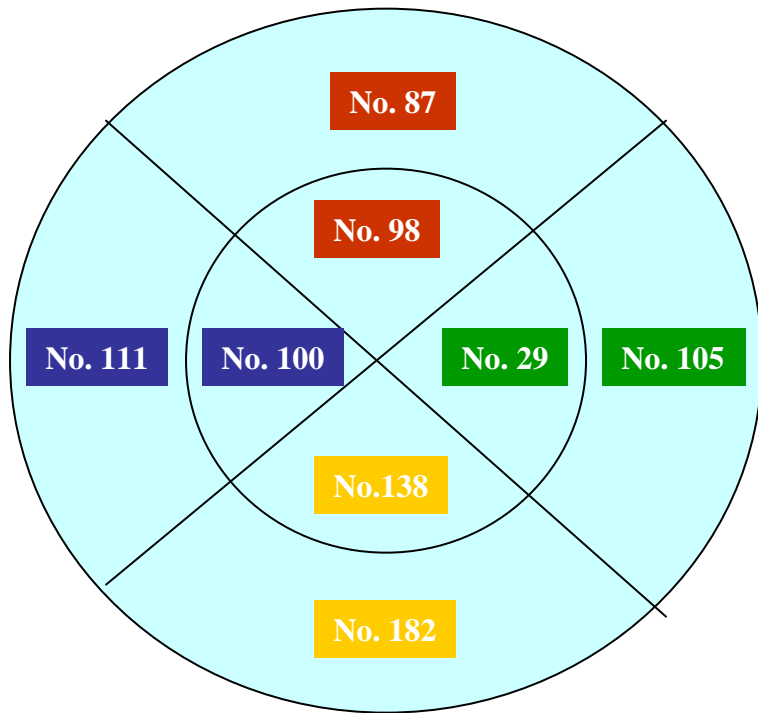
These have been

- endorsed by the international community,
- embedded in the Constitution of the ILO,
- expressed in the **Declaration on Fundamental Principles and Rights at Work** adopted in 1998

Why are the fundamental rights important?

- they apply to all member States, irrespective of level of its economic development or resources.
- they apply to all workers and employers, in the informal and formal economies and in all economic sectors
- they provide a « social floor » in the context of globalization but should NOT be used to undermine a country's comparative advantage or for protectionist purposes
- they contribute to poverty reduction, economic and social development

The Fundamental Principles are linked to « core » ILO Conventions



- Freedom of association and the right to collective bargaining (C. 87 and C.98)
- Elimination of forced or compulsory labour (C. 29 and C. 105)
- Effective abolition of child labour (C.138 and C. 182)
- Elimination of discrimination in employment and occupation (C. 100 and C. 111)

Difference between Principles and Conventions

Conventions

once a State ratifies a Convention

1. it is legally obligated to put it into law and practice
2. It is subject to scrutiny through the ILO's supervisory mechanisms

The Principles

do not need to be ratified

1. **all** ILO member States are obliged to « respect, promote and realize » the Principles
2. the ILO assists States to carry out the Principles
3. the States must report periodically on their progress

The two approaches are complementary, they are a combination of carrot and stick

#1. Freedom of association & collective bargaining

All workers and employers have the right to organise to further and defend their interests

- ...to establish, to join and to run organisations of their own choosing, without interference from the authorities or from each other
- ...to have their organisations legally recognised

Is Principle #1 honored in our waste industry?

- Does labour law exclude informal sector workers such as scavengers, recyclers?
- Are recyclers organising to promote their interests?
- Do established trade unions reach out to represent waste industry workers?
- Are there other forms of association – self-help groups, CBOs, natural resource users' groups, cooperatives?
- Are some people excluded from such groups (eg migrants, women, ethnic minorities, youth 15-18)?
- Do the scrap buyers/companies recognise these entities for collective negotiation?

#2. Eliminating forced labour

Forced labour is « any work or service exacted from a person under the threat of penalty and for which the person has not offered him/her self voluntarily »

- Governments are committed to stopping use of such labour in all its forms in the shortest possible time
- Forced labour is punishable as a penal offence
- There are certain exclusions
 - compulsory military service,
 - civic obligations,
 - prison labour,
 - emergencies,
 - minor communal services

Is there forced labour in the waste industry?

- Are workers and their family members tied to shop-owners due to outstanding debt and/or patron-client relations?
- Are workers recruited or employed by deceit, coercion, debt?
- Are workers' wages or identity documents withheld?
- Are workers exploited at the hands of labour contractors, middlemen or agents?
- Is violence used or threatened (especially against women and children) to engender fear and keep workers in place?
- Are there customary labour practices that amount to forced labour?

#3. Eliminating discrimination

Discrimination is defined as « any distinction, exclusion or preference based on race, colour, sex, religion, political opinion, national extraction or social origin which ... impairs equality of opportunity or treatment »

- Equal remuneration for men and women for work of equal value
- National policy to eliminate all forms of discrimination in respect of employment and occupation so as to promote equality of opportunity and treatment
- Covers access to employment, vocational training and to particular occupations, and terms and conditions of work

Is there discrimination in the waste industry?

- Is there segregation in the types of work done by men and women, or by different social or ethnic groups? Is there discrimination at recruitment or in prospects for progression and promotion?
- Are rates of pay the same for men and women?
- Do women and men have equal access to the better-paid work, the « easier » work, and the most lucrative places?
- Are any groups of people systematically excluded, directly or indirectly, from new opportunities (e.g. training, special schemes, protective equipment), by virtue of their ethnic group, sex, disability or health status, domestic responsibilities, education levels etc?

#4. Abolishing child labour

- The minimum age for employment or work should not be less than the age of completion of compulsory schooling (normally not less than 15 years)
- « worst forms of child labour » are prohibited for all persons less than 18 years, and eliminating them is a matter of urgency
 - forced and bonded labour,
 - prostitution and sexual exploitation,
 - illicit activities,
 - hazardous work

Is there child labour in our waste industries?

- Are girls and/or boys of school age working on the streets, on the dumpsites, in the recycling industries?
- Are youth over 15 but under age of 18 handling any hazardous materials or equipment? Or working long hours, carrying heavy loads, working around rough people or under stressful conditions?
- Is there any evidence of internal or cross-border trafficking of under 18s for the purposes of labour, either seasonal or long-term, either blatant or disguised as family labour?
- Are good and affordable schools available to both boys and girls in the area? Are they accessible—in terms of cost, distance, and social attitudes?

In Asia, are the fundamental rights of waste pickers jeopardized?



We often see:

- Social exclusion
- Lack of trade union representation
- Migration under pressure
- “obligations” to buyers amounting to bondage
- Discrimination against women in types of work
- Child labour

In Asia, how serious is the health risk of waste picking?



- hospital waste (HIV)
- jagged metal (tetanus)
- smoke (PCBs)
- lead (neural damage)
- violence (knife cuts)
- adult behaviour (premature drinking)
- stress
- skin, gastric, respiratory problems

Child labour ... an entry point to the other rights



People generally agree that this industry is not safe for children, therefore it is easier to stimulate:

- Removal and schooling of children
- Upgrading of the facility and system for adult workers, effective SWM
- Improved laws and enforcement
- Improved social services in the area
- Improved communication with the waste-picking families
- Organization of the working families to get access to the services they need and are entitled to

What works, what doesn't?

ILO experience

Tanzania

example of a socially-sensitive SWM system

positives

- Private-CBO system; more effective than public system in keeping city clean
- Created 2,000 jobs (half held by women)
- Stimulated small community-based enterprises

negatives

- Householders used to dumping, unwilling to pay for pick-up
- Since rates were low in poor sections of city, enterprises couldn't make a profit
- No "official" status for employees of the franchises
- Didn't address child labour

Mongolia

example of comprehensive approach

Positives

- Surveyed children; created database to demonstrate the problem and follow up
- Mapped waste traders and dumpsites
- Awareness-raising of parents as to dangers
- Engaged Governor in planning/problem-solving
- Created 10 Community Monitoring teams to regularly patrol the dumpsites, collection areas

Negatives

- Because are illegal migrants, do not have identity papers allowing children to go to school
- Because coming from all parts of the country, a city-based awareness-raising campaign has little effect
- When dumpsites were closed to children, they shifted to street scavenging and show increased use of drugs, alcohol, sex work

India

example of employment + law

Positives

- Undertaking a two pronged approach:
 - one deals with decent employment and guarantee of work for adult waste pickers
 - second focuses on prevention/elimination of children in waste picking.
- Organized waste-pickers met and tabled a recommendation to amend current law to incorporate waste pickers in solid waste management.

Negatives

- Low-social class/castes continue to gather feces, clean latrines
- laws against “manual handling” are not enforced
- women do this work in disproportionate numbers

Fiji

example of a training-based approach

TRAINING WASTE COLLECTORS on WORK IMPROVEMENT

One day workshops covering:

- Safe waste storage and handling and community cooperation
- Vehicles and traffic safety
- Work environment and use of PPEs
- Welfare facilities and work organization
- Implementation of improvements

ACTION CHECKLIST for WASTE COLLECTORS

1. Define the work area to be checked.
2. Spend a few minutes walking around the work area.
3. For each action, select NO or YES: If the action has already been applied or it is not needed, select NO; if you propose the action, select YES.
4. Choose a few urgent actions, and tick PRIORITY for these actions.
5. Put your suggestions under "remarks"

1. SAFE WASTE STORAGE AND HANDLING WITH COMMUNITY COOPERATION

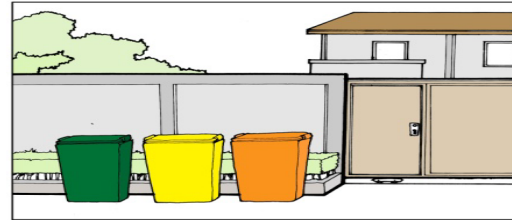
1- Store waste properly.

Do you propose action ?

No Yes Priority

Remarks:.....

.....



2. Place waste at waist level of collectors.

Do you propose action ?

No Yes Priority

Remarks:.....

.....



3. Use safe waste containers with appropriate size.

Do you propose action ?

No Yes Priority

Remarks:.....

.....



4. Attach grips or holders to all waste containers.

Do you propose action ?

No Yes Priority

Remarks:.....

.....



5. Carry heavy waste or containers by two collectors.

Do you propose action ?

No Yes Priority

Remarks:.....
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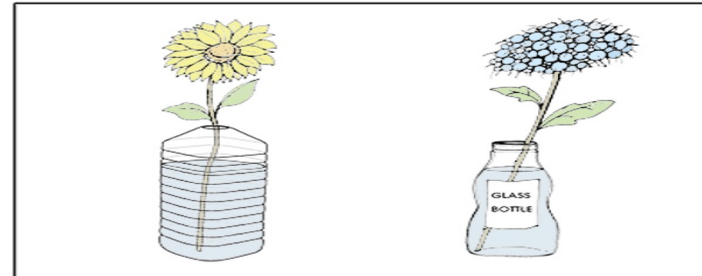


6. Reduce the amount of waste as much as possible.

Do you propose action ?

No Yes Priority

Remarks:.....
.....



7. Separate bottles, cans and other waste for recycling.

Do you propose action ?

No Yes Priority

Remarks:.....
.....



8. Use special containers for sharp materials and put warning labels.

Do you propose action ?

No Yes Priority

Remarks:.....
.....



POINTERS FOR ACTION

1. Include several types of action: organizing, services,
2. Seek local partners for deeper impact
3. Design for structural and attitude changes
4. Build in financing at the outset
5. Ask waste-pickers' opinions; act accordingly
6. Provide a concrete role for waste-pickers in activities
7. Design different actions for different age/sex groups
8. Target a specific locality
9. Design services to draw children away from work, not toward it

Pointers (cont'd)

10. Emphasize access and/or return to education; create a “bridge” between waste-picking and school
11. Money is a concern for older children; build it in
12. Organize groups to foster pride and give people a voice; press relevant trade unions to provide support
13. Assist waste-picking parents – especially mothers -- secure other, new sources of income
14. Awareness-raising helps people understand the need for change
15. Systematize waste management ... but “modernization” may or may not stop child labour

In short, use the four Fundamental Principles as a way to assess the situation at hand. They are also an easy guide on how to improve health and labour conditions of the waste workers.

Thank you