

Gender and Labour Market Liberalisation in South Africa



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The economy

The South African government inherited an apartheid economy with massive inequalities along class, race and gender lines. In 1994, the ANC government was elected into power on the basis of the Reconstruction and Development Programme (RDP). The RDP united a wide spectrum of views within the ANC around an economic development approach that aimed to address inequality and encourage job creation through mass participation in the economy by building new infrastructure, developing communities and redressing the massive backlog in services.

In 1996, two years into governance, the ANC announced the adoption of a neoliberal macroeconomic framework known as GEAR (Growth, Employment and Redistribution Strategy). While the government claimed that this was the macroeconomic implementation strategy of the RDP, critics, particularly trade unions and the left, argued that this was a departure from the developmental model that had been widely discussed and consulted prior to the election.

The premise of GEAR was to encourage foreign investment in the economy. This was with the hope that such investment would help to grow the economy, based on the belief that the government would not be able to afford to deal with the backlog in services on its own. This reflected a fundamental ideological choice that was made by the new government – to leave control of wealth and resources largely untouched in the hands of the white minority, and at the same time to try to meet the demands of international capital.

The implications of this ideological and policy choice for labour have been enormous. While South Africa has adopted relatively sound labour legislation which protects workers' rights, the nature of the chosen development path completely undermines these rights in practice.

There is a disjuncture between the thrust of South African labour law and macroeconomic policy. The new framework embodied in our labour legislation is relatively progressive, however it relies on high levels of cooperation between unions and employers. The framework is corporatist, and largely based on European models, despite the fact that we have very different conditions. Relative to European countries, we have lower levels of unionisation in South Africa (in the region of 60% in Europe as compared to around 30% in South Africa). Furthermore, employers in South Africa are not willing to cooperate, nor do they face significant pressure to comply. On the other hand, the government has adopted neoliberal macroeconomic policies which give significant power to capital and thereby to employers. Thus, the labour legislation that has been adopted in this country is left toothless in the face of massive retrenchments, outsourcing and casualisation, which obviously undermine workers' rights and job security.

Gender issues and household dynamics are almost completely invisible within the current macroeconomic

strategy, contributing to the on-going marginalisation of women. While GEAR might be called 'gender blind', it is certainly not 'gender neutral'. For example, GEAR calls for greater labour market flexibility in order to attract foreign investment and to improve competitiveness. The implications of this are that the most vulnerable workers, the majority of whom are women, will remain unprotected and discriminated against, and that where jobs are created they will perpetuate poor working conditions. With greater labour market flexibility the position of women will actually worsen, since this implies decreased benefits (such as maternity benefits) and less flexibility with regard to working time and parental responsibilities. The reduction in government spending means that women continue to perform large amounts of unpaid labour to substitute for the lack of adequate social services. This will further limit women's access to alternative economic opportunities. In many respects, GEAR entrenches the economic oppression women face and increases their risk of poverty.

Gender, poverty and unemployment

Unemployment

By international standards, South Africa has very high rates of unemployment. The overall expanded unemployment rate for 2002 is 41%, an increase of 6% since 2000. The expanded definition is used because it captures discouraged work seekers, and is a more accurate reflection of long-term, structural unemployment.

Unemployment rates, particularly for rural African women, are outrageously high.

Unemployment rose more for African women than for any other group – by 9% in just two years (September 2000 and 2002 Labour Force Surveys). The unemployment rate currently stands at 58% for African rural women and 53% for African urban women, compared to 45% for African rural men and 41% for African urban men. Only 8% of white urban men are unemployed and 1% of white rural men.

The age factor is also significant. 75% of African women under 35 years are unemployed.

Table 12 provides a breakdown of unemployment figures by race and by location and shows that the highest unemployment rate is for African women living in rural areas.

In addition to the massive levels of unemployment in the country, there is significant underemployment. Large numbers of those who are considered employed are in the survivalist informal economy.

Poverty

In 2000, the rate of poverty in South Africa was 45%, which illustrates the fact that the level of inequality in South Africa is one of the highest in the world. As

Table 12: Expanded unemployment rate by race, sex and location in SA

| | African | Coloured | Indian/Asian | White | Total |
|-------------|---------|----------|--------------|-------|-------|
| Urban men | 41% | 28% | 19% | 8% | 32% |
| Urban women | 53% | 34% | 33% | 11% | 43% |
| Rural men | 45% | 12% | 10% | 1% | 41% |
| Rural women | 58% | 34% | 4% | 13% | 56% |

Source: StatsSA, LFS 2000

President Thabo Mbeki has stated, South Africa is made up of 'two worlds'.

Levels of inequality and impoverishment are growing. In 1995 the poorest 20% of households received only 1.9% of total income. By 2000, the poorest 20% earned only 1.6% of the total income.

Of all poor individuals, 95% are African. African rural women are the most deeply affected by poverty. Three in every ten (31%) African female-headed households, and one in every five (19%) African male-headed households, are in the bottom income category.

Almost 7.5 million households spend below R1200 per month. In these poorest households, if there is employment, it is likely to be in informal or domestic work. Poorer households also have fewer trade union members.

High rates of unemployment coincide with low quality non-permanent jobs and serious problems in accessing minimum basic needs like water, food and energy¹.

Table 13 shows the direct links between levels of poverty and high levels of informalisation and unemployment.

A clear sign of poverty is the lack of basic services such as running water, electricity and telecommunications. Only a quarter (25.7%) of African-households in rural areas have running water on site, a little more than a third (36.3%) have electricity for main lighting, and less than a tenth (5.3 %) have a phone or cell phone in their homes (OHS, 1999).

Problems with meeting food needs have disturbing gender implications. International studies show that where households struggle to meet their food needs, it is often women and girl-children who are the first to consume less, impacting on their physical and psychological well-being².

The hours of unpaid labour performed by women also increase dramatically with limited access to basic services. Statistics South Africa's Time-Use Survey (2001) reveals that collecting water is a job for women and girls. This often impacts on the schooling and social development of girl-children.

The Time-Use Survey

Those with water within 100 metres of the dwelling spent an average of 44 minutes per day collecting water, those

with water at a distance of a kilometre or more spent an average of 71 minutes per day.

The patterns in respect of fuel were similar, except that the time spent was longer – people spent an average of 78 minutes per day getting fuel within 100 metres of the dwelling, and 128 minutes per day collecting it from a kilometre or further away³.

Farming for food, which is a necessity in poorer households, is a burden that falls mainly on women and adds to other forms of unpaid labour.

Women's health and their life chances and that of their children can be expected to worsen with increasing poverty, for example, through lack of access to health care and sanitation, through malnutrition, infant and maternal mortality and increased vulnerability to domestic violence.

Figure 2 shows the sexual division of labour in terms of household work between employed women and men, illustrating the extent to which African women, in particular, bear the largest burden of reproductive labour.

The poorest households rely most on Government grants, subsistence and remittances. However, Government benefits are not reaching the poorest of the poor, mostly rural, and usually female-headed households. (Stats SA, 2002)

The impact of poverty

A community member in an informal settlement in Durban spoke about the impact of poverty and lack of access to resources and services.

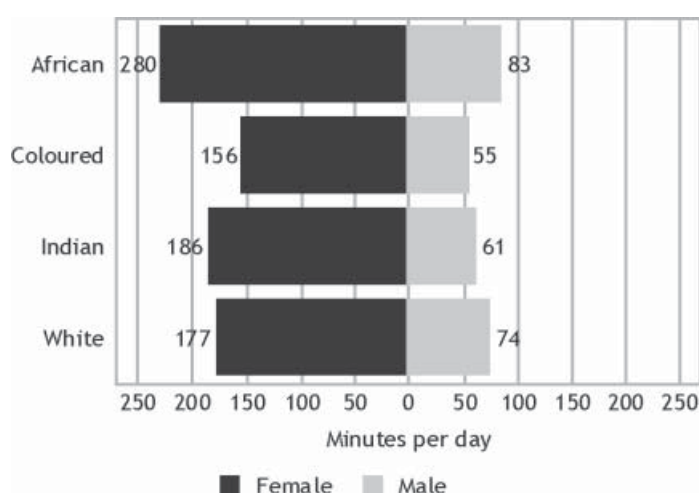
Vukani is the poorest settlement around here, and some of our people survive by eating food from the dump at Bisasar Road. There are no toilets, children are suffering from numerous diseases and there is no clean water supply. People use the polluted river water for washing and sometimes for drinking. Otherwise they buy water from our Indian neighbours. Most of the children do not attend school because the parents cannot afford to pay school fees and the cost of uniforms⁴.

Poverty is the most pressing challenge of our time. Lack of employment contributes directly to poverty and the poorest households usually have high rates of unemployment. This

Table 13: Key indicators of household poverty and unemployment in SA, Sept 2002

| Monthly household expenditure category | No. of households | % With problems meeting food needs sometimes, often or always | % Where children below 15 years collect water and/or fuel | % With person/s in permanent employment | With member/s of a trade union | % With person/s in informal or domestic work | Expanded unemployment rate |
|---|-------------------|---|---|---|--------------------------------|--|----------------------------|
| R0-R399 | 3 205 927 | 54% | 13% | 22% | 6% | 32% | 55% |
| R400-R799 | 2 890 267 | 42% | 15% | 34% | 13% | 26% | 51% |
| R800-R1 199 | 1 329 752 | 28% | 9% | 56% | 28% | 25% | 41% |
| R1 200-R1 799 | 831 533 | 19% | 5% | 63% | 36% | 17% | 37% |
| R1 800-R2 499 | 654 841 | 12% | 2% | 73% | 46% | 13% | 24% |
| R2 500-R4 999 | 826 267 | 8% | 1% | 74% | 42% | 10% | 20% |
| R5 000-R9 999 | 554 766 | 4% | 0% | 78% | 34% | 9% | 10% |
| R10 000 or more | 224 252 | 3% | 0% | 78% | 28% | 6% | 7% |
| Source: StatsSA, Labour Force Survey CD ROM, September 2002 | | | | | | | |

Figure 2: Mean minutes per day spent on unpaid housework, care for others and collecting of fuel and water by race and sex in South Africa, 2000



Source: StatsSA, Time use survey

Note: Excludes missing cases

implies that the most important ways to deal with poverty are about securing quality and permanent jobs for all citizens, particularly women. Conditions of extreme poverty, inequality and unemployment contribute to a high degree of flexibility and insecurity within the labour force. Being a member of a trade union affords some protection from the worst forms of exploitation and income insecurity in the formal sector.

Gender and employment

Women's access to employment is very important for development, poverty elimination and promoting gender equality, yet women often find themselves in low-paid, low-status jobs with little income security.

Labour market segmentation⁵

The South African labour market can be divided into three broad segments: the primary labour market, the secondary labour market and non-market labour.

- The *primary labour market* consists of white-collar professionals and management, who form the most highly-paid and skilled section of the labour market and are mostly white males.
- The *secondary labour market* refers to production workers, low-paid service workers and agricultural labour. The secondary labour market consists of lower-paid black male workers in the manufacturing and mining sectors and mostly black female workers in agriculture and paid domestic work. The secondary labour market receives low wages and experiences a high level of unemployment, skills are often informal and in some cases (particularly female-dominated sectors) unrecognised. There are high levels of unionisation in the manufacturing industry which is dominated by males, while in the female dominated agricultural and domestic sectors, levels of unionisation are extremely low.

- The *non-market segment* or the informal/unpaid labour market includes informal sector workers, subsistence agricultural labour and unpaid domestic and family labour. In South Africa, more women are found in informal sector jobs, which are characterised by low wages, poor working conditions, very little legal protection, and low levels of unionisation. The unpaid labour segment is almost exclusively women.

African and coloured women are more likely to be found in elementary occupations, while African and coloured men tend to be artisans and operators. 51% of white men are in management and professional occupations. African women in the management/professional category are likely to be nurses and teachers, while the white men in the same category are likely to be managers and engineers.

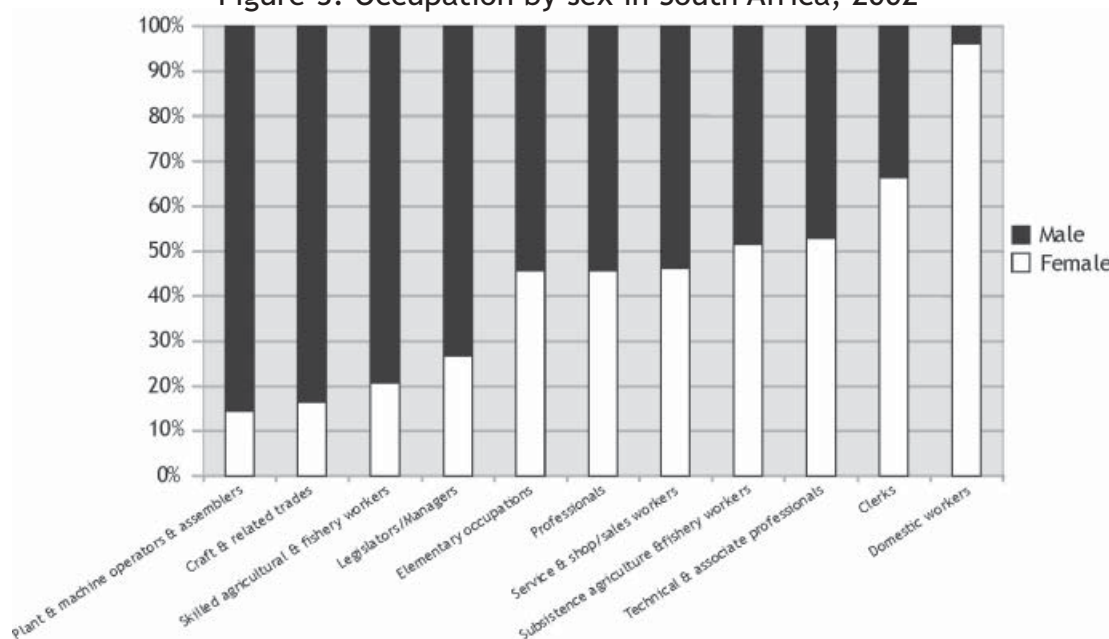
Figure 3 shows the extent to which women predominate in occupations such as domestic and clerical work, while men predominate in factory, craft and skilled agricultural work. The proportion of women and men in subsistence agriculture and fishing and in technical work is about equal.

Occupational segmentation places women in lower-paying jobs. Women often only go into lower-valued occupations because of a perceived lack of skills and because they are often socialised not to enter traditionally male-dominated occupations that tend to be more highly valued and paid more.

Figure 4 shows the difference in earnings by race and sex. The biggest differences by gender occur between white women and men, whilst the racial wage gap remains huge.

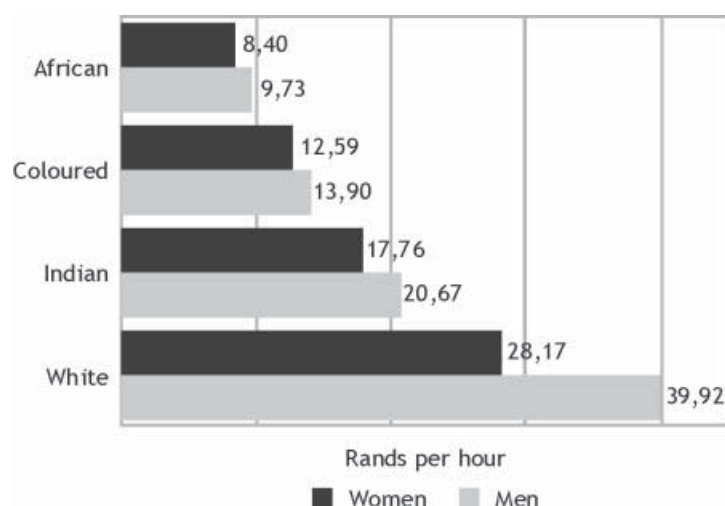
The restructuring of the economy has led to a decreased demand for unskilled employees and increased demand for highly skilled individuals. Between 1994 and 1997, management, professional and technical workers increased from 19% to 25% of all jobs. During this time there was a decrease in the share of unskilled occupations. Apartheid has resulted in an overlap between skill and race, with the result that mainly black workers are affected by job losses in unskilled occupations.

Figure 3: Occupation by sex in South Africa, 2002



Source: StatsSA

Figure 4: Mean hourly earnings of employed women and men by race in SA



Source: TUS 2000

Informalisation trends

The South African economy has seen an increasing trend of informalisation. There have been massive job losses and a growth in the informal economy. Growing levels of unemployment make workers vulnerable to casualisation, downgraded working conditions and exploitative employers and labour brokers.

COSATU argues that job losses are the result of inappropriate, market-oriented policy choices, a policy of liberalisation and a focus on export-led growth. In real terms, the results are an entrenchment and intensification of apartheid inequalities and cleavages.

COSATU has also criticised the government's assertions that because there has been a growth in employment in the informal economy, there have in effect been no net job losses. Economists and statisticians dispute whether

there has actually been an increase in the informal economy, or whether improved data collection is the reason for a growth in figures. Makgetla and Van Meelis (2002) point to substantial variations in statistical data reflecting a change in the definition of employment. Thus, in 1999 that data showed an increase of 31% in informal employment for that year alone. This, they argued, is very improbable, but rather reflects the inclusion of more people within the definition of the informal sector and the counting of 'subsistence' farmers as employed, even if they reported no income at all. More importantly, the kinds of 'jobs' that exist in the informal economy cannot, in all fairness, be described as employment. People who wash cars, or guard cars on the street are considered to be employed, even if they earn ten rand a week. Therefore, much of what is counted as informal 'employment' consists merely of survivalist activities.

Casualisation

Casualisation of labour has increased. Examples are part-time work, sub-contracting, temporary or casual employment, home-working, short-term contracts and self-employment.

Casualisation has a very negative effect on women workers because benefits such as health, training and maternity are lost. The employer's responsibility towards the social wage and reproduction of labour is removed. Employment is insecure, and often workers are on the fringes with low levels of unionisation and protection. Construction, agriculture, wholesale and retail and domestic work have the highest levels of informalisation. Although casual jobs still make up a smaller proportion, they are growing rapidly, especially in sectors like retail. Also, many employers are no longer employing people in permanent positions.

Construction

Massive retrenchments from formal building companies and a new reliance on mostly informal labour-only sub-contractors has increased the proportion of informal workers in this sector and has made them more vulnerable. The building industry is not affected by increased international competition like other sectors because it relies on a local base, but the unemployment and impoverishment caused by this process in other sectors puts pressure on the building industry in turn (Goldman, 2002, p.16).

Levels of unionisation in this sector have always been lower, but it is even more difficult to organise with increasing informality and once-off projects.

Retail

The retail sector, organised by SACCAWU, has some of the highest levels of casualisation, for example, 70% casual staff at Woolworths. Casuals work not more than 24 hours a week, but they work for years in that way. Working for less than 24 hours a week means that workers cannot get UIF benefits. They also do not receive other benefits. They are paid for time worked only.

Casualisation in retail

The General Secretary of SACCAWU said, 'Companies restructure, retrenchments follow, then within a month they take people on as casuals. Workers desperately need job security and improvements in working conditions. Every month we are discussing retrenchments. It is worse than the '80s. Eighteen outlets of Metro Cash and Carry closed recently. At the same time Metro is boasting its success in Australia. Firms close here and open in Zimbabwe because labour conditions are softer there'. He argued that there is a link between macroeconomic policies and growing casualisation. 'The economic policies of the country seem to favour the conditions that are worsening the situation,' he concluded.

Clothing

South Africa's clothing industry, which employs mainly women, has changed fundamentally as a result of government policy, specifically GEAR, which lowered tariffs and barriers to trade. Industrial restructuring processes led to massive job losses in the formal economy and increased informal work which often has links to formal establishments.

Many new informal businesses are run by retrenched clothing workers. Often retrenched workers are assisted to set up their operations by their previous employer, and become a supplier for that employer (Goldman, 2002, p.15). This is known as home-working and women account for the majority of home-workers (Goldman, 2002, p.16).

Home-work

Home-work is a form of 'flexible' employment, characterised by a diminishing core of workers in permanent employment and a growing periphery of 'flexible' workers.

Home-working refers to all kinds of home-based work, but refers particularly to work that is performed *for an intermediary or large enterprise* from home (Theron, 1996, p.4). The home-worker is dependent on an employer or contractor and the work is part of a chain of production. Home-workers may employ others, or may rely on the unpaid work of family members to assist them.

A survey of home-based work (Theron, 1996, p.20) found that home-workers often earn very little compared to what retailers make, for example one woman reported that a factory pays her R7,00–R9,00 for a shirt that retails for R80,00–R90,00. In some cases, home-workers earn as little as R4,00 per garment. The survey found that 51% of home-workers earned less than R200,00 per week, and 33% of men compared to 64% of women earned less than R200,00 per week. Only 16% of home-workers said they had been doing this type of home-based work for less than a year. 38% had been in the same work for at least five years (1996, p.39–43).

According to Theron (1996, p.23–24), regulation alone will not prevent the spread of home-work and there is a need to explore new ways of organising. The challenge is 'both to represent the interests of the economically vulnerable, and to promote forms of enterprise through which they can sustain a livelihood'.

The Self-Employed Women's Association (SEWA) of India has adopted a dual strategy of organising home-based workers to negotiate for better wages, decent working conditions and protective labour laws; and setting up cooperatives as a way of creating an alternative economic unit based on principles of sharing. The South African Self Employed Women's Union (SEWU) models itself on SEWA. There are some useful lessons that can be drawn from the experiences of organisations organising these sectors.

SACTWU has initiated an organising drive among informal industrial home-workers. The research conducted by the ILO (Bennett, 2001) focuses on SACTWU's pilot organising efforts in Cape Town (see later section: Trade Unions, Informal Economy, Challenges, Attempts by COSATU Unions to organise in the informal economy).

Informal economy

The size and composition of the informal economy

The total number of South African workers in March 2003 was estimated at 11.6 million people. The majority of these people were employed in the formal economy (63.6%), the informal economy employed 16.0%, commercial agriculture 7.5%, subsistence or small-scale agriculture 3.6%, while domestic workers constituted 8.7% of the employed, and 0.6% did not specify where they were employed.

South Africa's statistics reflect the country's apartheid legacy: Africans had the smallest percentage of people employed in the formal economy (62.3%). More than 90% of the Indian/Asian and white population groups (90.5% and 93.6% respectively) were employed in the formal economy.

Correspondingly, the African population had the highest percentage (25.6%) employed in the informal economy compared to the other population groups (8.6%, 8.5% and 5.6% of the coloured, Indian/Asian and white groups respectively).

A similar picture is found with domestic workers. The percentage of African workers employed as domestic workers (11.4%) was higher than in the other population groups (7.7% of employed coloureds, but only 0.3% of employed Indians/Asians and 0.2% of employed whites).

These figures reflect the overlap between race and skills in employment in an economy that increasingly favours skilled and professional workers, who are largely comprised of whites.

Figure 5 gives a breakdown of employment in 2001, looking at race and at sex for those employed in domestic work and in the formal and informal economies.

Table 14 shows the extent to which employment in both the formal and informal economy has changed between 2000 and 2003 and the numbers employed in these economies.

Figures for the informal economy are problematic, but can be used as a guide. Informal economy employment outside of domestic work and agriculture, ranged from 1.6 million in 1997 to 1.7 million in 1999, about 17% of total employment (OHS). According to the 1999 OHS, there were 2 705 000 people in the informal economy, of whom 1 544 000 were women.

Tables 15 and 16 give a breakdown of the numbers of women employed in different sectors of the informal economy.

Retail

Street trading is one of the more visible parts of the informal economy as it operates in public spaces (Goldman, 2002, p.17). National estimates for 2000 indicate that there were approximately half a million street traders, more than one-fifth of total informal employment. In the cities covered in the ILO case study, there were approximately 19 000 street

traders in the Durban metropolitan region, and between 3 000 and 7 000 in Johannesburg's central business district (Lund *et al.*, 2000).

Women make up a higher proportion of street traders than men. National estimates for 2000 indicate that just under 70% of street traders are women.

Transport

The minibus taxi industry is also highly visible in public places. It developed as an entirely informal industry, because the apartheid government refused to issue permits. It emerged in response to the government's failure to meet the transport need of black people living in far-flung townships. After failing to eradicate the taxi industry, the apartheid regime allowed it to operate entirely unregulated (Barrett, 2001).

Women in the informal economy

More than 50% of African women workers are employed in the informal economy, domestic service, or agriculture. All these sectors offer low wages and few benefits.

Women often work in the informal economy to feed their children. Where male workers suffer job losses, their female partners may take on 'survivalist' activities in addition to their household workload. In many cases, women use their husband's retrenchment packages to engage in informal activities in addition to their household workload (ILO, 2000).

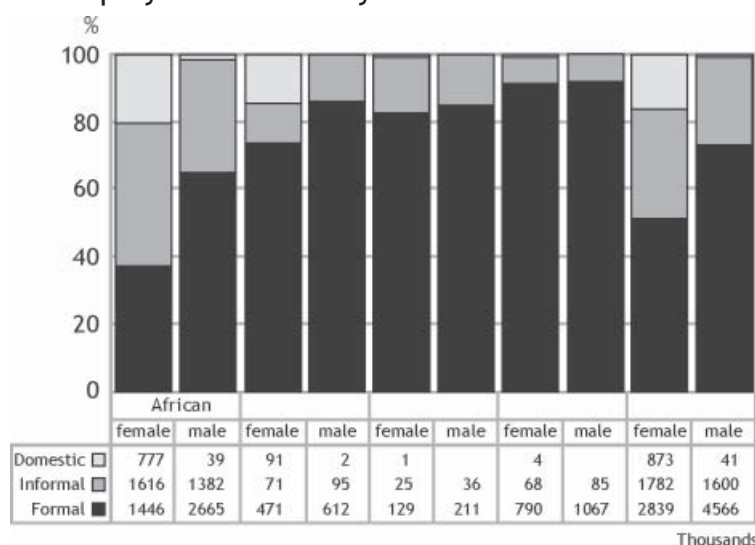
This double load has implications for the health and well-being of women and their families, and for the success of income-generating activities. Furthermore, women do not have access to support systems for caring for children.

Experiences of women in the informal economy

A craft seller in Durban:

Since I am now the sole supporter of my family, the downside of doing this work is serious for me. I have to work outside the community in order to reach enough customers who have money. Since I am working in town and even sleeping on the pavement, I do not have time to spend with my

Figure 5: Employment sector by race and sex in South Africa, 2001



Source: LFS February 2001

family and I have difficulty in taking care of household activities. Raising children impedes my business, and the business also hinders my relationship with my family⁶.

A trader in the informal economy:

Another problem is that I am away from home most of the time. This means that my son is left with my husband, who drinks heavily. I don't know what to do about this⁷.

An informal worker providing a childcare service to employed women in Kennedy Road (an informal settlement in Durban)⁸:

When I started my business, I was motivated by the despair shown by employed women who stay in this settlement and could not arrange reliable childcare so that they could go to work with a calm mind. They did not know where to leave their

children, so I felt that I had to fill in that gap. In some cases, some of the children would go missing, or else be found wandering near the road. This represented a really serious situation.

Because of the small size of my house, I am only taking care of five children at the moment. Their ages are 1-2 years, and I charge R50,00 per month for each child, so altogether I only earn R250,00 in a month from doing this work.

There are also quite a few problems – firstly, the fee that I am charging is so low that I don't get any profit, considering the kind of work I have to do in this enterprise. I need to buy soap, wash the nappies and cradle the children when they cry as well as prepare food for them. My problem here is that I cannot see myself increasing the fee of R50,00, as most of the parents are very poor. Also,

Table 14: Employment by sector in South Africa, 2000-2003 (000's)

| Sector | Sept 2000 | Sept 2001 | Sept 2002 | Mar 2003 |
|---|---------------|---------------|---------------|---------------|
| Formal economy (excluding commercial agriculture) | 6 842 | 6 873 | 7 034 | 7 358 |
| Commercial agriculture | 667 | 666 | 811 | 865 |
| Informal economy (excluding subsistence or small scale agriculture) | 1 933 | 1 873 | 1 703 | 1 845 |
| Subsistence and small scale agriculture | 965 | 359 | 520 | 420 |
| Domestic workers | 999 | 916 | 875 | 1 005 |
| Unspecified | 306 | 146 | 86 | 75 |
| All | 11 712 | 10 833 | 11 029 | 11 565 |

Source: StatsSA, LFS 2003, March; SA Labour Review, May 2003

Table 15: Employment of women in the informal economy in South Africa

| | Total ('000s) | Women ('000s) | % Women |
|-----------------------------------|---------------|---------------|------------|
| Employed by someone else informal | 813 | 264 | 32% |
| Own account | 1 030 | 491 | 48% |
| Involved in formal and informal | 64 | 25 | 39% |
| Domestic workers | 799 | 763 | 95% |
| Total informal economy | 2 705 | 1 544 | 57% |

Source: Adapted from StatsSA (1999) and October Household Survey, P0317 in Goldman (2002, p.26)

Table 16: Employment in the formal and informal economies by selected industry in South Africa, September 2001

| Industry | Formal | | Informal | | Total | |
|---------------|----------------|------------|----------------|------------|----------------|------------|
| | Number ('000s) | % | Number ('000s) | % | Number ('000s) | % |
| Manufacturing | 1 384 | 18 | 199 | 9 | 1 605 | 15 |
| Construction | 319 | 4 | 258 | 12 | 594 | 6 |
| Trade | 1 427 | 19 | 937 | 42 | 2 397 | 22 |
| Transport | 429 | 6 | 104 | 5 | 543 | 5 |
| Total | 7 539 | 100 | 2 232 | 100 | 10 833 | 100 |

Source: StatsSA (2001) Labour Force Survey, P0210 (in Goldman, 2002:15)

most of the mothers are employed as domestic workers, and this does not pay them enough to cover a higher childcare fee.

However, the most serious problem is that most of the mothers do not pay on time, and this greatly affects my budget. In one case, I had to wait for more than two months before the mother could pay, but I could not turn the child away ... that would have been anti-social. That is not all. In some cases, some of the children are brought in in a weak condition because of the 'flu bug, and I am expected to nurse those children back to life. But I get paid nothing for that. In addition, some of the parents expect me to keep their children until around six in the evening when they eventually arrive back from work, despite the agreement that the children should be picked up at five in the afternoon. Really, this business of childcare is not an easy one in a settlement like this one, in spite of the strong need here for this kind of service.

The above show the extent to which policies such as public sector cutbacks, low levels of service provision to poor families and very low wages have a severe impact on the livelihood of women in the informal economy. Women in the informal economy are performing services such as childcare for families that cannot afford to pay. They are carrying the burden of providing services that should be made available by government and employers.

The success and viability of household based employment is difficult without adequate infrastructure, such as water and electricity. At the same time, as unemployment and poverty increases, the informal market for selling goods shrinks. There is a knock-on effect to informal traders by the increase in unemployment among previously employed public sector workers.

Working conditions among informal and casual workers

Working conditions for casual and informal workers are way below those of permanent workers. Employers use these strategies to save costs. But the nature of the organisation of work makes these workers and their conditions of employment more difficult to organise, monitor and regulate.

According to 2001 figures, 75% of informal economy workers earned R1 000,00 per month or less, whereas just under 25% of formal economy workers are in this category. Ntsika has estimated that women account for more than 75% of survivalists in the informal economy (Ntsika, 1998, p.7).

There is an alarming difference in wage rates between women and men, and even more dramatically between unionised and non-unionised workers and formal and informal workers. There are more women working in non-unionised, informal jobs. This is a vicious cycle, where women tend to occupy the worst jobs, which are most vulnerable to exploitation and also more difficult to organise, and therefore conditions remain poor. The informal economy in particular shows appallingly low wages, way below a living wage. The lowest wage of all is R250,00 per month for non-unionised women in the formal economy working in private households. The statistics demonstrate the importance of unionisation and

formalisation of work as a means to improve highly exploitative working conditions.

Table 17 gives more detail. The wage rates are already extremely low and should put to rest any arguments about the need to reduce wage rates in order to increase employment.

Benefits

Formal unionised workers have won the right to a number of benefits. However, with increasing casualisation these benefits have been eroded.

In non-unionised and informal work, there are less benefits (if any) and access to medical aid is virtually non-existent as shown in Table 18. Given that public health care is extremely under-resourced and the scourge of HIV/AIDS, this poses serious health challenges for working class households. Women have particular health care needs given their reproductive role, which may not easily be met (despite provision of free health care) without expanded public health care services.

The lack of access to paid leave among non-unionised and informal workers is of serious concern, since a basic measure of gender equality in the workplace is access to maternity benefits. Lower proportions of women have written contracts which exacerbate their vulnerability in the workplace.

Table 18 shows the types of non-wage benefits received by unionised and non-unionised black workers in the formal economy and black workers in the informal economy.

Labour market policy

There have been intense debates in South Africa about the extent of flexibility in the labour market. The ILO study on the South African labour market concluded that the labour market in South Africa is flexible. Business disagrees because they would like the freedom to hire and fire at will. COSATU argues that this is an attempt to remove rights and protections that workers have gained through hard struggle.

The simultaneous introduction of new laws placed a massive capacity strain on unions and the Department of Labour, which need to understand the laws and put in place capacity to promote their effective implementation.

Labour Relations Act¹⁰

The new LRA has resulted in many advances for workers in protecting their collective bargaining rights with employers. For example, dismissal of workers requires employers to show 'fair reason' and 'fair procedure'. This prohibits past discriminatory practices which meant easy dismissals. As a result, employers are having to change their approach to managing labour, something that they are generally reluctant or find difficult to do.

The law also established a mediation and arbitration body that workers and employers can call upon to resolve disputes. This body, the Commission for Conciliation, Mediation and Arbitration (CCMA), has resulted in most disputes being resolved more quickly.

Employers can no longer get away with unfair discrimination in the workplace as easily as in the past.

However, there are also concerns and problems.

Independent contractors

Employers are employing so-called 'independent contractors' (though they are often dependent on employers) in place of regular workers to circumvent labour

Table 17: Median monthly wage rates among working class black households in South Africa, September 2002 (Rands)⁹

| | Male | Female | Male | Female | Male | Female |
|----------------------|-------|--------|-------|--------|-------|--------|
| Agriculture, etc. | 900 | 652 | 500 | 448 | 375 | 326 |
| Mining and quarrying | 2 000 | 1 700 | 1 640 | 1 000 | 350 | 350 |
| Manufacturing | 2 174 | 1 652 | 1 739 | 1 225 | 870 | 400 |
| Electricity, etc. | 3 000 | 1 937 | 1 937 | 1 937 | | |
| Construction | 2 000 | 1 937 | 1 225 | 800 | 800 | 350 |
| Wholesale and retail | 1 937 | 1 600 | 1 225 | 1 000 | 652 | 350 |
| Transport, etc. | 2 958 | 2 958 | 1 500 | 1 937 | 1 225 | 500 |
| Financial, etc. | 1 800 | 2 000 | 1 600 | 1 800 | 750 | 500 |
| Community, etc. | 3 500 | 3 969 | 1 937 | 1 500 | 707 | 522 |
| Private households* | 1 000 | 665 | 470 | 250 | 400** | 400** |

Source: StatsSA, Labour Force Survey CD ROM, September 2002
Notes: Excludes missing values, extremes and outliers. Includes African, Indian/Asian and coloured workers in households spending less than R5000,00 per month
 * Refers to gardeners. ** The same median values apply to domestic workers.

Table 18: Non-wage benefits among working class black households in South Africa, September 2002

| | Formal unionised | | Formal non-unionised | | Informal | |
|------------------|------------------|--------|----------------------|--------|----------|--------|
| | Male | Female | Male | Female | Male | Female |
| Medical aid | 62% | 62% | 14% | 11% | 2% | 2% |
| UIF | 94% | 88% | 91% | 86% | 37% | 33% |
| Paid leave | 92% | 88% | 40% | 34% | 11% | 18% |
| Pension | 92% | 88% | 40% | 22% | 6% | 5% |
| Written contract | 85% | 81% | 48% | 36% | 13% | 13% |

Source: StatsSA, Labour Force Survey CD ROM, September 2002

laws by turning a labour contract into an apparent commercial contract. The LRA excludes 'independent contractors' from the definition of 'employees' and so does not protect the increasing group of casual and contract workers. There is a need to find ways, including amendments to the law, to ensure that employers cannot use commercial contracts to escape labour law. There is also a need to protect vulnerable workers and allow them access to collective bargaining.

Retrenchments

Unlike the old LRA, the new law (in section 189) prevents workers from going on strike in response to retrenchments. This prohibition was based on the fact that the law requires employers to 'consult' with workers on retrenchment. In reality, this consultation has been nothing more than employers informing workers of their intention to retrench. Section 189 is therefore seen as encouraging job losses. Elsewhere in the law, employers are allowed to retrench workers for 'operational' requirements, widely defined. Despite the perception that labour markets are inflexible, retrenchments are easy to implement and have resulted in massive job losses in the past few years.

Employment Equity Act

The Employment Equity Act seeks to redress past inequalities in terms of employee recruitment and employment profiles. Disadvantaged groups, referred to as 'designated groups', include blacks, women and the

disabled. Companies are required to develop employment profiles, identify barriers to employment/advancement of designated groups in their company, and develop and implement plans to address this. These must be reported on to the Department of Labour. The EEA applies only to firms of a certain size (employment or turnover), and does not include any targets; firms are required to determine their own targets after consultation with employees/ unions.

The concerns are:

Reinforcing inequality

Some unionists have raised the concern that white women or middle-class blacks are recruited in the name of employment equity. There is little benefit to workers in lower grades. The weakness of unions is evident in terms of driving or monitoring employment equity with employers generally taking the lead in implementing, often inappropriate, employment equity plans.

Non compliance

There appear to be high rates of non-compliance, with employers prepared to pay penalties instead of changing their employment profile. This is exacerbated by the poor capacity of the Department of Labour to effectively monitor and evaluate compliance.

Basic Conditions of Employment Act

COSATU sees the BCEA as a victory for most workers in South Africa. But there are weaknesses.

Minimum wages

The BCEA, which is intended to provide a basic floor of rights, is seen by unions as offering insufficient protection for vulnerable workers. The least organised and most vulnerable workers, particularly the millions of domestic, farm and non-permanent workers, are at the mercy of employers and invariably earn wages far below the poverty line. The Minister of Labour set sectoral determinations for these vulnerable sectors, but the wages are set at a very low level. The danger of this is that the minimum often becomes the maximum in practice. These workers are extremely difficult to unionise, and repeated union attempts to do so have usually failed.

Maternity benefits

While extending benefits to some workers who had not previously enjoyed them, the new BCEA also lowered maternity benefits to millions of women workers. While setting a minimum of four months unpaid leave, the law imposed this universal minimum on the Unemployment Insurance Fund that had until then allowed women six months paid benefits.

Although all workers have the right to maternity benefits, more vulnerable workers struggle to effect this in practice, given high levels of unemployment, and weak levels of organisation.

Skills Development Act

This Act requires employers to contribute to a fund that supports skills development in all sectors of the economy. Employers implementing a skills plan can recover their costs from this fund. The law thus forces all employers to share in the costs of skills development, and also creates incentives for them to establish workplace skills plans.

As there is a shortage of skills in South Africa, unions regard this Act as a good step.

The problems are:

Low levy

The levy of 1% of the wage bill is very low compared to international norms of company expenditure on skills development.

Lack of capacity and knowledge

Shop stewards and unionists are not active in participating in the newly established sector skills bodies. Lack of union capacity, and Department of Labour weakness in this area, mean that employers have most influence on the implementation. There is a need to train shop stewards and union officials to understand the Skills Development Act. In this event, unions would be both willing and able to participate fully in the sector skills bodies.

Unequal benefit

The Act benefits workers in big companies and does not take into consideration workers' needs in small companies.

Trade unions

Challenges and strategies

The current reality of deepening poverty and inequality creates the need for solidarity among workers – women and men, formal and informal, casual and permanent. This is the time for trade unions to take up joint campaigns and action with workers in the informal economy to build a movement that challenges rampant profiteering and exploitation and creates the possibility of a society that puts people first.

Membership and union density

Overall trade union membership, in COSATU as well as other unions, represents 34% of people employed.

The mining sector has the highest rate of unionisation with just over three-quarters of workers within this sector belonging to a trade union. This is followed by the services sector with almost 62% unionisation level, and utilities with 48%. The latter two sectors show high levels of trade union density due to their predominance within the public sector.

Traditionally difficult sectors to organise, such as construction, agriculture and domestic services, show low levels of trade union membership.

Construction

An estimated 17% of construction workers belong to a trade union. This is because of the nature of the industry where workers continuously move to different sites of production, the use of undocumented migrant labourers, as well as the high degree of sub-contracting.

Agriculture

An estimated 15% of agricultural workers belong to a trade union. This industry also uses undocumented migrant labourers and is an isolated and spread-out industry, which makes it difficult for organisers to gain access to workers. These factors make it easy for farmers to dissuade farm workers from joining trade unions.

Domestic service

As to be expected, the lowest level of unionisation is within the domestic service with only 5% of workers belonging to a trade union. This can largely be explained by the difficulty in organising due to the informal, isolating nature of the sector and the lack of a collective work site.

Figure 6 shows the extent to which different industries were organised in 1995, compared to 2000. Transport, trade and manufacturing lost members over this period while the other sectors increased their membership. The services sector shows the greatest increase over this period.

Given the growing importance of the informal economy as a source of employment it is necessary to compare union density figures in both formal and informal employment. As one would expect, there is a large difference in union density figures between the formal and informal economies.

In terms of trade union recruitment, sectors with a strong prevalence of informal work have the lowest union density. Domestic service is 90% informal, and has only 1% union density. 25% of employment in construction is informal and no-one belongs to a trade union. Other high informal, low union density sectors include agriculture, retail and wholesale trade and transport. This is shown in Table 19.

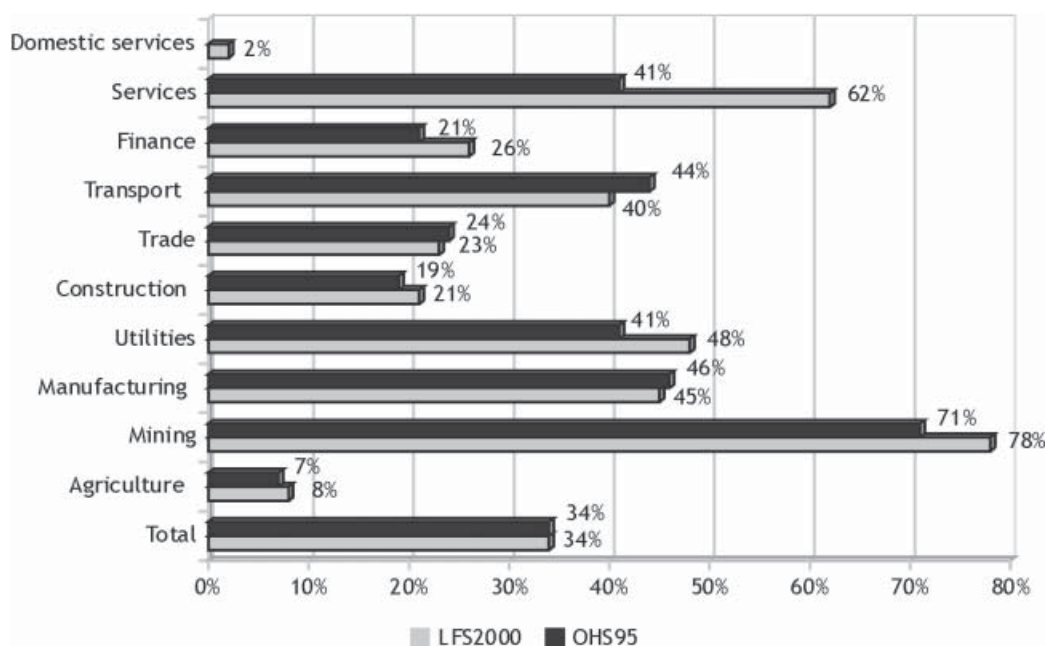
Membership by sex

Men make up 64% of total union membership because they have a greater participation rate within the labour market and hold most of the formal jobs, while women are located in most of the un-unionised, informal jobs. 43% of workers in formal employment belong to a trade union compared with only 6% of workers in informal employment.

Within the formal economy 39% of women belong to a trade union, compared with only 31% when looking at the formal and informal economies combined. This indicates that women are similarly inclined as men to join trade unions in the formal economy. In fact, these statistics indicate that it is primarily women's location in vulnerable sectors that is the key organising challenge.

Table 20 provides more detail.

Figure 6: Trade union membership by industry
(% of total employment) in SA



Source: OHS 1995 & LFS 2000, StatsSA

Table 19: Trade union density in formal and informal employment in SA

| Sector | Formal employment | Informal employment | |
|----------------------|-------------------|---------------------|-----------------------------------|
| | Union density | Union density | Prevalence of informal employment |
| Agriculture | 10% | 0% | 16% |
| Mining | 78% | 0% | 1% |
| Manufacturing | 47% | 16% | 4% |
| Utilities | 48% | 52% | 1% |
| Construction | 29% | 0% | 25% |
| Wholesale and retail | 26% | 2% | 9% |
| Transport | 44% | 9% | 12% |
| Finance | 27% | 10% | 4% |
| Services | 64% | 13% | 4% |
| Domestic Services | 6% | 1% | 90% |
| Total | 42% | 3% | 19% |

Source: LFS 2000, StatsSA

Table 20: Union membership by sex in South Africa

| | Formal employment | | Formal and informal employment | |
|---|-------------------|-----|--------------------------------|-----|
| | Women | Men | Women | Men |
| Share of union membership | 35% | 65% | 36% | 64% |
| Proportion of female and male workers in unions | 39% | 45% | 31% | 41% |

Source: StatsSA, Labour Force Survey, February 2000

Challenges of organising informal workers

There are a number of challenges related to organising informal economy workers. Research conducted under the auspices of the ILO in certain sectors of the South African economy identified the following challenges:

Lack of clearly defined employment relationships

'A feature of the informal economy that is particularly relevant to organising is that the contractual relationships between parties are not as clear-cut as in the formal economy. There is often confusion between employment relationships and commercial relationships. When studies focused only on employers and the self-employed, this was not recognised as an issue. However, the recognition grew that some of those who were being named as "independent" contractors or self-employed were, in fact, in subordinate relationships to other economic actors outside their business.' (Goldman, 2002, p.22).

For example, while taxi drivers are often viewed as being 'self-employed' workers who lease their vehicles from an owner of taxis, the relationship is more complex. The taxi owner has the power to set the payment method, even though it not called a 'wage', and he determines the fares.

Organising efforts need to involve creative ways of establishing a collective bargaining relationship with employers/employers associations. It also means finding ways of collectively negotiating the commercial contracts (Goldman, 2002, p.22).

Worker organisations in the informal economy have to identify collective demands, and decide where the demands should be directed.

Street traders who are dependent on a single supplier or who sell similar goods may come together to increase their power in negotiating with suppliers, for example through cooperative buying arrangements (Goldman, 2002, p.23).

Strategies for organising may target social and political bargaining with legislative/government bodies and other institutions. Street trading is a sector where the key target of collective bargaining efforts is local government not an employer. This is because the state can prevent access to pavements or provide markets and other important facilities like toilets. As Goldman (2002, p.23) puts it: 'In the street trading sector, workers claim their rights as citizens in relation to government, rather than as employees in relation to employers'.

Vulnerability of undocumented migrant workers

Many street traders and workers in the construction industry are not South African citizens. In the building industry, undocumented migrant workers rely on employer complicity to conceal their status, making them more dependent on the employer (Goldman, 2002, p.23). The major unions in the building industry are committed to organising undocumented migrants, but have very few as members. Some street trader organisations do not allow foreigners to become members (Goldman, 2002, p.23).

Informal work is often not visible

A characteristic of much of the informal economy is that it is hidden, taking place in homes or backyard operations (Goldman, 2002, p.24). This presents real challenges for organising. Therefore a key focus for organising is making informal work and workers visible to society.

The nature of work

The nature of work in the informal economy differs from the formal economy (Goldman, 2002, p.25):

- Informal workers are much less likely to have written contracts.
- A wide range of payment methods are used (e.g. piecework/commission).
- Irregular income.
- Low and irregular earnings mean informal workers may be involved in more than one income-generating activity.
- Employer control is exercised in more subtle ways through economic pressure rather than direct supervision.
- Pace and quality of work often determines payment
- Informal workers may have more freedom to determine the times at which they work, but their work patterns may be determined by contractors.
- Workers are less likely to have access to social protection such as healthcare, retirement funding, insurance against loss of income, study funds and death benefits.

Barriers to participation in organisation

It is more difficult for informal workers to participate in organisation than formally employed workers, since they face additional barriers.

- Time away from work means a loss of earnings.
- Workers are likely to be isolated and scattered.
- There is no obvious meeting place.
- There are particular challenges of organising women workers, for example childcare and domestic responsibilities.

Negative previous experience of organisations

Some informal workers have had negative experiences of fly-by-night organisations that take their money and disappear and this makes them suspicious.

Lack of resources to sustain the organisation and serve members

Full time organisers are key for organisational growth. Yet without resources this is difficult. Since informal workers are poor there are few resources available, and the collection of subscriptions is very difficult, given their irregular income and lack of access to banking services.

Organising strategies

Trade unions and other organisations in the informal economy have used various strategies such as the following:

Establishing and defending legal rights

- Negotiations through NEDLAC, Sector Jobs Summits, local government forums.
- Labour Law Amendments around issues such as the definition of an employee, since employers have used loopholes in the law to disguise employment relationships.
- There have also been efforts to extend bargaining council services to informal workers.

Developing targeted recruitment strategies

Since the scope of the informal economy is large, it has been important for unions to develop targeted recruitment strategies.

Representing membership

Organisations and unions have represented their members in order to fight for:

- Improved earnings and conditions of work;
- Distribution of resources;
- Economic organising;
- Access to benefits and social services;
- Advocacy and policy intervention;
- The building of leadership through empowerment of workers.

Unions also have to explore ways of dealing with organisational barriers to union participation mentioned above.

- Developing strategies for dealing with organisational barriers (gender, attendance of meetings).
- Linking/affiliation with other organisations; creating strategic alliances with the trade union movement.
- Approaches and strategies for long term transformation of informal work.

Attempts by COSATU unions to organise in the informal economy

Different unions have adopted different strategies.

SATAWU¹¹

SATAWU claims a taxi industry membership of approximately 10 000 workers, mostly drivers, with 2 500 of these paid up.

- SATAWU has relied heavily on former taxi drivers, now dedicated sector organisers, to do basic recruiting and organising.
- The union makes an effort to meet with taxi drivers on taxi ranks or at the union offices at off-peak times of the day.
- Traditional trade union organising and representation tools are used, including election of rank stewards and lodging individual and collective workers' grievances with individual taxi owners.
- A high proportion of workers in the industry are employees as opposed to owner-drivers.
- SATAWU's strategy has also been to get taxi industry operators who 'lease' taxis to drivers to recognise themselves as employers.
- A significant element of SATAWU's strategy is to ensure that employers are organised so that the union can enter into a bargaining relationship.
- The recapitalisation programme of government has provided an incentive for owners to get together, which SATAWU is hoping to utilise.
- The union has made strategic inputs to national policy formulation and built relationships with government departments.

SACTWU

SACTWU has launched a pilot project to organise informal workers in Cape Town. Unlike SEWU, which focuses largely on own-account workers among home-workers, SACTWU has chosen to focus on organising home-workers who make up clothes from fabric purchased and cut by formal manufacturers. SACTWU is ideally placed to organise home-workers with links to the formal economy, in which the union is well organised.

SACTWU's strategy for improving conditions of industrial home-workers includes:

- Establishing a register of home-workers and reaching agreement with retailers and manufacturers to limit sub-contracting to those registered.
- Establishing a bargaining relationship with formal retailers around conditions under which work is contracted out.
- Attempting to establish a collective negotiating relationship with retailers who indirectly contract to home-workers (on the basis of a 1999 Congress resolution).
- SACTWU also advocates for an industrial strategy that promotes economic organisation among workers in the informal economy so that they are able to bargain more effectively with fabric and other suppliers.
- SACTWU intends exploring introducing 'area shop stewards' elected within a geographic community of informal workers to represent them, and getting contractors to contribute to a fund to pay for the time of an elected shop steward from a specific residential area.
- Using organisational rights to gain access to institutions such as bargaining councils for informal workers.
- In 2001 SACTWU tabled a notice of protest action against retailers in terms of the LRA, declaring a dispute around the way they deal with informal clothing producers (among other things).
- SACTWU has encouraged informal clothing operations in Mitchell's Plain to move into a small business hive established with government support. This gives manufacturers a chance to cooperate in terms of securing orders and sharing knowledge. It also makes organising easier.

NUM¹²

At the time of the case study into the building industry, NUM was still in the process of developing a strategy for organising informal construction workers. Based on interviews with NUM officials (Goldman, 2002b), elements of the strategy are likely to include:

- In the construction industry, NUM hopes to establish a national bargaining council that will cover all workers in the sector, formal and informal.
- Ensuring that the main contractor on a project is held responsible for the employment standards (including wages, benefits, unemployment insurance, conditions of work, health and safety) of all workers on that project, regardless of whether they are employed directly or by a sub-contractor.
- Intervening in the development of tender policy nationally, and in the process of awarding tenders.
- At an ideological level, challenging the idea that black employers should be awarded government tenders and/or private contracts, regardless of whether they maintain labour standards.
- Working with bodies like the CIDB to ensure stability in the industry, and thus more stable employment patterns.

Organising initiatives among unregistered workers

The integration of CAWU with NUM has certainly benefited construction workers, as far as membership figures are concerned. CAWU'S membership had declined to only 17 000 at the time of integration (from over 30 000 in 1997). By February 2002 membership in the sector had increased to over 49 000.

Some unions in the construction industry see it as in their interest to support efforts by labour-only sub-contractors to organise, so that they are able to bargain with them as employers. Existing collective bargaining structures are weak or have collapsed because the labour-only sub-contractors do not participate or abide by agreements reached there.

Work seekers in the building industry have suggested that NUM provide a job placement service that distributes building work among casual work-seekers.

Experiences of other organisations organising the informal economy

The Self Employed Women's Union (SEWU)

While SEWU operates as a union it is not registered with the DoL. It has recently registered with the Department of Social Welfare as a non-profit organisation. SEWU has informal links with the trade union movement, but has opted not to affiliate to COSATU for reasons of political linkages. SEWU is part of international networks of organisations of street traders and other informal workers.

SEWU organises only women working in the informal economy. The organisation claims a national membership of 2 276 paid-up members.

SEWU's current recruitment drive is focused on street traders, home-based workers and women engaged in agricultural work. Their members earn very low incomes, whose work can most accurately be described as survivalist. Its membership differs from informal membership organised by other trade unions. For example, the home-based workers they organise tend to work for their own account, producing clothes from their own designs, using fabric they purchase themselves and selling to customers near to where they live. SEWU has a depth of experience organising self-employed survivalists selling for informal markets.

SEWU's aims are to make self-employed women and their work visible, to enable collective self-empowerment of these women, and to build leadership among women situated in one of the more vulnerable sections of the economy. SEWU is the exception among street trader organisations where the democratic structure of trade unions is not the norm and where the role and position of women tends to be marginal (Motala, 2001).

SEWU has directed demands for facilities to local government, a demand for lower prices to suppliers and a demand for higher prices for cardboard waste collected for paper waste companies (customers).

Street traders in Durban have successfully bargained with local government to improve conditions in their workplace through the provision of markets, and storage and toilet facilities near trading sites. SEWU has also engaged with local government around local economic development policy. In Johannesburg it has been difficult to establish a relationship with local government, and so street trader organisations often make use of protest action.

Street traders are unlikely to be assisted by traditional collective bargaining forums, because these are based on an employment relationship between the parties.

While SEWU has made significant advances in representing women in informal employment, they have struggled significantly to maintain financial sustainability. This is a major challenge in organising informal workers.

Organising women

The central responsibility of trade unions is organising women in order to improve their position in the workplace

through collective bargaining. This requires a shift in strategies and practices. The following are some of the elements in such a shift:

Building women's leadership in trade unions

It is critical to the survival of trade unions that women are in leadership positions. It can have the effect of making the union agenda more gender-sensitive, and will also encourage more women to join trade unions. This should also include employing women as organisers and electing women as shop stewards.

Engendering collective bargaining

Collective bargaining remains central to improving the working conditions of workers, whether they are casual, self-employed or full-time workers. The specific needs and interests of women workers must be taken on board. Unions need to ensure that solidarity is developed between all sections of the working class.

Organising casuals and women in the informal economy

A lot still needs to be done to deal with some of the divisions in the workplace and the fact that unions often do not give particular attention to the needs and interests of vulnerable workers, particularly women. Their working conditions make them more difficult to organise, but all the more crucial in the struggle against poverty and capitalism. Unions should explore the successful organising strategies that have been used by the labour movement and other organisations.

Building solidarity among workers

It is crucial that the union movement is able to use its strength to defend and organise vulnerable workers, and in the process, grow in size and representivity. While the challenges are many, the current situation also offers opportunities to build greater solidarity between workers: women and men, casual and permanent, formal and informal.

Conclusion

There have been significant advances in South Africa in legal and constitutional provisions on gender equality. For example, the Bill of Rights of the Constitution, labour laws, laws on child maintenance, domestic violence, childcare grants and the termination of pregnancy. These laws and rights provide a framework for equality.

However, in reality little has changed for black working class women in South Africa. The latest statistics, as reviewed in this paper, show growing poverty and inequality. Legislation alone does not change attitudes, traditions and power relations. Black working class women still face problems in accessing resources and rights due to poverty, and lack of information and education.

The South African government's economic policies and the inequality of the global capitalist system have made poverty and the inequality of black working class women worse. They have borne the cost of economic restructuring, casualisation, and retrenchments.

There is a need to build the organised labour movement, a need for solidarity among the working class to challenge the power relations and policies that exacerbate poverty and inequality, and to promote a more equitable distribution of South Africa's resources and wealth for all South Africans.

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Endnotes

- ¹ In March 2002, the Bureau of Market Research estimated that a minimum living level for an 'average' family of five was R1777 per month. The slightly less conservative supplemental living level was R2330 per month for an 'average' family of five. In the lowest expenditure category household sizes ranged from 1 to 22.
- ² Kabeer N. (1994) *Reversed Realities: Gender Hierarchies in Development Thought*. P.143-144.
- ³ Statistics South Africa, *A Survey of Time Use*, 2001:18.
- ⁴ Interview material from *Employment Issues and Opportunities in the Informal Economy: Case studies of women home-based workers in Durban's shacks and townships* (ILO, 2000, Appendix II:10).
- ⁵ See Makgetla, 1997.
- ⁶ Interview with a craft-seller in *Employment Issues and Opportunities in the Informal Economy: Case studies of women home-based workers in Durban's shacks and townships* (ILO, 2000:Appendix II:13).
- ⁷ Interview with informal trader in *Employment Issues and Opportunities in the Informal Economy: Case studies of women home-based workers in Durban's shacks and townships* (ILO, 2000:Appendix II:10).
- ⁸ Interview with informal worker in *Employment Issues and Opportunities in the Informal Economy: Case studies of women home-based workers in Durban's shacks and townships* (ILO, 2000:Appendix II:19).
- ⁹ Median values, as opposed to averages, give a better indication of the centre of the dataset in skewed (non-normal) distributions.
- ¹⁰ The review of labour legislation in this section is drawn from a NALEDI report entitled 'The State of Unions in South Africa.'
- ¹¹ The information in this section comes from Goldman (2002) and Barrett (2001).
- ¹² Goldman (2002b) *Organising in the Informal Economy: A Case Study of the Building Industry*