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Decent Work in the Informal Sector

The International Labour Organization (ILO) states that “Decent work sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for all, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men”.

Close to 40 years ago the ILO first used the term “informal Sector” to describe the activities of those who were poor and working very hard, but were not recognized, recorded, regulated, or protected by public authorities. In June of 2022, almost 40 years after the ILO amended its fundamental principles and rights (1998), it included Occupational Safety and Health (OSH) as a fundamental principle and right at work.

According to the ILO, an estimated 2 billion people are employed in the informal sector which stems from the vulnerable of these individuals. It is now imperative that we as a society, seek to uphold ILO’s declaration and indeed ensure that OSH is a fundamental right at work for all, particularly those who are employed in the informal economy. In Trinidad and Tobago, workers are protected by the OSH Act 2004 as amended, but the protection of workers continues to be an issue in the informal sector. Most times employers are compliant with the documented requirements but do not fulfill the contents of these documents to the employees.

Employers who employ persons in the informal sector neglect in many instances to provide these individuals with basic leave and decent wages. In addition, they also neglect to ensure that the workers are protected when they report for duty and that they, as the employer, are doing their best to ensure that all employees are not exposed to any risk or hazards in the workplace. Many workers in the informal industry may also be exposed to various occupational illnesses and may only be affected years later where they

may now be employed at another place of work, or having retired, leaving them with little or no redress.

In considering these factors, it also has an effect on the workers’ mindset when they think about the dire circumstances which they face. As a consequence, in many cases, workers also battle with depression and anxiety due to the increasing cost of living where many of them are the sole breadwinners of their household. This is exacerbated by the stagnant salary negotiations in some cases, where the rise in the cost of living is not matched by increases in their remuneration. There is also the stress of working in unsafe and unsanitary conditions. These conditions may result in major injuries or ill health, but workers perform their duties as they are aware completing the job would ensure that there are rewarded by their pay. These health issues can be both temporary or chronic in nature.

Mental health is a chronic issue that is affecting workers globally, and this has been increasing at the local as well as global levels. Decent work leads to positive mental health in both men and women and contributes to a healthy and sustainable family life. It increases the morale of employees and propels employees to be more productive, as well as engendering the values of dedication and loyalty to the employers. In the long-run it is being argued that it can lead to the sustainable growth of a nation, but we need to recognize that this growth must be accompanied by the protection of the rights of the vulnerable in our labour force.

In some cases, workers in the informal sector are also made to work in excess of 48 hours per week or more than 8 hours per day in contravention with the ILO’s standard. Employees who sometimes resent these working hours which are sometimes mandatory by the employer, may be vulnerable to victimization, as well as not being adequately compensated according to good industrial relations practices. This is another good reason as stated in an earlier column, where it was recommended that the informal sector be incorpo-

rated into the national economy. Once this is accomplished, a record of the number of employee working hours will be available and thus mitigate against any victimization which may occur as a result of an employee's refusal to work beyond standardized hours.

In countries such as the United Kingdom (UK), workers' rights are significantly more protected in terms of legislations and policies when compared to Trinidad and Tobago. There is the Employment Rights Act (1996), the Equity Act (2010) as well as the Employment Act (2002). Although in Trinidad and Tobago the rights of workers are protected by legislations such as the Minimum Wages Act, the Maternity Protection Act, Occupational Safety and Health Act, and the Industrial Relations Act, more social dialogue must take place so that these Act' can be updated and show relevance to the modern worker, and increasingly contribute to their protection.

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