

# Homeworkers out in the cold

Continuing with the series of articles on the growth of homeworking, **Jennifer Greenburg** argues that despite homeworkers' central importance to clothing production, they remain very much on the peripheries of existing mechanisms of labour organisation and collective bargaining. She explores the ways in which homeworkers have come to perceive the Southern African Clothing and Textile Worker's Union (Sactwu) and the barriers, which exist for the union to organise homeworkers and the potential for the union to reconstruct relationships with homeworkers in the future.

The rise of homeworking has drastically changed the context in which Sactwu is acting and challenges the efficacy of current organising strategies in reaching all clothing workers. The analysis presented here of Sactwu's organising strategy comes out of a series of interviews conducted in 2004 with 16 women who had lost their jobs in formal clothing factories in the 1990s and who then entered cut make and trim (CMT) work after being unable to find another factory job. Twelve of these women were not members of Sactwu at the time, while four were. Additional interviews were conducted with three CMT owners and four former Sactwu shop stewards who were working as recruiters for the union. Interviews reveal that Sactwu's existing strategy of organising is not reflective of homeworkers' conditions and demands as workers. Accordingly, homeworkers tend to approach the union with resentment and trepidation. A call arises out of this research for Sactwu to re-formulate its definition of clothing work in a way that is inclusive of homeworkers and construct an organising strategy around this redefinition.

## HOMeworkERS' PERCEPTIONS

In 1999, Sactwu developed a strategy to incorporate homeworkers into its ranks by offering them a range of benefits including access to healthcare, retirement funding, funeral benefits, education and training. Since 1999, Sactwu has targeted several membership drives at homeworkers, yet the union has not been successful in reaching and mobilising homeworkers on a large scale. A significant barrier Sactwu has faced in organising homeworkers is homeworkers' distrust of the union stemming back to the loss of their factory jobs. When asked what they thought of Sactwu, a large majority of homeworkers interviewed for this research conveyed a strong resentment toward the union for being unable to save their factory jobs or secure them a proper retrenchment package or Provident Fund. One woman interviewed arrived at the factory where she was an examiner one morning, only to find that her employer, who owed her several weeks of unpaid wages, had undergone liquidation. When asked if she ever received any of the unpaid wages she was entitled to, she replied: 'Nothing, the union just gave us

R5 to go home that day. That R5 - I'll never forget that. And they wrote our names on papers, they told us they would go around factories to collect money for us, but there was nothing. That was six years ago, you know. And nothing happened. Our names were with the union. We would go back and nothing happened. And you know, it was the third time that he did that... The next week he opened again under a new name... Some girls are still working for him.'

Job security and the guarantee of regular wages is a major benefit of joining the union. However, many homeworkers experienced that union membership did not protect them from unfair dismissal or the breaching of wage contracts. These experiences translate into a sense for many homeworkers that the union did not do enough to prevent their factory job losses and was not there to support them following retrenchment or liquidation.

Homeworkers stated in interviews that, now that they worked in CMTs, they feared being fired if they joined Sactwu given their employers' opposition to union membership. CMT owners and employers confirmed in



separate interviews that indeed they viewed the union as existing to shut down their operations or regulate them out of existence. Homeworkers' fear of losing their jobs for joining the union is further magnified by the fact that workers in a small factory are often at greater risk of intimidation by employers than workers in bigger factories, and the 'up and go' nature of homeworking operations enables employers to fire workers who join the union, close down, and re-open with non-union staff. One Sactwu recruiter who was herself a homeworker described how: 'Homeworkers don't sign up easily. They are afraid. Either they come out of liquidations, or retrenchments. Mostly they are not unionised, so the employer can just tell them, "right now you are on short-time," while if you're in the union company they tell you 24 hours before the time you're gonna go on short-time. That's the difference.'

This points to the difficulty that, for many homeworkers, joining Sactwu can actually destabilise their job security rather than entrench their labour rights. There is a widespread belief throughout the CMT

industry that Sactwu's activities are 'anti-CMT' in that they threaten the existence of CMT jobs by seeking to eliminate homework. Another Sactwu recruiter who had been retrenched from the formal clothing sector described homeworkers, as 'wary of Sactwu' because they think the union is out to take away their jobs. Many homeworkers thus carry a multi-layered distrust of Sactwu that stems back to losing their factory job and feeling the union was not doing enough to fight for their job or retrenchment package, then moving into the CMT industry where the union is widely viewed as a threat to the only type of clothing work that is available. Both homeworkers' and CMT owners' distrust of the union continues to become more deeply ingrained over time, increasing the need for Sactwu to develop a programme of sensitising staff, policy, and especially recruiters to the specific situations of homeworkers and their employers.

### STRUCTURAL CHALLENGES TO ORGANISATION

The structure of homeworking poses some significant challenges to existing methods of

recruitment and organisation employed by Sactwu. Given homeworkers' scattered locations, the cost of recruiting them is very high and labour-intensive. In comparison to a large factory, where a union membership drive may yield hundreds of new members who will pay union dues, a membership drive for homeworkers would require Sactwu recruiters to visit hundreds of small CMTs in locations far from one another, each of which might only yield several new union members. Further, many informal workers do not have access to telephones or postal service, making labour-intensive, personal outreach necessary if the union is to keep homeworkers involved. Homeworkers also have comparatively low wages to their counterparts in formal factories, which make it difficult for them to pay union dues.

The unique relationship of homeworkers to their employers poses some specific difficulties for Sactwu's organisation of homeworkers. As discussed in the first article in this series, it is not uncommon for CMT employers or owners to work alongside their employees, complicating the 'employer-employee' relationship. Familial-type networks also exist within CMTs, in which the relationship of the employer to the employee is very personal and goes far beyond work relationships in the formal sector. These networks allow the employer to use the idiom of family to claim the union is unnecessary when the 'family' provides all the protection workers supposedly need. Even when homeworkers in this situation are organised, familial and familial-type networks can discourage workers from testifying against their employers or wanting their name used because they consider their employer family. These situations are even more relevant in CMTs where actual family members and extended family are employed by one another. Current organising strategies employed by Sactwu are very much based on the expectation of employer-employee relations in the formal economy and often cannot be easily transplanted to the complex employer-employee relations, which characterise CMT work. If Sactwu is to devise an organising strategy that successfully reaches homeworkers, it will



surely be the implementation of organising strategies, which acknowledge employer-employee relations in the CMT industry.

In addition to the complications employer-employee relations pose to Sactwu's organisation of homeworkers, the specific demands of homeworkers call into question the ability of the union to adequately represent them. While homeworkers share certain needs and demands with workers in large factories such as job security and access to health care, they also have specific demands such as making visible disguised employment relationships and gaining access to existing legislation from which they are excluded. Given the fact that most Sactwu activities revolve primarily around the demands and conditions of workers in large factories, many homeworkers are sceptical of the union's ability to represent their specific needs. Homeworkers interviewed for this study who were members of Sactwu were relatively uninformed about union activities and uninvolved in them. When asked whether they had heard of the Proudly South African campaign, a major project undertaken by Sactwu to promote domestically manufactured goods, most homeworkers had either never heard of the campaign or did not have an opinion on whether it helped the industry. Several of these interview subjects commented that they bought imported clothing and shopped at stores the union boycotts because it is more affordable. One interviewee gave the example of when Sactwu recruiters came to her CMT. It just meant that they talked about Mr Price... So you maybe agree with what the people are saying, "Oh, don't buy Mr Price because at the end of the day it's your job that's gonna go down." But then people still go because Mr Price is cheaper. It



is cheaper. I buy my child clothing there because it's cheaper and clothing is SO expensive.'

The campaign is quite relevant to homeworkers, many of whom lost their factory jobs in part due to a rise in clothing imports, that retailers such as Mr Price are purchasing imports. However, the Proudly South African campaign is not sensitive to the fact that most homeworkers have such low wages that it is financially unfeasible for them to boycott imported clothing if it means spending more. A further irony raised by Godfrey, Clarke and Theron with Greenburg in *On the Outskirts But Still in Fashion: Homeworking in the South African clothing industry: The challenge to organisation and regulation* is that the Proudly South African campaign actually benefits domestic manufacturers and retailers who outsource production to unregulated CMTs with lower production costs than formal factories. Godfrey, Clarke

et al. ask, 'Why is it "proudly South African" to source garments from the informal economy, where they are produced by workers who cannot benefit from the protection of labour legislation and who receive wages below the bargaining council rates?'

Homeworkers' particular demands have the potential to threaten prevailing power structures within the union and create a conflict of interest between homeworkers and the formally employed that would be difficult to resolve within the same organisation. For instance, there is an incentive for formal factory workers to regulate homeworking out of existence since many formal workers perceive homeworking as a threat to formal factory work. It will be absolutely necessary, however, for Sactwu to take account of homeworkers' demands and the tensions they embody if homeworkers are to be significantly included in Sactwu. This will require Sactwu to develop new



approaches, which take into account the specific conditions of homeworkers and homeworking. Sactwu will most likely need to develop separate structures within the union to articulate homeworkers' demands and ensure that their interests are protected and their perspectives are heard.

#### THE FUTURE OF ORGANISATION

An unresolved issue of this research is what exactly an appropriate form of organisation would look like for CMT workers. In two separate interviews conducted for this research, Pat Horn, founder and former general secretary of the Self Employed Women's Union (SEWU), and Jan Theron, research coordinator at the University of Cape Town's Institute of Development and Labour Law, discussed their perspectives on the prospects for an organising strategy which includes homeworkers. Horn expressed her belief that the best place for homeworkers is in Sactwu and that if SEWU were to re-emerge, it would not seek to organise CMT workers for fear of encroaching on Sactwu's membership. Horn emphasised the need for Sactwu to transform its organising strategies to enable it to effectively become an organisation that includes homeworkers. Specifically, Horn commented on the necessity for Sactwu to stop thinking of homeworkers as peripheral and organising homeworkers primarily to eliminate them as scabs. Horn convincingly stated the need for a drive to sensitise Sactwu's organisers and membership to homeworkers and 'get their heads into the aspects of these workers' lives'.

Theron raised the important point that formal forms of organisation such as Sactwu are bound to be ambivalent towards homeworking because it is not subject to Bargaining Council agreements and is, for

the most part, an exploitative form of work. At the same time, it is not a viable strategy to outlaw homeworking or regulate it out of existence, as this results in the union becoming a threat to employment security for homeworkers who wish to join. Theron also raised the very centralised structure of Sactwu, which is reinforced by domestic labour legislation, as a barrier to informal organisation. Sactwu's centralisation means that individual branches of the union are not autonomous and cannot respond to local circumstances.

In conceptualising a solution to these structural impediments to organisation, Theron suggested that homeworkers must be mobilised through some sort of accessible, locally grounded form of organisation such as an advice office in Mitchell's Plain or a local, autonomous branch of the union. Theron also advocated promoting co-ops and contracts in the clothing industry that encourage co-ops and other forms of 'fair enterprises'. In agreement with Horn, Theron argued that Sactwu must reformulate its idea of work in order to account for the conditions and nature of homeworking. Theron specifically mentioned the union's inability to recognise the dependent state of most CMT owners, who Sactwu classifies as employers in the formal, independent sense.

#### A WAY FORWARD?

There is a tacit assumption within the structures of Sactwu that formal factory work is the status quo in the clothing industry. In the wake of trade liberalisation and the increasingly large role CMT production has come to play in the clothing industry, this assumption of formal work as status quo is exclusive. Homeworkers are not a peripheral aspect of the clothing economy, but central participants in clothing production who could greatly benefit from access to union resources. The integral role of homeworkers in the clothing economy in effect forms a mandate for Sactwu to reconceptualise homeworkers as central to the union's role in the clothing industry, not as scabs or opponents to formal work. Reconceptualising and including homeworkers will surely mean dedicating

significant resources to, in the words of Pat Horn, 'getting their heads into the aspects of these workers' lives' and redefining the union with these aspects in mind. As asserted by Horn and Theron, a restructuring of Sactwu to include homeworkers will most likely require a decentralised form of organisation that can respond to local circumstances and knit together the complex and geographically defined locations of homeworking. By directly including homeworkers' perspectives in the process of restructuring the union, Sactwu has the opportunity to participate in a new type of labour movement, which organises according to the connections between formal and informal work rather than their disjuncture.

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- SEWU was liquidated in August 2004 following a financially ruinous lawsuit.*