

## Pursuing a Remedy: Occupational Safety and Health in the Informal Sector

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*“Occupational safety and health has to be seen as a basic labour right. Exploitation should be measured not only by lost wages and long working hours but also by the shortening of lives and injuries at work.”*

– Suki Chung

When she was sixteen, Minerva would wake up at 3:00 in the morning and catch a jeepney bound for the Dangwa transit terminal to buy cut flowers she sells in front of the Quiapo Church. It was not long when she felt strains in her back and pains in her arms and legs after years of carrying heavy loads of cut flowers. Now at 48, Minerva is still out in the streets peddling. Married with five grown children, she spent the past fifteen years selling anything from amulets to candles. Not much has changed for Minerva, except perhaps that years of exposure to vehicle fumes and long hours of work has taken a toll in her weakened lungs.

Forced to give up schooling after the 6<sup>th</sup> grade, Andeng helped her parents work their farm in Zamboanga. At 16, she married a carpenter from Leyte and gambled for a better life in Manila. Now

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they have seven children and with nothing but her husband's irregular income as a construction worker. To make ends meet, Andeng resorted to dressmaking. She would sew school and office uniforms, curtains, bed sheets everyday, late into the nights or until the wee hours of the morning. But long hours of repetitive evidently took their toll as now Andeng suffers from lower back pains and strained eyes.

Victoria is married to a daily wage earner carpenter who considers an entire month of construction work a stroke of good luck. To augment this unstable source of income, Victoria cooks pancit bihon and other short orders. She also makes and sells ice candy. Her thumb, index and middle fingers have turned grayish black from the constant strain of tying knots of plastic bags to make at least ninety ice candies daily. A mother of four, she wakes up early to attend to her children before they go to school and then goes to the market to buy ingredients for food orders. At home, while cooking and doing other household chores, she would sell ice candy.

Change the names and these stories could very well represent anyone in the informal economy. Consisting of ambulant peddlers, semi-permanent vendors along the perimeters of churches and business establishments, daily wage earner construction workers and handymen, home-based working wives and children among others, those in the informal sector make up the real but hardly recognized work relation in the margins of formal labor. While definitions vary, the informal sector may encompass those:

"consisting of production units that typically operate at a low level of organization, with little or no division between labor and capital... and on a small scale labor relations – where they exist – are based mostly on casual employment, kinship or personal and social relations rather than contractual arrangements with formal guarantees." (ICLS, 1993)

"...the non-structured sector that has emerged in urban centers as a result of the incapacity of the modern (formal) sector to absorb new entrants." (ILO and UNDP, 1972)

"very small-scale units producing and distributing goods and services, and consisting largely of independent, self-employed producers in urban

areas of developing countries, some of whom also employ family labour and/or few hired workers or apprentices; which operate with very little capital, or none at all: which generally provide very low and irregular incomes and highly unstable employment to those who work in it. They are informal in the sense that they are for the most part unregistered and unrecorded in official statistics; they tend to have little or no access to organized market, to credit institutions, or to many public services and amenities; they are not recognized, supported or regulated by the government, they are often compelled by circumstances to operate outside the framework of the law, and even where they are registered and respect certain aspects of the law, they are almost invariably beyond the pale of social protection, labour legislation and protective measures of the workplace." (ILO, 1972)

Notwithstanding this plethora of descriptions and the International Labor Organization's (ILO) own official definition, what is certain is that in many developing countries the extent of the informal is larger than that of the formal sector. With the large number of people employed and effortlessly moving in and out of the informal economy, therefore, it is no surprise that it is being referred to as the "people's economy."

As of July 2006, out of a total of 800,000 establishments in the Philippines about 3,000 firms employ more than 200 workers while approximately 70,000 medium and small establishments employ between 10-199 workers. Nearly 750,000 firms utilize less than ten workers, most of whom are own-account workers and family members, or low-skilled employees working under perilous conditions. While some of these micro-enterprises match the standards of the formal sector, most of them would qualify as livelihood activities in the informal economy.

A modest estimate indicates that about 65% of the workforce is tied to the informal sector; 1.9 million of them to be found in Metro Manila alone. A total of 6.3 million home based workers are mostly doing informal work in the Philippines (National Profile on Occupational Safety and Health, 2006). Like in many developing countries, the following common features characterize this sector:

- The workforce consists of self-employed people in micro-enterprises and provides work for family members.
- Development is based on limited capital with the family usually owning the means of production.
- The workforce being generally undereducated, apprenticeship becomes the primary means to acquire skills and knowledge.
- Most operate on open land without right of occupancy.

Most of these enterprises perform a variety of operations including food vending, wholesale and retail sale of market products, conveying passengers, cargo handling, rendering personal services such as shoe shining, car washing, domestic help, etc. Children are frequently found in the workplace accompanying their mothers who are mostly into the catering and vending operations.

Young workers, particularly those out of school, represent a large part of the labor force in the informal sector. Only few of these small-scale groups work as part of a larger organization or association. Moreover, even when affiliated with associations, they work individually for their earnings and have limited financial resources and organizational capacity. Thus, they are still unable to generate considerable income, or invest capital optimally.

As in most Asian countries, informal labor is derived from the surplus labor of the agricultural sector that migrates to cities in search of better life but eventually end up settling in slums and working in the informal economy. Globalization, however, has induced countries, including the Philippines, towards a rapid informalization of the formal sector. As such, the current informal economy is no longer the sole domain of informal work. Developing economies that embraced free market policies and practices rooted in export-led growth has caused massive layoffs among formal sector workers. The scenario is exacerbated when these laid off workers join the pool of those willing to take on precarious employment for obvious lack of alternatives.

Secure jobs with related social benefits and protection are rapidly decreasing within the formal sector. The shifting nature of work has led constantly to an increasing number of workers taking perilous and unsafe employment not only in the informal economy but in the formal sector as well. Employment, however, will not provide these workers the elusive escape away from the vicious cycle of poverty and only exposes them further to vulnerabilities.

Heated discussions have been taking place as to whether informal sector activities mounting under these dire economic conditions contribute meaningfully to productive employment and value-added in the economy; or whether the resulting activities merely represent desperate survival mechanisms that are unproductive in the economic sense. Yet, in developing countries, by sheer number alone, the informal economy can neither be overlooked nor neglected.

### **Hazards to Health and Safety of Informal Workers**

An array of hazards, including long working hours, poor housekeeping, inadequate welfare facilities, ventilation and lighting, poor work posture and work methods, chemical exposure, and inadequate provision on personnel protective equipment (PPE) have been noted in one study conducted among automotive and machinery repair and metalwork sector of the urban informal economy in the Philippines. Piece-rate systems were also found to make working hours irregular and lead to unsafe work habits. Long hours without regular breaks, repetitive movements, fixed working position and prolonged visual concentration were typical observations for simple one-step outsourced work tasks such as gem cutting, net repair, garment sewing and ribbon making. Awkward work positions with poorly designed stools and benches leading to musculoskeletal problems due to constant neck and low back flexion were also familiar sights. At peak seasons, workers would rush work to meet targets at the expense of safety.

For home-based enterprises, problems go beyond the worker and involve risks for the worker's family and home environment. The exposure of family members to poor working conditions often lead to occupational diseases even for those not directly involved in the work.

Typically, poor residential areas that serve as informal sector worksites have no adequate access to clean water and washing facilities, or lockers and separate eating areas for workers. Workspaces are often limited. They are also as hot and humid as the season during summer months. Poor lighting, even for tasks requiring concentrated vision, are fairly common. Job-related risk factors are compounded by overcrowding, poor nutrition and other public health problems, as well as inadequate sanitation and other visible effects of poverty.

Few informal enterprises have fire extinguishers while many have no first aid kits. Emergency exits, if at all present, are blocked by cluttered passageways and obstructed by wires and cables. Tools, raw materials, scrap and empty containers are commonly found scattered over the worksites.

The use of complex machinery is not typical among informal sector workers and high noise levels have not been commonly reported mainly because of the low degree of mechanization. Where old, scrap machinery is used, there are hazards related to moving parts such as drive belts. High noise levels, however, are generally experienced by construction workers and those working in roadsides and transport terminals.

Depending on the industry and processes involved, informal sector workers are exposed to common chemicals like their counterparts in the formal sector. Problems of exposure to hazardous chemicals may be experienced by all family members when production takes place in the home. Small-scale farmers are exposed to chemicals used in fertilizers and pesticides to increase crop production and match input costs. These farmers usually apply chemicals manually using poorly maintained, primitive equipment that not only intensify chemical exposures but also lead to ergonomic hazards brought about by outmoded hand tools, as well as by lifting heavy loads and sustained physical work.

Typically, the poor health conditions of informal sector workers living in low income areas are a consequence of poor diet, substandard housing, overcrowding and adverse environment. Hazardous and difficult working conditions compounded by poor health and living conditions increase the vulnerability of workers to develop chronic illnesses. The common practice to self-treat illnesses using over the counter drugs for work-related problems such as back, neck, limb and joint pain, as well as eye strain and headache, has been observed frequently.

Interestingly, the pattern of reported morbidity in the informal sector is similar to that registered by workers in formal sector surveys (Munbodh, 2002). Musculoskeletal disorders such as shoulder pains, backaches, numbness of hands and feet; eye strain and injury, skin irritation and respiratory disorders have emerged in the pattern of occupational health problems despite the heterogeneity of workers in the informal sector. In cases where workers encounter visual problems, however, eye examinations and purchase of prescription glasses are considered

expensive or beyond one's financial means. Wearing of goggles to protect the eyes from foreign objects is more an exception than the rule for home-based workers in the gem-cutting or jewelry making industry. The use of hazardous chemicals like boric, sulfuric, or nitric acid, cyanide and caustic soda has led to a rise in respiratory problems, skin irritation, and burns due to bleaching and dyeing; while exposure to organic dusts has not only resulted in respiratory disorders but also to frequent headaches. In addition, stomach problems are commonly reported due to poor hygiene as a result of the lack of accessible clean water and safe sanitation. All these problems are linked to the common practice of poor work organization, ergonomic hazards (poor work posture and loads), hazardous hand tools and exposure to dusts and chemicals, primarily pesticides, traffic fumes and solvents.

In the unregulated work environment of informal labor, the rate of accidents (while found lower than might be expected) may well reflect the reality of unreported cases or the absence of a comprehensive monitoring system.

### **Pursuit of remedy: Suggested OSH Interventions**

Since informal economy workers are self-employed or working for their families and not always under formal contracts of employment, they are rarely covered by labor health and safety laws, and typically beyond the protection of unions, employer's organizations and the state. Females and children, which comprise the larger proportion of informal sector workers, have poor access to information, lack knowledge about hazards, as well as their implications. The generally poor work condition and the pressure to generate income regardless of social costs are among the common factors that undermine workplace safety in this side of the economy.

Images of how those in the sector pull through their daily grind vividly show the need for improvements in their work and health conditions. The need to reach them through formal systems, however, is crucial to the design of an effective OSH strategy. The fact that informal workers are often mobile and working in public places that cannot be easily delineated as workplaces complicates the problem further. Their level of formal skills remains low, even if literacy rates are high. Most skills and experience are acquired through informal exchanges. Thus, it has become difficult to establish traditional systems of promotion, information

dissemination, inspection and monitoring. Innovative schemes that would link risk reduction to improving economic viability; occupational health inputs, with environmental and public health inputs; skills for managing occupational health with other skills; and safety measures with other technology options all the more become necessary. The following interventions are proposed:

**Inclusive national policy.** The ILO Convention on the promotional framework for OSH recommends a national system that lays out the infrastructure to provide the main framework for implementing national occupational safety and health programs. The Philippine national OSH system should consist of laws, regulations, practices and cooperative arrangements among key players; in particular, DOLE, employers and worker's organizations and other government agencies. Policy and program formulation and implementation through joint decision making at the national level of the Tripartite Industrial Peace Council (TIPC) and at the agency level in the tripartite governing boards of the Occupational Safety and Health Center (OSHC) and the Employees Compensation Commission (ECC) must be achieved. While the national OSH system is at the core of a wide range of responses to OSH challenges, it remains silent regarding the informal sector. Hence, it is imperative to institute an inclusive national policy and harness concerted institutional support to develop a framework for the sustainable development of OSH in the informal sector. Given the size of this labor force, the diversity of their operations and the variety of their social and demographic characteristics, adequate background information can be established through the coverage of the informal sector by OHS information systems, research and studies. Specifically, the community resource mapping undertaken by local government units should provide statistics on constituent informal workers, their number, composition and characteristics, and afford a quantitative framework in the preparation and formulation of comprehensive plans and programs to include the informal sector.

**Education-related Initiatives.** The national policy must likewise leverage education at all levels to create awareness by the public on occupational safety and health concerns in general, and the plight of the informal sector in particular. Integrating OSH in basic education subjects will pave the way to build a healthy and safe culture among the young. At the secondary level, discussions must not only reinforce learning outcomes but also provide knowledge on occupational safety and health risks that may be encountered in one's prospective career choice. The integration

of OSH topics in tertiary level courses should reinforce the value of maintaining safety and health towards optimum productivity.

For workers in the sector—taking into consideration that literacy rates are generally high—dissemination of occupational health and safety information and incorporating OSH in capability building programs is a viable strategy that underscores the role of OSH to improve informal sector productivity. Given the sporadic pace of informal work, off-peak work hours could be utilized to read and discuss issues and concerns.

**Primary health care approach.** A national action program for OHS promotion in the informal sector, particularly with regards to the most vulnerable workers, should undertake a primary health care approach. As small-scale enterprises may not be covered by the law governing inspections or may not be monitored due to the lack of inspectors, detection and control of occupational exposures will mainly depend on a system of monitoring and management at the level of the local community. Moreover, these enterprises may have too few workers to be required by law to have a safety officer or committee, thus, accessibility of health services and screening for occupational illness must be provided and strengthened through traditional health sectors and primary community health care services.

This approach must also engage preventive and rehabilitative measures involving workers and an interdisciplinary, multi-sectoral support system for it to become a potent and cost effective strategy to improve OHS in the sector.

**Chemical safety management.** An information campaign towards the safe handling of chemicals, their health risks and effects, specifically focusing on the most common solvents and pesticides used in the industry, is one strategy to address the problem related to chemical exposures. Simplified safety data sheets for the most common chemicals in use, with appropriate advice on risk reduction, first aid and health impacts should be produced in the vernacular and made available to workers in the informal economy.

**Common facility.** A national campaign emphasizing the safety aspects of the technology that provides useful examples of low cost designs for small enterprises must be launched. The greater share of the health burden of occupational risks could be addressed by improving hygiene, ergonomics, work organization and hand

tool safety. Government can bankroll a common facility for informal sector enterprises to provide a worksite layout and work system that will include adequate ratio of hygiene facilities, clustering of similar work processes, the integration of ergonomic features for work benches/platforms, as well as housekeeping features such as passageways, storage facilities and emergency exits. The maintenance of such facility could be accomplished through community services that levy fees in exchange for operator licenses.

**Stringent implementation of laws.** Government action to rigorously enforce laws such as the Clean Air Act should be encouraged to promote a general control of vehicle exhaust fumes and to reduce the risk of exposure of informal workers who earn a living at roadsides and transport terminals.

The passage of the Magna Carta for the Workers in the Informal Sector must be supported. But in a Conference on Social Protection and Occupational Safety and Health among Informals held recently at the UP School of Labor and Industrial Relations, stakeholder-participants proposed the following changes that the bill must incorporate:

- Improvement of existing social security schemes and the SSS law to cover the informal sector to enable them to avail of health care support, insurance, pension and retirement benefits;
- Provision of national government funds to help informal workers upgrade their business technology and improve their products;
- Representation in tripartite bodies such as the SSS to participate in policy formulation specifically those that concern and affect the informal sector;
- Mandatory local government support and assistance such as provision of permanent, safe, and healthy environment for informal workers to conduct business;
- Protection from violence committed against women who comprise the majority of those in the informal sector;
- Monitor and report to duly constituted authorities the presence of child workers in the informal sector;
- Undertake widespread information dissemination and training on occupational health and safety standards;
- Institute a construction industry development fund that shall promote the skills and upgrade the competitiveness of workers through training; as well as a social protection

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fund for construction workers that can be used in times of emergencies, illness, and retirement.

Legislation and enforcement mechanisms must cover the entire working population, which necessarily includes the informal sector.

### **Conclusion**

The bottom line is that a large number of workers not only in the Philippines but in Asia are killed, injured, or suffer illness at work each year. The focus on occupational safety and health has gained the attention it deserves in recent years. However, if this is still not adequately addressed in national and regional agendas for the formal sector, how much more, in the informal sector? Technological advancement and economic growth have had a direct impact on working conditions and the safety and health of people at work. The economic crisis and the necessity for greater productivity and competitiveness, as well as the need to trim down public expenditures, have all been invoked to justify less attention and lower priority for OSH issues.

In the end, the overall OSH situation will not see any significant improvement unless employers take steps, alongside workers and their organizations, to improve their performance in relation to occupational safety and health. Government should facilitate these initiatives through programs that implement adequate measures and legislations to prevent occupational hazards. And since the informal sector provides goods and services to reduce the gap created by traditional formal institutions, substantial efforts are necessary to develop and integrate the sector. No doubt that without adequate assistance and protection, the ever increasing and emerging economic force of the informal sector may one day work against the economic growth and instability of the entire country.

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