

WHISTLES

Guidance on
home-based work

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1. How is homework defined?

Homework can be defined as the production of goods or services carried out in premises other than those of the main employer, often in private homes. Homeworking refers both to individuals or family groups working together in their own home or groups of workers who come together in informal workshops, often home-based.

Homework is common in the garment industry and includes the assembly of cut pieces, machine and hand-sewing, buttoning, craft work such as embroidery or other embellishments and inspecting, finishing and packing.

The ILO Convention 177 defines homework as: “Work carried out by a person in his/her home or on other premises of his/her choice, other than the workplace of the employer, for remuneration which results in product/service as specified by the employer; irrespective of who provides the equipment, materials or the other inputs used, unless this person has the degree of autonomy and economic independence necessary to be an independent worker under national laws, regulation or court decisions.”

ILO (Home Work Convention C177, 1996 by ILO) http://www.ilo.org/dyn/normlex/en/f?p=NOR_MLEXPUB:12100:0::NO::P12100_ILO_CODE:C177

Only 10 countries have ratified this convention, and India is not one of them.

There are 5million homeworkers as part of the garment and textiles industry in India.

1.1 Needs and Constraints

Homeworkers:

- Are invisible and isolated.
- Are unrecognized and undervalued.
- Lack effective legal and social protection.
- Are largely excluded from employment benefits.
- Face occupational health and safety risks, which are often related to working in small, cramped, unventilated houses that lack basic infrastructure services.
- Are subjected to irregular work orders and irregular supply of raw materials, both in terms of quantity and quality.
- Earn little, often below the poverty line, despite working long and unregulated hours of work.
- Are mostly unorganized.
- Lack bargaining power and representation in collective bargaining or negotiating forums.
- Face problems related to their home, which is also their workplace, such as insecure tenure, lack of space, poor quality construction (e.g. lack of ventilation and natural light), lack of basic infrastructure services (e.g. regular supply of electricity), and are subject to evictions and relocations.
- Are mostly unorganized, although there are a growing number of home-based worker organizations and three regional networks of these organizations.
- Lack bargaining power and representation in collective bargaining or negotiating forums.

1.2 What Whistles need to verify:

- Recognition as Workers
- Representation of Homeworkers
- Freedom of Association
- Collective Bargaining Agreements

- Secure, Written, Transparent Contract
- Fair Piece Rates (to include expenses of running a business from home)
- Protection from Harmful Practices
- Employment Benefits
- Social Protection
- Occupational Health and Safety
- Security of Tenure and Basic Infrastructure Services
- Transport (cost must be incorporated in the piece rate)

Questionnaire for home-based work

Factory details

(Site which commissions home-based work for Whistles production):

Name factory:

Contact person (at management level):

E-mail address:

Address:

Postal code:

City:

Province:

Country:

Phone:

1. Which parts or specific tasks of the whole production cycle are done at home worker units?

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2. What share (%) of total production for Whistles takes place at home worker units?

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3. Are the home workers individuals, families or do they work in collective groups?

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RELATION BETWEEN SUPPLIER / CONTRACTOR / SUBCONTRACTORS (IF APPLICABLE) AND HOMEWORKERS:

4. Are home workers registered workers to the supplier / contractor / subcontractor (if applicable)? If not, on what basis agreements are made and controlled?

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5. Is the relation regulated in a contract? If yes, in what terms?

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6. What are the terms of payment (e.g. per piece, period of payments)? If applicable describe the terms of loans or pre-funding. In case the production takes place at a factory and at home, do workers at the factory receive the same pay as those working from home?

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7. What is the system of placing orders to home workers?

a. What lead times are given?

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b. Time frame of delivery?

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c. Can home workers influence the amount of production they need to do?

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d. Frequency of order placement (number of orders in one year, period of order)?

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8. What is provided to the homeworkers?

a. Machinery (specify ownership and whether loans are given to homeworkers; if so under what terms)?

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b. Fabric?

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c. Other supplies?

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Whistles needs to agree with the supplier / contractor on a defined set of homeworkers producing for Whistles. This is to ensure stability in sourcing and improvements of working conditions for those homeworkers over time.

Those homeworkers must receive a salary or piece rates that allow them to earn the equivalent of at least minimum wage per hour. They should also receive regular work as far as is reasonably possible and be notified about gaps in production in advance.

The supplier will need to collect and maintain a register of individual homeworkers.

3. Register of individual homeworkers

1. Name of the person in contact with homeworkers
(e.g. contractor, head of homemaker group etc.)
2. Name of the worker / household
(if the household consists of several homeworkers, please register all individuals)
3. Sex of the worker
4. Age of the worker
5. Father's name
6. Home address
7. Phone number
8. Supplier code / worker ID (if applicable)
9. Village, district, state name
10. Documentation of payments
11. Other details, if any.