



Decent Work and Unionisation of Urban Conservancy Workers: The Case of Kachra Vahtuk Shramik Sangh (KVSS)

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Abstract: *Conservancy workers are placed at the bottom of the hierarchy of unorganised labour. They are not only socially neglected but also isolated from their employees. In Mumbai, conservancy workers are paid by the Municipal Corporation, but they are not considered as public employees. They are hired wage workers secured by contract or provided to the BMC by a subcontracting agent. Procuring and controlling contract labour is considered a corrupt, lucrative business monopolized by Corporation employees. Conservancy workers have no choice about where, when and how they work, and they put in long hours under harsh conditions. Picking through Mumbai's garbage is a dirty and dangerous job. They have to handle dead animals, human waste and hospital waste. They literally work for 24 hours. They do not have any protective gear, drinking water or washing facilities. Most of them are illiterate, dalit migrants who cannot speak the language of the cities where they work.*

Despite the hardships conservancy workers endure, established labour unions have failed to address their concerns, improve their conditions, and guarantee their economic security. Established labour unions ignore their need for education, organizing, and legal recourse. Mumbai's mainstream trade unions are too large and too involved in politics – to reach dalit workers and muster their strength.

Kachra Vahtuk Shramik Sangh (KVSS) -formed in 1996 in Mumbai- is a different kind of labour union: autonomous, apolitical, and committed to the overall welfare of its unique membership -- untouchable conservancy workers neglected by India's mainstream labour organizations. By improving their health, welfare, and bargaining power, this union is challenging the prescribed status of menial workers in Indian cities.

This paper attempts to:

- a) view the plight of urban conservancy workers by applying the concept of 'decent work' introduced by the ILO in 1999 and*
- b) highlight the exemplary work of KVSS in unionisation of urban conservancy workers*

Key Words : *Decent Work, Conservancy Workers, Kachra Vahtuk Shramik Sangh (KVSS).*

1. INTRODUCTION:

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2. METHODOLOGY:

This paper is based on the primary data collected through the in-depth interviews of trade unionists Milind Ranade and Deepak Bhalerao of KVSS. The researcher has also attended few of meetings of this union which is associated with other unions through an umbrella organisation called NTUI i.e. (New Trade Union Initiative)

This paper is divided into following parts:

- 1) Overview of the Policy of Liberalisation and Informalisation of Work
- 2) Solid Waste Management and Informal Workers:
- 3) Caste dynamics and Conservancy work:
- 4) Decent work framework and Conservancy Workers
- 5) Organizing the unorganized for effective bargaining:
- 6) KVSS and its struggle in uplifting conservancy workers

2.1) Overview of the Policy of Liberalisation and Informalisation of Work:

In India since structural reforms programme was initiated in 1991. Since 1985, India's economy was moving gradually away from planned development and towards market orientation. On 21 July 1991, Finance Minister, Manmohan Singh (who later became the Prime Minister), laced an Industrial Policy Statement before Parliament which was in tune with the approach of structural adjustment and globalisation of finance and investment. Other developing countries and the former socialist countries (Russia and East European Countries) too changed their policies in a similar manner around the same time.

The World Bank had been propounding the idea that the only way countries of the South could promote growth was by encouraging private enterprise and reducing the protection for labour. The argument was that too much protection to labour in the formal sector had resulted in a small section of the working class being more privileged than the vast majority of ill-paid workers.

In 1985, Prime Minister Rajiv Gandhi wanted the economy to open up to foreign competition and wished for a more proactive role for the private sector. The New Industrial Policy was landmark because it laid the foundation for liberalisation of the economy (Bhowmik, 2012).

This policy was a radical departure from the earlier industrial policies. Its focus was on opening of Indian industry by allowing inflow of foreign capital and technology which meant relaxing controls on foreign investment. It also narrowed the role of public sector

The role of the government thereafter was reduced considerably, while the private sector was allowed to thrive.

Informalisation of Work

The most important characteristic feature of working life in the developing world is 'informalisation'. Informal work is generally defined as any work which takes place outside the formal wage-labour market, such as clandestine work and illegal work, but also including various forms of self-employment. It is a global phenomenon.



The informal sector was said to embrace a whole range of occupations, including the small manufacturing workshop, small-scale retailing and transport unit, casual building labour, domestic service and various illegal activities. The only unifying factors across the range of work and workers are a certain general instability of employment, an avoidance of most labour laws, and a tendency to remain outside normal capitalist rules of contract, licensing and taxation (Munck, 2002).

Informalisation can be seen to progress, hand-in-hand with the feminisation of the labour force and of poverty. According to the ILO, women make up 80 per cent of the world's homemakers (ILO, 1997).

2.2) Solid Waste Management and Informal Workers:

In developing countries it is seen that the waste collection and disposal is very poorly managed. The cities have expanded and there is increase in tendency of urbanization which is growing very rapidly. It is also seen that the rural to urban migration is happening at great pace. The migration has contributed in growing and expanding suburbs where it is found that there is no proper planning in terms of city infrastructure and public housing. People have lack of access to sanitation and waste disposal.

According to the ILO estimates about 1% of the urban workforce is engaged in activities related to solid waste such as collecting, recycling and sorting. Worldwide there are 15 to 20 million people who are engaged in this profession. The developing countries where there are technological constraints and majority of the people working in the informal sector have neglected the poor working and living conditions of the people engaged in this sector. Problems like low social status, deplorable living conditions and little support from local government have been there since ages. These workers are invisible and have no access to formal system of employment.

The Conservancy workers are employed to collect transport and dispose the solid waste that is generated everyday in the city. These workers work in the inhuman and hazardous condition. Their health is severely compromised because of the conditions of work. In addition they have poor access to the sanitation and clean water. Due to their proximity to the working in dirty and filthy conditions there appearance makes them to get harassed by the public at large. They are also prone to diseases like asthma, gastro intestinal and respiratory tract related diseases. They even handle most dangerous industrial and medical waste and are even had exposure to the dioxins which are deemed to be carcinogens.

The vulnerability of such workers due to their social, cultural as well as economic background is further aggravated due to contractual arrangements and neoliberal policies adopted by the Municipal bodies. The perennial nature of work has called for more rigorous working hours as well as appalling working conditions and thus workers are seemed to be toiling away their entire working age just to meet their daily sustenance. The trade unions which are engaged in addressing their problems is the only ray of hope and their cause should be supported through civil city, community based organizations as well as labour friendly legislation to improve the condition of conservancy workers

2.3) Caste dynamics and Conservancy work:

Dalits are traditionally been ranked at the lowest in the hierarchical structure of Indian society. Their work has been regarded as degraded as well as not rewarded in the society. The work of conservancy worker entails the clearing of waste material including human excreta and garbage. The Indian society invariably stigmatizes the occupations which involves proximity to the garbage and filthy waste. The sizeable number of people employed as Safai Karamacharies are from the caste background such as Bhangis, Mehatars, Mahars and valmikis.

The stigma persists even when the improved equipments such as long brooms, protective clothing and disposable equipments are used in modern disposal systems. Most of these workers are recruited on the contractual basis which are out of purview of the labour laws and where the terms and employment conditions are not defined their wages and increment are not fixed and do not have social security provisions.

The fact of the purity and pollution that applies to caste system is also perpetuated in these professions. The workers from such professions are socially stigmatized and ostracized by the society at large.



The sweepers and scavengers are not assimilated in the society on the larger context. The socioeconomic background such as living in the slum households and particular caste background automatically makes someone from such background unfit for more remunerative jobs such as domestic worker. Thus the Conservancy work is heavily concentrated with lower caste background as the migrant people from lower caste background find themselves easy to enter in Conservancy work.

2.4) Promoting Decent Work for Conservancy Workers:

The concept of decent work emerges from a universal aspiration to promote a just and conducive work environment where the worker can effectively contribute to the society at large. During industrial revolution the commodity production was channelled through modernized industrial set up. It subsequently brought a large amount of rural workforce into the urbanized areas. It thus had a profound effect on social relations, industrial relations as well as political institutions. The increasing misery of the women and children who were employed in the industries at the low wages and continuous long working hours was an immediate effect of the unfettered motive of profit.

In modern times though a lot has changed but the working conditions seems to be remain at the same low level in many of the industries. After the Second World War and decolonization of many colonized countries there was sudden availability of the large labour force in the developing countries. These labour force and its demands gave in to the labour intensive industries in the developing world. The manufacturing jobs were outsourced to these countries from developing world as the capital in the developed countries moved from manufacturing to financial services. The increasing misery into the developing world thus brought in the form of industries that were employing large labour force at the subsistence wages. The industries though made profits were not keen in passing those to the labour force.

ILO a United Nations independent body has promoted the concept of decent work and as an overseeing body to promote labour welfare it had argued for work should be associated with dignity, equality, freedom, adequate remuneration, social security. Thus the concept of decent work was first used in the 1999 International in follow up procedure to the ILO declaration on fundamental Labour principles and rights so called core labour standards (ILO 1999).

The decent work was defined by ILO as “a productive work with fair income and adequate social security and better prospect for personal growth and social integration freedom for dialogue and equality in opportunity in terms of employment for men and women”.

-The decent work calls for the situations where it is believed that there is deficit of decent work

-Where there is persistent unemployment and poverty.

-The forced labour in factories like sweatshop production and no rights at the workplace.

-No social security benefits for the workers and there are obstacles in the social dialogue. The four main agendas of the decent work are:

-Promotion of rights at work- It is seen that though it is employers responsibility to provide a better employment conditions to the workers the rights of workers at the workplace are violated. It includes freedom from forced labour and compulsory labour. There should not be any kind of child labour as well as long working hours above stipulated norms. The right to equality of opportunity at the workplace in case of employment prospects for both men and women. There should not be below minimum wages which accounts to giving wages which will promote overall well being of worker.

- Employment creation-There should be creation of sustainable jobs which will serve society at large.

- Promotion of social security measures to Workers- For overall well being of society it is needed that the there should be adequate social security measures such as health insurance, bonus , gratuity and retirement benefits.

- Promoting social dialogue- The employers should adhere to workers right to freedom and speech and expression. There should be enough opportunity for the worker to associate with the union and to form a union to redress their grievances and bargain through collectivization.

2.5) Understanding the plight of contract workers:

KVSS as a Trade Union has been working in the Mumbai City since 1997. The core agenda of the Union is to fight for the rights of contract workers engaged in sweeping, cleaning and transportation of garbage. This trade union emphasizes



on awareness of laws and regulations related to the contract system as well as how this system has been manipulated and put to further the interests of the Municipal officials.

The Urban local bodies spend about 1/3rd of their budget on Solid Waste management in the city. The neoliberal policies are highly biased towards the profit maximization thereby increasingly stepping out of employee welfare schemes and practices. The contractualization of the workers is one such step which is used to make use of cheap labour under the disguise of various methods.

The Contract Labour (Abolition and Regulation) Act 1970 has been made to stop exploitation of contract workers. The act has two broader objectives- Regulation and abolition

- 1) Ensure contract workers are provided wage and working conditions in accordance with various constitutional principles and labour laws
- 2) To abolish the practice of hiring contract workers wherever possible and convert such jobs into regular employment

2.6) ILO and Decent Work Agenda:

International Labour Organization is United Nations special agency that looks after the labour problems and advocates the labour rights across the globe. It has been instrumental in addressing the plight of the workers at the international level. The decent work agenda has been formulated and put forward by ILO to promote the decent working conditions for the workers throughout world. It has been termed instrumental to improve the lives of the workers and is accepted as core agenda to address the issues related to working fraternity as whole. In the 87th International labour conference president Somavia called decent work as 'productive work which generates an adequate income with adequate social protection. It also means sufficient work in the sense that all should have access to income earning opportunities. It marks the high road to economic and social development, a road in which employment, income and social protection can be achieved without compromising workers rights and sound standards' (ILO 1999).

There are four main strategic objectives which have been formulated to promote the decent work agenda (ILO 1999):

a) Creating jobs

People earn their living through employment. Thus work is central to the socio-economic well being of society. The stable rate of employment generation is an indicator of developing economy and hence government should take prudent steps to ensure the employability of the human capital in respective countries.

b) Guaranteeing rights at work

Employment should not happen at the cost of degraded and harsh working conditions at workplace. There should be binding responsibility to the employers to provide quality of jobs. There should be fair employment practices with workers enjoying rights at the workplace.

c) Extending social protection

A healthy workforce is productive and hence contributes in the economy significantly. Productivity by far means can be achieved through investing in employment training, giving them health insurance and proper rewards. Provision of healthcare benefits and secure conditions at workplace as well as adequate compensation in case of workplace hazards will make them more committed towards their work responsibilities.

d) Promoting social dialogue

e) By recognizing the right of workers to organize and put their demands collectively to effectively bargain and negotiate with the employer has to be facilitated. The social dialogue gives accountability and sense of belonging to the workers to rightfully claim their rights. It serves as potential mechanism to fight for any injustices against the workers or the violation of any legal right.

2.7) Decent work Deficit:

The decent work framework has recognized the rights of workers at workplace and violation of these rights tend towards the decent work deficit. Broadly decent work deficit is likely to happen when



People live in extreme poverty and there is high rate of unemployment

There is forced labour as like bonded labour and persistent child labour in society

There is lack of workplace security and people are made to work in hazardous industries without life saving equipments and protective gear e.g. mines and ammunition factories, waste management

People cannot voice their concerns at workplace against injustices done against them and there is no gender equity and unequal payments for men and women.

2.7a) Decent Work Promotion in Waste Management Sector:

The Informal workers such as waste pickers, conservancy workers on contractual basis constitute majority of this workforce and very small number of workers are employed in the formal system of solid waste management.

The first and foremost thing to claim rights is to first get state recognition as worker. It has been seen that the urban local bodies have engaged in practices where they deny the workers their basic right and identity. The workers in conservancy work such as Safai Karamcharies have been recruited as volunteers. There are various benefits which are given to the formal workforce. These work-related benefits are only available if the informal workers establish themselves as workers.

2.7 b) Integration of Waste Management Sector in Decent Work Agenda:

The level of exploitation and conditions at workplace warrants inclusion of decent work agenda for these workers. The effective contribution of this sector in terms of resource recovery and environmental sustainability benefits makes it far more inclusive in the developing countries agenda. The decent work program thus includes following key issues in case of conservancy workers (Chikarmane and Narayan 2009).

Dignified working conditions

Security at work place

No discrimination in terms of wages and income

Effective representation and recognition as worker

voice in redressing their problems and collective bargaining

Claim on state resources

2.8) Organizing the unorganized for effective bargaining:

The social dialogue is an important fourth pillar of the decent work and is associated with the right to negotiate. From the workers point of view, it is important to have voice and representation to the participant in the production process (Bhowmik 2012). The social dialogue has been key feature of formal system of work where the trade unions represent the interest of the workers and enters in the negotiations on behalf of the workers thus defending their interests and articulates their priorities (Bhowmik 2012). After the structural adjustment majors put forward by the global financial institutions on developing and least developing countries the informal sector has been flourishing under the aegis of the capitalist forces. There has been increase in tendency of deregulation in labour laws and number of the jobs on contractual basis is on the rise. There is increase in tendency of hire and fire policy and labour laws have been used for the benefit of the employer. In case of informal workers in the waste management sector there is no any institutional arrangement for their representation. The institutional representation is most needed in the cases where there has been discrimination in terms of the wages and rights at the work are being violated due to some informal arrangements. The



idea of social dialogue means that the state or employers must enter into negotiations with the sections of working class (Bhowmik 2012). The organizations such as NGO's, trade unions, worker cooperatives are some of the examples which can be effective to mobilize the workers. The constitution of India provides fundamental right to form associations under article 19(c). These rights are made universal by the Universal Declaration of Human Rights under the charter it was made a universal right and has been accepted in the constitutions of the countries across the globe.

The working class should feel free to redress their grievances if not to the oppressing authority but to the organization committed to fight for their livelihood and entitlements. The KVSS has an effective hierarchical arrangement where the decisions as well as ongoing agendas are conveyed to the individual worker. Currently the union has membership up to 5000-6000 contract workers which are scattered throughout Greater Mumbai Municipal area. KVSS works in all of Mumbai's 24 municipal wards. In each ward a three-member team coordinates the union's work, holding meetings, resolving conflicts, and maintaining contact with the rest of the organization. Above the ward level, five of the union's seven core committee members are trash collectors. Milind Ranade and his team have assembled the committee by choosing workers who know how to solve problems and communicate well. The committee advises the union during emergencies, debates, and negotiations. As Secretary, Milind Ranade coordinates the wards and communicates with the media, lawyers, doctors, mainstream union leaders, and partner organizations. The above method has proved very effective as far as the current agitations are being handled. Each Member is informed about the activities of the union thus in case of mobilization every member can be seen taking a proactive role on his behalf.

2.9) Kachara Vahatuk Shramik Sangh and its Struggle in Uplifting Conservancy Workers:

Kachara Vahatuk Shramik Sangh is an autonomous, apolitical organization that is committed to the welfare of untouchable waste collectors who have been neglected by India's mainstream labour organizations. The organization has its guiding philosophy and is committed to change the caste based inequalities that are often at the root of the professions that are deemed suitable to the underprivileged sections. The organization is committed to change the prescribed status of the dalit menial Safai Karamcharis who are often left voiceless and with less bargaining power. The organization has been working since 1996 under the guidance of its secretary Milind Ranade, Vijay Dalavi and general secretary Deepak Bhalerao. The plight of waste transport workers who were engaged in doing lifting, transporting and dumping of debris, garbage at the various dumping grounds of Bombay Municipal Corporation was the first case handled by the Union against BMC in 1999. The workers were working in extremely unhygienic conditions and were not given safety equipments and were without first-Aid the Bombay high court ruled in the favor of Union and regularized 2000 workers. That was the first legal victory which boosted the moral of the Union since then. Currently Union has in between 5000-6000 contract safai Karamcharies working in Mumbai Municipal Area as registered members. The Union has also started working in the various districts in Maharashtra which include districts like Nashik, Kolhapur, Solapur. The union employs various tactics to fight for the entitlements of the conservancy workers as follows.

- 1) Community organizing to build solidarity among the waste collectors
- 2) Organizing collective action to improve their work conditions,
- 3) Joining forces with other labour rights groups
- 4) Pushing the legal system to enforce waste collectors' constitutional rights.

The Safai Karamchari Andolan a nationwide campaign against abolition of manual scavenging has been spearheading the cause of Manual scavengers across the country.

Demonstrations and agitations:

The neoliberal policy agenda has further proved detrimental to the plight of the workers in the sense it divides and further reduces the bargaining power of the workers. It has been further inherent in the LPG model that state resort to the privatization of its core functions and further distance itself from the activities thereby gaining the significant advantage of cheap labour and further reduction of costs and employee welfare measures.

KVSS has rightfully gained its space by fighting for the minimum wages and the social security entitlements for the dalit conservancy workers in Mumbai Municipal Corporation area. The fact that Greater Mumbai Municipal corporation handles one of the largest budgets of the municipal and urban areas which amounts to thousands of crore and still it is believed that it has no administrative capacity to handle the current problems in Solid Waste Management has drawn



flak even from the supreme court of India. In the judgment in Gujarat Electricity Board v/s Hind Mazdoor Sabha and Others the Supreme Court expressed its anguish at the manner in which Public Sector Corporations and public authorities were exploiting labour by employing them on contract basis, even on jobs perennial in nature which were required to be done by employment of direct labour.

The Union has contested the same view for the contract Safai Karamcharies working in the Municipal corporations across the state. Currently Union has various agendas in place for the rights of the workers which includes compliance for the minimum wages, provision of the safety equipments, provision of the weekly paid leaves, provision of the timely and equal wages etc.

KVSS also addresses serious problems that affect the workers, including alcoholism, drug abuse, domestic violence and a literacy rate that is barely 8 percent. With support from the Somaiya Trust and Tata Institute of Social Sciences, it has established de-addiction centers for workers, and it helps connect workers who have alcohol problems with Alcoholics Anonymous. KVSS members have established a peer counselling project and participate in a citywide food security program for the urban poor. As a result of their efforts, domestic violence in workers' families is decreasing, Ranade said. "We believed that the union should focus not just on financial benefits, but on the quality of life of the worker, helping them gain in self-confidence and to develop a positive self-image," he said. "Drinking, gambling, and such addictions should be brought under control. Slowly, the workers began to accept this.

3. CONCLUSION :

The plight of conservancy workers in contemporary times calls for liberation. Liberation does not merely mean from the shackles of the profession but by and large transforming the unjust order. The working class should be a medium of progressive transformation of society. Thus it makes it imperative to have a radical posture of solidarity.

There has to be an eradication of the inequalities inherent in the contemporary society through a rationalized approach towards modern day social institutions. The systems through which a man dominates the other man and thus enslaves the others and dehumanizes the society must become obsolete.

The Marxian approach of class-based struggle by the proletariats is still significant in contemporary times. The conflict of labour and capital is deepening in. The inequality that has entrenched in every echelon of the society renders the property less to the mercy of property-owning class. This basic contradiction of ownership of forces of production needs to be subverted through community ownership. The Urban Informal Workers should be made equal stakeholders through access to the waste and discouraging monopoly of private enterprises over the ownership of the waste.

The commoditization of labour should be discouraged and the active state intervention in the labour market to safeguard the interests of the working class as whole has to be prioritized.

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