

30 YEARS  
SUPPORTING

# THE STRUGGLE FOR THE RIGHT TO FOOD & NUTRITION



## Workers

*The Right to Decent Conditions*

### Who are workers?

Workers are not a homogenous group and there is no single agreed definition of who makes up this group. They can be categorized either into the main area of their task (e.g. agricultural workers, plantation workers, and domestic workers), or the contractual status (e.g. irregular workers, casual workers, and seasonal workers), but also according to the specific constituency of workers (e.g. migrant workers, women workers, child laborers and forced and bonded laborers). Workers can be employed either in formal or informal sectors, may receive remuneration or no pay, and can be rural or urban. Often, workers belong to several of these categories, such as migrant seasonal agricultural workers or women casual domestic workers.

### What are the rights of workers?

There are several international human rights instruments and international treaties which specifically call for the protection of the rights of workers. These are: the Universal Declaration of Human Rights (Articles 4, 23, and 24); the International Convention on the Protection of the Rights of All Migrant and Members of Their Families; the eight fundamental Conventions of the International Labor Organization (ILO); as well as the ILO Recommendations. While all ILO Conventions and Recommendations are relevant for all workers' rights, some address specific categories of workers, such as ILO Conventions No. 97 and No. 143 (protection of the labor rights of migrant workers), No. 189 (decent conditions of work for domestic workers) and No. 11 (protection of rights of plantation workers).

The Convention on the Elimination of All Forms of Discrimination Against Women and its General Recommendations (No. 13, No. 16, No. 17, No. 34) call for the elimination of discrimination against women in the field of employment, by ensuring equal employment opportunities, equal remuneration for work of equal value (including benefits), the right to social security, the right to paid leave, and the right to protection of health and to safety in working conditions. In situations where women work in enterprises owned by a family member, payment, social security, and social benefits must be guaranteed. For rural women, their right to decent conditions of work and the principle of equal pay for work of equal value must be fully incorporated into legal and policy frameworks, and rural women engaged in unpaid work or in the informal sector must have access to non-contributory social protection.

In addition, the Convention on the Rights of the Child and two ILO Conventions (No. 182 and No. 138) call for the protection of children from economic exploitation and from performing any tasks that may be hazardous or interfere with their education, or harmful to children's health or development. As a priority, the Conventions call for the urgency to eliminate the worst forms of child labor and to set the minimum age of employment to avoid children from starting to work too young.



## Workers' right to food challenged

The right to food and nutrition of workers can only be fully realized when workers, both men and women, can earn adequate and sufficient wages for their families, avail social security when needed, have access to social and health services, have safe working conditions, and are able to organize, bargain, and participate in decision-making.

Landless agricultural workers and the urban poor (whose main wage-generating asset is manual labor) are among today's hungry people. They rely on having an adequate wage from employment and also from availing social transfers to secure their right to food and nutrition. The agricultural sector employs more than one billion people who work under extremely precarious conditions. Rural employment is mostly informal, with no written contracts and little or no protection. Agricultural workers receive inadequate and irregular pay, and many are exposed to pesticides and agrochemicals; suffer from appalling working conditions such as long working hours, extreme weather without potable water; and often fall prey to fatal injuries, non-fatal accidents and occupational diseases. Because of the poverty faced by rural communities, 70 percent of child labor worldwide is also found among agricultural workers.

As for the urban poor, they are often engaged in the informal sector (which lacks formal contractual arrangements) and are largely unregulated and unregistered, thus falling outside of State regulations and control. The majority of urban informal sector workers struggle daily to make ends meet. Similar to agricultural workers, the urban poor do not have access to basic health and welfare services and social protection, work in an unhealthy and unsafe working environment, and face tremendous challenges in taking collective actions. Globally today, workers (both rural and urban) suffer from several human abuses and violations of the right to food (due to inadequate pay and lack of access to social protection/security), the right to work (unfair wages and unsafe working conditions), the right to health (lack of access to basic health services), and the right to education of their children (lack of schools or lack of adequate wages to send children to school), among other human rights.

## What comes next?

The last issue of the series will look into how we can strengthen the current human rights system.

## Required approaches

Despite the existence of legally-binding international human rights and labor standards, workers in the informal economy are often not recognized by national labor legislations and thus remain unprotected. This prevents them from enjoying the rights and protections which may be enjoyed by other categories of workers, such as skilled workers employed in the formal sector. However, even in situations of formal employment (as in the case of **tea plantation workers in India**, a workforce composed primarily of women) workers are denied their basic needs, including food, drinking water, shelter, and health services, and suffer from violations of their maternity protection rights and discrimination vis-à-vis wages and choice of work. In reality, international standards are not always duly implemented, nor is the justice system undoubtedly on the side of workers.

As laid down by international law, States must comply with their human rights obligations and ensure the protection of female and male workers, whether in the formal or informal economy. For that matter, States must attend to and ensure the specific needs of workers across categories, sexes and gender identities and establish mechanisms that prevent exploitation and guarantee access to basic services. Workers themselves are agents of change who are **organizing and fighting for their rights**, thereby opening doors to new generations. The world over, workers are demanding for and gaining improved access to maternity rights, higher and more equal wages, better working conditions, and more democratic unions that challenge male-dominated systems. All peoples have the moral responsibility to support them in this ongoing endeavor.

Want to know more?

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