



Chemical Manufacturing and Connected Trades Employees Union

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FEMINISATION OF PRECARITY IN MAURITIUS

THE WAY FORWARD!

The Labour Market has always been influenced by precarious employment in Mauritius. The Agricultural, Construction and Textile Sector have always been on the top lists as suppliers of contractual and precarious job.

However, more recently with the introduction of ultra liberal economic reforms, the services sector and other sectors of the economy now also have recourse to local and foreign contractual labour. Since the introduction of new Labour Laws in 2008, Mauritius has been classified 1st in the rank of ‘EASY DOING BUSINESS’ in Africa and 20th in the whole world.

Workers are now more subjected to abuses and overexploitation. Employers are not compelled to give any justification before terminating any employment on economic grounds. The payment of a severance allowance on normal termination of employment has been abolished. Despite Collective Bargaining is enshrined in the labour laws, Trade Unions of workers have a very limiting role at enterprise level.

Workers for fear of being sacked and found themselves without any economic support, do not dare to assume the role and responsibilities of Union delegates and where there is no Union delegates, Collective Bargaining remains a myth.

Figures provided by the public body “MAURITIUS STATISTICS” speak for themselves. Since 2009 the number of disputes before the Industrial Court for unjustified dismissals have increased by 4 times. The number of Collective Agreements signed have decreased considerably.

Today we are witnessing an increasing number of very serious and fatal accidents at work. Workers for fear of losing their jobs do not want to disclose any ill-health or file any complaint against their employer.

With this ultra-facility for an employer to sack a worker in the private sector, employment protection has no meaning. More than 750,000 workers are now exposed to termination of employment any time and without any compensation before the age of 60 years.

Please find some of the abuses Private Sector workers including Foreign Workers are subjected to in Mauritius.

1. Foreign workers are not covered by Collective Agreement. Thus there is an increasing demand for foreign workers.
2. Foreign Workers work on shifts and in most cases do not benefit from payment of extra-hours. They cost less, thus employers favour employment of Foreign Workers.
3. Contractual Workers cannot openly disclose their link with any trade union or else their contract will not be renewed.
4. All workers in the private sector can be sacked without any justification.
5. Female workers including Foreign Workers are more and more subjected to sexual harassment because of the precarious nature of their jobs.
6. In the new labour laws, workers are compelled to work 90hrs normal work protection per day. Once you start work, it is the boss who decides at what time you should stop.
7. Most employers do not contribute for social protection for contractual workers.
8. Workers are compelled to work during odd and irregular hours.
9. Working on Sundays is now mandatory.
10. In a period of 7 consecutive days, a worker should benefit from 24 consecutive hours of rest. (Not even a full calendar day as a rest day.)
11. Workers are compelled to work with hazardous materials such as asbestos without any protection.
12. After the age of 50 years, workers are less employable because of their physical capacity and efficiency.

AN EXHAUSTIVE LIST CANNOT BE DRAWN. New forms of abuses and overexploitation are witnessed every day.

THE FEMISATION OF PRECARIOUS JOB

Traditionally the sectors where contractual and precarious jobs are more pronounced have always employed more female workers as:

Labourers	-	in the Agricultural Sector
Factory Workers	-	in the Textile Sector
Cleaners and Helpers	-	in the Services Sector
Carers and attendants	-	in the Hospitality and Specialize School Sector
Cleaners and Vendors	-	in the Distributive Sector
Cleaners, Helpers and Attendants	-	in the Tourism Sector

(except for the Construction and Transport Sector which is more male dominant).

In a total of not less than 40,000 Foreign Workers, 75% are female workers. Because of their docility and the patriarchal aspect of our society, female workers are more subjected to abuses and overexploitation.

Mauritius has ratified I.L.O Con 26 on Minimum Wage Fixing Mechanism. Every economic sector was supposed to be covered by a minimum wage through a Wage Order or a Collective Agreement. None of the above exists in the Services Sectors which employ not less than 80% of female workers.

ORGANISING IN THE FIELD OF LABOUR LEGISLATION

- Since we have inherited from a set of labour laws which is more worthy to be called a “Business Facilitation Act” we have written our own labour legislation in the form of a proposed Collective Agreement.
- We are constantly organizing workers on both working site and in residential areas where workers live. We are marketing our proposed Labour Legislation and at the same time sensitizing workers and their family on the hidden agenda behind the newly introduced Labour Laws to consolidate ultra-liberalism policies.
- Where we already have Union-recognition, we are lobbying and negotiating in favour of our proposed labour protection through Collective Agreements. Where negotiations fail, we have no other alternatives than to embark on visible industrial actions to influence decision.

SOCIAL DIALOGUE / NEGOTIATION

- We have always favoured social dialogue in an organised and civilized manner. However, with the newly introduced Labour Laws, we have witnessed a change in the attitude of employers. Despite they prone social dialogues, most of the time it ends with a negative answer.
- The bosses feel more secure when the politicians are under their whims.
- In Mauritius it is a current practice for the private sector to finance political parties. As law do not compelled any political party to submit an audited account or the corporate to disclose any political funding, today workers and their Trade Unions are alone against all the preaches of ultra liberalism and barbaric capitalism.
- We therefore firmly believe that decisions can only be influenced by strong unions which can mobilize workers and their families in mass demonstrations.

ORGANIZING PRECARIOUS WORKERS INTO UNIONS

- Organizing precarious workers including Foreign Workers is a SINE QUA NON situation. No Union can praise itself to defend the rights of precarious workers without organising and recruiting precarious workers as its members. Organising precarious workers must be seen as an opportunity to strengthen our force and not as a burden.
- The C.M.C.T.E.U. along with other Sister Unions organised under the C.T.S.P. (Confederation of Private Sector Workers) have :
 - Reduced our membership fee from Rs 50 (1.50 USD) to one symbolic mauritian rupee Rs 1.00

- Created a free I.T School for workers and their family to attract precarious workers and show them the other support they can benefit from being a member
- Created a Cooperative Credit Union where members and their spouse can contract soft loan to financially support them.
- Put at the disposal of the members a Hall belonging to the Trade Union for Social gathering purposes.
- Encouraging housewives to join the Union against symbolic membership union fees of (Rs 1.00) one symbolic Mauritian rupee to organise them and support other female workers.
- Embarking on Collective Bargaining at national level through extension of Collective Agreement signed at enterprise level in order to have a wide coverage for both contractual and foreign workers at sectoral level.
- Recruited two full time staff to distribute printed materials, organise meeting in residential areas and deliver talks for the recruitment of precarious workers.

ACHIEVEMENTS

- From 2010 to 2012 we have increased our membership by 5000 precarious workers. Despite the increase in membership who do not represent an increase in membership, we are now considered as the strongest union in Mauritius capable of mobilizing thousands of workers on the streets. Government is now obliged to negotiate and consult us on issues of paramount importance for the workers.
- We are now present in all the economic sectors and we have gained a national recognition in the media as a strong Union, resulting in the signature of more Collective Agreements as employers do not want to mess with us.
- The number of women in the position of leadership in the Union and even at the level of the Confederation has increased.
- More women are concerned with the Collective Agreements we signed where contractual and foreign workers are concerned.
- Our struggle for a same level playing field in the terms and conditions of employment for both local and foreign workers has resulted in recent 12 approved regulations on health and safety in 2012 solely. (from 1988 to 2011 only 3 regulations were introduced)
- Developing links with trade unions at regional level (Reunion, Seychelles, Rodrigues and Madagascar) to share informations and organised concerted actions.
- Precarious workers actively participate in all visibility actions and mass demonstration we organise.
- Since we have vulgarized our work on Domestic Work when we deponed before the National Remuneration Board, the Remuneration Order has been revised and even the Mauritian Government has ratified the ILO Convention No 189 on Domestic Work. Still it remains to be fully domesticated. As a consequence of the above, more and more domestic worker are joining other sister unions.

OUR FUTURE CHALLENGES

- Engage in Collective Bargaining at sectoral level in all sectors of the economy where there are precarious workers.

- Lobby for housewives to be covered under a social protection scheme, as we believe every woman is a worker.
- To strongly lobby and advocate for the introduction of a Portable Severance Allowance Fund. Where all employers should contribute one day's gross wage in a fund for one month of service. Thus guaranteeing all workers without excluding contractual workers a cumulative lump sum at the age of retirement.
- To campaign against the feminization of poverty through precarious work and advocating for a national minimum social wage.
- To advocate for foreign worker to be covered under all existing social protection scheme.
- To actively participate in all forms at both national and international level to denounce the Mauritian government strategy to have relinquished all protection for labour in favour of capital interest.
- To build a proper communication network with the support of IndustriALL with other unions to share informations and organise concerted actions simultaneously against precarious work.
- To continue the education of workers and recruitment campaign with a special touch for precarious workers and not withstanding all our effort towards gender equality.

CONCLUSION

We have developed creative strategies to organise precarious workers in order to be more representative and bargain effectively. Yet the battle is not over. Our torturers are actively organizing against us. Our success lies in our capacity to organise workers.

C.M.C.T.E.U – Mauritius

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