

FROM THE DOUBLE DAY



TO THE ENDLESS DAY

Proceedings from the Conference on Homeworking

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From the Double Day to the Endless Day

A CONFERENCE ON HOMEWORKING
for Homeworkers,
Union and Community Activists
and Researchers

November 13 – 15, 1992

Proceedings and Background Papers

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—by Conference Handbook Committee

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HOMework CONFERENCE HANDBOOK: INTRODUCTION

The Coalition for Fair Wages and Working Conditions for Homeworkers was formed in the fall of 1991. The Coalition quickly decided that our active campaign would focus on homeworkers in the garment industry. But we also wanted to understand the global context for the increase in homework, and to raise the broader and long-term issues. For this we needed to get a much better understanding of such phenomena as economic restructuring in Canada and in developing countries, changes in women's participation in the labour force, the social determinants of women's "choice" to do homework and the correlation between industrial and "pink-collar" electronic homework.

We wanted to reach out to activists in the women's movement, the labour movement, and immigrant and visible minority communities to learn from them and to inform them about homework. We decided late in 1991 that a conference would be the best way for us to carry out this part of our work.

Conference sponsors

The idea for the conference took hold when, in the course of researching the situation of homeworkers in the garment industry, members of the International Ladies Garment Workers' Union (ILGWU) met with researchers working for the Public Service Alliance of Canada (PSAC). PSAC was developing a response to the federal government's plans to allow (or encourage) federal public sector workers to work from home. PSAC was interested in co-sponsoring the conference. So was York University's Centre for Research on Work and Society (CRWS).

This alliance amongst the four sponsoring organizations—the Homework Coa-

lition (our short name), the ILGWU, PSAC and the CRWS—was a very exciting "first." It allowed us to examine the issues of women as homeworkers from two almost opposite poles. At one end were immigrant women sewing clothing pieces in their basements under conditions reminiscent of those of the 19th century, working for less than minimum wage and with absolutely no job security. At the other end were unionized, professional, technical and clerical staff working from home offices for one of the largest employers in the country and using the most modern electronic technology. It seemed to us that in finding the commonalities between these very different categories of homeworkers, we would be able to arrive at a very comprehensive understanding of the issue.

The conference itself

The conference, which took place on November 13 to 15, 1992, had two objectives: to educate and to organize. We wanted people to learn about the issue, but even more we wanted them to leave the conference with strategies and plans for fighting to protect and promote the rights of homeworkers. The Coalition's experience, both in our campaign for legislative change and public education, and in the organizing of the conference, had shown that the most effective way to do this work was by bringing labour, community, church and academic activists together in ways that are still quite new. That message was reinforced by the conference.

One hundred and thirty women and men attended the conference. There were participants from British Columbia, Alberta, Newfoundland and Quebec, as well as Ontario. There were representatives

from eight different unions, from the Labour Council of Metropolitan Toronto and of York Region, from the Ontario Federation of Labour, municipal and provincial government agencies, various academic institutions, women's groups, churches and community services. Eight members of the newly formed Toronto Homeworkers' Association (HWA) attended at least part of the conference; (they usually have to work on weekends). We provided day care and offered interpretation in English, French, Chinese and Spanish as needed.

One of the most exciting aspects of the conference was being able to hear from and meet with our international guests: Jane Tate and Kuldeep Bajwa from the West Yorkshire Outworkers' Unit in England, Berzabeth Corona from the September 19 Garment Workers Union in Mexico, Ligia Orozco from the Women's Secretariat of the Sandinista Workers' Central in Nicaragua, Mary McGinn and Elaine Burns from *Mujer a Mujer* in Mexico and the U.S, and Kathleen Christiansen from the U.S. From our discussions and exchanges we gained an international perspective on the causes, range and issues of women homeworkers.

The conference process

In thinking through and planning the process for the conference we placed importance on participation, on an international perspective, and on strategizing and networking. For example, an informal but significant part of our process was providing meals on site, enjoying the round-table discussions and keeping this setting for the plenary sessions as well. Workshop facilitators represented a wide range of unions, community groups and churches. And an overview of the conference programme reflects the concern for participants to make connections.

Having started Friday evening with a presentation on the organization of homework in Britain and Europe, we were ready on Saturday to hear homeworkers from the garment and white collar sector in Canada share their experiences. To consolidate common ground and confront well-established myths, all sections of the

first workshop focused on the same topics: the realities faced by homeworkers, women's work in the corporate agenda and the spectrum of homework. Momentum built with a noon hour rally of 400 people outside the Eaton's Centre in downtown Toronto to protest the exploitation of homeworkers. Participants from the concurrent conference of the Canadian Research Institute for the Advancement of Women (CRIA) on "Making the Links Between Feminism and Racism" joined us for the event!

After hearing from another international guest, this time about homework concerns in the USA, we grappled with a range of complex issues in a set of two-hour workshops on the following themes:

1. The trade union movement and homeworkers: how do we deal with the issues of homeworking in the collective agreement?
2. Making the links: racism, immigrant workers and homeworking;
3. Homeworking and children: childcare and child labour in Canada;
4. Homeworking and workers with disabilities; and
5. "Are you a homeworker?" Discussion amongst homeworkers only.

At this point we welcomed guest speakers from Nicaragua and Mexico, following our pattern of focusing on our own experience while keeping our vision global. Input from these women sparked our enthusiasm as we settled into working groups to strategize around the following issues:

1. Linking community and labour: coalition building, Clean Clothes Campaign.
2. Organizing homeworkers within trade unions.
3. Law and government policies: what changes need to be made and how?
4. Where does homeworking fit into the fight for Employment Equity?
5. Health and safety for homeworkers: time to get organized.
6. Building solidarity with women workers internationally.

Finally, we gathered our reports within a forward-looking "wrap up".

The feeling at the end of the conference was enthusiastic and positive. People

learned more about their own situation and about the concerns of others. They enjoyed an atmosphere conducive to networking, to renewing a sense of solidarity and to gathering campaign ideas. Many made dozens of connections that will inform and enrich the work they are doing.

The aim of the handbook

This handbook gathers together transcripts of the presentations, analyses of homeworking in different regions and industries, reports from workshops and information from research projects, about

campaigns and strategies. The different pieces in the book look at homeworking from a variety of perspectives, giving you, we think, a sense of the range of conditions, issues and responses that are engaging homeworkers and activists, as well as ideas and resources that you can take forward in your own work.

We hope that by sharing some of the highlights from the conference and related materials in this handbook we can extend some of the experience participants enjoyed at the conference to you.

*The Conference Handbook Committee
February, 1994.*

The Global Perspective

This section includes the keynote addresses from England and the US, the solidarity voices from Mexico and Nicaragua and the reports from Canada. Together they provide an analysis of the growth of homeworking as part of the economic restructuring taking place on a global scale.

A strong theme that emerges is the increasing fragmentation of work. Production is increasingly scattered across work sites, across borders, to wherever capital can transfer and workers can be moved rapidly into and out of low wage, unstable jobs. The labour force is further fragmented as factories and offices are closed down and workers are dispersed and isolated in their homes.

Though homeworkers have many issues in common, they do not, as the articles show, make up a unified grouping. The differences in the relations of work are deeply structured by relations of race, immigration, disability, gender, maternity and occupational status.

Organizers are faced with the enormous challenge of finding new and creative ways of working with the growing, dispersed and differentiated constituency of homeworkers. One principle that emerges strongly from the articles in this section is that the situation is a global one and demands a global response. There is a clear case for national and international networking and coalition-building amongst homeworkers and their supporters.

Homeworking Around The World

Homework North and South

Jane Tate, West Yorkshire Outworkers' Unit in England

In West Yorkshire, thousands of women do paid employment in the home in a range of industries, from clothing and textiles to engineering and electronics. They machine clothes,

solder electronic circuit boards, knit sweaters, bend wires, pack greeting cards, make Christmas crackers and one hundred and one other jobs.

But because they work behind closed doors in their own homes, their work is not usually visible. Their contribution to the economy is not recognized. They are

not seen as workers and they rarely receive proper wages. Nor are they recognized in law as workers. It is rare for homeworkers to receive holiday pay, sick pay, pension rights, health and safety protection or many of the other rights that are taken for granted by those who work in factories and offices with a union to represent them.

We have found that the same happens all over Britain and in most countries of Europe and the rest of the world.

The need for international links

I want to speak mainly about the need for international links. Such links are vital, firstly, because production is now organized on a global basis. The clothes we wear may have been made by homeworkers in England or Canada, or equally by women in the Philippines or Indonesia. If we are going to be successful in winning a better deal for the workers we have to understand what is going on.

Secondly, we have learned so much from the experience of women organizing in other countries that we can apply to our work in West Yorkshire. There are many examples but, probably most important, is the work of SEWA, the Self Employed Women's Association of India, a women's trade union with 46,000 members who have over 20 years experience of organizing homeworkers.

Homeworkers in the North are often seen as marginal, peripheral, atypical, etc. But the reality is that more and more women—particularly women in the South and minority women in the North—are homeworkers. Taken from an international perspective they make up a majority of the world's workforce, whether in agriculture, clothing, electronics or other work. The lessons from working with these women are therefore of key importance for organizing labour.

Global assembly line

We realised early on in our work with homeworkers that, far from being an old-fashioned form of production, homework was on the increase. And far from homeworker-made clothes being for sale

in local market stalls, they were being sold by the big retail stores. Some of the electronics work done in homes in West Yorkshire was for a transnational firm with fifty subsidiaries in different parts of the world.

One of the biggest textile firms in West Yorkshire told a researcher that it had a pool of twelve hundred hand knitters on their books. Tights are imported from Italy and go from the docks to sub-contractors who put them out to homeworkers for packing. If the tights are still damp, workers have to drape them around the house to dry before they can be packed. Electrical switches for German firms were being shipped to England, for assembly by homeworkers. The switches were then shipped back for final assembly and sale.

Research on the clothing industry in England has shown why homework has become big business. In the 1970's many clothing firms closed down their production in England and shifted their assembly work to countries like the Philippines, Thailand and Bangladesh. But in the 1980's, trends in fashion changed fast, with two or three changes every season. The clothing retailers installed new technology to monitor sales. If a particular garment sold well, they knew immediately and could order more, and the other way round. This led to much more flexible patterns of production with smaller stocks being held.

It also gave a new advantage to local producers as long as they could keep their wage costs down. This was done by sub-contracting. Chains of subcontractors put out the work to smaller firms, with homeworkers at the end of the chain, bearing all the burden of the cost-cutting and flexibility. When work was there, homeworkers had work. When there was no work, they could be disposed of and have no income.

Homework as big business

These patterns of production are not restricted to the clothing industry, or to small firms. On the contrary, they are associated with some of the biggest names and most modern firms. For example, in

Italy, the clothing company Benetton employed hundreds of homeworkers when it started. The company no longer employs homeworkers directly but sub-contracts out 80% of its production to small workshops, many of which may employ homeworkers.

In Japan, Toyota is said to have 36,000 sub-contractors. Thousands of women in Japan do homework for small firms, many of them doing electrical and engineering work. In the Netherlands, we know homeworkers who make parts for Phillips, the electronics manufacturer. In Greece, homework has been on the increase. The biggest vehicle firm there sub-contracts the work out to small firms, which in turn put out the work to hundreds of villages where parts for trucks are assembled in homes. We have heard similar reports of work for General Motors in the USA, Volkswagen in Germany and Fiat in Italy.

Homeworking and global economic restructuring

These patterns of sub-contracting and shifting work around from one continent to another, from one country to another, or from one town to another, are a fundamental part of the restructuring that is going on in the Western economies.

In the last twenty years in Europe, we have seen the break up and restructuring of production involving the closing down of factories and slimming down of workforces as work has been sub-contracted. Now the biggest workplaces are white-collar, and they are ripe for sub-contracting. In Europe, there has been a mountain of material written on telework; on the prospects for its expansion, on the new office of the future, etc. But it is still difficult to find out facts and figures. So far, it does not seem to have become very extensive. But I think we can expect it to do so.

So, in Europe, the growth of homework is bound up with the restructuring of the economy and in many ways what we are seeing in the creation of a Third World within the First World, as Swasti Mitter has expressed it. It's not new.

Many workers in the South, particularly women, have long been facing these

conditions. And here homework is growing, too. In Indonesia, Thailand and the Philippines, the governments are encouraging homework in the rural areas as a way of stopping rural migration to cities. Homework is also encouraged sometimes in order to get around the growing organization of workers, for example, in the Export Processing Zones in the Philippines.

Learning from women in the South

In the South, particularly amongst women, homeworkers have developed ways of working from which we, in Europe, have learned. In Bangladesh, for example, there is a minimum wage and workers have the right to join a union. But in the garment factories in Dhaka, many are paid much less than the minimum, and sometimes are locked in all night to complete an order. Unions are forbidden and activists are thrown in prison. One of the biggest problems for women workers there is the threat of work being moved elsewhere, to Indonesia or China perhaps.

In India, SEWA (the Self-Employed Women's Association) organizes many different kinds of women workers in the informal sector, including homeworkers. They have shown that these women workers can be organized even though many in the union movement thought this was impossible. They do research in particular areas of homework, visiting workers in their homes. They set up trade committees and appoint organizers. They have demonstrated and organized pickets to protest against government inaction on employment rights for homeworkers. They have won a number of important victories, but of course have to fight on to see that their rights are implemented.

SEWA has adopted a flexible three-fold strategy to organizing. Firstly, they do traditional union-type organizing, bargaining with employers, lobbying for a change in the law, etc. Secondly, they set up cooperatives and now have over 50 in Ahmedabad where they are based. And thirdly, they organize support services, including a women's bank where women can get a low interest loan, for example, to buy a sewing machine. Most of the women who are directors of this bank are

illiterate but have become confident that they can run a bank. The basic message carried by SEWA is that women have to be organized and that the object of organization is to empower the women themselves, not to act from outside.

We also learnt from a Sri Lankan activist, Kumudhini Rose, who worked with women workers in the Free Trade Zones in Sri Lanka. Again, the official union movement left these workers alone and did not attempt to organize them. Kumudhini worked with a variety of groups, women's centres, legal rights advocates and religious organizations. As it was impossible to go into the Zones, she did this work through visits to the hostels where the women lived. One of the basic methods used was the publication of a regular newsletter for women workers.

Networks among women activists are another important organizing strategy. An example is the Committee of Asian Women (CAW) which has built links between women working in very different situations from Pakistan and India, to Malaysia and the Philippines, Japan and Korea. Committee members have met regularly and exchanged experiences, published books and produced a regular newsletter. CAW recently celebrated its tenth anniversary.

In Europe, we need a similar network, across the different homeworking groups, in all the different countries.

Some of these examples do not immediately relate to homeworkers. But I think there are common threads running through the experience of these different groups of women workers which have much in common with the experience of homeworkers all over the world.

The challenge of organizing

Such experience is perhaps difficult to understand for those who have taken for granted a stable workplace, with rights guaranteed by union organization or the law, a wage that ensures a decent standard of living and some degree of security. From the perspective of an organized factory worker, homeworkers can perhaps be seen as marginal, not as real workers and not worth organizing. But from an inter-

national perspective, homeworkers are part of the growing numbers of women around the world who are struggling for their daily existence, struggling to earn enough money to feed their families, pay their fuel bills and in some cases struggling for survival.

In Europe, there has been a lot of support for homeworkers in terms of the policy of the unions since the late 1970's. Though many unions once thought that homeworkers should be banned, that view has changed. Almost all the unions now have a policy of organizing homeworkers—on paper anyway. On the ground, there have been one or two experiments with setting up branches of homeworkers. But it hasn't really got very far.

One of the main problems for homeworkers and for organizing is of course the threat of losing the work. When homeworkers get organized and demand better conditions, their work can be shifted. In part for this reason, traditional organizing cannot by itself resolve this issue. We have to use other methods like consumer pressure, community organizing and pressure on retailers to adopt a union label.

The International Ladies Garment Workers Union deserves credit for taking up the challenge of organizing homeworkers in Toronto. This conference will be an important step in making international links and exchanging experiences of some of the difficult problems involved in working with homeworkers. I hope that over this weekend we will be able to share information about the pay and conditions of homeworkers, the type of work they do and the companies they work for. Most importantly, I hope we will discuss how we can organize to make homework visible and ensure that homeworkers receive a proper reward for their labour.

I hope the conference will address some of the key questions and issues that we have found in our work:

- ◆ How do we build contacts with homeworkers and find the resources for the long term work needed?
- ◆ How do we ensure that if homeworkers come out into the open,

they do not lose their work?

- ◆ How do we build consumer campaigns that target conditions for homeworkers without endangering their work?
- ◆ How do we ensure that homeworkers themselves have a strong voice in determining the direction of our work?
- ◆ How do we build a strong unity and overcome barriers of racism and sexism?
- ◆ How do we make sure that these inter-

national exchanges are built upon so that we can have not only a firm base in the grassroots but also a network that criss-crosses the world?

We face a major challenge and I look forward to exploring these questions throughout the weekend.

NAFTA versus workers in Mexico

*Berzabeth Corona, 19 de Septiembre
Sindicato Nacional de Costureras
(September 19 Garment Union) Mexico City*

Every single day we are bombarded by the media with stories about all the jobs and benefits that the free trade agreement is going to bring us.

What they have been saying about NAFTA bringing benefits to Mexico is a lie! What's really happening is just the opposite. They are closing down companies that were originally owned by the government—for example Pemex, the national oil industry, the Mexican telephone company, and some health care facilities. They are even closing down garment factories, which may be hard to believe given that wages are already so low.

The Free Trade Agreement is leading to ever more extreme poverty in our country. There are cutbacks in social services so that workers are now having to pay half the cost. We're also suffering a lot of plant closures and massive layoffs. More and more we see thousands of people having to work as street vendors, selling things on the street. There is increasing competition among street vendors to find a place that is secure.

For people who still have formal jobs, production rates have gone up, without any kind of new technology. The bosses

really have to count on the exploitation of the workers. A direct result is an increase in stress, illness on the job, and labour injuries or accidents.

When women are first displaced from the factory what often happens is that they start doing homework or they start working in what we call "the clandestine sweatshops". These sweatshops have conditions similar to the ones described in Toronto, where women are working long hours, with extremely low pay, sometimes less than the minimum wage.

Mexico is now being turned into one big maquiladora, one big assembly line for export goods, where the government has little regulation or control.

A main priority for the union movement is the fight to make our unions democratic and independent of the government. This means working arduously for the real basic needs of workers, and also taking into account workers' individual aspirations.

We also need to be working internationally. Just as the capitalists or management are constantly getting together and talking about their new strategies and policies, we need to be building a long-standing permanent relationship among unions and organizations in our different countries. This is the only way we'll be able to defend workers' interests in this new context in which we're living.

Strategizing amidst the changes in Nicaragua

Ligia Orozco, *Secretaria de la Mujer, Central Sandinista de Trabajadores (Women's Secretariat, Sandinista Workers' Central), Nicaragua*

In Nicaragua, traditionally, there have always been women sewing at home, working for themselves, without any boss; women, who, after working all day in a factory worked in their homes to supplement their incomes.

But lately, with the international changes and economic integration, this kind of work has been changing. Many women from the garment sector are now in the unemployment line because local manufacturers haven't been able to compete under the policies of free trade that the government has been implementing. Of the six factories in the garment sector, four of them have been shut down. The women who were working in those plants are now part of the informal economy. Others are working from homes selling whatever they can to subsist.

One of the government's policies to deal with the women who were in these sectors is to create free trade zones, basically export production zones, using foreign investment. I'm here in part because we are looking to understand more about this process of "maquilization" and free trade zones. The change is bringing younger and younger women into the workforce.

The Women's Secretariat was formed within the Sandinista's Workers Central in 1987 to address the concerns of women. We developed a systematic programme of education with the workers at the base,

discussing gender roles, family planning, sexual education, studying our collective agreements and labour laws.

We in the Women's Secretariat are going through this experience of economic change. It has been difficult for us to bring together the women who are not working in the factories. One of the projects we hope to do is a study and an analysis of the experience of the maquila for women in other Central American countries. We also want to study the labour laws in other Central American countries, and in Mexico and the Dominican Republic. This will help us develop strategies to help the women in our sector who are going to be facing the same situation.

We're also involved in the process of privatization in Nicaragua. This is a privatization in favour of the workers. In 1990, after the new government took office, social and labour benefits started to be cut back. Factories started to close. In the union movement we felt that we had the right to some of these factories, because when they were revitalized in 1979 after the war, it was with the volunteer labour of workers. It was the workers that reactivated many of the factories, working on weekends. The leaders of the trade union movement sat down with the new government and finally reached an agreement that workers have the right to 25 per cent of the state property being privatized. Right now there are eight companies over which the workers have 100 per cent administrative control. Others are still in the process of negotiation. Women's participation in this process of negotiation has been very strong.

Computing the effects of homework: Telework in the USA

Kathleen Christensen, *Professor of Environmental Psychology at the Graduate Centre, City University of New York.*

The realities of homework, at least in the United States in the 1990's, are very complex and varied. Often times we talk about occupations—the professional homeworkers versus the industrial or manufacturing homeworkers. The point I want to make is that there is a more fundamental distinction that cuts across occupation or profession.

Homework and employment status

It has to do with employment status. Are the homeworkers employed for a company, with the rights of company employees, or are they self-employed? If they're self-employed, are they genuinely in business for themselves or are they self-employed as independent contractors? As many of you know, many independent contractors are in a rather fuzzy, grey area in terms of their employment status.

In 1991 in the United States 5.6 million homeworkers were self-employed. This constituted nearly half of all self-employed people in the United States. In other words, the home was a major site for all self-employment. But the numbers don't allow us to distinguish between those who are genuinely in business for themselves and those who are independent contractors. Yet the difference is very important.

I want to talk about those self-employed homeworkers who are independent contractors. We don't have any adequate sense of their numbers, but if we look at what has been happening at least with U.S. businesses, it's clear their numbers are growing.

Core/ring employment model

What has developed in the last several years is a very pronounced restructuring in the internal labour markets *within* firms. What is emerging is a model of the

"core/ring." The "core" comprises salaried employees who have some sense of job security, and who receive health, vacation and sick leave benefits, who are covered by a pension plan. In the "ring", there are those who are hired on more contingent or peripheral basis. The "ring" includes the independent contractor (often euphemistically referred to as the freelancer or the consultant) and the transitional or temporary part-time worker. It also includes the temp worker who may be a hired directly by the company or through a temp agency.

This core/ring model developed on a very ad hoc basis for much of the 1980's, but it is now becoming a strategic plan within many firms. The language, although now dated, was of the core being "lean and mean," and the ring providing the "flexibility." This model of the ring or the contingent workers allows a company to drive down labour costs and to ensure a flexible staffing arrangement. Labour is thought of in the same way they think of inventory.

Out-sourcing model

The second model of independent contracting is the traditional out-sourcing model, which we see particularly with regard to clerical work. Here a company may contract the work out to a middle man or they may hire the clerical workers themselves. Often times what happens is small businesses that have overload or that don't have the capacity to hire their own clerical staff, contract the work out to a local typing service which in turn contracts it out to networks of women in the neighbourhoods.

What this means for the worker is no dependable salary, no health benefits, no pension. These workers are completely out of the loop in terms of any type of job retraining or skill upgrading. Many of these independent contractors are however being expected to perform as employees, even though they're being hired as contractors.

Conditions of independent contracting

In the course of my research I saw case after case of women who were working as clerical contractors who would have a bucket of work dropped off in the evening at around five o'clock, with a 24-hour turnaround time. They would then fix dinner, put their children in bed, work until one o'clock, get up again at six, fix breakfast, get the children off to school—if they went to school—and start working again. If there were pre-schoolers who were not in school, then they would work around nap schedules, doing whatever was necessary to get the work bucket finished by the 5 o'clock pick-up.

In many cases these workers did not even know that they were independent contractors. They thought they were being hired as employees. The didn't find out until it was tax time that they owed money on Social Security contributions.

The numbers for both these groups of independent contractors are growing. In the States you hear example after example of someone who's been laid off by a firm and then hired back, in many cases the next day, to do basically the same work they did before. The difference is they are now working as an "independent contractor." This trend cuts across all occupations.

Telecommuting or teleworking

The second type of homework we need to take note of is that of the "telecommuters" or the employees who remain in the core of a company's organization but are allowed or negotiate to work at home under certain conditions.

Although the press has been hyping it, the prevalence of telecommuting programmes in the United States is quite small. The 1989 survey that I did indicated that only 29 out of 521 of the nation's largest firms had any kind of work-at-home programme. Nineteen of those programmes were informal. Only eight had any kind of formal policy. Of those 29 companies, 18 had five or fewer telecommuters. In 1990 the Families and Work Institute did a survey of 188 companies, and 65 of them had telecommuting

in place. Fifty-nine of those 65 had informal arrangements; only six were formal. The informal arrangements typically cover someone going and cutting a private deal with their supervisor. Not surprisingly, given the fact that it's a private deal, and given the degree of informality of the arrangements, most of these workers are professionals, managers, or technical workers and do not fall under union contracts.

Telecommuters are typically professionals, managers or highly skilled technical workers, and in almost all cases (until recently) they've worked at home voluntarily. The companies are buying the computer equipment, in other words completely outfitting the telecommuter. The workers work at home one to three days a week.

Forces promoting telework

It's really phenomenal how many forces are now converging to promote telecommuting in the United States. I was at a meeting in Washington recently and as I walked around I got the feeling that telecommuting was the elixir of the 1990's. It was being promoted as the solution to every major social and environmental problem that our society was facing.

Employee pressure is one force. Employees see telecommuting as a solution to child care. Even if it doesn't necessarily allow them to take care of their children, it does allow them to have greater access to them. Employees see it as a way to eliminate their commute. They see it as giving them more time for balancing their work life and their personal life. And if workers are not particularly happy with the job they have in the office, they think at least they'll have more autonomy or flexibility if they can work at home.

Many companies are putting in telecommuting as one of several flexible work alternatives, the others being job-sharing, part-time work, flexi-time, and compressed work weeks. Companies also see the option of telecommuting for employees as a low cost tool for recruiting and retaining them, preferable to having to give a salary increase to attract or keep

workers on staff.

Telephone companies have played a major role with regard to getting telecommuting out on the public agenda.

Another force has to do with the environmental movement, and environmental policy. Both at the state level and at the federal level in the United States now, the Air Quality Act is promoting telecommuting as one of a number of strategies that can reduce the use of cars in each company.

Economic development schemes are yet another force behind the growth of teleworking. We're seeing this particularly in rural areas in the States, where telecommuting is seen as a way of bringing work, if not companies, to areas that are hurting economically.

Many companies see telecommuting as a way to reduce overhead. The retail company, J.C. Penny, introduced telecommuting a number of years ago. It did so not only to recruit and attract an untapped labour pool, ie. educated, middle class housewives who would not work if they had to come into a central sales office. But the company has also been able to save on the construction of a number of telephone sales centres by developing an option for "at home" associates.

In the U.S. the new "Americans with Disabilities Act" may prompt some companies, who would otherwise have to change the physical design of their work site, to think of telecommuting as a way of meeting the targets for employing disabled Americans.

Telework in the future?

On the horizon we see a very different picture emerging about what telecommuting might look like in the next ten years. First, telecommuting is, and can increasingly be used as, a tool for the creation of what A.T.&T. is calling the "virtual office." By allowing people to work in their homes companies are able to consolidate, reduce, or, in some cases, eliminate office space.

One story that I heard from Dallas is that 1600 sales associates were told by their employer: "Here is your cellular phone, here is your laptop, now you can

work wherever you want". While these associates often did work out of their homes, they had always maintained a place, an office, within their organization. Now there would no longer be this office space.

A second trend for the future is that of the satellite office, examples of which the State of California is putting in place. Basically, satellite offices are an effort to provide work centres closer to employees' homes, to avoid the commute to the downtown work site.

I think the profile of who is going to be working at home is going to change in the next ten years. Until now it has been the high performers, professional managers, technical workers, who have done it on a voluntary basis. But we're now going to see a wider range of people working at home. We're going to see more clerical workers. And as teleworking becomes a more "normal" way of working, I think we will find companies trying to cut corners; by not buying computer equipment, not setting up an ergonomically-correct office sites, etc.

How to respond, collectively?

Having said all that, I do want to give voice to what I hear from many of these company employees who work at home, namely, that they like it. They have worked out terms that really suit their needs. While we discuss very real and very serious problems with regard to homework in general and telecommuting in particular, I think it's important that we listen to some of the experiences that are more positive. That may help to point us in the direction of what conditions are really necessary to make this work.

The challenge, given everything that is going on, is to find what positions you can take with your union? In the U.S. the conventional wisdom in response to homeworking was to call for a ban. In 1983 the AFL-CIO did just that, although in 1989 they basically modified their position. So have other unions.

It's important when we talk about union responses that we develop approaches that are customized to these two very different groups - the independent contrac-

tor and the company employees. There may be some overlap, but there are important distinctions.

Both types of homework are going to grow. The real concern is whether, at some point in the future, we are going to see that telecommuting is a first step to independent contracting, the first step to

being off the employee roll. I obviously feel that it is in the best interest of you and your unions to establish conditions under which employees can work at home, and to begin to think strategically and creatively about organizing a workforce that is only going to be increasingly decentralized over the next decade.

The Canadian Context: Homework And Economic Restructuring

What is homework?

Background document prepared by the Coalition for Fair Wages and Working Conditions for Homeworkers (Toronto, October 1992)

About 3 million people, or one quarter of all working people in Canada, work out of their homes. This includes people who are self-employed, people who take work home from the office occasionally, people hooked up by computer to a central office and people doing piece work assembly. Their occupations range from farming to engineering to cooking to business consulting to sewing to writing to taking pizza orders over the phone to caring for children. While they are all "homeworkers," they work under very different working conditions and have very different needs and concerns.

Self-employment vs homework

Half of the people who work out of their homes in Canada are self-employed business people. They sell their products or their services in the market and keep their own profits. Doctors, dentists and

business consultants all run small businesses out of their homes. Many of the professionals employ other people. For them, running a small business from their homes is just like running a small business anywhere, and isn't "homework".

Many other self-employed people don't employ others. They are categorized as "own account self-employed". They earn significantly less than self-employed business people who hire others and people in the same occupations who are not self-employed. Own-account self-employment has been about 10% of all job growth in the 1980's. Examples of this kind of work are baby-sitters, artists, cooks and word-processors.

Homeworking is often confused with self-employment. But there are important differences between homeworking and running a one-person business. Part of the confusion arises because businesses who use homeworkers like to define those workers as independent contractors rather than employees. Independent contractors are not protected by employment law, are not covered by employment benefits such as pensions and unemployment insurance, and cannot join together in

trade unions.

The factors that differentiate homework and self-employment are:

- a) whether the worker sells the product or service directly in the market;
- b) who controls the work; and
- c) who keeps the profits.

Homeworkers, unlike self-employed people, sell their product or service or labour to a business in the same way they would if they were working in the employer's factory or office. They do the work for someone else who then sells the end product and keeps the profits.

The range of homework

There are vast differences between various types of homework in terms of how much control the employee has over the work s/he is doing (the type of work to be done, the speed of the work, the time at which it is done) and whether the wages, conditions of work and job itself are secure.

For example, consider the differences between a government engineer who works out of her/his home designing pipelines, an insurance company clerk who works at a home terminal linked to a central office computer inputting data all day and someone sewing evening gowns together at a piece rate. Two have permanent jobs and secure salaries, one doesn't. There is a big difference in the control they have over their work. The garment worker has bundles of clothes delivered whenever the "jobber" gets an order, has to finish them in 2 days (weekend or not) and may have pay deducted if the em-

ployer says the quality isn't good enough. The clerk is being electronically monitored for speed and accuracy, has her/his work assigned daily by a supervisor, may be required to do the work at certain times of the day and has nothing to do with the end result of the insurance claim. The engineer is assigned a big project and a target completion date and reports back when s/he is finished.

Degrees of vulnerability

In homework, as in the rest of the work force, women are most likely to be in the jobs with the least control. For some people, homework is a positive work choice. For others, it represents exploitation.

There are a number of factors which we can use to distinguish whether or not a homeworker is vulnerable to exploitation. They include:

1. Does the worker have job security?
2. Is the work paid as piece work, an hourly wage or a salary?
3. Is the work full-time, regular part-time, casual or on-demand?
4. Is the worker protected by employment law?
5. Does s/he receive regular employment benefits such as pension, unemployment insurance, vacation and holiday pay?
6. Does the worker have a union?
7. Does the worker control the work schedule, or is it on-demand?
8. Does the worker have control over the speed of the work?
9. Is the worker subject to electronic surveillance?

Why is homework increasing in the 1990's?

Background document prepared by the Coalition for Fair Wages and Working Conditions for Homeworkers (Toronto, October 1992)

Why is homework—industrial homework as well as electronic homework—increasing in the 1990's? To answer that question we have to look at the interplay of a number of large and complex economic, social and political factors: global competition, industrial restructuring, women's participation in the labour force, technological change, and government policy.

Global economic restructuring

We hear a lot of talk about "global competitiveness" and "economic restructuring" in the news these days, especially in business reports, but what does it really mean?

In the last 20 years, and particularly in the last 10 years, there has been a massive shift in the way that businesses operate and compete.

In the 1960's, Canada had an economy and an industrial strategy based on a mixture of production for domestic consumption and resource extraction for export. Some businesses have always exported to international markets, for example the mining, oil and forestry industries. Others sold in local or national markets—insurance companies, food processors, most of the clothing industry. Some were in between, expanding into the U.S. market—like appliance manufacturers and transportation companies—while maintaining a share of the domestic market. Government regulations were directed at developing strong nationally-based industries and ensuring that international firms who operated in Canada contributed to the national economy.

The last 20 years have seen the development of large multi-national, internationally oriented firms in almost every economic sector. These large firms dominate each sector and force other firms to

compete on the same ground in order to survive. Businesses in Canada have to try to sell their products internationally, and businesses from other countries are competing in the Canadian market. Businesses that were locally based now have to enter and compete in the international market or die. All the Canadian business success stories we see in the media are about companies which have found a way to sell their widgets, "fresh" pasta, computer software or the latest fashions internationally.

In order to compete internationally and to keep profits up during financial ups and downs, individual corporations and entire economic sectors have restructured the way they do business through such measures as corporate mergers and concentration, internationalizing production, operating with smaller workplaces and creating more flexible operations and a more flexible workforce.

"The Canadian worker can either work harder for less money, or not work at all. That's what competitiveness means."

—Don Blenkarn, MP (Cons.)
Mississauga South

Internationalizing production happens in two different ways. First, firms use the entire world as their base of operations. Companies compare the availability of capital funds, labour costs, the skills of the available workforce, infrastructure costs like water and transportation, government subsidies and trade policies, and accessibility of raw materials and markets around the world to make a location decision.

Secondly, corporations break up the production process into various parts and then locate each part where it is most financially advantageous. Insurance companies locate their headquarters in Toronto and have data-entry done in the Jamaica or Ireland. Canadian garment manufactur-

ers buy cloth manufactured in China, have it cut in New York, have it sewn in El Salvador and then sell it in Toronto.

Linking Canada to the Third World

There is a clear connection between what is happening in Canada today and the economic restructuring that has occurred in developing countries, or the Third World. In the 1970's the International Monetary Fund (IMF) and World Bank responded to the developing countries' debt crisis by directing them to shift from economic policies aimed at internal industrial development to specialized development of export-oriented industries. Export processing or free trade zones, exempt from local taxes and tariffs, exempt from many labour laws including minimum wage rates and protected from union organizing efforts, were established in developing regions to attract transnational corporations.

These free-trade policies, along with technological development, allowed multi-national corporations to use most of the globe as a potential source of cheap labour. The availability of low-wage labour in developing countries puts pressure on corporations and governments in countries like Canada to lower wages in order to compete.

Canada's Flexible Labour Force

◆ Part-time, temporary, contracted-out work and self-employment, or "non-standard" work, is the fastest growing form of paid work in the Canadian economy. These types of jobs now make up at least 1/3 of all jobs in Canada. Most of these jobs are in small, non-union firms.

◆ In July 1992 alone 129,000 full-time jobs were lost and 100,000 part-time jobs created in Canada.

◆ Women and youth are the majority of workers in these non-standard jobs. Women are more than 70% of part-time workers. Between 1/3 and 1/2 of peo-

"Flexible" labour force

An important aspect of lowering wage costs in Canada is the move toward a "flexible" labour force. "Flexibility" is a catch-word which refers to a number of different, but related, business strategies. It includes setting up smaller workplaces, establishing operations which can produce a variety of products using the same equipment and labour force, reducing the fixed or "core" labour force and increasing the "flexible" or "peripheral" labour force, sub-contracting, "just-in-time" production, "just-in-time" inventory and so on.

What concerns us is the "flexible" labour force. In theory, a flexible labour force could mean a multi-skilled workforce. In practice, it means a "disposable" workforce. It doesn't mean more flexibility for the worker.

Firms are reducing, as much as possible, the number of full-time, permanent, salaried or waged workers entitled to full benefits (core labour force) that they employ. They are switching to part-time, temporary and casual workers as well as contracting-out work in order to lower labour costs. "Peripheral" workers are paid less than someone in a full-time, permanent job; they are usually not entitled to benefits and are often not entitled to basic protection under employment law.

ple working part-time want to work full-time but can't find full-time jobs. The biggest share of short-term work is in the traditional service sectors (retail, food, recreation, hospitality), sectors dominated by women.

◆ In 1988 people in non-standard jobs had average incomes less than 1/2 of those in standard jobs and few had any fringe benefits.

—Excerpted and edited from texts prepared by the Coalition for Fair Wages and Working Conditions for Homeworkers, 1992.

They can be hired and fired at a moment's notice.

Homeworkers are part of this flexible labour force. Contracting-out work, either to independent contractors or to homeworkers, can lower a businesses' operating costs as well as wage costs. Businesses can shift some of the costs of production to homeworkers by requiring them to provide their own work stations and equipment.

Technological change

Technological change - the wide-spread introduction of computers and computerization of work functions, the introduction of robotics in manufacturing, changes in transportation and communications technology as well as others - makes much of the restructuring described above and the shift to home-based work possible. The major issue is not the technology itself. Rather, it is the way in which new technologies are used by management to increase productivity, increase management control and reduce labour costs. New technologies affect the content of jobs, often de-grade workers' skills, increase boredom and the pace of work, and may also increase health and safety hazards.

For example, management in the federal public sector has handed out new laptop computers to clerks. This new technology facilitates the shift of work to home as the Treasury Board continues to increase and intensify work. Federal public sector workers now find they are working longer hours without overtime pay. In the garment industry, retailers use new information technology, like Electronic Data Interchange, to create a just-in-time production system. As the manufacturers and contractors seek ways to cut costs in

Pay Research Bureau data show PSAC represents 43,143 clerical workers in 1990, down from 50,945 clerical workers in 1980. PSAC represented 9,625 secretarial workers in 1990, down from 14,439 in 1980.

this lean system, work is shifted from factories to home. Garment workers are treated as the flexible components in the system and forced to absorb their employers' business costs.

Government policies

Neo-conservative governments throughout the developed world - Britain, U.S. and Canada - have supported corporate competition on a global scale through policies of deregulation, privatization and free trade. The trend is to free up business from as many political and social constraints as possible, to allow "the market" to determine where and how companies will operate. In Canada, the Free Trade Agreement with the U.S. and the North American Free Trade Agreement are meant to do exactly that.

The result is that products will be manufactured and services originate wherever it is most profitable, without regard to national borders or national unemployment rates or average national incomes of working people.

These governments respond to business demands not only by removing trade barriers, but also by trying to lower other costs of doing business. One of these costs is taxes. Conservative governments, in Canada and in other countries, have significantly shifted the source of tax revenue from businesses to individuals over the past few years. Governments also attempt to control taxes by cutting public spending - reducing their own wage bill by cutting back staff, cutting back on social programs and reducing their own operational costs.

"Pizza Pizza, can I take your order please?"

At the beginning of 1992, unionized Pizza Pizza order takers began to notice names they didn't recognize cropping up on their computer screens. While probationary workers were being let go, they saw press advertisements for order takers and customer service representatives. Layoffs began in July, when they had been in contract negotiations for five months. Those who remained suffered cuts in hours, and many were disciplined for low- or over-production, for lateness and for earliness.

Pizza Pizza management has discovered the benefits of homework. By setting up separate companies to handle home-based order takers, they could avoid the \$10.21 per hour paid to the United Food and Commercial Workers (UFCW) members after a year of service. The unionized order takers also received incentive, cancellation, night and weekend bonuses, had a contract clause which prohibited split shifts, received sick and vacation leaves, and had an extended health and dental plan.

As "independent" operators under contract, homeworker order takers are paid by the call, get no benefits, and do not

qualify for UI benefits unless they pay the self-employed premium, which is double that of an employed person. In fact, order takers working at home have to pay rent to the company for the computer and modem essential for their job. They pay rent for two phone lines, *and* they are required to pay for a service contract on the computer, all of which adds up to at least \$100 a month.

Homeworkers are not covered by Workers' Compensation, which is an additional cause for concern since 3 members of the bargaining unit of 54 are on compensation for carpal tunnel syndrome and tendonitis, and another 3 similar cases are currently under investigation.

More and more companies are tapping into the market for service at home by using workers in their own homes. In the last few months, fast food companies like Swiss Chalet and Kentucky Fried Chicken have entered the home delivery food service market. The old way to handle orders was through a centralized "call centre," but technology has made that no longer necessary. As Pizza Pizza discovered, homeworking order takers cost less—up to 70% less, according to the advertising

Pizza Pizza Homeworkers Up-date

On August 20, 1993, after a year long strike the United Food and Commercial Workers signed a 3-year collective agreement with the Pizza Pizza corporation. Workers were given a choice as part of the settlement. They could accept a settlement package or return to work as a homeworker. Forty-four workers chose the settlement package and 10 order-takers became homeworkers.

The 3-year collective agreement recognized a bargaining unit of 25 work-

ers. The homeworkers won protections including: a 40-hour work week, overtime pay, a benefits package, seniority, paid holiday, vacation provisions, and a grievance procedure. The new contract also enables the union to use the computer network—that is, an electronic bulletin board—for transmitting Union notices.

The collective agreement signed is the first in Canada to cover the wages and working conditions of the new wave of homeworkers—teleworkers.

of one company which specializes in telecommuting systems using disabled workers.

Pizza Pizza's profits for 1992 were up \$2 million from the previous year.

The United Food and Commercial Workers has filed charges of unfair labour practices with the Ontario Labour Relations Board, and are arguing that the long standing connections between the management of the companies employing the homeworkers to the Pizza Pizza organiza-

tion constitutes a "related employer." This would give the homeworkers the right to sign up as members of the bargaining unit. The hearings are continuing.

In January of 1993 the company offered a contract settlement which included jobs for 10 of the striking order takers as homeworkers at \$6.45 per hour plus "limited benefits", and a \$175,000 severance package for the remaining 44 workers. It was overwhelmingly rejected by the membership.

Different Forms of Homework

Focusing in on homeworking in Canada, this section provides a more detailed look at two different kinds of homeworking: sewing garments for big companies and doing telework in the federal public sector. What is revealed is the complex range of issues that homeworking raises—for the workers themselves and for those organizing to protect and defend workers' and human rights.

"Traditional" organizing methods are clearly no longer viable as various speakers at the conference describe. Completely new ways must be sought that take into account the dispersed workforce. What these new organizing strategies are and might be, the kinds of approaches organizers are experimenting and succeeding with, the qualities and resources they demand, are discussed in the articles that follow.

Homemade Clothes: Homeworkers in the Garment Industry

Organizing homeworkers into unions: The ILGWU Toronto experience

Alex Dagg, International Ladies Garment Workers Union.

It is imperative to make the distinction between maintaining a collective bargaining relationship with homeworkers as they move out of an office or plant setting as compared to new organizing of homeworkers who may not have any experience with a trade union. Our experience from the garment in-

dustry in Canada is the latter. In the next five years other sectors of the economy, both public and private, may be facing the same homeworking phenomenon. No sector is immune. The garment industry has been described as the DEW line (Distant Early Warning) for other sectors. Homeworkers are likely to continue to increase in number as more production is done locally, countering the trend of the past two decades of increasing imports to Canada.

There will be fewer and fewer large workplaces as organizing targets. As retailers increasingly demand shorter lead times for production and increasingly reduce their inventories, the "just-in-time" methods of production translate into a push for a "just-in-time" worker. The garment homemaker is the perfect (flexible) worker for the retailer and contractor.

New ways of organizing

This may be the fundamental challenge for the labour movement in Canada and other countries in the months and years ahead. If so, it will be crucial that unions learn new methods of organizing more precarious workers.

There are some encouraging trends in organizing already. There have been some excellent and creative examples of women organizing precarious workers in various parts of the world from which the Canadian labour movement can learn. For example, some union organizing in Mexico involves leadership training of the women activists. In England, there are homemaker projects in various sectors.

A common theme to this kind of organizing is that it takes a long-term approach. Organizing in non-traditional areas where unions have little stronghold means that the union must commit to an extremely long-term and patient approach. Campaigns focus around years of work, rather than months.

Another common thread is that some of the most creative organizing is coming not from traditional trade unions but from grass-roots women's organizing outside of the main trade unions.

There has historically been a reluctance on the part of trade unions to engage in this form of organizing. The ILGWU internationally has a long history of promoting a ban on homeworking. In some cases, fines have been levied against union members who have done homework. If a union is on record as promoting a ban on homework, it would be completely contradictory to turn around and attempt to organize homeworkers. To do so would be publicly recognizing that the ban is not enforceable.

The approach that the ILGWU has

taken in Ontario has been somewhat different. Homeworking is not banned in the province. It is subject to a number of regulations and procedures. For this reason, a project to organize homeworkers has been possible.

Our approach focuses on looking at why women do homework in the first place. This avoids the traditional "blame the victim" type of approach which has been common among traditional trade unionists. Once you understand the reasons why women end up as homeworkers, it is possible to develop an appropriate organizing strategy.

One of the biggest challenges in organizing homeworkers is locating them. This means understanding the underground network of contracting and homeworking. It is a major task to locate the workers in their individual homes, their place of employment.

There is no leafleting at plant or office gates; there aren't any. One way of locating homeworkers is to hang around traditional garment district areas where the contracting shops are located and then follow the cars that pick up bundles of cut goods. This method, however, is extremely labour-intensive and time-consuming.

We have in particular targeted the Chinese and Vietnamese communities in Toronto since they (particularly the Chinese) are by far the largest community doing garment homework in the city. This means that the union must work closely with the communities. Organizers must be able to speak and work with community members. Our organizing attempts have been centred around a long-term approach of building recognition within these communities.

Services for homeworkers

The Homeworkers' Association (HWA) is a chartered local of the ILGWU Ontario District Council and is affiliated with the International Union's Associate Membership Program (AIM). The HWA functions as a union local except that the union does not have the right to negotiate a collective agreement for the members of the association since there is no formal recogni-

tion from the Labour Board. The HWA works as a pre-union which can provide services, legal advocacy, lobbying and other political work. There are a number of similarly chartered associate member locals in the United States, but none have organized homeworkers.

The role of a pre-union, or associate local, is gradually to introduce workers to the concept of unionism. It can be a less intimidating option or a first step for someone who has never been a union member nor has any history with unions. The Association can determine its own by-laws and elect its own executive. Members of HWA are charged an annual membership fee of \$12.00.

A crucial part of the functioning of this local has been that programmes, services and events take place at the union office. The office is not simply an administrative office of the union but becomes a drop-in centre for a whole range of activities. We found that offering a hotline service for homeworkers with a separate telephone line from the main union line was particularly effective at the beginning of our campaign.

Word-of-mouth organizing is also crucial for gaining support and recognition within the community. If the Association is able to achieve something for one homemaker, then often that same homemaker will speak about it with her friends. The network is informal and fluctuating but is there and must be tapped.

The Homeworkers' Association has, over the past few months, offered bi-weekly legal clinics and social teas on Saturday afternoons. A volunteer lawyer comes along and is available to meet with homeworkers on a drop-in basis. The tea afterwards provides an opportunity for homeworkers to get together in a social setting. This helps break the isolation of being a homemaker.

Two weeks ago an ESL (English as a Second Language) class was set up for homeworkers for 3 hours on Sunday afternoons. Instruction is provided by the Toronto Board of Education. We are able to provide day-care for the children. The union has begun an informal collection of toys and supplies to have on hand for any child attending the union drop-in centre.

Participation has risen in the class from an initial 10 homeworkers to more than 20.

Support and resources needed

What has become clear is that, as in most organizing work, there is no one magic technique. As trust in the staff member and the HWA grows, so does participation in the various events. Our goal is to eventually be in a position to organize some of the HWA members into becoming full-fledged union members with a formal collective bargaining relationship.

Our experience with organizing the HWA have been quite exciting. It has been difficult work, but well worth the patience. A fundamental problem remains, however, this kind of organizing takes a lot of resources. Because the HWA is very service-oriented, it requires a much higher staff-to-membership ratio than traditional bargaining units.

The long-term success of this form of organizing will require a commitment from the union to subsidize the operation with main dues revenue. The difficulty for the ILGWU Ontario region is that our regular dues base is in serious decline as the plant closure rate continues to climb. We are increasingly unable to fund our work out of our regular dues base.

The membership of the union is generally supportive of this project. Initially there was reluctance to invest staff time and union resources, but this reluctance has gradually been overcome. A special session this summer helped bring together regular union members from the factory with active members of the HWA. That experience was crucial in beginning to develop a cohesive organizing and union approach to the changing structure of the garment industry in Canada.

This conference has generated some interesting ideas about how to take this form of organizing into the broader labour movement. We discussed ideas about forming a central (national) union committee that could pool financial resources for this kind of approach. It might be quite appropriate for the Canadian Labour Congress to take this on.

There was also a general discussion about the need to form a Working Wom-

en's Association which could be the backbone of a pre-union for the many women that cannot easily form a traditional trade

Tea and organizing

Holly Du, Co-ordinator, Homeworkers Association.

We formed the Homeworkers' Association in February 1992. After I was hired, the first thing I did was sit down and read all the interviews we did with the homeworkers [during a 1991 study conducted by the ILGWU].

One question was: "Would you like to meet with another homemaker?" The answer was always "yes." Other things that came up over and over again were that homeworkers wanted to learn more about labour law, wanted to have social and recreational activities, and wanted to have ESL classes. Everyone mentioned their social isolation.

We started by organizing social activities. The first one was a social tea. I called many of the homeworkers and six or seven of them said that they would definitely come. But only one showed up. I also ran a workshop on the Employment

union. This could be based on a model like the HWA but in a broader form, and not confined to one targeted sector.

Standards Act to which only three people came.

I thought: "This is very interesting. How come everyone says there is isolation, and now there's a social tea and everything, they're not coming?"

There was a parenting night at the ESL class and I went and met with people. I realized that our programmes should be designed to be more family-oriented. This means involving the husband and the children. Programmes must have child-care, rather than just trying to get the woman out. I learned that after many tries and failures.

In the summertime I started organizing bus trips to go to different places, subsidized by the ILGWU. I also tried the social tea again, but this time I encouraged the homeworkers to bring their children. Now it is a success. We have a social tea every two weeks on Saturday afternoons. It is supposed to end at 4 p.m. but people usually stay until 5 p.m.

Profile of homework in the garment industry

A summary of key points from the ILGWU research project.

- ◆ 21 of 30 homeworkers were not being paid the minimum wage of \$5.40 per hour. One was earning as little as \$1 per hour. The average wage was \$4.64. Only two highly skilled workers earned an average of \$7.00.

- ◆ Only one homemaker was being paid the vacation pay to which she was entitled. None of their employers were making unemployment insurance or pension contributions. Only one employer had a permit to employ homeworkers as required under the Employment Standards Act in Ontario.

- ◆ Homeworkers had to pay for their own equipment and cover the costs of operating expenses out of their meagre wages. Their industrial sewing machines often cost more than \$3,500.

- ◆ The average work week was 46 hours. In busy times, homeworkers worked an average of 70 hours a week. Homeworkers are exempt from the overtime pay provisions of Ontario law.

- ◆ Almost half of the homeworkers reported that other family members, including children, assisted them, providing unpaid labour to the contractor.

Portrait of a homemaker - Ida's story

Ida, a founding member of the HWA, was one member of a panel. She made her presentation in Cantonese in the form of an interview with Holly Du. These are excerpts from the translation.

Ida is a garment worker who has long worked in the industry. But for the past three to four years she has been working at home. When asked why she worked at home rather than in a factory, Ida replied: "Because I have two kids, and I need to take care of them. If I take them to the day-care it's too expensive."

Combining her two lives (her working life and family life) at home has been really hard for Ida—particularly at the beginning, she said. An account of Ida's work day shows the challenge she faces in juggling the needs of her family with the relentless pressure of her paid work.

"I get up early in the morning. I need to fix things for our kids. After they go to school I start to work. In between I need to cook the lunch and bring the kids home, and then I start to work again, until the dinner. If I'm lucky and I finish my

work, I can have some dinner, and then I take a break. But if I'm really rushed I have to go back again until 12 o'clock."

Ida has to rush through all her work all the time. "If you don't finish in time, maybe next time they don't want to hire you."

Asked about her rate of pay, Ida replied:

"For me, because I'm a really skilful sewing operator, I can earn about \$8 per hour. But some jobs are very difficult, so maybe I'll get just \$6. It depends. But I know some people, they aren't that good, not good enough, they maybe earn \$4 or \$5."

Ida used to do very skilled work sewing patterns when she worked in the factory. Not everyone can sew the patterns. She used to sew with the designer. Her pay now is a lot less than when she worked in the factory and in addition she is not paid overtime for working long hours. Working at home, she does not receive unemployment insurance or workers' compensation or Canada Pension Plan coverage, nor her vacation pay.

- ◆ 27 of the 30 homeworkers interviewed experienced health problems related to their work - often allergies to fabric dust, stress resulting from the time pressure and ergonomic problems with the work.

- ◆ The homeworkers had no control over the scheduling of their work or the rate of pay. 12 reported problems in getting paid for the work they had done. 21 worked for subcontractors, 9 for factories and all but 4 worked for more than one employer.

- ◆ All but one woman reported that they had turned to homework because they could not afford child-care. More than two thirds said they would rather work outside the home. With few exceptions, their last jobs had been in garment factories and they had begun

to take in homework while on maternity leave.

- ◆ Only one of the women interviewed reported that she could converse in English. All but two had less than high school education, completed in their country of origin.

Reference: Barbara Cameron and Teresa Mak, "Chinese Speaking Homeworkers in Toronto: Summary of Results of a Survey Conducted by the International Ladies' Garment Workers Union", Toronto, 1991.

Telework in the Public Sector

Increased productivity, decreased protection

Theresa Johnson, Public Service Alliance of Canada

In the public sector in Canada electronic homework is referred to as telework. But the objectives and the agenda around it are pretty similar to those of homework in the private sector. Telework involves working away from the central office, generally from home, and generally using technology, either to do the work, or to transmit it or communicate back to the office.

Our employer, the Treasury Board, recently released a policy on telework for federal public sector workers. What we're doing now is attempting to develop a bargaining position around the issues. We've been able to do some pretty good advanced research and through that, some outreach to our membership. We issued a questionnaire to our locals in the province of Ontario to find out whether federal government workers are involved in telework in the province of Ontario, and if so, what people think of it.

The results were interesting. We found that telework is very new and that there are not a lot of people involved in it. Part of the reason is that their "snoopers" —as management is referred to—don't want to let people go and work at home. Their attitude is "If I can't see you I don't know you're working." Management thus has an internal problem dealing with the issue, and this gives us a little time to do some work around it.

Speeding up work – for whom?

Our members told us that the most positive things about telework are its capacity to speed up the work, to get more done,

to catch up on the back-log, and to work uninterrupted. They didn't say, predominantly: "We love it, it's great, it's fun, it integrates our work and family life." What they talked about was not being able to get their work done during their regular work day, and taking work home at night to get caught up.

The attraction of telework is clearly related to the individual worker's need to stay on top of the work and to increase productivity. And the pressure of the work load is not surprising because in our sector we're continually experiencing cut-backs. The public service has been pared down pretty much to the bone. We are operating now in the Public Sector with the same number of workers as in 1973 despite a 20% increase in the Canadian population.

Linda Duxbury, an academic at Carleton, studied the public service in Ottawa and found that those with computers in their home were working an average of 2.5 hours a day more than those without home computers. We need to ask ourselves when people package this thing as progress: Is working a couple of hours a day more what we want to see ourselves doing in the future?

Telework as a low-wage strategy

The Ottawa Citizen last weekend [November 1992] had an article about the cuts that are coming to the federal government. The rumours are that the cabinet is going from 39 ministries down to about a dozen, and that there are going to be cuts that range anywhere from 12,000 to 20,000 positions. The paper quoted the minister responsible as saying "...more emphasis will be placed on computeriza-

tion to improve service and reduce staff."

Telework is one way they're going to achieve that objective. In the private sector, when they place work in the home, they off-load employer costs and responsibilities onto the homeworkers. The shift not only reduces costs for the employer but also reduces obligations around such things as health and safety.

The Federal Government's policy talks about homeworkers needing to make sure that *their* workplace is safe and healthy, rather than the employer being responsible as it is now. It talks about workers absorbing the cost of furniture. The employer will provide some of the equipment but any desks or ergonomic chairs are the workers' responsibility.

The public sector is heading down the same path as the private sector. We're seeing a low wage strategy, reducing people's wages and employer costs. Private sector strategies are being superimposed on the public sector but with different buzzwords.

The implications of telework

When we asked people what they didn't like about homework they mentioned the problem of their work invading their home. The clear line between work and home is gone. That leads to the longer hours we hear people talking about. They also talked about social isolation.

At PSAC we're putting together contract language to deal with employer ini-

tiatives in telework. But this thing has tentacles into everything we do as a trade union—health and safety, hours of work, terms and conditions, equity issues, workers' compensation.

What happens if you are injured at home? Is the Worker's Compensation Board going to believe that you tripped over that cord, or are you going to enter into a long and protracted debate about whether you were really working or taking the laundry downstairs?

Employers are going to see placing computerized work in the home as a way to continue the marginalization of workers with disabilities. We're going to hear the rhetoric of concern from employers when they address this issue. Employers can say "oh, but we provide work for equity groups," but they won't be integrating people into the workplace.

Child care is another big issue. I listen to my sisters in the ILGWU and I shudder. We have a conservative government that did indeed promise some affordable, accessible child care, and that's gone. I'm concerned that those in government see homework as an out for them on the child care issue.

Rather than seeing ourselves as a labour union moving things ahead for our membership in areas of health and safety, working conditions, job security, wages, women's issues, equity issues, we're going to find ourselves struggling just to protect the gains that we've already made.

Telework: Homeworking for federal public workers.

Public Service Alliance of Canada

What is telework?

The term telework refers to the process of performing work outside the regular office environment often using computers to do the work or communicate with the office. Telework can refer to work being done in transit, in a satellite office or work being performed in the home.

How does telework affect PSAC members?

PSAC members have been performing telework informally for a number of years. Welfare Program Officers who work in Veterans Affairs often telework in transit when visiting veterans at home). Alliance members in Statistics Canada regularly undertake telephone survey work and this is often performed at home. Some Environment Canada members work

in transit as they travel using laptop computers. In a survey of PSAC Ontario Locals, the Administrative Services and Programme Administration groups were among those most involved in telework.

PSAC's reaction to telework

PSAC was involved in extensive consultation regarding the Treasury Board's development of the "Working at Home" Policy, to ensure members' rights were protected. The position of the Alliance is that

Telework: doubts and dangers.

Cindy Kauffman-Sinclair, President, Local 00010, Supply and Services Union, PSAC

I'm a president of a local here in Toronto, and have been for the last ten years. I have teleworkers in my local and have had for all of my ten years.

I have a group of auditors who go out and audit government contracts in Toronto or as far away as Africa. They used to work out of a traditional office. But the introduction of computer technology and laptops has made it possible for them not come into the office at all. They simply write their report on their laptop in the contractor's facilities and send it over a modem into the office.

It's also affected the clerical staff in the office who used to write those reports. The auditors are chartered accountants. They didn't use to spend a lot of time writing narrative reports. They would bring in the facts and figures and make their opinion, and a clerk or secretary would put together the report. Those clerks don't exist any more.

Project officers in my work site have recently been given the capability to do some of their work at home. This is an attempt to have them work in a more flexible work situation. Quite frankly, those members see this as a great opportunity, for two essential reasons. One is child care pressures, most definitely. They see that taking their work home allows them

telework is a new process affecting union members' working conditions and therefore is a bargainable issue.

The Alliance successfully convinced the Treasury Board to consider the policy as a pilot project. Consequently, the Telework Policy has been introduced on a provisional basis for a period of three years. PSAC also supported the notion of the employer providing the equipment and pressed to have the employer pay for ergonomically correct furniture as well.

to avoid exorbitant child care costs.

The other has to do with relieving commuting pressures. Anybody who has to drive the highways around Toronto knows that it takes a significant number of years off your life to do that every day.

But I want to talk about some of the problems that I see.

The problems of telework

Certainly, putting the worker in the home allows for an increase in exploitation of that worker. Wages are an important issue. How do we ensure that the employer is providing equal wages? How do we ensure that wages are in accordance with the collective agreement? And how do we ensure that workers aren't working those 2.5 hours above and beyond in order to get the work done?

Harassment is another issue. If I sign an agreement with my employer to work in my home, does that mean that my employer has access to my home at any time? Does that mean if I'm a woman working at home alone and I have a male supervisor that he can come into my home at any time? I have members, both male and female, who feel they are in a harassment situation daily, and don't feel protected by the security of numbers of the workplace. Being isolated at home will multiply the problem.

Access to union representation is another problem. The auditors auditing CIDA contracts in Africa can't just walk

around the baffle when they have a problem and say "Cindy I have a union problem, can we talk about it?" How do we service these people? I have workers off-site now, and it's very difficult.

How do we even know where they are? Is the employer obligated to tell me who they are and where they are? Is the employer obligated to give me time and travel monies to drive to Beaverton or Trenton to go and see them? Are teleworkers entitled to time off with pay to speak to me about a concern or are they working on a piecework system?

What about local meetings and ratification votes? How could I possibly conduct a local meeting if all the members were at home? I have enough trouble getting them out now to a meeting, without trying to drag them from their homes. Will members really come out and participate in their union and make the decisions if they have to drive from Beaverton to come and vote "yes" or "no" on a ratification?

How do we enforce the collective agreement? A lot of what we do in the workplace is look at each other and compare things. How do we know which workers are getting overtime, for example?

Health and safety is very complicated. Most of our workplaces are not safe now,

but I'll tell you I certainly wouldn't want a health inspector to come in and inspect my home. How are we going to hire enough Labour Canada officers to ensure compliance of everyone's home for general health and safety? Do I have the right to choose not to spend \$10,000 upgrading the lighting in my home?

Organizing will be another problem. If I sign a contract to go into my home and then I quit six months from now its likely my desk will be gone from the workplace. They'll be hiring a homeworkers to replace me. How will the union know who that person is? How do we organize them?

How do we enforce and strengthen our rights when the employer can go into someone's home and pressure them into performing the work without having to cross the picket line?

I know that for me working from home would be very difficult. I'm a very social person. I gain a lot of my satisfaction, not from the job that I do for the employer, but from the people I work and interact with on a daily basis. A lot of those bonds and a lot of that solidarity we form as trade unionists in the workplace would be lost by working from home.

I think that it's very dangerous.

Protecting Homeworkers: Different Strategies

How can unions protect homeworkers? What are the different strategies? This section includes the discussions from the conference that dealt with different initiatives to protect and improve conditions for homeworkers.

The first two parts deal with collective agreement language and labour law reform. There are three examples of the development of collective agreements appropriate to different homeworking contexts. They usefully show the kinds of issues that need to be addressed and the possibilities there are for effecting some degree of protection. The second chapter makes the case for, and gives examples of, the kinds of reforms to labour law necessary to cover homework.

The next two parts look at the popular political strategies of coalition-building and networking—on a national level and amongst homeworker organizations internationally. Just as the situation of homeworking has demanded of union organizers a rethinking of their methods, it also demands different forms of solidarity. Because homeworkers are based so definitely in the community, there have to be stronger links forged between labour and community organizations. In the global context of cut-backs and diminishing resources for community and solidarity work, collaboration with other groups, the sharing of experience and combining of resources extend the possibilities of this essential work and build solid working links.

Collective Agreements for Homeworkers

The collective agreement is one of the most important ways that a union can protect workers' and respond to their needs. The following examples of collective agreement language are included so that unions may begin to share their ideas

and experiences. Of course, contract language varies from one situation to the next and the effectiveness of any particular contract clause needs to be tested over time.

Protecting garment workers at home

An example from the International Ladies' Garment Workers' Union (Ontario District)

In 1992, the ILGWU attempted to negotiate, unsuccessfully, new collective agreement language that would provide protection for factory- and homeworkers in the garment industry.

All homeworkers shall be paid a piece work rate which shall be no less than the equivalent of the minimum hourly rate for their classification. In the event that there is a dispute whether the piece rate work is equal to the minimum rate for the classification, such a dispute may be the subject of the grievance pursuant to the grievance and arbitration provisions of this Collective Agreement.

Each employer shall provide the Union, every two weeks, records indicating the name, address, telephone number and social insurance number of each homeworker and all the wages paid to that homeworker together with the basis of such calculation.

All benefits provided for in this Collective Agreement (and without limiting the generality of the foregoing, Health and Welfare Fund benefits, Vacation Pay Fund and Retirement fund) shall also be paid by the employer on behalf of homeworkers as

and when required by this collective agreement.

The employer agrees that all homeworkers are its employees for all purposes including, but not limited to, the Collective Agreement, the Employment Standards Act, and the Advisory Committee of the Ladies Dress and Sportswear Industry and with respect of any obligations or liabilities arising thereunder; including the purchasing and maintenance of all necessary tools and equipment.

No employee in the bargaining unit will be adversely affected in any way by the Employer's use of homeworkers and, without limiting the generality of the foregoing:

- a) no other employee in the bargaining unit shall be laid off as long as the Employer uses homeworkers;*
- b) overtime will continue to be worked by other employees in the bargaining unit notwithstanding the Employer's use of homeworkers and the Employer guarantees that no less than the aggregate amount of overtime worked in the previous year shall be worked by the other employees in the bargaining unit; and*
- c) at no time, shall the homeworkers used by the Employer compose more than 10% of the bargaining unit.*

Bargaining proposals for teleworkers

Examples from the Public Service Alliance of Canada (PSAC)

The following are issues which need to be addressed in collective agreements for teleworkers, formulated by PSAC.

- 1) Appropriate Definition of "Telework"*
 - ◆ reinforces "voluntary" aspect of telework;
 - ◆ preserves the employer-employee relationship of telework arrangement.

- 2) Integrity of Collective Agreement*
 - ◆ ensure all collective agreement provisions apply to telework arrangements;
 - ◆ inclusion of a standardized telework agreement form to be signed by the employee and his/her immediate supervisor and the local, and forwarded to the local PSAC, Component, representatives and PSAC National Office.

- 3) Maintenance of "Employee" Status*
 - ◆ reference to definition of employee as

- defined in Master Collective Agreement;
- ◆ no contracting-out of telework positions or duties.
- 4) *Continuation of Employer Responsibilities*
- ◆ specifications that the onus is on the employer to ensure that telework arrangements do not violate municipal zoning regulations and conform with existing legislation and policies of the federal government.
- 5) *Health and Safety*
- ◆ provision to allow for joint health and safety inspections of telework home sites and coverage of teleworkers under the Canada Labour Code;
 - ◆ declaration that employees injured at home while teleworking are eligible for workers' compensation benefits;
 - ◆ telework as a short-term solution for workers with disabilities or with chemical sensitivities.
- 6) *Access to Telework*
- ◆ requests for telework not to be unreasonably withheld and to be authorized on an equitable basis;
 - ◆ requirement that telework be voluntary with an escape clause providing for the unequivocal right to return to the central workplace;
 - ◆ telework not be used to marginalize equity group members by keeping them out of a central workplace.
- 7) *Training*
- ◆ provision of training at employer's expense on use of hardware and software aspects of telework, as well as related issues such as reporting responsibilities and expectations, office organization, time management, managing a career while teleworking, safety and workers' compensation;
 - ◆ right of union representatives to provide overview of pros and cons of teleworking and workers' rights with respect to the collective agreement.
- 8) *Productivity Levels*
- ◆ provision that stipulates equitable and reasonable workloads of central office
- staff are to be maintained irrespective of the productivity experiences of teleworkers;
- ◆ reasonable production levels for teleworkers.
- 9) *Limitations on Telework*
- ◆ no full-time telework;
 - ◆ restriction on telework to a certain number of days or hours per week; provision which guarantees adequate office space, as well as necessary support services (i.e. photocopiers, computer terminals, fax machines, secretarial and clerical staff, etc.) for teleworkers who return to work at the central office.
- 10) *Union Access to Membership*
- ◆ provision which allows electronic access for the union to electronically-equipped teleworkers;
 - ◆ demand for management to provide union list of teleworkers' names, home addresses and home phone numbers;
 - ◆ requirement that at least a portion of the work time each week be spent at central office.
- 11) *Additional Incidental Costs Associated with Teleworking*
- ◆ requirement that the employer assume responsibility for additional costs of home office such as heat, light, added insurance, extra telephone line, etc. or alternatively compensating each teleworker with an allowance or subsidy;
 - ◆ employer responsibility to cover cost of all associated equipment and ergonomic furnishings associated with the home-based office or alternatively provision of an allowance for the cost of equipment and furniture provided by the employee which is used in part for the performance of assigned tasks and partly by the employee for his/her personal use.
- 12) *Grievance Procedure*
- ◆ inclusion of provision which reiterates employee's right to grieve concerns over telework in accordance with Article M-38 of the Master Agreement.

Medical transcription from home under collective agreement:

An example of possibilities from Wisconsin State Employees' Union.

Local 2412 of the Wisconsin State Employees Union negotiated a contract in 1984 with the University of Wisconsin's Hospital and Clinics in Madison, Wisconsin to allow a small number of employees, doing word processing, to work in their homes.

The University of Wisconsin's Hospital is one of the major research institutions in the United States. This contract represents one of the few, if not the only, labour union agreements in the United States regarding computer-based work at home.

Telework was introduced due to the lack of office space, difficulties in recruiting and retaining experienced skilled transcriptionists, and dependence on outside contractors.

Medical transcriptionists are typists who transcribe dictation from doctors in a wide variety of medical specialties and who use complex medical terminology. The criteria for selection of home-based employees include the following: (1) willingness to work as a permanent full-time employee; (2) ability to average 110 lines per hour; (3) ability to maintain 2 per cent or less revision rate per week; (4) ability to meet work environment requirements. Final selection of the home-based transcribers is then based on seniority of interested employees.

The medical transcription department has 25 office-based transcribers and seven home-based ones. Home-based work stations for permanent staff employees were put into operation in 1984.

From the beginning, local 2412 of the union was concerned that adequate working conditions in the operation of home-based work stations be ensured.

The University was uneasy with the potential loss of supervision and control over the confidentiality of patient records. There was concern for running an operation so critical to the hospital at a

distance considerably further than the traditional offices.

The union and hospital, working as partners, negotiated the contract and set up the programme, seeing the effort as a truly union-management effort. The programme ran on a pilot basis for one year. At the end of the year, the programme was formalised.

The method of work input to the dictation department has stayed the same for the home-based transcriber. Physicians dictate information to the word processing operation of the Medical Transcription Department through a special dictation system. By dialling from a regular phone and entering their personal identification number, physicians gain access to the system. The information dictated over the phone is relayed to a recording system located in the Medical Transcription Department. The word processing operators then transcribe from the recording system, regardless of where they work.

The union drew up guide-lines to be followed for setting up work stations. These recommend that a written agreement be made covering all aspects of homework, including safe and comfortable working conditions in the home, realistic work standards, access of the union to its members, and methods by which employees may opt in or out of the homework programme.

The guidelines also call for employees to be informed about potential problems such as isolation, family stress, legal considerations and dead-end jobs. They further suggest that a trial period be allowed with a specified group of employees, with an opportunity for full re-evaluations and withdrawal of participation.

The agreement provides for employees to work during established hours. Employees must contact the office at the beginning and end of each shift and each time the employee transmits finished work. Completed work is transmitted to the office at least twice daily or after four hours of work is performed. The office as-

signs the work to be performed on a daily basis.

Home-based employees who work full-time are paid exactly what they would receive if they worked in the office are entitled to full benefits.

The employer must provide for an ergonomically-correct chair and table, adequate lighting (if not already available) and a smoke detector. The employee must provide a separate work area or work space in the home (in most situations a separate room), ensure that humidity and temperature levels conform with equipment needs, and make available an approved electrical outlet.

The employer pays for phone line installation and monthly charges and the maintenance of employer-owned equipment. The employer has to ensure that no home-based work station has direct access to any mainframe computer of the central data base, and that no printers are provided or connected to computers. The employee must guarantee that equipment

is used only for work assigned by the employer.

A company representative reports that the people working at home are 40 to 50 per cent more productive than the people in the office. The employees have benefitted from reduced commuting time and costs, and greater flexibility in work schedules. The teleworkers also maintain good work relations with their office-based colleagues. The union feels it has been able to respond to the needs of its members by letting them work at home and protecting their employment conditions.

Based on report by K.E. Christensen, Director, National Project on Home-Based Work, City University of New York, 33 West 42nd Street, New York, New York 10036-8099, United States. Information provided in March 1990, based on a personal communication with Allen Highman of Local 2412, Wisconsin State Employees Union (American Federal of State, County, and Municipal Employees -AFCSME).

Law Reform and Homeworking

The case for law reform

Judy Fudge National Action Committee, Employment and Economy Committee, and Osgoode Hall Law School, York University

Labour law is based upon a number of deep assumptions which makes it very difficult to devise legal mechanisms to improve and protect the wages and working conditions of homeworkers. These are:

- ◆ Employers are free to organize production as they want without considering how this may affect their employees.
- ◆ Employers and employees are equal partners.
- ◆ The sanctity of the home.

An employer who operates a garment factory is free to contract out factory jobs to

homeworkers unless the factory workers have a collective agreement which prohibits this. Workers are then, theoretically, free to choose whether or not to perform homework.

Once production is contracted out to homeworkers, it is extremely difficult for such workers to attain a decent wage or reasonable working conditions.

A profound contradiction can be seen by comparing the existence of laws which require employers to provide minimum wages and working standards (an acknowledgement that most employees are not in the position to negotiate individually on an equal basis with employer) with the enforcement of these laws (the burden which lies, impossibly, on the individual homeworker).

The fact that homeworkers work out of private dwelling places creates real difficulties for regulating their working conditions. In Ontario, the Occupational Health and Safety Act does not apply to work performed in a private residence. If a homeworker suffers a work-related injury, s/he will want to receive workers compensation benefits. However, it may be very difficult to prove that the injury is work-related.

Employment-related law

The ambivalence of government policy in relation to the employment status of homeworkers (independent business people vs. employees) is demonstrated in the piecemeal eligibility of homeworkers for the protection and benefits of labour laws. Sometimes the law ignores homeworkers altogether which means that workers must argue on a case by case basis their eligibility for a particular benefit (U.I. for example). In other cases, homeworkers are treated differently from other workers by having eligibility for some, but not all, of the protection under a specific law (for example, under the Employment Standards Act). And even when homework is specifically recognized by law, enforcement is usually lacking.

The need for law reform

In many countries, the initial response to homework was to ban it. Homeworkers, most of whom were (and are) women, were seen as extremely vulnerable to exploitation—isolated from other workers, first language other than the predominant language, immobile because of child care or other family responsibilities.

These same factors caused, and still cause, employers to see homework as a way to ward off or undermine unionization.

But the problem with banning homework was that it was impossible to enforce and simply drove homework underground. Instead of protecting vulnerable workers, the ban on homework worsened their working conditions.

In other countries such as Canada homework was permitted, although sub-

ject to special regulation. In Ontario, employers who intend to use homeworkers are required to obtain a permit to do so from the Director of the Employment Standards Branch of the Ministry of Labour.

Despite this, the vast majority of employers who use homeworkers do not obtain permits and because of this it is virtually impossible to ensure that homeworkers obtain their basic legal rights.

Moreover, the legal protection offered to homeworkers in Canada is partial and incomplete. Homeworkers are not provided with the basic employment rights, such as holiday pay and overtime protection, available to other workers. Access to effective union representation is virtually impossible under Canadian collective bargaining law and equal pay for work of equal value is not a reality for most homeworkers.

Law reform is not a complete solution to the problems faced by homeworkers. However, it is an important step. Law reform is an important way of bringing to light the unequal treatment of homeworkers with the goal of improving their terms and conditions of employment.

It is important to recognize that good laws in the statute books are meaningless unless it is possible to enforce them. This is why it is necessary to remove the legal restrictions which make it virtually impossible for homeworkers to organize collectively.

The goals of law reform

As a minimum, there must be enforcement of existing labour law protection for homeworkers. In addition, homeworkers should be eligible, as a legal right, to occupational health and safety protection, workers compensation, U.I. and C.P.P. benefits.

To ensure that workers are given effective representation if they choose to work in their homes, collective bargaining law must be reformed.

The first part of a law reform strategy should be to ensure that homeworkers enjoy the benefit of legal protection available to other workers. For this reason it is

necessary to start with employment standards legislation.

1. Homeworkers should clearly be covered by the Employment Standards Act.

Existing legal definitions of employment and homework are deficient in two respects. Because homeworkers are not subject to direct control and supervision of their work, they have in several cases been found to be independent contractors and therefore not entitled to minimum standards.

The concept of subordination based strictly on the idea of supervision and control by the employer is now outdated.

Second, the existing definitions of homework are too narrow. For example, in Ontario the Employment Standards Act does not explicitly cover the production of services in the home and so leaves out recent forms of homework such as teleworking, which involves data and word processing out of the worker's home.

2. Homeworkers should receive the same benefits and legal protection as workers employed in an employer's establishment.

To ensure that employers are not simply using homeworkers to reduce labour costs, it is necessary to ensure that homeworkers receive wages and benefits which equal those of other employees. The exclusion of homeworkers from limits on maximum hours of work, overtime pay and statutory holidays should be repealed.

3. Employment standards for homeworkers should be effectively enforced.

Employers who choose to use homeworkers should be required to obtain a permit from the Director of the Employ-

ment Standards Branch. Any violations of this requirement should be aggressively pursued. A designated official within the Ontario Employment Standards Branch should also be required to regularly inspect employers who have permits to use homeworkers.

Mechanisms for this already exist; they should be enforced.

Moreover, to ensure that minimum health and safety standards apply to homeworkers, homework permits should be registered with the public health authorities.

If the resources of the government are stretched with the result that effective inspection cannot take place, then there is no reason why interested trade unions should not be able to require employers to disclose details of the homeworkers engaged by them, including their rates of pay and their other terms and conditions of employment.

Homeworkers should not be limited to these minimal protection, but have the right, like other workers to act collectively to improve their wages and working conditions.

Current collective bargaining law creates real barriers to the effective unionization of homeworkers. Standard bargaining units defined by labour relations boards fail to account for homeworkers. What is needed are broader-based bargaining schemes which apply to all employers and homeworkers in specific economic sectors.

The partnership of trade unions and other community organizations is crucial for achieving any of these goals. The knowledge of workplace processes and employer practices and the organizational skills of trade unions, combined with the outreach and community development experience of community groups makes for a powerful force.

Recommendations for law amendment in Ontario: a summary

After the ILGWU completed a major investigation into the wages and working conditions of homeworkers, the Coalition for Fair Wages and Working Conditions for Homeworkers outlined ways the Employment Standards Act in Ontario could be changed to better meet the needs of homeworkers. The Coalition presented their brief to the Government of Ontario in November 1991. [The Ontario Minister of Labour introduced regulatory changes to the Employment Standards Act in December 1993. As of February 1994 no amendments to the legislation itself have been introduced by the government.]

Below is a summary of the recommendations for change:

Summary of recommendations for amendments to the Employment Standards Act

1. Introduce to the Employment Standards Act a joint liability provision so that a retailer and/or manufacturer would be held responsible for any violations of the Act by its subcontractors.

2. Revise the Employment Standards Act definition of employee and homemaker to include all services, telework and clerical work. A new definition would address new and emerging forms of homework:

- (i) ensure all definitions of employee includes all forms of homework: "homeworker" means an individual who contracts with a person, not being a professional client of hers, for the purposes of that person's business, for the execution of any work (other than the production or creation of any literary, dramatic, artistic or musical work) to be done in domestic premises not under the control or management of the person with whom she contracts, and who does not normally make use of the services of two or more individuals in the carrying out of that work, and in this Act work contracted to be executed*

by a homemaker is referred to as "homework".

- (ii) set a new list of definitional criteria including the freedom to accept work, the degree of autonomy and control over the timing of work, control over the quality of work to distinguish an employee or dependent contractor from an independent contractor.*

3. Repeal all regulations under Employment Standards Act which exclude homeworkers from labour standards including maximum hours of work (Part IV Section 285 Section 4f), overtime rates (Part VI Section 6c), statutory paid holidays (Part VII Section 7d).

4. Expand employer registration information on the permits to employ homeworkers to include employers name, address and the federal CA registration number.

5. Employment Standards Branch should:

- (i) ensure violations of permits or failure to register are vigorously pursued, enforced and fined.*
(ii) act on complaints regarding permits by agents of homeworkers,
(iii) upon receiving a complaint a full audit of the contractor should be conducted to ensure all homeworkers are registered.

6. Copies of permits should be sent to homeworkers to apprise them of their legal rights.

7. Minimum wage for homeworkers, where the employer does not employ factory workers, should be an additional 10% of the general minimum wage to ensure overhead costs are recouped.

8. Repeal Section 285 (1) to eliminate set-off (that is, the employer's ability to dock wages). Employers should file claims for

set-off with Employment Standards Branch. An employment standards officer will be assigned to investigate and adjudicate set-off disputes.

9. Amend to include a clear definition of dependent employer as a corporation, individual, sole proprietorships, firm, enterprise, syndicate or association which is functionally dependent upon another firm, enterprise, individual, syndicate or association.

10. Dependent employer definition should be added to the related employer provision including Section 1 d(iii) and Section 12.

11. Designation of specific industrial sectors such as garment, electrical and packaging industries which use homeworkers should be clearly defined as sectoral employers expanding the model of the Industrial Standards Act.

12. The number of hours that a homeworker works in a designated sector will be combined for purposes of calculation of overtime pay.

13. Create a Homeworkers Central Registry with records from Homeworker Permits including list of employers, the list of homeworkers and their wages and number of hours workers.

14. Substantially increase budgetary allocations to the Employment Standards Branch to step-up enforcement and enable the hiring of field investigators to respond to complaints, conduct spot audits and surprise investigations.

15. Adopt an aggressive prosecutorial stance in the event of flagrant or repeat violations by retailers, manufacturers and contractors that use homeworkers.

Coalition Building

Bridging different spaces, styles and issues

Workshop report

Throughout the conference, coalition building emerged as the most important strategy for fighting against the impact of economic restructuring on women's lives. Coalitions of unions and community groups were also seen as the best way to link the struggles women wage at work and in their daily lives. The rise of homework, and of all types of precarious employment, compels unions and community groups to begin to imagine new ways of organizing. Homes have become sites for industrial and clerical work. Issues that were once considered separate, some in the "public" and some in the "private" spheres of a woman worker's life, are fusing in the "endless day". Unions and community groups are searching for ways to work more effectively by combining their

resources and by achieving a political balance in their attention to work and social issues.

Workshop participants examined the strengths and weaknesses of different coalition experiences, both single-issue coalitions and broader coalitions such as the Action Canada Network. In Canada, coalitions have developed as one way to bring together related structural issues - e.g. free trade, employment and unemployment, child care and social assistance policy. Unions and community groups do not have to work in isolation on a particular piece of the problem.

But coming together to work on issues of homework and other forms of precarious employment challenges both unions and community groups to move beyond their usual terrains of operation and rethink their usual ways of working. Unions are most used to promoting workers' in-

terests through negotiating collective agreements with employers, and rarely attend to broader issues of residential and community life. Community groups, on the other hand, tend to deal with local government, local politicians and media, deploying a variety of organizing strategies. Issues of the workplace and of class are often peripheral to their concerns.

Unions and community groups have generally operated in very different ways. Community groups may be composed of individuals and work on a consensus model. Unions have relatively strict hierarchies, formal procedures for decision-making and requirements for reporting back. If the coalition is to work effectively, differences in interests and process need to be acknowledged and dealt with up-front so that a shared practice and procedure can be developed.

Being clear about the objective of the coalition is very important. Even more so, a coalition must have an explicit strategy for dealing with, and working to overcome, the divisions that have been created between workers, such as those based on sexism and racism. Participants discussed the ways in which sexism and

racism must be addressed to build successful coalitions, arguing that the establishment of democratic process was also essential. With the corporate agenda and restructuring driving people to work from their homes, there is a real threat that these divisions will deepen. It is critical to work consciously to overcome them.

The main recommendations of the workshop were:

- ◆ to build community and labour coalitions across Canada as a direct response to economic restructuring and the rise of homework;
- ◆ to view coalition building as the key response to broadening and strengthening the work of unions and community groups;
- ◆ for unions and community groups to work towards developing an on-going, sustained response to restructuring, rather than simply coming together in single-issue coalitions; and
- ◆ to develop an open, democratic process as central to unions and community groups working together in a coalition.

The Coalition for Fair Wages and Working Conditions for Homeworkers and the Clean Clothes Campaign

After the release of the 1991 study on homeworkers' wages and working conditions, the ILGWU realized that to build an effective campaign to fight the explosion of homework, it would need to organize support within many community organizations. Initial meetings were held which brought together the ILGWU, a number of community-based, sectoral and service groups, women's groups, the Metro Labour Council and researchers. The shape and components of the Coalition's campaign emerged and were developed in these meetings.

The campaign's objectives were to support the organization of homeworkers and to bring about legislative changes to

protect homeworkers from the worst aspects of the exploitation they faced. The Coalition was clear that its ultimate objective was the reconstruction of homework so that it is not an attractive low-wage alternative for labour-intensive industries. And fighting for better employment legislation and stronger enforcement of minimum employment standards on the one hand, and working to build a homeworkers' organization on the other, were the means for achieving this.

The campaign's work was multi-faceted. It involved:

- ◆ building alliances, especially the Coalition for Fair Wages and Working Conditions for Homeworkers, with repre-

sentatives from unions, women's groups and community organizations, especially those advocating for immigrant populations;

- ◆ building broad public support for the campaign by educating the general public—and particularly activists in the labour and women's movements—about the conditions experienced by homeworkers;
- ◆ laying the basis for an organization of homeworkers; and
- ◆ raising the broad global and long-term issues that underlie the increase in homeworking in the garment industry and the rise of precarious or non-standard work for women.

One of the Coalition's major projects is the "Clean Clothes Campaign". Launched in October 1992, this public education campaign puts the corporate names and faces to the "pyramid of production" in the garment industry. The Coalition decided to launch a preferential buying campaign rather than call for a boycott of particular manufacturers. A

boycott, it was judged, was not a viable strategy. There were too many dubious factors. For instance, which retailer would the campaign target when they all sold clothes made by homeworkers? How could we know which clothes were clean and which were not when production was invisible? What about clothes made in other countries? What about union-made clothes? Would the impact of a boycott be to take work away from homeworkers? Instead, the Coalition handed out thousands of post-cards addressed to the owners of Canada's 3 biggest retailers—Eaton's, Hudson's Bay & Dylex—demanding that they stop having clothes manufactured by homeworkers who are not receiving minimum employment standards. Consumers were asked to mail these in and to pressure the retailers for fair wages and working conditions for homeworkers when they shopped. It is estimated that some 25,000 cards have been mailed.

The Clean Clothes Campaign is one example of a major public education effort organized by a coalition.

International Solidarity

Joining forces, maximizing resources

Workshop report

Economic restructuring, the drive for "flexible" production, "flexible" labour, and the increase in homeworking, is happening on a global basis. The presentations by the international participants and the analysis of homeworking in Canada made this clear. Currently, however, we are fighting the results of global economic restructuring on a region by region, ad hoc basis. What we need rather is a global strategy.

The workshop on international solidarity looked more closely at the implications of global restructuring for organizing around the issue of homework, considering what strategies might be pursued.

Some of the old strategies need to be rethought. New approaches have to be developed. Most significantly, this means moving beyond the traditional international links made between unions and labour organizations in the North and South, and forming working connections with community-based organizations as well. Particularly in the case of homework, labour is embedded in domestic and community relations. Without a focus on the community, we miss the big picture. We overlook the contexts that structure the lives of working men and women.

One of the challenges for solidarity work is to build international organization with some constancy and stability. This is a difficult task anyway given the

physical distances and cultural differences, but one made more difficult by the lack of resources for this kind of work. Our own organizations often aren't strong enough to commit resources and energy towards international solidarity work.

The workshop discussed ways of dealing with conditions of scarce resources and argued for working collaboratively with the more established organizations—churches, unions, international NGOs. In this way already existing structures and resources could be shared. For example, we should take the opportunity of conferences organized by other networks to invite international guests who can share information on homeworking conditions and restructuring. The National Action Committee on the Status of Women has a sub-committee with a mandate to look at the impact of free trade on women, and to build links with women's groups. There should be a way of getting other groups involved in international solidarity work to feed their information into the NAC committee's work, and for all groups to access that consolidated data base.

In the workshop the sharing of information and research was stressed as being vital to building up an overall picture of how economic restructuring was affecting different categories of workers and communities in the various regions, both North and South, to laying the basis for international solidarity work, and to sharing the costs involved. International solidarity work should not be looked upon as a charity relationship with groups in the South, but rather one of mutual solidarity and sharing of resources between people affected in both similar and distinctive ways by the global processes of restructuring.

A number of organizations, current resources and projects-in-progress were mentioned: Women Working World Wide is based in Manchester and links workers in the textile and electronic industries; the Common Frontiers project connects organizations working in relation to NAFTA; *Mujer a Mujer* (which has a contact in Toronto) is producing a training manual based on work in Mexico; a book is currently being published on organizing in the Philippines; and there is a project in Mexico that trains women for international organizing. It was proposed to set up international connections between garment workers, possibly through the medium of a newsletter, and also through a research project that would have to receive substantial funding to make it work.

Electronic communications technology now makes it a lot quicker and more efficient to establish contact, communicate, do information exchange and collaborative research with organizations around the world.

Though in some ways the climate for international solidarity work appears bleak, in other ways the internationalization of systems of production, the globalization of forms of worker exploitation, the spread of international communication networks, all establish both the necessity for, and the basis of much stronger, more equal and mutual solidarity connections between homeworkers around the world. To get this work off the ground, though, does require an international perspective on the part of our local organizations and a solid commitment of people's time and organizational resources.

Homework: Issues and Solutions

During the conference workshops were held on a number of different themes and issues. Reports back from the workshops were abbreviated and uneven in their coverage. The reports could capture only the barest outlines of the rich and creative discussion that took place in the workshop sessions. Some of the ideas and debates that emerged in the workshops have been incorporated in other sections of the handbook, for example on coalition building and the importance of international solidarity. This section includes a selection of materials prepared for and deriving from the workshops, and summaries of discussions that took place. They address the following significant issues for homeworkers: racism, employment equity, disability, child care, and health and safety.

Racism

Making the links between racism and homeworking

Background document prepared by the Coalition for Fair Wages and Working Conditions for Homeworkers, Toronto, October, 1992.

"I worked on single needle sewing for 10 years without a promotion. Others were promoted. I thought homeworking was my only choice for new work."
—Homeworker

The woman who made this statement was denied opportunities for promotion based on her race or ethnic background. She finally chose homework in order to get out of the racist environment of the factory. Race and ethnicity play a very large role in determining people's opportunities in the labour market in general. Homeworkers are some of the most vulnerable and ex-

ploited workers in the labour market. It's not surprising that immigrant workers are a large proportion of homeworkers.

Research conducted by the International Ladies Garment Workers Union amongst 30 chinese-speaking homeworkers found many had lived in Canada for more than 16 years. Only one woman was able to carry on a conversation with an english-speaking person and half of the homeworkers had a grade eight or less education. The discrimination that denied them education and language training has the result of denying them access to good paying work outside the home. These factors combined with the lack of affordable, quality child care make homework one of the few employment options available to many immigrant women.

Yet, people often think of homeworkers as belonging to one particular ethnic or racial group. "They do home-

work because their husbands won't let them work outside - its cultural." In this way, homework is seen as a marginal problem only for one small group; a problem they created themselves. It isn't a true picture of homework. Assuming that homeworkers belong to one ethnic or racial group reinforces persistent racist stereotypes. Homework is performed by people from many different racial and ethnic backgrounds.

If homeworkers are often from certain immigrant or racial populations, it's because of racism in the labour market. In workplaces, employers will pit one ethnic or racial group against another by paying different wages and allocating different workloads. Workers from diverse ethnic and racial backgrounds are often told they

are no longer wanted in the factory and they won't be promoted. Racism denies workers access to educational upgrading and language training, does not recognize skills and experiences they gained in other places, and bars them from equal opportunity in the labour market.

In fighting for fair wages and working conditions for homeworkers we have to take into account the effect that racism has on workers. Along with greater legal protection, homeworkers need opportunities for learning English, academic upgrading and recognition of their skills and experience. Racism is one of the foundations in the exploitation of homeworkers. Part of the fight for fair wages and working conditions for homeworkers is the fight against racism.

Racism and homework: the challenge for organizing

Workshop Report

Salome Loucas, Coordinator of Women Working with Immigrant Women, argued that homework perpetuates racism. In order to understand how and why, she explained, we need to understand the systemic nature of racism.

Racism is a form of oppression based on the colour of a person's skin. It is encountered by people of colour and it is used to give power, control and privilege to people whose skin is white. It is not the same as oppression based on national or ethnic origin, accent or cultural discrimination. These are characterised by different power relations.

Racism was the justification for colonialism which set the basis for the development of our present economic and political system. Racism is an integral part of these systems and is still used to control and exploit peoples of colour.

Immigration policies were developed to exclude racial minority people from entering Canada. The direct and deliberate relationships between government economic and immigration policies, in the service of corporate profit, perpetuate

racism and condemn immigrant and visible minority workers to the most exploitative jobs in our economy. When capital wants cheap labour in Canada, the government opens up immigration to people from developing countries and then places restrictions on their mobility, employment, access to language training and education. In the 1990's, with globalization, deregulation, free trade agreements, etc., corporations want to relocate labour-intensive production to areas of the world with significantly lower labour costs. They want to keep the cheap labour "back home". Immigration policies tighten up.

But, why does homework perpetuate racism? Homework is the result of economic restructuring initiated by the "developed countries" in order to maximize corporate profits. This restructuring results in the shifting of manufacturing to "third world" countries while "developed countries" continue to control production, distribution and markets. The power relations in this restructuring are unequal — neo-colonial — and perpetuate the present economic and political system and perpetuate racism which is part of this system.

Homework, as part of this restructuring, clearly perpetuates racism. The kind of homework that is being done in Canada is mostly assembly, packaging and processing (including information processing). These are the jobs that have traditionally been available to and held by immigrant and racial minorities. These groups have been confined to these jobs as a result of the lack of access to language training, lack of employment and educational opportunities, and lack of recognition of education and training gained in other countries.

Visible minority workers are being pushed into an underground economy. They are becoming invisible in the labour force. One of the dangers is that the issues and the demands of racial minority peoples for equality will also be pushed underground. This is clearly an attack on racial minority communities and an attack on the anti-racism movement.

Unions organizing new members in new ways

Discussion in the workshop started from the recognition that visible minority and immigrant workers are largely employed in sectors of the labour market that are not unionized. This led to a discussion of how unions can more effectively include visible minority and immigrant members in their structures and operations.

Several problems were identified by Angela Fairweather from PSAC and workshop participants. Visible minority workers are not visible in most union structures, making others reluctant to participate or join. The perception is that visible minority workers are a problem for unions. Unions are generally not very flexible in their structure or ways of operating, and those traditional ways may be

exclusionary. Unions may also not be addressing the issues most important to immigrant and visible minority communities or individual workers - social issues may be more important than workplace issues.

Community groups are more likely to understand the situations faced by visible minority and immigrant workers, to address those issues and to gain the trust of members of those communities.

Unorganized workers have to decide for themselves what they need and have unions respond to those identified needs. They shouldn't have to fit themselves into the existing mould in order to be unionized.

In order to be more accessible to visible minority and immigrant workers, particularly in sectors of the labour market characterized by small, unstable operations, unions will have to examine their structures and the way that union business is conducted. Participants were very enthusiastic about the ways in which the Homeworkers Association has combined social activities for the whole family with organizing. People stressed the need to include family members in all aspects of union participation - education, making the decision to join a union, participating in the life of the union.

Workshop participants also identified the need for unions to work in coalitions with community groups, both around social issues and in addressing the need of members, as one of the important ways that unions can become more representative of and responsive to visible minority and immigrant workers. The ILGWU experience is a positive example of working in coalition with community groups, both to organize and provide service to homeworkers, and in building a campaign for greater protection for homeworkers in employment law.

Employment Equity

Sweeping equity issues under the hearth rug

Workshop report

The Government of Ontario introduced its draft Employment Equity legislation (Bill 79) in June 1992. The discussion in the employment equity workshop at the Conference took place in the context of debate about the Bill.

Workshop participants identified the following issues in the connection between homework and legislated employment equity. One set of problems is the potential for exclusion. Homeworkers, because they may not be considered employees, will not be a part of employment equity counts, plans and requirements. Participants suggested that the definitions of "employee" and "employer" need to be clearer in the legislation. They also felt that employment equity rights should extend to homeworkers.

The other set of problems arises from

the potential for homework to become a means of "accommodating" designated groups. Employers might feel they can meet their employment equity targets by hiring visible minority or disabled workers to work at home. In this case, the drive for employment equity could backfire, and actually reinforce the ghettoization, exclusion and isolation of those same workers. Workshop participants suggested that homework should only be allowed as "accommodation" if, at least part of the time, the worker comes to the workplace.

Participants also discussed the other, broader supports that are necessary in order to achieve anything close to true employment equity. There has to be accessible, quality child care. There has to be accessible transportation.

Employment equity initiatives should not become another excuse for expanding the trend towards homework.

Disability

Homework and workers with disabilities

Background document prepared by the Coalition for Fair Wages and Working Conditions for Homeworkers, Toronto, October, 1992.

Homework is sometimes seen as an opportunity for workers with disabilities—a way in which some people can participate in the paid labour force from which they have been excluded.

Others see it as another way for employers to avoid their responsibility to accommodate workers with disabilities in their regular workplaces. People with disabilities who work in their home will remain invisible and isolated. The opportu-

nity for exploitation will be enormous.

"I don't care if I'm exploited. I just want to work. I don't want to go on a disability pension"

It isn't an easy issue. The question we have to ask and answer is: Under what conditions is homework a positive opportunity for a workers with disabilities and under what conditions is it just another way to prevent them from integrating into the paid labour force or to exploit them?

◆ Is it acceptable for employers to meet employment equity targets by having

workers with disabilities work from their homes? Bell Canada started to do that in Quebec and the union stopped them.

- ◆ Do we want Ontario's new employment equity legislation to be silent or specific on whether or not employing workers with disabilities as homeworkers counts in meeting employment equity targets?
- ◆ Do we want union contracts, company policy and legislation to distinguish between workers who can and should

be accommodated in the regular workplace and those who cannot? How would we want them to make those distinctions?

- ◆ Are there other legal protections that should be put in place to protect workers with disabilities who are doing homework?
- ◆ Are there ways that we can assist disabled workers to find homework with fair wages and working conditions if that is what they need and want?

Home-based, house-bound? Issues for workers with disabilities

Report prepared by Lawrence Euteneier, Status of the Disabled Persons Secretariat, Secretary of State.

The Treasury Board of Canada recently introduced its Telework policy on a 3-year trial basis. It is estimated that up to 10% of the federal public service will be working out of their homes in the near future. Home-based employment is presented in the federal government's policy, in part, as an opportunity to have people with disabilities participating in the federal public service. Three general concerns raised by individuals representing organizations for people with disabilities during the Home-work Conference in Toronto in October 1992 were: accommodation, support, and benefits.

Statistics

According to figures obtained by the 1986 Health Activities Limitations Survey:

- ◆ 6.1% of people with disabilities between the ages of 15 and 65 who reported working, reported working out of their homes.
- ◆ 61% of home-based workers live in rural settings.

- ◆ 53% reported annual earnings of less than \$10,000.
- ◆ only 8% reported annual earnings of over \$30,000.

These figures take into consideration three categories of home-based employment: full or part-time employment, contract work, and self-employment.

Job description

Job descriptions are often standardized in that they are developed in relation to the abilities of the "typical" worker. Established job descriptions, therefore, may not always reflect the unique abilities of an employee with a disability. Although restructuring job descriptions should always be seen as a last means of accommodating such an employee, formal or informal modifications to an existing job description can, on occasion, be the most effective strategy. Accommodating an employee with a disability by means of altering their job description can involve such things as: the reallocation of secondary tasks by the employee's supervisor, the provision of assistance by existing or additional support staff, or an informal understanding amongst co-workers.

Problems can arise when an individual

with a disability hired to work out of his or her home experiences difficulty in completing the assigned work in a timely manner, due to an inability to carry out one or more secondary tasks as outlined in the job description. The employee may find that he or she requires more time than is "typical" to meet productivity requirements, resulting in working additional hours. A home-based employee with a disability in this situation may hesitate in discussing possible accommodation strategies necessary to eliminate productivity difficulties with the manager or supervisor for fear of being fired. The individual supervising a work-at-home arrangement therefore requires better than average supervisory and communication skills, and should be able to clearly communicate specific tasks and expectations. A failure to communicate effectively and appropriately may result in not only the failure to adequately accommodate an employee with a disability, but may also inadvertently lead to an exploitative relationship with the employee.

Exploitation

Exploitation of employees with disabilities through home-based employment is a very real possibility. This is primarily due to the fact that such individuals often have little work experience and, thus, are often willing to work in almost any job. This inexperience also results in their having minimal knowledge regarding their rights as employees and of the intricacies of participating in an employee-employer relationship. These factors can also translate into the individual having a lower than average level of confidence, and can result in further barriers in communications between the employer and employee, barriers which can easily result in accommodation issues going unresolved. This could result in the individual attempting to perform the work without the necessary accommodations or supports.

The key to success

The most successful home-based employees are individuals who like to work independently, and are able to set their own

priorities and deadlines. They are also capable of assessing their own performance and require little direct supervision. In addition, they are highly motivated, organized, achievement-oriented, and have good time-management skills. In short, employees being considered for home-based employment should have well established, satisfactory performance records.

Integration vs. segregation

People with disabilities spend significantly more than average amounts of time in the home environment. This is partially the result of their being less likely to be invited to attend social events such as dinners, movies, sports events, etc., in addition to more basic transportation or mobility difficulties. This social isolation, compounded by the fact that many people with disabilities live in, or were brought up in institutional environments, or have been "sheltered" by their families, will likely lead to their being more willing participants in homeworking programmes. A lack of experience in integrated surroundings can therefore result in their inadvertently electing to maintain a sedentary lifestyle. The question therefore arises: "Will offering home-based employment to people with disabilities only entrench an already 'sheltered' lifestyle, and thus jeopardize the goal of full socio-economic participation for such people?"

Fatigue

The notion that people with disabilities are unable to work a 9 to 5 (8 hour) day due to fatigue is being used to promote home-based employment. This argument is based on a false assumption, since the majority of individuals with disabilities are more than capable of working a regular work day. The few impairments which have as one of their ramifications premature fatigue account for a small percentage of those with disabilities. Far higher numbers of people with disabilities are being prevented from obtaining employment due to inaccessible work environments, and it is likely these individuals will volunteer to become home-based em-

ployees when the alternative is unemployment.

Barriers

The argument various governments have adopted regarding policies and programmes geared towards the provision of accessible housing, transportation, education, and communities in general is based on the premise that these environments must all be made accessible if individuals with disabilities are to be supported and permitted to participate in the labour force. If emphasis is placed on home-based employment for people with disabilities as an employment equity solution, the political pressure to accommodate in all environments except for the home will be reduced. Thus, the built environment would likely continue to be inhospitable to people with disabilities, until that time when they have obtained a position of status (contributor) which would allow them to them re-apply pressure on the government to improve accessibility. For small businesses, barriers to employment for people with disabilities might also persist if such employers were to view home-based employment as an excuse not to implement what they might consider as being "costly barrier removal strategies". For these reasons home-based employment as a solution to unemployment for people with disabilities could translate into their being "homebound" — which is precisely where they were 40 years ago.

Attitudes

For the most part, people with disabilities are viewed by the public as being less than equal. This lack of equality is being overcome by individuals through their becoming contributing members within the workplace. Being recognized by one's co-workers, supervisors, subordinates, etc. as being equal also translates into acceptance to participate in other related or non-related socially-oriented activities. It is this social relationship of being recognized as a "contributor" and being accepted as an equal, which has translated into individuals with disabilities pursuing

and valuing employment to a degree where they are often viewed by those around them as extremely loyal, reliable and dedicated producers. However, the heightened desire expressed by individuals with disabilities to obtain and maintain employment, could contribute to their being exploited in a home-based employment situation. Working longer or additional days in order to complete a task or to compensate for a lack of accommodation may be encouraged as a way for the individual to maintain or acquire this status. Such an approach to work would inevitably result in the individual failing to lead a balanced and sustaining lifestyle.

Summary

If people with disabilities who are already employed elect to choose home-based employment as an alternative to coming into the workplace on a daily basis, then such individuals should be given the same opportunity as others to work in this manner. However, the idea that home-based employment is being viewed as a solution to meeting employment equity goals is one which fails to address the key concerns people with disabilities have regarding their integration into the labour force. The fact also remains that the underlying problem to integrating such individuals into the workplace and the community is the public's view of people with disabilities as being incapable of fully participating in society. This informational void will likely not be resolved if people with disabilities continue to be segregated within their homes or residential settings. The most effective ways to improve people's attitudes regarding people with disabilities is to bring them together in environments which are as "typical" as possible. The environment which appears to be providing the most positive outcomes is the workplace. Whether or not home-based employment can serve as a "foot in the door to equality" for people with disabilities remains to be seen, however it is doubtful considering the many obstacles new employees with disabilities often encounter.

Child Care

Is homework a solution?

Workshop report

The way in which working at home "solves" the problem of child care faced by so many workers (particularly women workers) was cited again and again by homeworkers as the most significant reason for their undertaking homework. But is homework an adequate solution?

Discussion in the workshop suggested otherwise. While homework might make it possible for many women (and to a lesser extent, men) to combine paid labour with the care of children, it also poses a whole set of problems that need to be addressed.

Firstly, the "homework solution to child care" reproduces the idea that child care is an individual problem, to be resolved by parents alone. It was argued that child care is a societal and governmental issue; governments should view child care as they do education - as a universal service provided to children, not as a welfare service provided to parents. All children under the age of five should be considered as being in need of child care, rather than just the children of employed mothers.

Secondly, the effects of homeworking on the safety of the children in the home were examined. Children may be exposed to low levels of radiation from computers and other workplace hazards such as fabric lint and toxic chemical fumes. Children may be injured by work tools, e.g. their fingers punctured by needles. What kind of regulation for health and safety standards in the home for both workers and their children could be effectively put in place?

And then there is the question of the quality of care that children of homeworking parents (often working under the

pressure of piece rates) receive? Reports of children helping their parents with their homework quota suggest a possible re-emergence of child labour, and certainly a diminishing of the children's time for school work and recreation. Amongst the recommendations of the workshop in this regard were (i) that School Boards should be educated about children's participation in homework and about the effects of parents' homework on children's lives; (ii) that strategies be found for enabling and encouraging fathers to participate even more in their children's care to relieve the burden from women, e.g. by making paternity leave non-transferable to the mother thereby encouraging men to take the leave and by trying to find ways of providing parental leave for independent contractors.

Doing paid work at home while looking after children is far from ideal for parents or mothers. The sense mothers may have of neglecting their children when faced with work pressure may contribute to feelings of inadequacy. Is homework truly a choice for parents or is it a way of coping with inadequate child care and work environments unfriendly to families? Does working at home really bring savings in child care costs?

Homework should not be regarded as a solution to child care, it was strongly argued. There are other, more collective responses. Neighbourhood work centres could be created, with child care provided on site. Where collective agreements exist, employers must be pressured to expand maternity leave provisions, provide more leave for family-related responsibilities and generally acknowledge the needs of families. Workplaces need to be adapted to families, and governments must be called to account for this.

Health and Safety

Minding health and safety at home:

Workshop report

The provision and enforcement of health and safety measures within the home poses a set of problems—both for workers and for labour activists. The home is generally not well appointed as a workplace and the intensification of labour in the home can lead to fatigue, lower resistance and pressure, as well as repetitive strain injuries (RSIs). At issue is who is responsible for ensuring that minimal health and safety standards are met, and who is responsible when injury occurs.

There's a clear danger that employers will shift the responsibility for health and safety on to the homeworkers themselves. Most individual workers don't know a great deal about health and safety issues, and about health and safety standards. Management is not interested in doing the training about these issues. While labour law makes it the employer's responsibility to provide health and safety protection, employers in both the public and private sector are distancing themselves from employees.

How to enforce health and safety standards in the home? Could inspections be carried out in every home? In Sweden, it was noted, the employer assumes responsibility for equipment used at home (e.g. electricity, phone, insurance). Home sites are inspected by health and safety inspection.

And how is the workplace defined? For example, if a worker is injured tripping over the phone cord, will she have to get into a debate over whether the call she was trying to answer was personal rather than work related? Also, the worker could find herself carrying the onus of proving that RSIs resulted from work performed for the employer. Similarly, there would be no way to prove that overtime caused the injury.

Discussion in the workshop came up with a range of ideas about how to take

up these questions. It was noted, firstly, that health and safety issues are an excellent way to make contact with and to organize homeworkers. In West Yorkshire, England, the Homeworking Support Association provides equipment (ie. masks and lamps), gives out information regarding hazards, and does advocacy. The Association works with homeworkers in the community in their own languages and networks with unions.

Amongst the other suggestions that were made were that:

- ◆ employers should be required to get certificates for homeworkers indicating the safety of their work places;
- ◆ employers of homeworkers should be required to protect workers with a system of fault-based supplementary insurance to cover injuries at home;
- ◆ laws should be changed so that homeworkers will receive adequate information on health and safety hazards;
- ◆ education on health and safety for homeworkers should be provided in numerous languages;
- ◆ the public health system should be used for education which emphasizes the importance of family health.;
- ◆ those who have resources (e.g. unions) should reach out to those who don't.

A very specific recommendation was put forward for a one day think-tank on health and safety legislation for Ontario through the Employment Standards Review unit of the Policy Division of the Ministry of Labour.

It was also pointed out that we need to ensure that health and safety standards are being enforced in the standard workplace. If health and safety problems such as "sick building syndrome" and sexual harassment were being addressed in the standard workplace, people would have less reason to *want* to work at home. When workers choose to work at home to avoid unhealthy workplace conditions, employers are let off the hook.

Building On The Conference, The Work Goes On

This final section sums up the connections and perspectives that were brought together in the conference and reports on the concrete action and outcomes that have taken place.

The two speakers who gave closing remarks emphasized themes that threaded through the conference:

- ◆ the importance of understanding homework—both analytically and politically—in the context of global economic restructuring;
- ◆ the recognition that homework is not an anomalous or marginal phenomenon but is a manifestation of the widespread reorganization of the labour force into core and periphery components;
- ◆ the awareness of the very different realities of homework in the garment industry and in the public sector but the value of seeing the connections between them; and
- ◆ the way in which homework signals the need for dramatic rethinking and strategic creativity within the labour movement, locally and globally.

In these addresses one can hear the excitement, the learning, the struggles and visions that the homework conference provoked and stimulated amongst participants.

The final section documents the political action and other initiatives around homework which are taking the lessons of the conference into practical contexts and future directions.

Closing Remarks

Different perspectives, opening our minds

*Jane Stinson, Consultant to PSAC
"Telework" Research Project*

It's important to remember where we were before the conference began. The starting points were the very different realities experienced by homeworkers who are working in the garment industry, and those who are doing or who want to do homework for the

federal government. These are very, very different realities. Those workers are on either end of the spectrum. In some ways they are in an almost inverse relationship to one other.

PSAC people have a very privileged situation around homework at this time - in comparison to garment workers. Something I've struggled with at this conference is coming to understand and ac-

knowledge those differences that lead us to a different perspective on homework and then trying to reconcile those differences. Coming from a public sector union I've been trying to understand how terrible homeworking is and can be for people who are in the garment industry now. I've tried to understand the range of problems that they confront which are in some ways different than, and also similar to, those for public sector workers.

It's really important to think of the garment workers as being the DEW line within the Canadian labour movement, and to recognize that even those workers in the federal government who may do homework under very different and much better working conditions at this point in time are also on that same path. They are probably sliding quickly in the direction we see the garment workers in now. It's this notion that we are all moving towards being "just-in-time" workers or a "just-in-time" workforce. It's really important for us to keep this in mind.

Another thing that has been really valuable about this conference is bringing together not only very disparate types of workers in Canada, but also the international connections and perspective. And again, mainly because my background is primarily in a public sector union, I tend to forget the larger international and economic context. Yet this also drives what's going on in the public sector and is behind a lot of the cuts that we experience as well as the push to get us working in our homes.

One of the major challenges homework poses for us is how we organize.

I've found it extremely provocative in getting me to rethink how we go about organizing within the labour movement. How do we, as a labour movement and in our other organizations, come to grips with this growing polarity within our labour force? New initiatives such as the homeworkers' association provide new models that can help us to look beyond our traditional notions of organizing.

It also reminds us that we have to look beyond our traditional central concerns with workplace issues, with the items that are now in our collective agreements.

This conference has made me think

much more about the need to look beyond who we tend to think of as organizing, representing, and bargaining for. We need to start to look at that growing group of workers who move in and out of the workforce, who may never be in a regular workplace. It won't make sense to organize them in the traditional way.

This conference begins pointing us in the direction of opening our minds to thinking about things like associate union membership, to working women's associations which have a strong connection to the labour movement, to pre- or intermediary union organizations. We can't keep thinking in terms of union members on the one hand and then this mass of other workers who for many reasons can't or won't belong to unions.

I know much of this isn't new, especially for those people who have been working on this issue for the past decade or so. But I think it is occurring now within a new context. There is a fundamental transformation going on of work as we know it. And with that we see some important initiatives within the labour movement, of reaching out and linking up with community groups. A recent example is the emphasis around building coalitions in the Canadian Labour Congress. There's a much greater willingness, despite some of the recurring problems, to try and form coalitions on a meaningful basis, where we are more equal partners. We'll have to push to make sure that continues to be the case.

Also we see the work of feminists within the union movement really paying off. We're now branching out and dealing with the issue of violence against women, not just as sexual harassment in the workplace, but tackling what's going on in the home as well. We are starting to break down those barriers, that wall between the workplace and the home, and starting to make those connections. There is now a greater willingness among some sectors of the labour movement, especially among feminists, to try new things and to be promoting these ideas, and to open up our minds to the ideas that have been generated here at this conference.

This conference has been extremely valuable in planting some seeds of

thought for the development of future strategies. It's been very valuable in bringing together a very diverse group of people—unions, people from community organizations, women's groups, the

disabled, the immigrant community. That shouldn't be underestimated. It's part of how we build a basis for working together in the future.

Valuable connections

Barb Cameron, Department of Political Science, Atkinson College, York University

I've been tremendously excited about what's happened here. Putting the situation of one of the oldest forms of homeworking together with one of the newest forms of homeworking has really shown the connections that do exist.

And then putting that in an international context, and linking it to global restructuring has allowed us to really get the overall context in a way that's quite exciting and really important.

I was really struck when Jane Tate, in her opening address, made us realize that if you look internationally at work that we're calling peripheral, we're really talking about what is becoming a huge section of the workforce internationally; it's not peripheral and marginal.

Something else that struck me as a real theme of the conference was this tension between individual choice and what is happening socially. Especially in the public service there's talk of homework being a reasonable individual choice for workers, and of unions being in a position where they look like they're opposing something that is seen as very positive for individuals.

One of the things that's been talked about in this conference, and came out in the workshop reports, is how government policies help create a situation where homework is viewed as a logical individual choice. Somebody mentioned how urban development policy is really connected to these individual choices. For example, people, particularly in the public sector, make the decision to work at home because getting to work takes up so much time and is so stressful.

One of the things that concerns me is that we seem to think that it's sensible for

people to work in very isolated circumstances. Somehow within the overall culture that we have this makes sense. The notion of work as being fundamentally social is getting lost.

We have to find a way to talk about the individual stresses people are under in a way that leads to social solutions. I am a die-hard believer in the importance of talking about a shorter working week. I think it's particularly important for women to be talking about this, because that is a social solution to this individual stress that we're under and the conflict between the pressures of family and work.

Another theme that ran through the conference is the whole notion of the division of the workforce between the core and the periphery. I think it's extremely important that we are able to take this understanding into the labour movement. I don't think that there's a real recognition of the extent to which the whole working class is being reorganized and is being fragmented in new ways. We're organized in the labour movement along the lines of a working class that is disappearing. Many people have talked about the need for new strategies.

One of the places where I think we need to insert this perspective is the debate around economic alternatives. There are proposals coming forward in the labour movement and in society generally around the future of economic alternatives. Often the emphasis is on highly skilled—what's called "high value added"—manufacturing. There's a notion that if we can take this one section of the workforce and really bring in all of this new technology, somehow everything is going to fall into place.

We have to begin to demand that it not just be assumed that everything is going to be taken care of. Because if we do that

we're going to end up with this increasingly polarized working class, where the core of more or less securely employed workers in fact can become quite isolated.

One of the notions I think of is something the Catholic church talked about, which is the preferential option for the poor. There has to be a notion that the most exploited section of the working class has got to have its needs addressed as part of an overall policy, or else in the end the section of the working class that feels that it's more or less secure is also going to be hit.

Finally, I'd like to say that one of the things I hope happens out of this confer-

ence is that the connections are maintained—the connections among issues of disability, anti-racism, global restructuring, homeworking, the changes in the labour market.

I recognize that we have to address the specific problems of homeworkers, we can't just kind of fold that into the overall, but at the same time we have to ensure that the issues of homeworking are a window onto what's happening generally, and they're part of trying to bring about a change in strategy and a change in orientation within the labour movement, and in other social movements.

Action and Follow-up

Research, education and policy

PSAC undertook a two-year research project into the decentralization of computer power in the federal public sector. The main focus of the work was on telework. The research analyzed the changes in working conditions of not only those working away from central offices but also office-bound workers affected by teleworking colleagues.

A 22-page summary document entitled "Go Home ...and Stay There?" was developed for the popular diffusion of the research results. In September 1993, the Alliance held a press conference to release the survey results and distribute the summary research document. The research has formed the basis for workshop presentations on the issue of telework to regional and national PSAC Women's Conferences and for the development of educational and information materials about telework.

Throughout the project, union members and leadership engaged in a wide-ranging discussion and debate on the broad implications of telework and have sought worker-driven solutions to the major structural and organizational changes brought about by the rise in telework. The outcomes of these discussions are re-

flected in various policy proposals and resolutions submitted by PSAC - for example, a draft Telework policy to be presented to the National Convention of 1994 for adoption by the membership, and a set of resolutions for consideration by the Public Service International Convention which was held in Helsinki, Finland in 1993.

PSAC is presently conducting a further two-year research project on telework, this time with a specific focus on health and safety issues. At the PSAC 1993 National Health and Safety conference it was recognised that further research needed to be done to look at the implications of telework's being viewed as a way of accommodating workers with disabilities, workers suffering from Multiple Chemical Sensitivities and workers injured on the job.

Similarly, after the 1991 study, the ILGWU embarked upon a five year action research project. The ILGWU closely links research, education and organizing in order to fight the low wage strategy in the industry. The initial research found that instead of investing in new technologies, manufacturers have responded by using homeworkers as a cheap source of labour. Since the conference in 1992 the ILGWU

has continued to research homework in the garment industry and released a new study in 1994. The ILGWU conducted a study with INTERCEDE (the Toronto Organisation of Domestic Workers) describing the alternative bargaining structures, such as sectoral bargaining, that would be required to allow homeworkers and domestic workers to organize despite their precarious employment. The research results were published in the report "Meeting the Needs of Vulnerable Workers".

The organizing work of the Homeworkers' Association continues in innovative ways. By 1994, the HWA had developed an eight-week women's Leadership Training programme which was enthusiastically attended by many homeworkers. The programme covered topics such as women's health, women and politics, and women and unions.

Since the conference, the ILGWU has continued, with the Coalition for Fair Wages and Working Conditions for Homeworkers, to lobby for legislative changes to the Employment Standards Act.

Much of the research on homework and telework completed by the ILGWU and PSAC work has been conducted under the auspices of the Technology Adjustment Research Project (TARP). This is a project co-ordinated centrally by the Ontario Federation of Labour. The purpose of TARP is to assist the Ontario union movement in constructive and progressive responses to technological change in the workplace.

Seeing the significance of homework

An overall result of the research, the conference and the active political campaigning around the issue of homework has

been its integration into the analysis of global, national and local economic restructuring. Unionists, community activists in a variety of social movements and academics are increasingly including homework in their analysis of labour market reorganization. This acknowledgment of the significance of homework and homeworkers has helped to illuminate the experience of women and vulnerable, unorganized workers in relation to these vast, international shifts in political and economic organization.

Unions in Canada have begun to develop or refine strategies to respond to homework as one of a number of efforts to meet the challenges of the "dis-organization" of the labour force in the 1990's. The Ontario Federation of Labour is holding an educational seminar for union leaders and staff about homework in March 1994. PSAC will have homework as a central bargaining issue in 1994.

On the international front, the Coalition for Fair Wages and Working Conditions for Homeworkers, the ILGWU and PSAC have maintained links with groups in Europe, Mexico and Central America. The Homeworkers' Association exchanges information with groups around the world. Toronto's Clean Clothes Campaign is linked to the international Clean Clothes Campaign Newsletter out of Holland. The ILGWU and PSAC have been invited to attend conferences of the International Labour Organization and the Public Service International (respectively) to discuss homeworking. The Campaign for Fair Wages and Working Conditions for Homeworkers continues in Toronto and around the world—and the conference was one little part of that.

How much does it take?

In February 1994 the Coalition for Fair Wages and Working Conditions produced the following description of its activities over the previous 3 years to present to the Ontario Government. It is part of a lobby effort to convince the NDP government to include amendments to the Employment Standards Act in its spring legislative agenda.

Summer 1991:

An ILGWU study of homework in Toronto finds turn-of-the-century conditions had re-emerged in the 1990's. The study uncovered major violations of basic employment standards rights. Homeworkers were treated like a second tier of cheap labour in the province.

October 1991:

Coalition for Fair Wages and Working Conditions for Homeworkers is formed. The Coalition brings together labour, community, women and immigrant groups in support for the rights of homeworkers.

November 1991:

Coalition for Fair Wages and Working Conditions for Homeworkers presents brief to Government of Ontario outlining the above survey results and calls for immediate changes to the Employment Standards Act.

December 1991:

Coalition actively lobbies MPPs for changes to the Employment Standards Act.

February 1992:

Homeworkers form an Association. Homeworkers report piece-rates are lower than before. Greatest fear is that they will not receive their wages for work they complete.

May 1992:

Ministry of Labour is notified of 14 contractors using homeworkers without a permit.

October 1992:

At Ontario Federation of Labour Women's Conference, Kitty, a homeworker, and the ILGWU release names of high profile Canadian designers using homeworkers who are not paid minimum wage. The "Clean Clothes" Campaign is launched to get consumer support and provide public education and awareness on how clothes are made.

October 1992:

Labour Minister, Bob McKenzie *promises legislative changes* to the Employment Standards Act to improve wages and working conditions for homeworkers.

November 1992:

International Homework Conference held in Toronto where participants learn how homework is growing across a number of sectors beyond the garment industry—light manufacturing, clerical work, fast food order takers.

November 1992:

Over 500 women march to Eaton's Centre to protest the exploitation of homeworkers by the large retailers: Eaton's, Hudson Bay Co., Dylex.

February 1993:

ILGWU and INTERCEDE release research report to Ontario Women's Directorate, "Meeting the Needs of Vulnerable Workers" which calls for legislative changes to the Employment Standards Act and consideration of new forms of broader-based bargaining so homeworkers and domestic workers have real access to collective bargaining.

March 1993:

International Women's Day, 3,000 women march through Eaton's Centre to protest the below-the-minimum wages and poor working conditions of homeworkers. Alfred Sung store is targeted because of their repeated violations of basic employment standards.

April-May 1993:

Over 50 unions and community organisations send letters to Premier Bob Rae, Hon. Bob McKenzie, Minister of Labour, Hon. Marion Boyd, Minister Responsible for Women's Issues, urging immediate legislative changes to the Employment Standards Act.

June 1993:

Lobby with Ministry of Labour officials to push the Ministry for action on homework issues.

August 1993:

Ministry of Labour holds consultation on promised legislative changes to the Employment Standards Act. Many groups call for immediate regulatory and legislative changes including repeal of all existing exemptions, a new definition of homework to address growing areas of homework like telework, and joint liability provisions to hold the retailers and manufacturers responsible for violating employment standard provisions on homeworkers' wages and working conditions.

September 1993

Homeworkers' Association holds a protest at Cabinet retreat after a leaked document shows employment standards amendments for homeworkers very low on the legislative priority list.

September 1993:

Coalition writes to every Cabinet member and NDP Caucus member for meeting on issue and support for legislative change.

September-October 1993:

On-going lobby to Cabinet Ministers and Opposition members for support for legislative changes to the Employment Standards Act.

November 1993:

Ontario Federation of Labour delegates hold major rally at Eaton's Centre to end the exploitation of homeworkers. This protest brings out 500 supporters.

December 1993:

Minister of Labour, Bob McKenzie, announces important regulatory changes to the Employment Standards Act for homeworkers in garment industry. No timetable for legislative changes is announced despite promises made.

Appendices

Appendix I:

The Clean Clothes Campaign

The Clean Clothes Campaign was initiated by the Coalition for Fair Wages and Working Conditions for Homeworkers in 1992. The following flyers informed the public about homework in the garment industry and encouraged their active support of the campaign.

Backgrounder # 1

Question #1: Aren't clothes made by workers in factories?

The clothes you are wearing tell a story about the garment industry. Let's start with your shirt. If it's 5 years old, chances are that it was made in a factory along with dozens of other shirts. Now, suppose that factory closed down and moved to Texas, along with dozens of other garment factories. OK. Let's look at your jacket. Is it new? If you bought it last month, odds are pretty good that it was made in someone's home. In fact, the woman who sewed it together probably made \$5.00, working on her own equipment.

The structure of Canada's garment industry has changed dramatically in just a few short years. Toronto used to have a thriving garment industry. Now there are just a handful of factories but there are literally thousands of women working from their homes for less than minimum wage and in unsafe working conditions.

The best way to describe the structure of the garment industry is to think of a pyramid. The top of the pyramid is dominated by a few large retailers. Retailers like the Hudson Bay Co., Eaton's and Dylex control over 40% of the market. Dylex owns retail outlets such as Fairweathers, Braemar, Bi-Way, Club Monaco, Harry Rosen, Suzy Shier and Thrifties.

Because they control so much of the market, retailers can dictate to garment manufacturers when they want a garment, the exact time to produce it and the price they will pay for it. Some retailers, like the Hudson Bay, are even taking garments on consignment this year.

Retailers complain they are losing money. They say they can't compete. Well, in 1991 the Hudson Bay Co. made almost \$160 million in straight profit.

The next level down the pyramid from manufacturers is "jobbers" or contractors and sub-contractors. Garment manufacturers no longer operate factories directly. They work as "jobbers" as well. They design the garment, buy the fabrics and textiles for it and perhaps cut the garment. Then they farm the work out to other sub-contractors who farm it out to individual homeworkers to finish the garment.

In other words, well-known labels like Jones New York and Alfred Sung are owned by manufacturers who send their work out to contractors and then down the pyramid to homeworkers.

ILGWU research shows that homeworkers are mainly immigrant women. They are most often paid less than minimum wage. The average wage is \$4.50 an hour and some homeworkers make as little as \$1.00 an hour. Homeworkers don't get vacation pay. Their employers don't pay Unemployment Insurance or Canada Pension Plan premiums. They don't get paid for overtime work. Often they don't get paid at all for work they've done. They have no control over working conditions, sometimes receiving an order on Friday and being told it is due back on

Monday. This is why just two of Canada's largest retailers made over \$200 million in profits combined in 1991, in the middle of the worst recession we've had since the 1930's!

Many homeworkers used to work in garment factories. One of the common stories is that they didn't return to the factory after a maternity leave because they couldn't find decent child care that they could afford. So now they are doing the same work, sometimes for the same employer, for less money in their homes. The double day of factory work and family care becomes the endless day of homework and family care.

Garment manufacturers are using homeworkers because large retailers, like the Hudson's Bay, Eaton's and Dylex, at the top of the pyramid want to lower direct labour costs and avoid paying a decent living wage to unionized workers. This low wage strategy maximizes their profits.

Question #2: Is this the only way to produce clothes? Are there alternatives?

The garment industry is often described as a dying industry. There is no question it is in trouble. But it isn't much different from the rest of manufacturing in Canada. Global economic restructuring is putting pressure on all manufacturers to shift production to low wage countries.

In countries where women and children work for extremely low wages and in poor working conditions clothes are produced more cheaply. These cheaper prices are not generally passed on to the consumer. Retailers often prefer to buy imported garments because they mean a bigger mark-up and more profit.

Manufacturers argue that imports are killing the industry. But they don't say what's going on in the industry here in Canada. They don't talk about the low wage strategy being used by corporations here in Canada. They don't talk about using homeworkers in the garment industry as the way corporations are maximizing profits by driving wages down.

Retailers and garment manufacturers will tell you that this is the only way they can survive. But is it? The garment industry in Bangladesh employs children at 5 cents an hour. In Canada homeworkers make as little as \$1.00 an hour. Does competitiveness really mean a way to drive wages down, create poorer working conditions and get rid of unions.

There are alternatives. There can be fair wages and working conditions for homeworkers. Workers can have more control over their lives, their skills and their abilities in their own communities. Retailers do not have to call all the shots. Factories can be modernized in a way that increases productivity and wages with greater control for workers.

Backgrounder # 2

Canada's Most Prestigious Label – Alfred Sung – Made by Homeworkers for Less Than Minimum Wage

The Alfred Sung label is sold at Eaton's, Hudson's Bay Co., Holt Renfrew and other popular retailers. The label is owned by ETAC Sales Ltd., a large clothing manufacturer who made over \$2 million profits last year. Over the last two years ETAC Sales Ltd.'s revenues have grown by 36%. ETAC Sales Ltd., like many large manufacturers, sends much of its actual production work out to sub-contractors who, in turn, send it out to be finished by homeworkers.

The Stories Behind the Label

Ming-Zhen

Ming-Zhen makes \$4.15 for sewing a women's jacket. It takes an hour to sew the jacket. As new styles arrive she has to teach herself to make the new design with no compensation for training time.

At Eaton's the jacket sells for somewhere between \$275 and \$375.

Poi-Yee

Sewing a dress will take Poi-Yee at least an hour. She makes \$5 for her work. She has had to buy the sewing machine she is working on and she pays all her operating costs like hydro and heat.

The dress sells for between \$150 and \$200 at a high-end retail boutique.

Yen

Yen is paid \$3 to \$3.25 for sewing a skirt. It takes at least forty minutes to complete the garment. Often the contractor delivers her work on a Friday and Yen is expected to complete the skirts by Monday morning. She works at least 10 hours a day all weekend. Yen has no child care and must take care of her children while working.

The skirt sells for \$150 to \$200 at the Hudson Bay Co.

There are many other designer labels using homeworkers — Jones New York, Linda Lundstrom, Peanut Power Children's Wear — just to name a few.

(Homeworkers names are fictitious. Their stories are not)

Clean Clothes Test: What does 'Clean Clothes' mean?

'Clean Clothes' are made by workers who are paid a fair living wage. 'Clean Clothes' are made by workers under safe working conditions.

Right now, garment manufacturers are trying to find ways to drive down costs. And they decided the best way to do this is to drive down labour costs. That means wages. One way to do this is to use what they call homeworkers - mainly immigrant women working out of their homes. Homeworkers are paid below minimum wage. Without affordable child care, they have to work and take care of their children, both at the same time.

Homeworkers sew the clothes and designer labels you might be wearing. But looking at the clothing label won't tell you very much. You might find that the garment is made right here in Canada. Buying 'Made in Canada' clothes is no guarantee that the workers making those clothes will have fair wages and working conditions. That's because more and more garment manufacturers are closing down their plants and sending the clothes out to homeworkers. Homeworkers aren't paid fair wages, and they don't work under safe working conditions.

You might see a union label. But only a handful of garment manufacturers put the union label on their clothes. Even unionized garment manufacturers may contract work out to isolated homeworkers who are not paid decent wages and who work in poor working conditions. The union contract is undercut and factory workers end up being pitted against homeworkers. This starts a spiral of lower and lower wages throughout the industry.

Here are some suggestions for what you can do. And remember, as a consumer, you can choose to support manufacturers who make sure that their workers receive fair wages and work under fair working conditions:

◆ **Pressure the retailers** to buy from garment manufacturers who pay fair living wages and provide decent, safe working conditions.

A designer like "Alfred Sung", through the corporate owner, ETAC Sales Ltd., uses homeworkers who are paid less than the minimum wage, are forced to work weekends if they want the work, while trying to look after their children. Homeworkers are paid as little as \$4 for a jacket that sells for \$375. Who gets the remaining \$371?

◆ **Tell the retailers** to stop exploiting homeworkers. Tell the retailers to stop pressuring manufacturers for lower prices on garment which drives wages down.

Clean Clothes Score Card Test your clothes: Are they clean?

The next time you buy clothes, ask the Retailer these questions:

1. Does the retailer or any of her/his suppliers use homeworkers?
2. Are they paid at least minimum wage?
3. Are homeworkers paid on time?
4. Are they paid for all hours of work?
5. Are homeworkers given reasonable turn around time to complete each job?
6. Has the original supplier registered for a Homeworkers permit, as required under the Employment Standards Act?
7. Does the original supplier/employer make contributions to Unemployment Insurance and Canada Pension Plan?
8. Were the homeworkers intimidated from joining the Homeworkers' Association?

Appendix II

PSAC and ILGWU Fight for Fair Wages and Working Conditions for Homeworkers

Press Release – November 17, 1992.

This past weekend the Public Service Alliance of Canada, the International Ladies Garment Workers Union, the Centre for Research on Work and Society, and the Coalition for Fair Wages and Working Conditions for Homeworkers co-sponsored a successful conference on homework. Issues explored at the conference include Health and Safety, myths of homework, homework and children, and the role homework plays in global economic restructuring. While homework is not new to the garment industry, it is now emerging as a new form of women's employment in a number of sectors.

Both unions call for immediate changes to labour laws and collective agreements to protect homeworkers. A new struggle has begun. Homeworkers, trade unionists, researchers and community activists have taken up the challenge to organize homeworkers and fight for fair wages and working conditions, particularly in unorganized sectors. This conference is seen as the first step in meeting that challenge.

The Clean Clothes Campaign of the Coalition for Fair Wages and Working Conditions for Homeworkers is launched. The campaign objective is to expose retailers who are exploiting garment workers by paying below minimum wage without benefits. PSAC supports the Campaign and will lend its support to a national boycott. PSAC and ILGWU will stand together in raising this issue in the broader labour movement.

Nycole Turmel, Executive Vice-President of PSAC said "attending this confer-

ence reinforced the fact that we at PSAC need to negotiate protection for individuals who choose to work at home. We see homework, or telework as its known in the Federal public sector, as labour's struggle of the decade." Treasury Board has implemented a telework policy and is hiding the potential negative effects. In the case of Health and Safety for example, the employer now expects workers to assume employer responsibility for a safe and healthy workplace.

Alex Dagg, Manager of Ontario District -ILGWU said "the ILGWU will keep up the fight for fair wages and working conditions for homeworkers throughout the garment industry. The retailers must be stopped from pursuing their low wage strategy."

It was made clear at the conference that homework is being used around the world as a low wage strategy and the North American Free Trade Agreement (NAFTA) is seen as key to that strategy. Homework is central to the way work is now being organized internationally and third world conditions are now being introduced into Canada with some garment workers earning as little as \$1.00 per hour.

The representative from the September 19th Garment Union of Mexico reported that NAFTA and an increase in the number of free trade zones has meant layoffs, plant closures and a decline in the standard of living for Mexican people. Changes in technology and methods of work, including homework, contribute to the international degradation of wages and working conditions.

Appendix III

Demo at Eaton's Centre

"Home workers seek fair wage" by Gail Swainson, Toronto Star, November 15, 1992

Many Canadian home garment workers labour for Third World wages so consumers can buy inexpensive clothing at major department stores, protesters were told at an Eaton Centre rally.

"We want to buy clean clothes under fair wages and working conditions," Alex Dagg, a spokesperson with the International Ladies Garment Workers Union, told about 200 at yesterday's Queen St. protest.

"We want to know that when we spend money in a store on clothes that the women are being paid properly."

Many Canadian designers are paying their home pieceworkers less than minimum wage, including one prestigious designer who paid \$4 an hour to a home worker to sew a jacket selling for \$375, Dagg said.

Home workers are also exploited because they receive no benefits, workers'

compensation or the protection of provincial legislation, the group was told.

Many major Canadian department stores wash their hands of the homeworker issue, saying they don't directly employ them. But they hire subcontractors who in turn parcel out the department store's sewing work to underpaid homeworkers, Dagg said.

Canadian retailers should follow the example of a British firm that has adopted a purchasing code of ethics on items it buys worldwide, she said.

Bibi Ally, one of 45 striking Pizza Pizza order-takers, said pieceworkers there must work a 60-hour week to make the equivalent of the \$10.21-per-hour salary of unionized workers.

About 45 Pizza Pizza order-takers, members of the United Food and Commercial Workers, have been on strike since Oct. 5 when the company started using homeworkers with computer terminals who are paid about 35 cents for each call.

Appendix IV

Six myths about homework

Coalition for Fair Wages and Working Conditions for Homeworkers, Toronto, October, 1992.

"The Joy of Homework: More Decide to Take Control and be Their Own Boss". The newspapers paint a picture of homework as an easy way to combine work with family life. The stories depict the independent professional or the successful "micro-entrepreneur".

While working from home has its advantages for some people, these images foster myths and misrepresentations of homeworkers that reinforce homeworkers' exploitation.

In this background article we describe a few of the myths and the realities about homework. The realities described do not refer to the type of homework done by "self-employed" professionals working as consultants from their homes. What we describe are the experiences of employees conducting work in their homes for an employer.

Understanding and countering the myths about homework is key to ensuring that homeworkers have fair wages and working conditions.

Myth #1: Homework isn't a real job, it's just a craft

This myth is based on a number of assumptions about how work is organized and the role of women in the workforce and the family. It assumes that "real" work is conducted in an office or a factory and that any work carried out in a home is secondary. It also assumes that much of the work carried out in the home like cooking, cleaning, and taking care of children—work most often done by women—isn't real work either. Therefore, women at home are homemakers, not real workers.

These ideas are often combined with the popular illusion that homework is a

craft. Any production done in the home is more like pre-industrial work and not a part of present day manufacturing or provision of services. People assume homeworkers are working for themselves doing something they enjoy doing for a little "extra" income. Despite the fact that almost 5% of all Ontario households report that someone works as an employee from their homes, home-based *employees* remain invisible.

It is important to be clear that homework shifts work, like sewing a garment or data entry, from the factory or office to a worker's home. Home becomes the site of production, the workplace.

Myth # 2: You can combine work with family life

Homework does combine work and family life. But in what way? Ask any mother if she can concentrate on her work at the same time as she responds to the needs of a small child or children. The real experience of attempting to do so is quite different than an idyllic picture of domestic bliss.

White-collar homeworkers report that they have enormous difficulty trying to work and take care of children at the same time. They say that when they start working from home rather than outside the home, their share of child care and other household responsibilities increases.

Garment workers often take on homework rather than returning to a factory after having children because they can't find affordable, dependable child care. They end up trying to balance the heavy demands of two full-time occupations in the isolation of their home. They have little control over their working hours and must work at the demand of the employer. This often involves working when children are in bed. The work day pushes late into the evening and starts before the

sun and the children rise.

Homeworkers also find that because they are paid low piece rates or need to have work ready on a tight schedule, they require help from others in their family - like their children. Homework fosters child labour.

Pushed by the intense pressure of trying to combine work and child care, many homeworkers talk about feeling like inadequate parents for the first time.

For homeworkers, the double day—working at an office or factory and returning to home to take care of domestic duties—becomes the endless day—filled with the constant demands of homework, child care and other responsibilities.

There is no question that combining work outside the home with child care, care for ill or elderly family members and domestic responsibilities presents a formidable problem to many, many women in our society. The temptation to try to solve this problem with the individual solution of working from home is understandable. But experience tells us that it's a myth.

Exploding this myth is critical. This myth helps shift the society-wide responsibility for child care back onto the laps of individual homeworkers. Not only does this myth perpetuate an inaccurate view of work at home, it is another rationale for avoiding the creation of a national child care policy.

Myth #3: Homeworkers have more control over their work and more autonomy

One of the things that attracts people to homework is the hope of having more control over their work. Working at their own place. No supervisor hanging over their shoulder. No more punching a time clock. Unfortunately, this picture misrepresents the working conditions of homeworkers. Homeworking may have an appearance of greater control and autonomy, but it's not the reality.

It is true that homeworkers are away from direct supervision, but they remain under the employer's control. They are controlled through the design of the work, the required speed of work and the

method of payment. Direct supervision isn't necessary.

The degree of control and autonomy can be evaluated by asking the following questions:

◆ Who designs the work? For federal service workers, the tasks are designed and then assigned by the employer - not the workers themselves. Homeworkers often find that work has been so sub-divided into standardized tasks, like stuffing envelopes, that they control only the most meaningless tasks.

◆ Who controls the pace of work? Who sets the hours of work? In the garment industry, the contractor may drop off garments on a Friday and arrange to pick them up, completely sewn on a Monday. Homeworkers do not set their own hours. A garment worker complies with the employer's work schedule. She doesn't control it. A homeworker taking fast food orders, or doing data entry, is monitored electronically so that the employer knows every minute she is away from her computer terminal.

◆ Who has control over the product of the work? Homeworkers do not control the end product or service.

Homeworkers are also controlled through their wages. Often they are paid piece rates for the units of work completed, not an hourly wage for the job that gets done. When workers are paid an hourly rate all aspects of work, like the rest or break time to recuperate, are paid by the employer. For workers on piece rates, less and less real work time is being paid.

For home-based employees, control and autonomy are a myth. Often workers say they can be more productive at home. What this indicates is that workers care about their work and being productive. Not surprisingly, they are sick of management which treats them with little respect. But how can we best respond to management's control. Do we respond with individual solutions like turning to homework to get away from the boss or do we try to change the workplace?

The second major reason for dealing with this myth is that most employers imply that if you are a homemaker you are self-employed. If you are self-employed, you have control over your work and where it is sold, and you keep our own profits. Self-employed people aren't protected by minimum employment standards like minimum wage and unemployment insurance. There is a big difference between self-employed workers and homeworkers. Homeworkers are employees and as employees they should have the same legal protection as any worker in a factory or an office.

Myth #4: Women choose to do homework

Homeworking is often presented, and sometimes seen as a positive choice, especially for women.

In what context do women make the choice to work from home? Are other jobs available? Is affordable child care available? Is the office an unsupportive, poisoned atmosphere? Does the worker have to live a 1-hour commute from work because she can't afford a house or apartment near the workplace?

We need to evaluate who is introducing homework and some of the reasons why homework is being offered as a "choice" at this particular moment.

The federal government provides one example. It is introducing homework as an option for its employees at the same time it is redesigning the public service with "PS2000"—a policy calling for the 'business' approach to federal government services and cutbacks in all departments. Is homeworking being introduced because of concern for the welfare of employees? Or, is homeworking being introduced as a part of the strategy to cut the costs of public services?

Homework in the garment industry is another example. The industry has been transformed in the past 10 years by global competition and free trade. Canadian manufacturers are lowering wage costs by either shifting production to developing countries or reorganizing work here in Canada. Factories are closing while small contracting shops who employ

homeworkers are multiplying. Homeworkers in the industry have usually been laid off from a factory, or after maternity leave, end up working from home, sometimes for the same employer.

Women's options are limited in other ways. There isn't a national system of affordable, high quality child care. Women don't have equal access to employment opportunities or equal pay. There is limited access to language and skills training for immigrant women.

Homework is not a simple neutral option or choice for women. Homework is a key part of economic and government restructuring. Homework builds on the existing sexual division of labour in which women are not equal participants in the workforce and continue to do the bulk of domestic labour. So when women supposedly 'choose' the option of homework it is in an environment in which their options are limited by the strategy of their employers and Tory federal government.

When we evaluate strategies for dealing with homework we need to carefully evaluate the wider social context in which individual women's decisions are made and who defines their options. If the issue is lack of flexibility at work for family responsibilities, one strategy could be to push for a shorter work week and greater work flexibility. If the issue is poor working conditions at the factory or office, isn't creating better working conditions for all workers a preferable option rather than retreating to the isolation of home?

Myth #5: Homeworkers do not deserve the same wages and working conditions as other workers

Many private sector employers claim there is no way to guarantee homeworkers a minimum wage—they are on piece rate. "Homeworkers are often interrupted by children", they claim, or "get up to put dinner (or a cake!) in the oven." "How can you know when they are working?" "Anyway the money from homeworking is just extra pin money."

Ironically, other employers argue that homeworkers enjoy the legal and economic benefits of being self-employed so there is no need to guarantee a minimum

wage or other minimum employment standards.

Homework is real work completed in the home. There is no reason that a worker in the home should not be entitled to the same employment standards as people doing the same work in offices and factories should not apply. The low wages homeworkers receive are not just 'pin' money, but integral to a family income.

Myth #6: Homework undercuts union jobs and homeworkers are to blame

Homeworking is undercutting union jobs in the private sector. Homeworking may erode the benefits won by public sector workers. We cannot blame it on homeworkers—that's blaming the wrong people. Homeworkers are not driving the shift towards homeworking.

Homework is part of a broader shift towards non-standard or precarious employment. Forty percent of Canadian workers are now homeworkers, have part-time, seasonal, or temporary jobs, or are self-employed. Homework is part of a bigger picture of international economic restructuring and the reorganization of work. Whether it is part of the federal government's PS2000 or the garment industry's low wage strategy, homeworking is being driven by a particular corporate

agenda to undercut job security and jobs that are unionized, full-time, have decent wages and working conditions.

Traditionally, unions have negotiated collective agreements that ban homework in order to protect their members in the factories. This approach may have served unions well in the past. Yet, with businesses shutting down at a rapid rate, shifting the way work is organized and the growing pool of economically vulnerable workers, it is critical for unions to re-evaluate strategically how to deal with homeworking.

Unions will have to address homework in a different way in order to cope with corporate restructuring of the labour force. Unions, such as the ILGWU and PSAC are starting to do this work. Unions are evaluating how to include homeworkers in their collective agreements. Unions are also thinking about alternative organizing strategies to reach out to homeworkers. Unions and community groups are fighting to ensure changes are made to labour laws to include homeworkers. Unions and community groups are continuing to fight for new social services such as a national child care programme. These strategies are just a few of the many needed to fight the increased economic vulnerability of women and the rise of homeworking.

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