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Organiizing informal workers for decent work: the case of the agricultural sector in South Africa

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CHAPTER ONE: INTRODUCTION

1.1 Introduction

Organising informal workers for decent work is of critical importance to labour and the working class generally. Given the global rise in various forms of non-standard employment, including the informalisation of labour, how do trade unions organise these new layers of workers? It is also important to ask; is the notion of the 'informal economy' that new? The informal economy phenomenon gained attention in development economics when the ILO sent a study mission to parts of Africa to examine the situation for its inclusion in policy engagement on employment (ILO, 1972). This together with study carried out by Keith Hart (1973) made informal economy become part of development discourse in the world. As argued by Sindzingre (2004:4 cited in Webster, Benya, Dilta, Joynt, Ngoepe and Tsoeu, 2008a), informal economy activities has been described as "non-observed, irregular, unofficial, second, hidden, shadowy, parallel, subterranean, informal, cash economy, black market, unmeasured, unrecorded, untaxed, non-structured, petty production, unorganised, to a name just a few." The informal sector is made up of non-standard wage workers, entrepreneurs and self-employed persons producing legal goods and services. According to Webster et al (2008a), the informality of employment refers to the irregular, temporary, casual and contract work in the periphery as against the core established regular work in the formal sector.

Evidence abound that the informal economy is growing, due to the decline in formal employment or informalisation of previously formal employment relationship. The basis of the informalisation can be attributed to the historic class struggle between capital and labour. Portes, Castells and Benton (1989) argue that the power of organised labour poses simultaneously as an obstacle to capital accumulation and a corporatist pressure group eager

to define its interests even at the expense of *unorganised* workers. The growing informality can also be seen as a manifestation of the impact of international competition among capitalist corporations as they transform from large-scale production to decentralised contracting and subcontracting arrangements. The shrinking formal employment through global neoliberal restructuring for example, in developing countries, the introduction of structural adjustment polices and the failure to generate the needed foreign direct investment are major factors accounting for the growing informalisation of work (Webster et al, 2008a).

The consequences of the informalisation are that, there are "classes of labour in Africa and the growing numbers ... who now depend – directly or indirectly – on the sale of their labour for their own daily reproduction. They pursue their reproduction typically through insecure and oppressive – as in many places increasingly scarce – wage employment, often combined with a range of likewise precarious small-scale farming and insecure informal sector (survival) activity" (Bernstein and Woodhouse, 2006:158 in Webster et al, 2008a).

Working conditions in the informal economy, particularly in the agricultural sector is worsening (ODI, 2007; FAO-ILO-IUF, 2005). The ILO's 'decent work' concept seeks to promote opportunities for men and women to obtain productive work, in conditions of freedom, equality, security and human dignity. And the workplace security for decent work can be achieved through social dialogue in active involvement of organised labour (Webster et al, 2008a; ILO, 2002).

The growing informalisation poses a serious challenge to labour unions. Portes, Castells and Benton (1989) argue that informalisation contributes to *decollectivisation* of the labour process and to the reversal of the material conditions that historically allowed the emergence of intermediaries in the world of work. Organising informal workers in agricultural enterprises can be uphill task for labour unions (ILO, 2002).

1.2 Problem Statement

The informalisation of labour leads to worsening working conditions and weakening the organisation of labour. Neoliberal globalisation has exacerbated the informalitsation of employment and has been exerting social and economic pressures on informal workers. The agricultural sector in South Africa is faced with a number of challenges: declining productivity, increasing informalisation and worsening working conditions due to competition with other agricultural producers and lack of incentives. This creates conditions where there is a lack of organisation of informal workers.

Nevertheless, where informal work in agricultural enterprises can be a source of employment, the organising of informal workers can also be strategic for union revitalisation and a source of decent work. For example, ODI (2007:4) reports that, unionisation can bring improvements to pay and conditions as with hired labourers on the irrigated farms of Petrolina-Juazeiro in North-East Brazil. And that NGOs' actions have also been effective in India, citing The All India Democratic Women's Association, which has succeeded in raising wages in some locations through its evidence-based campaigns. ILO (2002: 83-85) provides similar examples of successful union organising. Devenish and Skinner (2007:11) report of successful organising by Sikhula Sonkhe, a union of farm workers with women as majority of its members, many of whom are seasonal or casual workers in Africa. It is therefore important to investigate the drivers and barriers for organising this category of labour in South Africa.

1.3 Research Questions

The main research question is: What are the drivers and barriers to organising the informal workers in the agricultural sector in South Africa? The specific questions are;

1. What are the social and economic factors affecting organising informal workers in the agricultural sector?
2. In what ways can informal workers in the agricultural sector be organised to ensure decent work?

1.4 Research Objectives

The broad objective of this research is to determine how social and economic factors affect organising of informal workers in the agricultural sector in South Africa. The specific objectives are to:

1. Investigate the social and economic factors and policy framework among informal workers in the agricultural sector.
2. Determine how the social and economic factors affect the organisation of informal workers in the agricultural sector.
3. Analyse how the policy framework affect the organisation of the informal economy for decent work.
4. Consider possible strategies for organising informal workers in the agricultural sector.

1.5 Research Methodology

The methodology employed to address the research questions is a case-study approach, which sheds light on broader organising approaches of informal workers in the agricultural sector. Documents, observation and interviews were the main sources of data. This is discussed in detail in Chapter 3.

1.6 Rationale of the Study

The future of organised labour or the working class unions hinges on their ability to effectively organise informal economy workers, more so in the African context. Organising informal workers in the agricultural sector is one significant way of addressing the broader issues confronting labour generally. Research on *the drivers and barriers for organising informal workers in the agricultural sector*, will contribute to:

- The body of knowledge on strategies for labour union revitalisation and informal work.
- Effective mobilising for participation of labour in policy-making
- Decent work through improved social dialogue.

1.7 Outline of Chapters

This research report is presented in six chapters. The chapter one introduces the background and scope of the study on organising informal workers in agriculture for decent work. The literature review and conceptual framework of the study is presented in chapter two. The research design and methodology, which give details of the methods and techniques employed in gathering data for the study is presented in chapter three. Discussions of the main components of the study are presented in chapters four and five. Chapter four focuses on the social and economic factors, as well as the policy framework in relation to organising farm workers. Chapter five discusses organising for decent work, concentrating on the experiences and challenges of three cases of organising among farm workers in South Africa, leading to the discussion of the social and economic factors, and the policy framework, in view of establishing strategies and alternatives for organising for decent work among farm workers. Finally, chapter 6 presents the conclusions and recommendations of the study.

1.8 Limitations of the Study

Since this is an exploratory study, based on limited case studies and encounters with key actors in national summits and meetings, the following constituted limitations of the study:

1. It is assumed that the accounts offered by the farm workers during discussions and interactions at the first National farm workers summit, held at Somerset West in the Western Cape, in South Africa, July 29 to 31, 2010, are representative of the conditions and situations of the farming sector and informal work in agriculture in general in South Africa.

2. The researcher could not visit any farms to have firsthand experience of the happenings, and their effects on organizing farm workers in South Africa, and so information presented here in the research report is a product of analysis of interviews conducted with farm workers and organisers and key informants of various organizations and unions in South Africa.

3. The categorisation of informal workers in agriculture covers largely farm workers such as casual, seasonal and migrant workers, because information on organising from the organisations or unions in the study do not make the distinctions between permanent and temporary/atypical workers on the farms in their operations, due to difficulties of employment status in the agricultural sector in South Africa.

CHAPTER TWO: LITERATURE REVIEW & CONCEPTUAL FRAMEWORK

2.1 Introduction

This literature review covers the theoretical and conceptual background of the informalisation of work and issues of conceptualising in terms of decent work in agriculture. The organising types, forms and strategies among informal workers in the agricultural sector are also reviewed. The nature of employment in agriculture is presented in relation to the different categories of workers in the sector. It provides a picture of the conditions faced by informal workers in agriculture in South Africa. The section on conceptual frameworks and operational definitions highlights the focus and key concepts of the study. Some conclusions on key issues of conceptualisation and theoretical background from the literature surveyed are drawn.

2.2 Theoretical and Conceptual Background

In recent times, the world is witnessing an extensive informalisation and deregulation of labour markets, and this poses a huge challenge to the working class. The working class is conceptualized as "established core secured formal sector workers, unstable temporary part-time causal or subcontracted, contract semi-informal workers, and the non-established periphery informal workers" (Bieler, Lindberg and Pillay, 2008a). There is increasing number of workers in the peripheral informal and semi-formal category as a result of the shrinking core full time, regular formal sector workers. This has resulted in weakening of labour movement organisations and lack of protection of workers' rights at local, national and international levels, leading to deteriorating working conditions.

Understanding the social relationship of production, especially between capital and labour is central to appreciating the informalisation of work. Capitalism is characterized by on-going tension between alternative crises of profitability and legitimacy. In crises of

legitimacy, capitalism faces the challenges of strong labour against the prerogative of capital over production process, and this leads to class comprise to avoid system collapse as seen in Keynesian policy in the Northern Europe. In the crisis of profitability as witnessed in the 1950s and 1960s, in inter-capitalist competition, capital comes up with fixes: *spatial fix*, in which capital relocates to areas where there is low labour cost and less organized working class; *technology fix*, by which capital lowers production cost through innovation, and new technology replaces labour; *product fix*, by which capital shifts investment from declining industries to new industries and; *financial fix*, when financial instrument becomes the focus of intensified investment and point of accumulation in their own right (Silver, 2003).

The working class situation can also be appreciated from the division of national and international: public sector and national institutional set-up (state forms) emerging as a result of the historic struggle between labour and capital. As collective actors, capital and labour can be broken down to transnational, national and formal and informal from the neo-Gramscian perspective (Bieler et al, 2008a).

At each point in the social relations of production, labour faces the challenges of capital's attempt to weaken it in order to maximise profit or to survive crisis. The imposition of flexible forms of irregular labour is viewed as mechanism to downgrade wages and labour rights protection and break the power of militant trade unions. Informalisation widens the gap between the rich and the poor as a result of poor working condition. Capital gains from the increasing informal sector with poor working condition who readily serve as a reserve army of cheap labour to be exploited.

The informal economy was conceptualized in development studies literature as one of two economies in developing countries; the informal economy comprising households and communal ownership, and the formal economy consisting of modern capitalist enterprises. The development theorists in the 1950s and 60s assumed that the traditional economic

activities in the informal sector would be gradually phase out with the modern industrialisation. In the 1970s, the importance of the dichotomy between formality and informality was brought to the fore with studies conducted by the ILO in 1972 and Keith Hart in 1973. These studies conceptualised the informal sector as "the unregulated and invisible activities used by the urban poor of the third world to support themselves", pointing out the significance of its contribution to unemployment to national economy (Webster et al, 2008a).

In conceptualising the informal economy, there are three schools of thought, namely the *dualist, structuralist, and legalist*. The *dualist* school, which was the initial work, saw the informal sector as one of the two sectors (formal and informal), of which the informal sector exists for lack of opportunities in the formal sector in urban areas (Chen, 2004; Hart, 1973; ILO, 1972). The *structuralist* school, concentrating on petty commodity trading argues that, there are linkages between the formal and informal sector through trade and provision of services through which capitalists in the formal sector exploited the informal sector to maximise profit (Portes, Castells and Benton, 1989). The *legalist* school argues that the capitalist in the formal sector are erecting barriers through regulatory measures to perpetuate the existence of the informal sector - the informal sector is being held back by the lack of access of capital and other opportunities to formalise (De Soto, 1989).

From the 1980s onwards, there was a shift in the views about what constitutes the informal economy. Contrary to the view that this traditional economy would be eliminated completed with modernisation, it was realised that the informal economy was becoming a permanent feature, in not only in the developing world, but also emerging in the developed economies. The informal economy was becoming a major contributor to Gross Domestic Products (GDP) by being the major provider of employment, goods and services for lower-income groups. It was also realised that the informal economy could not be separated from

the formal sector, as there existed linkages to the formal sector through trade and provision of services.

Of significance is the shift from the view that the informal economy only comprises mostly traders and small enterprises, to include a wide range of informal occupations such as casual day labour in construction and agriculture, and other new ones such as temporary and part-time jobs. Instead of viewing the informal sector of constituting a cluster of illegal enterprises that avoid regulation and evade taxation, it has been realised to be made up of non-standard wage workers, entrepreneurs and self-employed persons producing legal goods and services. Most entrepreneurs and self-employed would welcome measures to reduce barriers to registration and related transactions costs to increase benefits from regulations, and most non-standards wage workers would welcome more stable jobs and workers' rights (Chen, 2005: 12 cited in Webster et al, 2008a).

According to Castells and Portes (1989: 28-29 cited in Webster et al, 2008a), the power of organised labour in the form of workers union appears simultaneously "an obstacle to capital accumulation and a corporatist pressure group eager to define its interests even at the expense of organised workers." The existence of the informal unregistered enterprises in not a reaction to against state's regulation of the economy, but a manifestation of the impact of international competition, when regular large-scale production employment becomes decentralised and replaced by the casual, temporary, contracting and subcontracting labour. According to Webster and Bischoff (2010), the arrival of neo-liberal governments in the United States and United Kingdom in the 1980s and the promotion of structural adjustment programmes by the World Bank and International Monetary Fund (IMF) with their policy prescriptions urging poor countries to open up their markets and reduce public expenditure, exacerbated the informalisation of work.

2.3 Informalisation and Decent Work in Agriculture

The informalisation of work increases workplace insecurity and inability for the largely informal workers to secure employment. According to Webster and Omar (2003), formal employment has declined significantly, due to growing competitive pressures leading to large-scale retrenchments in traditional industries such as mining and manufacturing. There is an estimated 29.5% to 32.0% level of unemployment in South Africa based on the narrow definition of unemployment and 45% on the broad definition (Statistics South Africa, 2002 in Webster and Omar 2003). Roughly one third of South Africa's working population is now employed in the informal economy (Stats SA, 200 cited in Webster and Omar, 2003) though new jobs are also being created through the establishment of call centres.

According to the ODI (2007:1), "a further 106 million will have joined the rural labour force in the developing world between 2005 and 2015, despite falling rates of overall population growth." As a result of the heterogeneity and vulnerability of forms of work in the informal economy, urban or rural, the concept of 'decent work' was developed by the International Labour Organisation (ILO). This is aimed at promoting opportunities for women and men to obtain productive work, in conditions of freedom, equality, security and human dignity (Webster et al, 2008a). The 'decent work' concept serves a useful purpose of affording workers' engagement in social dialogue to present their views, defend their interests and negotiate over wages and working conditions with employers and authorities. In order to analyse decent work in informal sector rural or urban, it is important to consider Standing's (1997:8-9 in Webster *et al* 2008a; ILO, 2002) seven variables in workplace security: *Labour market security, employment security, job security, work security, skill reproduction security, representation security, and income security.*

Although non-farm activities such as manufacturing, usually artisan, trading and the provision of services of all kinds are becoming increasingly important, agriculture is

currently the single largest source of employment in rural areas. According to ODI (2007:1), "despite the heterogeneity, some features of rural work are common across sectors and locations; most rural workers are *self-employed*, whether it be on their own farms or in the small, often very small, enterprises typical of rural nonfarm activities." In rural areas *hired workers* are in the minority, and when available they are often *temporary and seasonal*, particularly in farming and tourism, which is usually informal and casual. On the contrary formal and permanent jobs in rural areas are rare, and are mostly teachers, health workers and police. Formalisation is rather a rarity, and with restructuring in the urban formal sector, it remains a mirage to realise this, especially with slow pace of economic development. In some activities work is increasingly casual. For example, the apple farms of South Africa's Western Cape have shed permanent staff in favour of contract labour (Barrientos and Kritzinger, 2005 cited in ODI, 2007).

In terms of returns to labour, it has been reported that most rural work is poorly rewarded. This is so much a critical problem for rural employment, such that so much effort leads only to poverty wages. If the pay is low, the conditions are equally bad, as in most cases rural work, especially farming, is often arduous, sometimes monotonous, and frequently hazardous. Besides the informal conditions of most agricultural and rural work, few workers have insurance against the consequences of sickness, accidents, and unemployment (ODI 2007). There are also issues of farming harbouring the largest employer of child labour, and gender-based discrimination of farm labourers in agriculture and non-farm jobs in some parts of the world (ILO, 2002).

As a result of employment problems in the rural areas, many rural workers *migrate* to try and find better paid jobs, often in urban areas or manufacturing industry. But informal jobs in the service and construction sectors, with no contract or social security, also absorb large numbers of workers, which may not be decent work, do offer more days of work in a

year and better wages than farm work. It has been reported that many poor households in developing countries now combine farm and off-farm activities seasonally. This is resulting in increasing temporary and circular movements, ranging from trips that last several months to daily commuting (ILO, 2002).

ODI (2007:3) suggests direct interventions in rural markets such as: improving wages through setting minimum wages; improving labour conditions and benefits; measures against discrimination such as laws, education; setting labour standards such as work hours, leave; protection against arbitrary dismissal; benefits and insurance against injury and sickness; health and safety regulations; child care provision, maternity leave; improving bargaining by facilitating worker organization; and mandatory negotiations between employers and unions.

Minimum wages can influence wage settlements, even in informal activities, since they signal acceptable levels of pay. Large companies with international reputations to protect and enhance do sign up to labour codes and implement them, as seen in the Costa Rican banana farms (Smith, 2006 cited in ODI, 2007). And when trained labour is relatively scarce, unionisation can bring improvements to pay and conditions, as seen with hired labourers on the irrigated farms of Petrolina-Juazeiro in North-East Brazil. NGOs' actions have also been effective in India, for example The All India Democratic Women's Association, has succeeded in raising wages in some locations through its evidence-based campaigns (ODI, 2007:4).

In many developing countries, fewer workers now benefit from protection from risks and guaranteed old age pensions, with the growing informalisation as work is contracted out or made more casual. This is prompting new thinking about providing social protection that is no longer linked to specific jobs, and this offer some hope to the rural poor, to get benefits that they could never have obtained under previous systems. For example, South Africa

extended pensions to all retired workers in 1996, irrespective of their race. The largest gainers from this move were the elderly in poor rural households (ODI, 2007:4).

2.4 Organising Informal Workers in Agriculture

Organising workers offer the opportunities for working class, with possibilities of improvement in productivity, capacity to influence policy for decent working conditions. Shift in government economic policies in post-apartheid era is geared towards neoliberal policies and this is worsening the employment situation. According to Webster, Lambert and Bezuidenhout (2008b) the impact of ideology of self-regulating markets such as the Growth Employment and Redistribution (GEAR) strategy in South Africa has not only led to tensions within the governing alliance, but also led to an erosion of the organisational base of the union movement.

In response to the growing informalisation of work and the worsening conditions of labour and increasing inequality, labour organisations have embarked on various forms, types and strategies for organising informal workers. These are done in view of the opportunities and challenges posed in the informal economy. It has been observed that the organisational terrain of informal workers is very different from that of traditional trade unionism and workers are turning to alternative forms of organisation for support (Buhlungu, 2006a in Webster et al, 2008b).

Williams (2008) identifies two types of organising, namely mass mobilising and participatory organising. She argues that mass mobilizing has to do with 'carefully orchestrated, high profile mass action that attracts huge number of people possible, such as marches, demonstrations and strikes.' In contrast, Williams (2008) argues that, participatory organizing is more synergetic relationship between leaders of an organization and its support base focusing on empowering the members. This, according to Williams (2008), is achieved

through ‘political education, party schools, seminars, workshops and participation in local level political and economic structures to empower subalterns to participate in social, political and economic domains of life.’

Mapping, both vertically and horizontally in the production or value chain, is identified as a strategy for organising informal workers. Burchielli, Buttigieg and Delaney (2008 cited in Webster and Bischoff, 2010) argue that, “organizing workers in medium and small enterprises requires a different strategy by trade unions”. They suggest the starting point to closing the representational gap could be the use of mapping as an organizational tool. And that mapping will improve the working conditions by developing and strengthening organizing at the grass roots level, as well as improving the informal workers’ capacity to advocate change in their working conditions at the international level.

Some trade unions have identified organising of workers in the informal economy as their priority. Since 2000, the Korean Confederation of Trade Unions (KCTU) has organised mass rallies, petition campaign strikes, hunger strikes, jointly solidarity actions with politically moderate government linked Federation of Korea Trade Unions (FKTU) (Chun, 2008). In such situation, ‘solidarity crisis’ in the form of tension between regular and irregular workers may occur. Chun (2008) illustrates this crisis in South Korea, China and Argentina, where the regular workers perceive the irregular as threat to their job security. In some cases gender-disparity, in spite of the fact that women constitute the highest percentage in informal economy, is a hindrance to trade union organising of informal workers. For instance, there was report of failure of male-dominated trade unions to recognise and organise women, excluding gender-related issues in South Korea (Chun, 2008).

According to Webster et al (2008), the conventional trade union strategies of workplace bargaining are very difficult to implement in situations where workers are self-employed proletariats working in the street or where they are engaged in family labour from

home. Webster and Bischoff (2010) argue that the evidence of need for unique unionising of informal workers is situated in the size of enterprises and the nature of employment relationship. There is emerging social movement organising, similar to the participatory organising discussed by Williams (2008), whereby other social considerations play a central role. This makes it imperative for some strategies along trade union-social movement alliances, networking and collaborative organising. Chun (2008) identifies the Korean Solidarity against Precarious Work (KSPW) and World Social Forum (WSF) social movement solidarity platforms, as examples of such initiatives.

According to FAO-ILO-IUF (2005), 'the level of trade union representation among agricultural workers, particularly workers who are not permanent, is generally low in most countries, and particularly among women agricultural labourers.' They assign many reasons why agricultural workers remain poorly organized; difficulties such as practical or financial, organizing over large geographical areas, lack of transport for organizers, low membership dues resulting in only basic union services, and so on.

Mercoret and Bertheme (2003: 142-143) in identifying different types of farmers' organisations (FOs), note that some are initiatives from NGOs and sometimes from farmers themselves, some are new and modern organisations linked to traditional forms of social organisations, sometimes through cooperative relations and sometimes with conflict, and traditional organisations and local solidarity networks, which essentially operate on the basis of mutual services, and operates much better without external support. They came out with a typology of farmers' organisation in West Africa in 3 categories, roughly distinguished as: FOs created in the context of large development programmes (mainly during the 60s); FOs tired up with local external intervention as (NGOs, mainly from the 70s) and; FOs resulting from local initiatives (from 70s onwards).

In South Africa, there are not much examples of the organisation of self-employed farmers by the trade union movement, except some self-employed women's union by the name *Sikhula Sonke,* and an NGO *Street-net International.* Food and Allied Workers Union (FAWU) is the most prominent union organising workers in larger farms, and some hired workers on smaller farms (Klerck and Naidoo, 2003). Klerck and Naidoo (2003) have also written about the organising efforts of other agricultural workers unions such as South African Agricultural Plantation and Allied Workers Union (SAAPAWU), and acknowledge the challenges faced by these unions in the sector.

Different strategies and types of organising the informal workers include mapping, mass mobilising and participatory organising. The emerging social movement organising is on the pedestal of larger social and economic issues, of which some form of collaboration and networking with labour union mobilising is possible. Klerck and Naidoo (2003) concluded that, unions need to formulate innovative, multifaceted strategies linking broader socio-economic and political concerns to working conditions on the farms. Hence trade unions in South Africa can draw on vibrant tradition of militant social-movement unionism (p.151).

2.5 Employment in Agriculture in South Africa

Employment in agriculture in South Africa can be categorised as formal workers on large commercial farms, informal workers on large and small farms and small scale self-employed farmers. In order to appreciate issues of 'decent work' in the informal sector, there is the need to consider the *nature of employment* in the rural areas, *pay conditions*, *migration*, *interventions in the rural markets*, and *policy*.

According to Cousins (2009), post-apartheid South Africa inherited a highly dualistic and *racialised* agrarian structure, comprising a productive, large-scale commercial farming sector, on the one hand, and a densely settled patchwork of former 'native reserves'

characterised by high levels of migrant labour together with small-scale forms of agriculture, on the other. Cousins (2009) argues that commercial farms were almost completely white-owned, held as private property, and dominated production for domestic and export markets. And that much commercial farmland had been acquired as a result of the dispossession and displacement of indigenous populations, and commercial farming had been nurtured and heavily subsidised by the state over many decades.

Cousins (2009) observes that "since the transition to democracy in 1994, an ambitious but poorly performing land reform programme has attempted to alter the racial distribution of farm ownership, restore land to individuals and groups dispossessed by forced removals, promote smallholder agriculture, and secure land tenure rights." He outlines the reasons for land reform as the cutting edge of a wider programme of rural development, which is necessary to address the needs of the 70 percent of the poor in South Africa who are resident in rural areas.

Evidence suggests that the underlying causes of declining farm employment (and one motivation for evictions of farm dwellers) in South Africa are, *increased competitive pressures on farmers in the context of domestic deregulation, declines in state subsidies, trade liberalisation, and generally higher levels of integration of commercial farming into global agro-food regimes* (Cousins, 2009).

Small scale farming in Africa is often seen as supplementary activities to the low wages earned from irregular temporary informal sector jobs (Webster et al, 2008a). According to Lipton, Ellis and Lipton (1996a), although South African agriculture contributes 15% of GDP and employs 25% of labour force, agriculture can play the role of improving employment, and preventing urban migration for the high rural proportion of the population with little education and facing extreme income inequality. Since South Africa is facing increasing international competition in manufacturing, employment through creation

of rural livelihoods is achievable, provided there are changes in the crop mix, incentives, research and institutional financing of high labour-capital and labour-land ratios on farms of all sizes and redistribution of land, water and services towards smaller labour-intensive farms (Lipton et al 1996a).

The other major trend in agricultural employment, however, has been towards much higher levels of employment of seasonal and casual workers, and a decline in employment of permanent workers (usually full-time and resident on farms). Casual and seasonal workers are increasingly located off-farm, unlike in the past, and many farmers now make use of the services of intermediaries, known as contractors or labour brokers. As a result, much farm employment is now indirect, or externalized (Cousins, 2009).

2.6 Conceptual Framework and Operational Definitions

Within the context of the study certain key concepts needs to be understood as they constitute the main components of discussion and analysis in the study:

Informal workers

Informal workers in agriculture as used in the study refers to the farm workers and farm dwellers, who are either employed on the commercial farms as temporary workers such as contract, casual, seasonal or migrant workers, or occupiers of dwellers on the commercial farms who may or may not be employed by the farmer or land owner on temporary terms.

Farm workers

A farm worker is a person who works on a farm regularly, whether full-time, part-time or seasonally. A farm worker is not necessarily a farm dweller as some do not live on the farm (Wegerif, Russell and Grundling, 2005). Farm workers in this report simply mean a worker on a farm, who may or may not be dwelling on a commercial farm.

Farm dwellers

A farm dweller in this report refers to a worker who is resident on a farm or is occupying a farm land with the permission of the farmer or land owner, who may or may not be their employer.

Decent Work

According to ILO, a useful way to understand the informal economy is to consider certain indications of decent work, which are often denied of them: *labour market security* (adequate employment opportunities through high levels of employment ensured by macroeconomic policies); *employment security* (protection against arbitrary dismissal, regulation on hiring and firing, employment stability compatible with economic dynamism); *job security* (a niche designated as an occupation or "career", the opportunity to develop a sense of occupation through enhancing competences); *work security* (protection against accidents and illness at work, through safety and health regulations, limits on working time and so on); *skill reproduction security* (widespread opportunities to gain and retain skills, through innovative means as well as apprenticeships and employment training); *income security* (provision of adequate incomes); and *representation security* (protection of collective voice in the labour market through independent trade unions and employers' organizations and social dialogue institutions) (ILO, 2002: 4 -5).

Consequently, decent work in this study covers these variables described here. Basically the labour and land tenure policies and legislation introduced in post-apartheid era such as; the labour relations act, the basic conditions of employment act and the sectoral determination of minimum wages and remuneration, as well as the land tenure laws, seek largely to address decent work in SA in tune with the ILO conventions.

For the ILO, which is also the consideration of the study, the most meaningful way of looking at the situation of those in the informal economy is in terms of *decent work deficits,*

such as the variables: labour market security; employment security; job security; work security; skill reproduction security; income security; and representation security, which are implied in this study. Most importantly, it covers the poorly remunerative jobs, the absence of rights at work, inadequate social protection, and the lack of representation and voice.

Organizing

Organizing refers to the process of collectivisation among workers, in order to guarantee collective action and representation security, through recruiting and consolidating membership of an organisation. This is essentially a process of affording workers the freedom to organize and association, which can be in the various organizational structures such as a trade union, social movement or association, socially and/or economically.

2.7 Conclusion

The literature review clearly maps out the issues of informalisation of work; it is conceptualized as the process of engendering unstable temporary employment relations that is yielding casuals or sub-contracted, contract semi-formal workers. It has been theorized as a process engineered by capital to weaken labour for maximization of profit or survival from the crises emanating from competition. Literature confirms that agriculture, like other sectors of the economy, witnesses restructuring, which is fostering the informalisation of work. The processes of deregulation and externalization in the post-apartheid economy are exacerbating the inequalities in the dualistic agricultural production developed by the apartheid state in South Africa. The consequences are worsening working conditions among informal workers in agriculture, such as casual, seasonal and migrant farm workers on the commercial farms. Literature points to the growing significance of organizing this category of informal workers towards the realization of decent work. Concepts such as farm workers, farm dwellers, decent work and organizing are operationalised as key research components, and are appropriately defined within the context of the study.

CHAPTER THREE: RESEARCH DESIGN & METHODOLOGY

3.1 Introduction

The research design and methodology answers the question of how the data was gathered, analysed and presented in this study. In this Chapter, the research questions and themes are presented in order to clarify the issues, claims and arguments involved in the study. The research design/strategy employed is also outlined, with emphasis on the rationale for the selection of cases and research techniques/instruments in the study. The section on data collection clearly demonstrates how the information was gathered, and finally how the data was analysed and presented is also covered.

3.2 Research Questions and Themes

The main research question is: What are the drivers and barriers to organising the informal workers in the agricultural sector in South Africa? The specific questions are;

1. What are the social and economic factors affecting organising informal workers in the agricultural sector?
2. In what ways can informal workers in the agricultural sector be organized to ensure decent work?

To answer the research question, the study claims that there is extremely low level of organizing among farm workers in South Africa, and this is resulting in worsening social and economic conditions for this category of workers. And that if farm workers are more organized it would ensure realization of decent work situation in the agricultural sector in South Africa. The research is themed along the main factors in the discussion as follow:

Social Factors

1. *Is the paternalistic employer-employee relationship a major barrier to organising workers in the agricultural sector?*

2. *Do the existence of social or group activities among farm workers through improved access to the farms result in effective organising of farm workers?*
3. *Does resistance among members with regular employment to accommodating atypical workers along irregular employment and gender lines, likely result in low organising of farm workers in the trade unions?*
4. *Is the temporary nature of farm employment through migration and seasonality a strong barrier to organising this category of workers?*

Economic Factors

1. *Is the poor economic status of low incomes and lack of access to production resources among farm workers a strong barrier to organizing?*
2. *Does the existence of organised employers economic group / association most likely contribute positively to effective organising of farm workers?*

Policy Framework

1. *Do the availability and awareness of land and labour policies and legislation constitute a positive factor to organising workers in the agricultural sector?*

3.3 Research Design/ Strategy

Primarily, a case study design was employed to gather information from the field. According to Kitay and Callus (1998:103) a case study "is defined as a research strategy or design that is used to study one or more selected social phenomena and to understand or explain the phenomena by placing them in their wider context." Case studies have been widely used to explain complex phenomena of which the informal economy can be described as one. This strategy would enable the researcher to access a range of information sources and to assist in making sense of the subjective elements of social and economic life in the informal economy (Kitay and Callus, 1998). Although case studies often require training,

planning and effort, they are popular because they can be conducted with limited resources such as time and funds (Kitay and Callus, 1998).

3.3.1 Selection of Cases

The research focused on unions/organisations and their organisers, farm workers and key informants in organising activities in the agricultural sector in South Africa. In this study three cases of organising activities, namely the trade union (Food and Allied Workers Union, FAWU), social movements (Sikhula Sonke, SS and Women on Farms Project, WFP) and land rights (Nkuzi Development Association, NKUZI) in South Africa were engaged, in order to isolate the 'drivers and barriers' to organising. A full description of each of these cases is provided in chapter five. Usually case studies are selected based on theoretical grounds where the phenomenon was most likely to be found (Kitay and Callus, 1998). Generally to determine the type and number of cases to be selected, it is first necessary to have a sound understanding of research sites that might be examined. According to Kitay and Callus (1998), this can come from existing documents/reports, published statistics, or personal knowledge.

The number of cases that are studied depends on the objectives of the study and such practical issues as time and resources. An exploratory study can easily get by with one case, since it may generate ideas for further research, for example, Burawoy's 1979 study of a single machine shop in *manufacturing consent,* produced a wealth of insights that had a significant influence on direction of labour process theory in the early 1980s (Kitay and Callus, 1998). The selection of these organisations was done ensuring greater confidence in the reliability of the findings by examining similar characteristics, which are organising farm workers / dwellers in South Africa.

Although it may be inappropriate to generalise to a population, Kitay and Callus (1998:107) argues that, "virtually all writers on case studies assert that findings of a well-conducted case study can be used to refine or test theory, which gives case studies, 'generalisability' beyond the individual instance." In arguing for extended case studies as reflexive science, Burawoy (1998:5) asserts that they are employed to "extract the general from the unique, to move from micro to macro, and connect the present to the past in anticipation of the future, all by building on pre-existing theory."

3.3.2 Research Techniques / Instruments

In the case studies drawn upon for this study, a range of sources of data were triangulated; documents, interviews and observation. A combination of techniques can afford the full picture. According to Burawoy (1998) in his study of mineworkers in the Anglo American Corporations and Roan Selection Trust, documents themselves revealed so little, and interviews conducted from outside were less useful since managers were protected by layers of public relations. Just as case studies themselves are not based on a statistical sampling, neither is the process of selecting those who will be interviewed (Kitay and Callus, 1998). Respondents were selected based on the criteria that all relevant viewpoints covered, by identifying those who possess special knowledge. Table 3.3.2 presents overview of the research methodology.

Table 3.3.2 Research Instrument, Respondents, Contribution and Limitation

Research Instrument	Respondent	Contribution	Limitation
Documents	Union/organisation and government department reports; newspaper reports (the SA Media)	Information on policy, programmes, projects and strategies	Gaps; access difficulties
Interviews	Farm workers / dwellers, union/organisation officials; key informants	Information on the social and economic factors, policy provisions, strategies, experiences and challenges of organising farm workers and farm dwellers	Prone to bias; cultural differences, confidentiality
Observation	Union / organisations, specific programmes	Information on farm worker, farm dwellers (location, conditions and context), union/organisation organising activities	Pretences, i.e. possible reactivity to the presence of the researcher

The issues of confidentiality arises in all forms of research but may be particularly acute in case studies, as noted by Kitay and Callus (1998), and delving deeply into any social unit, a researcher is likely to unearth sensitive information. This may result in reluctance of organizations or unions to permit an outsider to gain access to secrete or information about shortcomings. However, the possibility that data gathered by student researchers will come to public attention is less likely to be an issue for research subjects than data gathered by other researchers particularly for the purpose of policy formation or evaluation.

In terms of validity and reliability, it is generally difficult to replicate case studies, given limitations of access and the fact that another researcher will necessarily encounter a situation that has changed in at least some respects (Kitay and Callus, 1998; Burawoy, 1998). This study ensured that research sites have a common protocol such as the interview or

observation, proper documentation of the techniques utilized and data on the sources of information, such as interviews and archival materials.

3.4 Data Collection

Besides documents and observation, an interview schedule was developed from the variables of the key aspects in the study as displayed on Table 3.4:

Table 3.4 Key Aspects, Variables, Respondents and Research Instruments

Key Aspects	Variables
Social Factors	Employer-employee relationship; housing; access to social services; social activities; migration; and gender issues
Economic Factors	Wages and remuneration; employment and working Conditions; and land rights
Decent work	Labour market security; employment security; work security; job security; skills reproduction security; representation security; and income security
Policy Framework	The Constitution and labour relations act; basic conditions of employment; land tenure act – extension of security of tenure act; and specific programmes for agriculture
Organising	Methods/strategies; informal workers organising experiences and challenges of trade unions, social movements and land rights organisations

Data for the study was collected within the period July to September 2010 in South Africa. The researcher attended South Africa's first National Farm Workers Summit at Somerset West in Western Cape, from July 29 to 31, 2010, where he participated in the conference proceedings and commissions discussions. In attendance at the summit were key stakeholders in the farming sector employment such as the department of agriculture, forestry and fisheries (DAFF), the department of labour (DoL), farm workers and their employers, the farmers and their organisations, and the unions/organisations involved in organising farm workers. At the summit, the researcher had focused interaction with cross-section and groups

of farm workers drawn from all the nine provinces in South Africa, where he had discussions on the social and economic factors in farm work and their relation to organising farm workers. These included the issues outlined in Table 3.4.

The researcher also attended the Khanya College (KC) winter school, in Johannesburg, August 1 - 9, 2010, where he participated in the skill for organizing workshops and the Southern African Farm Workers Network (SAFWN) meetings. During the winter school there were discussions of the organizing activities of, trade unions, social movements, non-governmental, community- and issue-based organizations, and of vulnerable workers such as the farm workers in agriculture and social services. At this school, the researcher interacted, and conducted in-depth interviews, with union/organisation organizers and key informants, who are actively engaged in organizing farm workers in SA. He also interacted with farm workers who attended the winter school.

The researcher also visited the offices of organisations in the Johannesburg and Pretoria, to interact with some of the staff and organisers, as well as observed the workings of these organisations. In all 12 organisers and key informants were contacted and interviewed, and 10 farm workers were directly interacted with and consequently provided answers to key questions, besides the researcher actively participating in discussion forums on working and employment issues in the farming sector in South Africa (see Appendix II for the list of interviewees; and Appendix III for the list of the documents and newspaper reports or articles in SA Media analysed).

3.5 Data Analysis and Presentation

The recorded interviews were transcribed and narrative report developed from the responses on the research themes. Data were analysed on the basis of categories that are relevant to the understanding of respondents' views in relation to the research questions and

objectives; the social, economic and policy context. The findings were written up as text or presented in easier visual forms, for discussion along research questions and themes, highlighting the role of the different variables.

3.6 Conclusion

A case study design focusing on trade union, social movements and land rights organising among farm workers, was employed in the study. The techniques used for gathering information on social and economic factors, and the policy framework and their effects on organising farm workers were; documents, interviews and observation. Data collection was through the researcher's participation in two conferences on employment in agriculture in SA, as well as focus group interactions and interviews with farm workers, unions/organisations' organisers and key informants, in Somerset West and Johannesburg respectively, from July to September, 2010. During this period, in-depth interviews and observation were done at the organisational levels in Johannesburg and Pretoria. Data gathered was analysed and presented in line with the research questions and objectives.

CHAPTER FOUR: SOCIAL & ECONOMIC FACTORS & POLICY FRAMEWORK

4.1 Introduction

This chapter presents the social and economic factors, as well as the policy framework within which organising farm workers and farm dwellers in SA occurs. The issues are discussed with the view to answering the questions of what drivers and barriers to organising informal workers in agriculture, such as farm workers, are. Specific sections in this chapter are; the social and economic conditions faced by employees and the policy framework within which employment occur in the agricultural sector. On basis of the discussion of the prevailing social and economic factors and the policy framework in informal work in the agricultural sector in South Africa, the chapter concludes with isolation of the key drivers and barriers for organising farm workers in South Africa.

4.2 Social and Economic Factors

One interesting revelation was; the difficulties of record keeping and documentation easily explainable by lack of physical access to farms, resulted in failure to draw clear distinction between the working class categories of permanent regular, temporary irregular and seasonal employment in agriculture. This was the major issue observed among the organizers in the trade unions, social movements and land rights organizations in the agricultural sector covered in the study. The complexity of worker-employer relationship makes it even more difficult when majority of farm workers are dwelling on the farm, where the relationship even transcends into deep paternalism. The social and economic factors discussed here include the living and working conditions of farm workers in South Africa.

4.2.1 Social Factors

The employer-employees relationship and its implications for access to the farms, access to social services such as access to education, health and cultural and social activities, housing of workers and their families, gender and migration issues, constitute the social factors covered in this section.

Employer-Employee Relationship

The employer-employee relationship on the farms in SA has been largely described as *paternalistic.* All the respondents identified this as a major distinguishing feature, which makes organizing farm workers in SA an uphill task. As described by one farm workers networks coordinator:

> The relationship between the farmer and the farm worker is fundamentally different from the worker in the industrial company ... regardless of the macroeconomic and social changes. In the first instance, the farmer has a very [in particular] paternalistic relationship with the farm worker. In fact it is almost, that is the best way to understand it, a relationship between a domestic worker and his/her employer. It is very intimate relationship – a domestic worker who is come into the home of the employer. It is like there is not a distance in that relationship; it is immediate kind of relationship (Interview with Coordinator, SAFWN, September 2010).

This relationship is paternalistic, in the sense that it is comparable to that between a father and his children, where the latter depends on the former for everything to meet their living include their social life. This has serious implications for organising farm workers. As it is noted "...the farm workers are almost seen as children of the farmers, where they control every aspect of their lives. This makes it very difficult to organize. They are too afraid of what the farmer might say. That is why the level of organizing is very, very low on farms" (Interview with Programme Director, SS, August 2010).

According to the reports submitted at the first national farm workers summit, the majority (65%) of farm workers dwells on the farms, highlighting the issue of dependence. There are different levels of dependence that cannot be glossed over in organising farm

workers. The farm worker depends on the farmer: for the provision of education for their children, transport because of the distances involved, medical care, and most importantly housing. In other words, the farm worker relies on the farmer for everything in a way that is different from industrial workers. The social life of the farm worker is tied to the farm and the farmer, such that there is not such distance comparable to the relationship between an employee and their employer in industries.

Access to the farm workers on the farm has been noted to be a difficulty associated with this paternalistic relationship between the two parties, and the consequent dependence. Almost every respondent observed that to get to organise the worker one need first to have access to the worker, and the worker is in a private land. The farmer being responsible for the entire social life of the worker implies that the farm worker has a lot to lose, if they should lose their jobs; it means losing access to education and leaving the children with no school, and not getting access to the stores to buy grocery at the end of the month, due to the absence of regular public transport. There are instances where farmers establish schools, build the classrooms on a portion of their land on the farm and pay the teachers. The department of education later comes in to subsidise. This was mentioned by the President of the main commercial farmers' organisation, AgriSA, as some of the good works farmers are doing.

As a result of these social ties, it is even difficult getting access to the farm and the farm workers. As noted by one organiser:

> First challenge is that getting access onto the farms; because in our country we have private property clause [in the Constitution]. So you can't just go onto farm like that, you must have permission to go onto the farms. So if the farm workers are living deep into the farm ... you struggle to go into the farm because the farmer will never allow you. Sometimes when the farm workers live on the outskirts of the farm it is easier to get access onto the farm worker (Interview with Labour Organiser, WFP, August 2010).

Besides the difficulty involved in getting access, there is notably the reluctance on the part of farm workers to join any organization or to form part of any organisation for fears of victimization and losing their jobs. Organisers provided evidence of farm workers losing their jobs in the past for joining unions. After receiving awareness training and information from the union, they get victimised once the farmer finds out. Consequently this has generated a sense of apathy and acceptance of their circumstance among farm workers.

In effect, the paternalistic relationship fostering the dependence and inaccessibility to the farm and farm workers, according to organisers, constitute a major barrier to organising farm workers. This implies that to be able organise farm workers, it is very necessary to understand and possibly break through this relationship. The organiser has to deal with the fact that the farmer is responsible for the entire social life of the worker. The organiser has to contend with the situation that the farm worker is in a private land, and within this paternalistic relationship between the two parties.

Housing

Housing farm workers is another distinguishing feature in term of employer-employees relationship in agriculture. Farm workers and organisers indicated that it is not uncommon to see farm workers housed on the farms. This is reported to be one of the causes of most serious work-related conflicts on the farms, especially regarding cases of eviction, whereby farm workers are sacked from their houses on the farms legally or illegally. As one farm labour organiser expressed:

> I think for us the biggest problem is that the job is tied to the home. So if you lose the job on the farm, the entire family can be out on street, because it is never your home, you can work for 50 years, it is never your home. The law gives you tenure security, but if you lose the job, the entire family can be out on the street (Interview with Programme Director, SS, August 2010).

Neva Makgetla (in Business Day, June 23, 2010; page 13) observes that, "... farm workers are still disproportionately likely to get their housing from their employer, meaning a dispute could threaten their homes and not just their livelihoods". According to Naidoo (2010), dwellers are those who merely live on farms and are employed on a seasonal basis, and this group is the most vulnerable as there is very little or no socio-economic protective measures applying to them. They constitute the bulk of people living on commercial farmlands. Neva Makgetla (in Business Day, June 23, 2010; page 13) reports that, more than a third said they rented housing from their employer in 2007, compared with a seventh of other formal workers."

The issue of farm workers dwelling on the farms has been a contentious one, because the practice allows the farmers to have full access to the farm workers at all times. At the same time this becomes a major source of conflict when it comes to conditions of the houses in relation to deductions of rent from pay. It also becomes an issue for conflict when the farm worker seizes to be an employee of the farmer. As noted Manyathi (2010:14-15), in most instances "farm workers live in squalid conditions with poor housing and lack of sanitation". Although they pay rent for these houses, they are usually evicted when the employment is terminated. Those who live in their own homestead are not allowed to renovate or extend their houses. Compounds and hostels are not durable and properly maintained by landowners, yet the landowners still deduct money for such maintenance (Manyathi, 20100).

Naidoo (2010:15-17) emphasizes that, despite the introduction of labour and land laws, farm workers and dwellers continue to live and work under appalling conditions, as housing and access to basic services have not improved. Further, Naidoo (2010: 15-17) notes that, sixty five percent have no toilets, 84% have no electricity and 86% do not have access to clean, reliable source of water (Naidoo, 2010: 15-17). According to Wegerif et al (2005), farmers see the issue of housing of farm workers and introduction of tenure laws to deal with

conflicts arising from that as unfair, because other competing sectors of the economy like mining, is not subjected to the same kind of treatment. Farmers argue that it is the responsibility of the state to ensure people realise the right to housing, and not for them as private enterprises.

Farm workers' dependence on their employers for housing, is a strong driver for organising because of this fact that, it is the one of the major contentious issues on the farms that affects the lives of farm workers and their families.

Social services/Activities

Social services include access to education for employee empowerment and their children's schooling, access to health services such as medical care, sanitation and safety, and culturally, access to land for burial and funeral rites for the deceased on the farms. Respondents cited the difficulties associated with farm workers dwelling on the farms as; the lack of medical care, lack of schools for farm workers' children in view of the long distance away from towns.

According to Manyathi (2010), because farms are often located far away from service points, farm workers and their families are often neglected by government when it comes to assessing services like social grants, identity documents, birth certificates for children and all other important documents necessary for assessing social services.

In terms of access to health services, Manyathi (2010) reports that, there are instances where mobile unit access is dependent on the mercy of the farm owner. And there have been instances where mobile units have been chased away by the landowners (Manyathi, 2010:14-22).

Of critical importance is the exercise of cultural rights on the farm land. For instance, Sydney Masinga (in the City Press, March 30, 2008; page 6) reported of a case of hundreds of mourners being turned away when a farmer refused to let a 72-year-old man be buried on

the farm in which the deceased was born. According to Masinga, the mourners arrived to attend this funeral at the Welverdiend farm near Limpopo on Good Friday, only to see it was barricaded and they were turned away.

The respondents mentioned limited freedom for social interactive activities such as meetings and communal gatherings, which are essential for organising themselves for collective action on the farms. This is not only related to limited access to the farms due to their spatial isolation away from towns, but also the fact that farms are legal private property. Organisers reported that, inaccessibility to the farms is a major difficulty for securing close social ties with other basic societal units. One farm workers network coordinator observed that "... to organise the farm workers, firstly you have to fight for access. If you have access, the farmer is not going to allow you to have meetings during work, and tea break on the farm almost does not exist".

Spatially, the terrain itself is a major challenge for effective social interaction besides farm workers having long hours of work. The distances to cover travelling from one farm to the other, from one location to another pose a major challenge for organizing activities. As a farm workers organiser noted: "Farms are not like in town where you have all the shops in one place; it is here, then you travel another 60 km or 70km you find another one, 30km or 20km away" (Interview with Farm workers Coordinator, FAWU, September 2010).

Issues of access to social services and the exercise of social and cultural rights constitute drivers for organising farm workers, whereas the challenges of spatial inaccessibility to farm locations and farm workers' limited freedom for social activities such as meetings and communal interactions are effectively a barrier to organising farm workers.

Gender

Respondents have cited gender-based exploitative conditions, such as the practice of paying women less than men, and more importantly this discrimination is being aided by the male workers. As a labour organiser observes; "even though the law says they get the same wage as men, they don't get that". It has also been noted that even provision of sanitary facilities on the farm does not consider the differential needs of women workers. There is also lack of recognition of women's special needs like maternity leave. As observed by a labour organiser; "... to come to things like benefits ..., a lot of the women do not get maternity benefit. They go on maternity leave, but they don't get paid like other workers".

Women are mostly seasonal workers, and most often they are not paid the minimum wage on the farms. A labour organiser observed that:

> There used not to be a lot of women in agriculture. What we've realized is that since the early 1990s, there are women workers on farms. Those women workers are not permanent workers; you find out that they are either seasonal workers or causal workers depending on the season. Whether they are seasonal workers, contract or seasonal workers, you find they don't even get what we call the minimum wage. Another thing that is happening is that they are paid less than what men are paid; this is what we are fighting against (Interview with Labour Organiser, WFP, August 2010).

There are also cases of single women not given access to housing on the farms, because the farm owners tend to recognise only the male partners as the principal occupiers. As reported by a labour organiser, "women workers on farms live on the farms and get access to a house only when they are married. So when they are single women they don't get access to a house on the farm; so you will have to travel in and out of the local township to come and work on the farms, that is also one way they [farmers] exploit women workers" (Interview with Labour Organiser, WFP, August 2010).

In terms of health, women are exposed to risks and hazards such as pesticides, which are causing diseases and even in some cases, loss of babies. As one organiser noted, "many of

them are exposed to pesticides, resulting in many of them losing their babies and getting skin diseases and asthma" (Interview with Labour Organiser, WFP, August 2010).

Of particular concern is that, even in situations of organized workers, the lack of women leadership position is a serious issue, as many male partners do not support the women to lead. As expressed by a farm workers coordinator: "Sometimes you get situations where men say my wife can't be going around in the trade union things" (Interview with Farm Workers Coordinator, FAWU, September 2010).

The issue of gender-based discrimination and inequities is very important in mobilising and organising the working class globally. The structural transformation in the agricultural sector in SA has witnessed the feminisation of farm labour, with increased gender inequalities. This undoubtedly constitutes a strong driver for organising of farm workers, particularly with the springing up of organisations and union such as the WFP and SS in SA.

Migration

Of particular importance in discussing migration are the indications of discriminatory tendencies regarding the presence of migrant workers on the farms. Two kinds of migrant workers can be distinguished: first the migrant workers evolving from direct consequences of structural changes in agricultural production such as globalization, deregulation and privatization that has happened over the years. This comprised the bulk of seasonal workers, once they become evicted off from the farm. Majority of this category live in informal settlements or in the local township, and they commute between the farm and their houses, as local migrant workers. In addition, there are local migrant workers from one province to another, who are used as cheap labour. For instance, somebody will come from the Eastern or Northern Cape to work in the Western Cape, and the farmer or labour broker will want to exploit the worker and pay them less, and the paternalistic relationship does not really change. As it is observed:

> ... even there is a lot of internal migration that happens with workers moving from the Eastern Cape at certain seasons to work in the Western Cape, or seasonal workers moving into the Free State. ... but also from informal settlements in certain places. So the relationship does not really change. Although the farmer is father, so to speak, of the seasonal workers, and his will is law, even the seasonal workers understand it; this is the farmer's house, this is the farmer's dog, this is the farmer's cat, and you don't go near them. So those rules don't severe the paternalistic relationship. That nature of employment doesn't severe the paternalistic relationship, and I don't think it will severe the relationship (Interview with Coordinator, SAFWN, September 2010).

The second group of migrant worker is the immigrant worker, which according to a labour organiser, is a very new phenomenon in SA, occurring over the last 5 to 10 years. They migrate from other countries, particularly another African country, to work on farms in SA. According to a labour organiser, the only reason why farmer or labour brokers will want them is because they are being used and exploited. As noted a labour organiser; "They need work and most of them are illegal in the country, so farmers will threaten them if you don't work with this little pay, we will ensure that you get deported into your country. Or People coming from countries that have had conflicts or wars and this is the point to begin to find a job" (Interview with Labour Organiser, WFP, August 2010).

Evidence abounds that there is reasonable presence of immigrant farm workers, especially from neighbouring countries such as Zimbabwe, Mozambique, Swaziland, Lesotho and Malawi, and from some other conflict-ridden countries in Africa, as they seek refuge in SA. For instance, there are about 25.000 registered Mozambican farm workers in SA, who have moved in over the last 5 years, who are mainly in Mpumalanga, Limpopo and KZN (personal communication, Mozambican Labour Attaché in SA).

There is a perception that employers on the farms tend to hire the services of these immigrant workers with the view to exploiting them with pay far lower than the minimum wage. There is a strong belief that farm owners are also violating the employment rights of this category of workers. Busani Ngcawebi (in the Star, April 12, 2010: page 11) writes that:

“Evidence is also mounting to suggest that illegal immigrants are virtual slaves in the agricultural sector. Their plight is exacerbated by their vulnerability in communities. The rising number of farm attacks in the Cape correlates with the propensity to employ and exploit illegal immigrants on these farms.”

It was reported that crude methods are sometimes employed by employers such as threats of possible deportation, especially for those who are illegally present in the country, to get them working even for longer hours, under unacceptable and exploitative conditions. The tendency to hire immigrant workers under exploitative conditions has been identified as one of the sources of xenophobic attacks on foreigners on the farms. According to the Mozambican Labour Attaché, some of the challenges of the immigrant farm workers include “their status in South Africa, in terms of work permits and travel documents, since most of them come illegally into the country, they are subjected to deportations and exploitation by some unscrupulous farmers”.

In effect, migrant workers are “are regarded as cheap labour because they don’t mind if they get paid less than South Africans. They will take whatever, because they don’t challenge the employers in terms of Sectoral Determination Act. The South Africans don’t get hired or they will be fired, all of them and then they [the farmers] will hire these foreigners” (Interview with Farm Dweller Officer, NKUZI, September 2010).

There is a strong belief that this is a major source of conflict such as the xenophobic attacks in SA. As noted by a farm workers network coordinator; “It makes it easy for political parties to use the presence of those immigrant workers to organize these attacks. They arise as a result of contestations between the ANC and DA, using the youth to organize attacks. Labour brokers also used them, especially the undocumented immigrant workers. Even when they were paid the minimum wages they worked for longer hours. One can say that what is

happening is that they use those vulnerabilities and exploit them as cheap labour" (Interview with Coordinator, SAFWN, September 2010).

In spite of these challenges and conditions, migrant, especially immigrant farm workers in SA face, there are no such efforts of organizing them separately. According to the Mozambican Labour Attaché, his office would not encourage such move for fear of alienating them from locals and the xenophobic attitudes that may follow. However, he opined that such initiatives would have to come from the workers themselves without the hand of his office. But it is a major challenge because the farm workers in general are not unionized in their vast majority (Personal Communication, Mozambican Labour Attaché in South Africa).

With the understanding that full realisation of worker rights are essential for improved living and working conditions, the challenges of migrant labour on the farms can be dealt with, through improved organising of the broader working class on the farms. Since the issue of migrant labour highlights violations of worker rights and exploitation, as well as being sources of conflict, it presents a strong drive for organising farm workers.

4.2.2 Economic Factors

For a long time, work in agriculture has been plagued with informalities, such as lack of proper remuneration schemes, social security/protection such as pension, provident, mutual and unemployment insurance funds, entitlement to rest on leave and public holidays and working hours, and formal contracts of employment. The employment relationship on the farms has been characterized largely by paternalistic arrangement, whereby reward for work is based largely on the generosity of the employer, in a master-serf fashion. This is in sharp contrast to employment relationship that is found in industrial settings, where there are clear lines between working and social living arrangements. The economic factors here include:

the basic working conditions such as wages and remuneration, and other basic conditions of employment; land rights as in land redistribution, land restitution and land tenure; and state of unionization. These constitute core economic factors that are of essential importance to ensuring decent work among farm workers.

As has been noted, the growing global restructuring, deregulation and externalisation resulted in deterioration of working conditions, particularly with regards to the numbers and terms of employment. As noted by a farm workers organiser:

> **...**farmers nowadays are employing less and less people. They want to go mechanization route. They are saying employing a number of people is not productive. They are chasing profit and you find that there is less and less numbers of people. Where you find a number of people, fine, but individual farms and individual farmers employ less people and are using machinery. They will only employ bigger numbers during harvesting time and during planting time. So the response is seasonal; they employ more seasonal workers (Interview with Farm Workers Coordinator, FAWU, September 2010).

Conditions of Employment

The farming sector is reported to be replete with poor working conditions. For instance, Busani Ngcawebi (in the Star newspaper; April 12, 2010: page 11) writes that: "Besides working [poor and irregular wages] for a pittance, they [farm workers] are often harassed, assaulted, not granted leave and denied access to basic services like healthcare and education, etc." According to Busani Ngcawebi; "Studies have shown that poor labour relations and working conditions are prevalent in the farming sector. The labour department recently reported more than 50 percent of the 1000 plus farms it visited did not meet minimum occupational health and safety requirements. That means that thousands of workers work under dangerous conditions."

There are also the problems of long hours of work, including working on public holidays and rest days. Farm workers do not also have formal contract with the farmers. The

basic conditions of employment act speaks about people's right to contract, hours of work, and all the kinds of leave entitlements as well as rest periods. According to a women farm worker organiser: "But what we often find is that in many cases people do not have contracts of employment or in some cases they would have signed, but somehow they don't get copies of agreement, or they secure the work through labour brokers. They don't get contract, no regulation of hours". This conforms to Naidoo et al (2007:43)'s finding that "75% of workers interview did not have a contract of employment and 33% did not receive payslips."

As with most vulnerable workers, farm workers face poor conditions and violations of their rights. According to Neva Makgetla, (Business Day, 23rd June 2010: page 13), less than half of farm workers and a seventh of domestic workers said they got paid leave in 2010, for instance, and only two-thirds of farm workers and a fifth of domestic workers had written contracts..

In spite of the widespread appalling working conditions in the farming sector, there is understanding that not all farmers are engaged in perpetuating these conditions. It is maybe due to the variations based on the farmers' position on the market alluded to by (Naidoo, 2010). As a farm workers organiser concludes:

> Very bad conditions under which people are working; low wages; long hours of work and all these and violence; discrimination; the list is endless. I am talking about the challenges where you have bad employers, because these things differ. There are employers who are trying their best, if I may say so, under the circumstances. They do try to comply and even sometimes go beyond to even give worker equities in the companies, have all these benefits that people have in their workplaces. But the challenges are those who don't have social security nets that are given by employers; your insurances, your pay as you earn insurance, your provident fund, your employment insurance fund. Some employers don't even offer these things and so it is an endless list of challenges (Interview with Farm workers Coordinator, FAWU, September 2010).

The conditions of employment farm workers in SA faced, in spite of the availability of labour laws governing the farming sector, is a clear pointer to the need for organising farm

workers. The presence of organised labour in the sector will likely serve as a catalyst in ameliorating the poor working conditions of farm workers.

Wages and Remuneration

Evidence abound that farm workers are among the least paid and are paid mostly below the minimum wage, to the glaring disregard of the stipulations of the law. This could be attributed partly to the isolated nature of many farms and the relatively poor education among farm workers. For instance, the average farm workers had eight years of schooling in 2010, compared with twelve for other formal workers (Neva Makgetla, in Business Day; June 23, 2010: page 13).

Findings of a research conducted by ECARP on the minimum wage show that, farmers often partially comply with minimum wage regulations by paying the core male workers the minima and atypical and women workers sub-minimum wages (Naidoo, 2010). According to Naidoo (2010), the deregulation in product market has occurred with some regulations in the labour markets through the introduction of labour and tenure laws and the minimum wage for farming sector and this has affected the farmer. Naidoo (2010) argues that, the variations in compliance to the payment of the legally stipulated minimum remuneration by farmers, is based on the position of the farmer on the food chain. While those better positioned comply and pay the minimum wage, those operating on fluctuating and declining markets are mostly the non-compliant of the labour laws on minimum wage for farmers.

There is the Sectoral Determination (SD) for farm workers to get the minimum wages in SA, which stipulates that all workers who work for more than 45 hours a month, meaning even if they are seasonal or migrant worker, are to get paid what the law says. However, respondents mentioned widespread disregard or non-compliance of the law on minimum

wage, especially for atypical farm workers such as casual, seasonal and migrant workers on many commercial farms. This issue of farmers paying below the current R 1362 minimum wage per month dominated discussions at the first national farm workers' summit. Farm workers at the summit expressed disgust about the fact that, beside the often disregarded stipulated minimum wage of R1 362, the amount is pegged at the same as the old age social grant, and this is unacceptable to them as active working people on the farms.

Neva Makgetla (in the Business Day, June 23, 2010: page 13) wrote that: "Of South Africa's 13 million employed people, about 3.5 million earned less than R1 000 a month in the third quarter of 2008. Of this low-income group, 2.6 million are farm, domestic or informal workers – workers in these three sectors make up to two-thirds of the low-income group but account for only 20% of all employed people". More importantly there are reported cases of irregular remuneration besides subminimum payments. As observed by a women farm workers organiser; "They get paid by piecemeal work; they get paid less than the minimum wage" (Interview with Programme Director, SS, August 2010).

Closely related to the pay below the minimum wage and non-compliance on the farms, is the issue of unlawful deductions for rent and other services by the farmers to the farm workers. Naidoo et al (2007:43) reports that besides living under extremely poor conditions, farm workers suffer deductions from their wages of more than the 10% stipulated in the SD provision for the certain accommodation and service standards, as in the case of 34% of the respondents, for accommodation. And so the guidelines on deductions in SD 8 have therefore not discouraged farmers from making other (unlawful) deductions from workers' wage. Naidoo et al (2007: 44) also reported that at the public hearing on SD 8 held in the Eastern Cape in April 2005, officials from the employment conditions commission noted that the unlawful deductions for accommodation are widespread practice. And that, most farm workers did not have a contract of employment nor received payslips. Naidoo et al

(2007:43) argues that, in the absence of employment contract and detailed payslips, it is extremely difficult for workers to monitor and enforce the provisions on lawful deductions.

To make it worse, farmers have started in some of these large commercial farms establishing something that the mine workers in SA know very well; farm shops. According to a coordinator of a farm workers network, this is how the big mine houses used to exploit the mine workers. Because they were confined to the compounds, the mine owner also had a shop, which means that wages he pays are actually spent right there. The farm worker who does not even earn the minimum wage, and cannot get access to grocery shop, cannot survive or feed the children with only fruits, if he works on a fruits farm. He must have some food items. The farmer establishes a shop at highly exorbitant prices, mostly on credit basis. What then happens is that at the end of the month the workers goes home with almost no pay, if not become heavily indebted. Therefore effectively the farmer is getting free labour from the worker.

The issue of non-compliance is seen as one of the challenges, of which the government is implicated. As observed:

> "The challenges are, if you look at the legal situation, it is non-compliance. If the law says you must pay this much, the farmer will not pay that much. But that non-compliance is also compounded by government; they have not enough staff and officials to go round and monitor the situation (Interview with Farm Workers Coordinator, FAWU, September 2010).

However it is also argued that non-compliance of legal stipulations on wages and remuneration is attributable to low organising of the vulnerable workers. According to Neva Makgetla (in the Business Day; June 23, 2010: page 13), "the most important thing is that, workers in these sectors find it difficult to organise for decent wages and conditions". Neva Makgetla is of the view that, farm workers should be better off than domestic and other informal workers, because as in 2010, two-thirds were employed in enterprises with 20 or more workers and two-fifths in enterprises with more than 50. And this means that they

should be able to unionise, and yet in 2008 only one in seven belonged to a union (Neva Makgetla (Business Day; June 23, 2010: page 13). So the widespread low wages couple with poor working conditions among farm workers, and the issue of non-compliance to legislations on labour, provides the more reasons why there must be effective organising among worker on the farms, to afford them the needed strength to deal with the labour-related problems.

Land Rights

Land is a crucial factor in agricultural production. The issue of land is important in trying to understand the situation of farm workers. As observed by a coordinator of farm workers project; "The main challenge is that farm workers do not have land, let alone land to stay. So they are very weak from the onset that is where we are coming from. And that impact on the programmes that you want to embark on" (Interview with Farm Workers Coordinator, FAWU).

The respondents mentioned that cases of eviction of farm workers from the farm lands often begin with unfair dismissals from work, because as discussed earlier, most farm workers dwell on the farms. As a farm dweller officer put it; "It will start by unfair dismissal from your work, and from there it goes to your dwelling place, where you are evicted because you are no more working for him [the farmer or land owner]. So you just get out of the building". The genesis of land rights issues resulting from evictions was narrated by a farm workers network organiser as follows:

> In the 1990s as farmers realized that the transition was coming, there were waves after waves of evictions of farm workers. This gave birth/rise to legislation called ESTA, but what actually ESTA does is; it gives you cover from evictions. So what you then see is the development of informal settlements. For example, the settlement that became famous in the 2008 xenophobic attacks is a typical example of a settlement developed from evictions of farm workers – it eventually become informal settlement. So they are a lot in the middle of nowhere. If you drive anywhere in a length of time

> in the country side in South Africa, where there are farms, empty spaces, and somewhere in the 30km, 40km, 50km radius, you find informal settlements. You wonder yourself how do people come to settle here. These were people that were evicted from the farms; these are the same workers that then provide either seasonal work or seasonal labour via brokers (Interview with Coordinator, SAFWN, September 2010).

Giving the political background to the issue, a land rights organiser explained that.

> Previously we didn't see these eviction things. But when the new government came in, they changed a lot of things, like the labour relations act, and also the salaries of farm workers; they changed the minimum wages. But a lot of land owners or farm owners when this legislation came into being … fired a lot of people. They didn't agree with the new rules in the Sectoral Determination; they fired the people and some even went to the extent of saying "go to Mandela, Mandela will give you the job", fire them; evict them from the property (Interview with Farm Dweller Officer, NKUZI, September 2010).

Land rights are linked to conflicts on the farms, which often leads to evictions of farm workers. In spite of the enactment of land tenure to protect vulnerable workers on the land, as part of the post-apartheid land reforms programme, there is evidence of evictions, which is resulting in worsening social and economic conditions of farm workers. The trend makes it an interesting attraction for organising farm workers in SA, and this highlights the active role of NKUZI and other organisations on land rights.

State of Unionization

Unionisation of farm workers is one important strategy of affording them collective voice and representation security towards improving their circumstance. However, evidence suggests that unionisation among farm workers in SA, is extremely low. Caiphus Kgosana (in the Cape Times, April 23, 2010: page 5) reports that: the secretary-general of COSATU-affiliated FAWU, at a meeting on farm security in Cape Town disclosed that, fewer than 10 percent of the country's 870 000 permanent and seasonal farm workers belong labour unions.

At the first national farm workers summit at the end of July 2010, it was confirmed that the Eastern Cape is the only province with the highest unionisation of about 7 percent.

It was also reported by Caiphus Kgosana (in the Cape Times, April 23, 2010: page 5) that, according to FAWU secretary general, statistics from the department of labour estimated that there were 450 000 permanent and 420 000 seasonal farm workers in SA, and that labour unions across all sectors represented less than 10 percent of these workers. The secretary-general of FAWU acknowledged that: "This is a difficult terrain to unionise and organise because access to farms warrants some permission from the farm owner. They can easily kick you out and say you are trespassing". It was recognised that, the problem was on the ground, where individual farmers often resisted efforts by union organisers to sign workers up.

However it is a widely held views by labour economists and analyst that, unionisation will ensure that members are assisted in cases of disputes over the wages with their employers and during eviction by farmers. There is growing understanding that trade unions can also rely heavily on civil society organisations to take up issues of farm workers abuse when the union was unable to help.

Poor organization among farm workers both socially and economically makes it difficult for them to deal with the challenges of worker rights and ensure compliance of working standards and laws on the farms. Consequently there are rampant challenges of enforcement of decent work conditions such as leave of all sorts, skill training or upgrading opportunities and the right to belong to an organization or association, assured and regular income and other income benefit, social protection provision and operations of provident funds.

It has been argued that the low unionisation among farm workers cannot be solely blamed on the uncompromising attitude of the farmers or employers. As noted by a farm dweller officer: "We tried it in the past, and our problem was that, ... the unions we were

linking them [farm workers/dwellers] with … were not actually that strong to actually handle the challenges that farm workers and farm residents/dwellers are actually facing". The land rights project officer further noted that; "The other challenge was … only to find out that our clients [the farm workers and farm labourer], are not earning enough to be able to pay for the union. That's where you actually find us getting more involved in terms of assisting those clients, as far as going to submit their problems to CCMA … they are not actually earning enough to be able to pay the unions. I will actually love to see them involved in the unions. You find out that either they don't have enough money or the unions around the area are weak".

On pointing out the shortcomings on the part of union organisers, a land rights project officer observed that:

> It is easier for them [the unions] to say they are representing them [the farm workers/dwellers] but only to find out that at some other stages they are actually selling them to the land owners, … whereby he might actually be seen going to see the land owner, and he disappears from there, and he doesn't come back to them. When they phone him, he says "I'm coming" but he never shows up. They suspect that it seems that he's been bribed by the land owners. That is not to say it has not happened; we know it has actually happened with some other people, it's been happening, it's still happening and it will ever be happening (Interview with Project Officer, NKUZI, September 2010).

So it has been established that there is extremely low unionisation among farm workers, which is attributable to barriers such as difficult terrain, inaccessibility and paternalistic farmer-farm worker relationship. However, it has also been seen by many that the problem of low unionisation among farm workers is also a result of the weaknesses on the part of the farm workers or the labour unions. On the part of the farm workers, it is a result of their poor economic status or low incomes, and on the part of the unions, it is the farm workers losing trust in them.

4.3 Policy Framework

As with other sectors, the policy framework is essential for the development and smooth operations concerning employment and securities of both the employers and employees in agriculture. According to Ewert and Du Toit (2005:119); "The most important pieces of legislation applicable to farm workers are: Basic Conditions of Employment Act (BCEA), 1998 and the sectoral determination; Occupational Health and Safety Act (OHSA), 1993; Compensation for Occupational Injuries and Diseases Act (COIDA), 1998; Skills Development Act (SDA), 1995; Skills Development Levies Act (SDLA), 1999; Extension of Security of Tenure Act (ESTA), 1997; Unemployment Insurance Act (UIA) 2001".

Naidoo et al (2007:28) notes that, during the apartheid era, the agricultural sector was excluded from the legislation that regulated labour relations and employment conditions in other economic sectors. From the mid-1990s, labour laws were extended to agriculture in an attempt to bring the sector in line with the socio-political changes that were unfolding. This statutory framework governs employment standards and institutionalises consultative labour relations. After 1994, labour legislation was extended to protect workers in the agricultural sector and a minimum wage for farm workers came into force in March 2003 (Hall, 2003:3).

Extension of Security of Tenure Act (ESTA)

Since agriculture happens on the land, the issue of land tenure is key in analysing issues of the farming sector in SA. The land tenure has frequently been referred to as potentially the most significant of the three spheres of the land reform programme; the land redistribution, land restitution and land tenure. According to Adams et al. (1999:1 cited in Hall 2003:3) land tenure has been defined as 'the terms and conditions on which land is held, used and transacted'. Hall (2003:3) adds that, reforming land tenure involves recognising or

upgrading the informal rights of those occupying but not owning land and is required by section 25(6) of the Constitution, which states that:

> A person or community whose tenure of land is illegally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress (RSA, 1996a).

The land tenure was meant to address the inequalities between owners and occupiers by formalising informal rights, upgrading weak rights and setting in place restrictions on the removal of rights to land (DLA, 1997:57 cited in Hall, 2003:3). On the other hand, the land redistribution and restitution involve the transfer of land ownership from one owner to another, while tenure reform affects the ways in which people hold land (Ruth Hall 2003:3).

As well as setting in place mechanisms to regulate when and how people may be evicted from farms, DLA policy allows farm dwellers to apply for grants with which they can buy land. Two laws have been enacted to give effect to this policy: the Extension of Security of Tenure Act 62 of 1997 (ESTA) and the Land Reform (Labour Tenure) Act 3 of 1996 (LTA) (Hall, 2003: 3).

The ESTA 62 of 1997 was enacted to secure the tenure rights of farm dwellers and to prevent arbitrary evictions. It aims to regulate relations between owners and occupiers by placing rights and responsibilities on both parties and prescribing procedures through which an occupier may be evicted. It also provides for occupiers to acquire long-term security by purchasing land with state support of the Settlement and Land Acquisition Grant (SLAG). ESTA is applicable to people living on farms – on property zoned for agriculture – with the consent of the landowner. This includes farm workers and their dependents as well as those farm dwellers who are not employed in the farms or who are not dependent of farm workers (Hall, 2003: 3).

ESTA creates a category of 'occupier', namely a person who resides on a farm with the consent of the owner. Should this consent be revoked this terminates the right of residence of the occupier, but does not entitle the owner to evict the occupier. Instead, the owner must apply for a court order to effect an eviction. ESTA prohibits the eviction of any occupier unless this is in terms of a court order. In essence, ESTA does for four things: it defines the tenure rights of occupiers; it places duties on the occupiers; it stipulates when and how an occupier may be evicted; and it creates opportunities for occupiers to acquire long-term rights to land (Hall, 2003:4).

A 2001 amendment of ESTA created an explicit right of occupiers, in accordance with their religion or cultural beliefs, to be buried on the farms where they lived and to bury their relatives there, if this was established practice on the farm (RSA 2001: section 6 and 7). Relatives may also visit and maintain family graves on a farm even if they no longer live there (Hall, 2003).

There is important linkage between labour and tenure rights, as the breakdown of an employment relationship, through dismissal or retrenchment, is often a precursor to eviction. ESTA is linked with labour rights in three ways: 1. Employment is a primary means by which people acquire consent to reside on a farm – that is, one's status as a worker influences one's tenure rights; 2. Where the CCMA hears labour disputes, settlement agreements have effectively diluted or negated the ESTA rights of farm workers; and 3. The framework of labour rights has been used to unilaterally alter occupiers' tenure rights. The minimum wage regulations introduced in March 2003 allow for deductions from wages for payments in kind, including up to a maximum of 20% for food and accommodation, has been cited as a problem for ESTA rights, for example where new written contracts include a rental agreement designed to offset the increased wage or even, in some cases, to achieve a net decrease in wages (Hall, 2003: 15-16).

Analysts have argued that the massive loss of farm jobs over the past decade and the rise in the rate of farm evictions to a combination of economic pressures on farmers and farmers' hostility towards labour and tenure laws, in which changes in the global commodity markets have combined domestic deregulation and trade liberalisation to severely undermine the market for agricultural labour (Hall, 2003:3).

Basic Conditions of Employment Act & Sectoral Determination

Analysts have indicated that the labour relations act, does not deal with the setting of wages, nor does it address the extremely low working conditions in agriculture. "The justification for separate regulatory mechanisms for work in the primary sector of the economy has long been recognised", and "was dealt with in the ILO Convention 99 on minimum wage-fixing in agriculture (1951) and Convention 101 on holidays with pay in agriculture (1952). Notably, in the late apartheid years, the agricultural sector was characterised by declining employment levels, rising extreme low wages, significant (albeit declining) numbers of casual employees and rising income levels (Naidoo et al, 2007: 28).

As provided, Section 50 of the BCEA empowers the Ministry of Labour to make SD for workers in a wide range of particularly vulnerable sectors, especially those with; high levels of worker exploitation; low levels of worker organisation or absence of trade unions; and the exclusion of workers from wage regulating mechanisms, within the sector. An SD can deal with a wide range of minimum terms and conditions of the employment, of which the introduction of minimum wages for the relevant sector and area is the most important (Naidoo et al, 2007:28). Statutory minimum standards in the agricultural sector was necessitated by conditions of; absence of trade unions and collective bargaining means, which allowed wage determination to be arbitrary, individualistic and almost entirely within the discretion of the farmer (Naidoo et al, 2007: 28).

According to Naidoo et al (2007:36), the introduction of SD 8 brought some improvement in working conditions and wages for some farm workers. However, there was still widespread noncompliance with the wages rates set. Naidoo et al (2007: 36)'s research revealed that farmers disregarded important provisions of the SD, such as the issuing of proper payslips to workers, payment for overtime and Sunday or public holiday work, and deductions from wages. They noted further that, "the level of compliance varied between and within farms in relation to the type of work, subsectors, gender, type of employment relationship (i.e. permanent, seasonal or temporary), and the geographical area." Naidoo et al (2007: 36) found that, this lack of full compliance with SD 8 "is attributable to the paternalistic relationship between farmers and workers, the lack of a history of institutionalised labour relations in the agricultural sector, the dependence of farm workers on farmers for a job as well as for other services, and the absence of consistent labour inspections and law enforcement on commercial farms".

Naidoo et al (2007:37) reported that, the 2005 employment conditions commission's public hearings around the country to obtain input from different stakeholders on SD 8, revealed the conflicting interests of farmers and farm workers. Farmers and their organisations focused on wages and issues linked to the actual policy provisions of SD 8, while farm workers raised issues around inadequate enforcement and compliance, and poor labour relations.

Testimonies from farm workers at the farm worker summit indicated that, a lot still needed to be done to improve living and working conditions on farms. Farm workers indicated strained relationship with farmers, their main employers. Hostile attitude of farmers is said to have contributed to the politicisation of labour and tenure law enforcement on commercial farms and so reinforce the need for parallel statutory remedies for workers. Evidences of intensifying work and extended working hours can be interpreted as resulting

from the increasingly deregulated product markets and increasingly regulated labour markets. According to Naidoo et al (2007:37), selective and incomplete compliance with SD 8 has had adverse effects on the already strained relationship between workers and farmers on most farms, and so "consultative and cooperative relationships between the parties remain the exception to the rule.

The fact that there is reasonable land and labour legislation for the agricultural sector in SA, presents a strong driver for organising farm workers, in order to ensure decent work through compliance and enhanced farmer-farm worker relations.

4.4 Conclusion

The conclusions drawn from the discussion of the social and economic factors, and the policy framework in relation to organising farm workers are summarised as follows:

Social factors: The *paternalistic* farmer-farm worker *relationship*, which engenders dependency with the consequence of limited access to farms and farm workers, is identified as a major barrier to organising farm workers. *Housing* of farm workers on the farms, which is an extension of the dependency relationship is a major contributory factor to poor working and living conditions and usually a source of conflicts from evictions, is seen as a barrier to farm worker organisers, who some employer consider intruders in a private property. However, the issue of housing is also interpreted as a strong driver when organising is seen as a means for improving living conditions among farm workers. The *limited farm workers' access to social services* such as health, education, transport and utilities due to remoteness of farm locations, coupled with the *limited social interactions* such as meetings and socio-cultural activities, constitutes a major driver for organising to improving living standards among rural workers. These also constitute a barrier to organising as a result of the farm workers' inability to hold social activities. *Gender-based discrimination* against women in terms of job assignments, pay and benefits - provision of housing and other facilities on the

farms - is a driver for organising women farm workers for improved and balanced standards. The *increasing numbers of temporary migrant workers* in SA due to growing informal settlements from evictions and the influx of immigrants, with the attendant conflicts and exploitation on the farms, constitute a driver for organising in the interests of broader working class movement.

Economic factors: The *working conditions* such as poor occupational health and safety, long hours of work with no leave and compensations and lack of protection such as pension, unemployment insurance and provident funds in the SA farming sector, constitute a major driver for organising farm workers to fully realising workers' rights. Extremely *low wages and incomes* from pay below minimum wages and unlawful deductions in the farming sector in SA also constitute a major driver for unionisation of farm workers. Also, *land* being a major productive resource in agriculture, with the abundance of contentious issues of access, security of tenure and evictions, provides a major driver for organising to realising land rights and improvement of the socio-economic conditions of farm workers in SA.

Policy framework: Post-apartheid *constitutional provisions* such as the new LRA and the ILO conventions, which guarantee the right to organise and freedom of association for workers, are amply identified as a strong driver for organising farm workers in SA. Specifically, the *ESTA* which is identified as a key link between land and labour and meant to address conflicts on tenancy and employment, is a major driver for organising for land rights and broader social issues, even though it is seen as a barrier to trade union organising. The *BCEA and Sectoral Determination*, which recognises the significance of the lack of organisation, dealing with issues of disagreements and changing farmer-farm worker relationship, and the varying (non-)compliance, constitutes a major driver for organising farm workers in SA.

The barriers and motivations of organising informal workers in the agricultural sector in SA in view of the identified factors and main issues are summarised on Table 4.4:

Table 4.4 Summary of Drivers/Barriers to Organising Farm Workers

Factor	Main Issue	Driver / Barrier
Social		
Farmer-farm worker relationship	Paternalism and dependence; limited access to farms and farm workers	A major barrier to organising when organising is seen as interruption in the relationship
Housing	An extension of dependence in employment relationship tying social life to working life; poor living conditions; conflicts leading to eviction cases	A barrier when organising is viewed as an intrusion in private property; a driver when organising to improve living conditions
Social services / activities	Limited access to social services (health, education, transport and utilities) due to remoteness of farm locations; limited social interactions and conflicts over important cultural rites like burial (linked to land rights)	A driver for organising to improving living standards among rural workers; a barriers to holding social activities essential to organising
Gender	Discrimination against women in terms of job assignments, pay and benefits; provision of housing and other facilities on the farms	A driver for organising women farm workers for improved and balanced standards
Migration	Increasing temporary migrant workers due to growing informal settlements and evictions; influx of immigrant farm workers; source of conflicts resulting from exploitation on farms	A driver for organising in the interests of broader working class / labour movement
Economic		
Conditions of employment	Poor working conditions such as poor occupational health and safety, long hours of work with no leave and compensations; lack of protection such as pension, unemployment insurance and provident funds	A major drivers for organising farm workers for improved standards and workers' rights
Wages & remuneration	Extremely low wages and incomes as a result of pay below minimum wages and unlawful deductions	A major driver for unionisation.
Land rights	A major productive resource in agriculture; access to land and security of land tenure; conflicts leading to eviction cases	A major driver for improving access to land and land tenure protection
Policy Framework		
Constitution, LRA & ILO Conventions	Constitution guarantees the right to organise and freedom of association; international standards for employment relations	A driver for organising of all forms
ESTA	A major link between land and labour; tenancy is linked to employment; conflicts and eviction protection	A major driver for land rights, social movement organising; a barrier to trade union organising
BCEA & SD	A major source of disagreements; changing farmer-farm worker relationship; different interpretations and varying compliance.	A major driver for trade union and social movement organising

CHAPTER FIVE: ORGANISNG FOR DECENT WORK IN AGRICULTURE

5.1 Introduction

The previous chapter clearly maps out the key drivers and barriers to organising farm workers in SA within the context of the social and economic factors and the policy framework. This chapter discusses the specific cases of practical organising activities among farm workers in SA, namely; the trade union, social movement and land rights organisations. These are discussed in terms of the challenges and strategies of the organisations in organising farm workers in SA.

The arguments are centred on the fact that there is extremely low organising among farm workers in SA, and this contributes to the decent work deficit and worsening socio-economic conditions among farm workers. As such, it is argued that effective organising would result in decent work, improved living and employment standards among farm workers. In essence, this chapter seeks to answer the question of how informal workers, particularly the farm workers, can be effectively organised to ensure decent work in the agricultural sector in SA.

The sections cover; firstly, the organising experiences of organisation working with farm workers, and secondly, how effectively farm workers can be organised to ensure decent work. Conclusions are drawn on effective strategies for organising farm workers for decent work in the agricultural sector in SA.

5.2 Cases of Organizing among Farm Workers

Organizing among farm workers covered include; the trade union (mainly COSATU affiliated FAWU), social movements (mainly SS and WFP) and land rights (NKUZI).

5.2.1 Trade Union Organising: FAWU, COSATU Affiliates

The Food and Allied Workers Union (FAWU), is the only affiliate of the congress of the South African trade unions (COSATU), the largest trade union federation in South Africa, solely designated for the organisation of farm workers in SA. FAWU's role in the farm workers sector heightened after SAAPAWU was integrated into the organisation in 2004.

FAWU has been in existence since 1941, and it was formed basically to deal with workers in the food sector. Its membership has been largely workers in food and beverages canning industry. In recognition of the importance of the value chain in food production, the unionisation expanded in primary and secondary agriculture. As evolving trade unionism, it became clear that farm workers should be given special attention. Consequently a decision was taken in 1991 at the COSATU level, that there should be a farm workers trade union.

In 1995 the farm workers project came into existence and a trade union, called South African agricultural plantation and allied workers union (SAAPAWU) was formed. Although this organisation was formed from a number of trade unions affiliated to COSATU, a bulk of the members came from FAWU and other forest union organizing forestry workers. The ones that were at the primary level of production in food and agriculture were shifted to this new union, such as the paper and print and allied workers union (PPAWU); other members came from the clothing union, which is called SACTU (South African Clothing and Textiles Workers Union) today; workers that were working in the growing of cotton had to be shifted to become part of this new union. SAAPAWU had support of many trade unions, especially from the COSATU affiliates, though others came from other independent unions.

The new union had about 30,000 members with majority of them coming from FAWU. But due to the challenges and difficulties in terms of organizational strength, this new union apparently could not survive and so collapsed. Although there was formation of this new union, FAWU was always there and even offered officials to support that

organization. In 2004, there was reintegration of this new union into FAWU. Consequently FAWU found itself not only organising food and beverage but also going back into organizing farm workers.

The story of the collapse of SAAPAWU in 2004 and its consequent reintegration into FAWU offer a clear picture of the palpable difficulties of trade union organising among farm workers in South Africa.

FAWU has got in total 140,000 members, of which about 25,000 are farm workers. Farm workers in total are in the region of 750,000 to one million, depending on where they are nationwide. FAWU only organized about 3% of the total farm workers (farm workers project coordinator, FAWU). According to the farm workers project coordinator, organising farm workers is not as an easy task; it is a task that FAWU strategizes all the time to see what it wants, what type of organization it must have, what type of programme it must embark on, what type of governance and how to deal with employers.

FAWU's Organisational Policies for Farm Workers/Dwellers

According to the farm workers project coordinator, FAWU has developed a specific policy on farm workers. The policy has four legs; it tries to address the *living conditions, the working conditions, the organizational issues and the political issues* that affect the organization. The policy recognises that mostly in SA, farm workers' working and living conditions are intertwined, in the sense that most of them grew up in the farms and work in the farms. Therefore their work is tied to their living and hence the problem that "if a farm worker has got an issue that escalates to a disciplinary hearing at the working place, it is likely that when they lose their job, maybe if they are dismissed, they will also lose their accommodation." FAWU sees this as a challenge, and consequently fashion its policy in a way to address all those inequities.

It is also looking at how best as an organization, to structure itself to be able to organize farm workers. FAWU's organizing strategy, developed over the years, is specifically designed to deal with farm workers in full recognition of their unique nature. This strategy seeks to tackle challenges such as the distances, illiteracy, and the conditions regarding non-compliance by employers. It also recognises the economic situation and issues regarding the property clause in the Constitution.

In view of unfriendly laws in the statutes, FAWU's policy tries to address the limitations; some are political issues, and can be dealt with at the political level, and although working conditions has to deal with employers, the living conditions are also linked to government. Organizationally, FAWU also assesses its strengths and weaknesses to see how it can structure itself to be able to deal with these big challenges. The policy also includes not only farm workers, but also farm dwellers on the farm; "it is better to liberate everyone to change for the better" (Farm Workers Coordinator, FAWU).

FAWU is of the conviction that farm workers are very much organisable, if supported: by institutional framework of government, for example, if services are to be given they have to be given equally, and even more abundantly to the farm workers, because of their situation; by sister organizations or other trade unions, for example, the affiliation with COSATU is able to secure them funding, even from international donors; and by the union itself being strong, through empowerment of farm worker members and strengthening democratic culture in its structures.

Challenges Encountered By FAWU in Organising

FAWU acknowledges that, it has always been difficult to organize farm workers and farm dwellers, even with the enactment of the labour and tenure laws. According to farm

workers project coordinator, the challenges FAWU encounters in organising farm workers are:

The poor economic status of farm workers and the lack of resources is impacting adversely on the programmes to embark on for them. For instance, it is difficult to get resources to organise training or empowerment programme farm workers. Organisers need to be paid better salary so that they can do better work, especially in terms of incentivizing and giving some benefits to the officials. Organizing a sector of people who are low paid is extremely challenging, and so the organization cannot be compared to for example the teachers union, who get better paid.

There is difficulty in getting access to the workplace because those farms are not only workplaces, but also homes of the employers. There are also long distances to travel from one farm to the other, from one town to the other, to organize.

The organization of farm workers is very weak such that it is even difficult to organize a strike. Since it is weak, all FAWU can do is to go and talk to government and the political organizations in order to influence policies. This means that, an organiser needs to be resilient; "love your work and know under what political and economic situation you are operating in, and what your goal is in recruiting and bringing in numbers" (Farm Workers Coordinator, FAWU).

There are a lot of other political issues to work in such as dealing with the inseparability between politics and the bread and butter issues. The political and economic policies being pursued by the government's privatization of state enterprises is resulting in loss of members. An example is cited of the sugar sector in Mpumalanga, where workers in the milling are more organised with a bargaining council. While the ones that are into growing and cutting the cane are not organized, and so they are not part of the bargaining

council. This was as a result of privatisation of that subsector, which allows employment by labour brokers.

The main issues FAWU deals with in organising farm workers are: non-compliance of labour standards by farmers, such as non-payment of the minimum wage as the law stipulates, which is compounded by government's lack of staff/officials to go round and monitor the situation: the bad occupational health and safety working conditions; low wages and long hours of work; lack of benefits and social security nets (insurances, unemployment insurance fund and provident fund); violence; and discrimination.

FAWU's organizing strategies for farm workers

FAWU sees organizing all farm workers as its duty and responsibility. It does not organize according to categorization; it organises all farm workers when they meet them, irrespective of them being seasonal, migrant or permanent. It also takes into consideration that their precarious situation differs from one farm to another. FAWU organised migrant workers who come from outside the borders of South Africa such as Zimbabwe, Mozambique, Lesotho, Swaziland, because it is considered as their duty and responsibility to organize them to deal with the issues among these workers.

FAWU admits that organising seasonal workers is possible only where it can come into agreement with the employers; it depends on the cooperation or the hostility of the employer. FAWU can secure an agreement with the employer to ensure the employer gives the seasonal workers first preference in the next season of employment. According to the coordinator of farm workers project, although it is very difficult to agree under those circumstances, FAWU is able to organize seasonal workers, and they pay subscriptions. Seasonal farm workers only pay subscription when they are on season i.e. subscriptions stops during the off season and starts again during the on-season employment. FAWU recognises

that there is a lot of administrative work that must go into this, in terms of controlling members. This actually raises the issue of cost-effectiveness for trade union organising among seasonal workers.

Farm Workers' Response to FAWU

According to FAWU"S farm workers' coordinator, farm workers know their plight is dire, and they want to get out of it, through organising. But it is difficult for them to organize themselves into organization they like. However, the mushrooming of trade unions, some of which are performing disastrously in servicing, maintaining and making sure that the workers are protected, is problematic. This brings to fore the challenge of the crooked ones, which are generating mistrust of trade unions among farm workers. This places trust of trade union organising among farm workers on high pedestal, and the lack of it can be a serious setback.

According to the farm workers coordinator, FAWU's experiences working with farm workers reveal that there cannot be one kind of organisation for this category of workers; it must be through collaborative efforts of trade unions, Non-governmental organizations (NGOs), political organizations. FAWU realizes there are some things they can do and others they cannot. For example, as a trade union, FAWU defends workers at the work place, but at the local level there are things that go beyond this scope. NGOs need to take up those issues, and maybe political organizations can take up the issues further. According to the coordinator, there should be a synergy among NGOs, trade unions, and political organizations, including government. However he thinks that the more organized workers are under trade unions, the better it is for them to advance on the other challenges they want to overcome.

Evidence suggests that political organizations like the ANC, for example, have tried organising farm workers into the political party. When the workers begun saying their

problems to the ruling party, some of which are work-related, the political party could not go to the employer to talk wages. This is because the employer would not discuss work-related matters with the politician. If a political party is not aware of these limitations, it will confuse workers. Considering the strength of the workers, the political party leaders are likely to tell them to go on an illegal strike, boycott and so on. And when the workers embark on these activities and come back to the farm, they get chased away or dismissed. All the same, according to FAWU, the trade union is also concerned that workers must also join political party where they are, because of their alliance with the ruling political party. They work together with NGOs and other societies in the areas by embarking on joint campaigns.

Organizations FAWU collaborates with

These organizations are mostly provincially or locally local based and include:

- Nkuzi Development Association in Limpopo: FAWU has had close links with this organisation, and even had a strategic planning meeting with them in 2007, where they looked at what and who to be working with by identifying strategic partners;
- Transvaal rural action committee (TRAC) in Mpumalanga;
- Women on Farms Project, in the Western Cape: They have held meetings and forums, and even embark on common campaigns on farm workers issues at the province level;
- Association for Rural Advancement (AFRA), in the KwaZulu-Natal: They have been working with them on farm workers issues, such as land rights, working and living conditions;
- Centre for rural legal studies (CRLS), in Stellenbosch, in the Western Cape: Together with CRLS and AFRA they have conducted empowerment training workshops for organizers in all the provinces, to enable them understand and address the realities and conditions of farm workers, such as the issues and the laws that govern farm workers;

- Danish International Development Agency (DANIDA), at the international level: FAWU secured funding from sister unions in Denmark for the farm workers project; the project focuses on mainly farm workers and their issues; and
- Sector education training authority (SETA), at the national level: FAWU secured funds from SETA to be able to provide skills for farm workers from the trade unions' perspectives. The challenge is that FAWU is, the issue of what skills and for whose benefit, since the SETA funds are money from the employers, vis-a-vis the employers' influence.

Attitude of the Employers (The Farmers)

FAWU's experience revealed that some farmers do not see it a problem when the union work with farm workers, while others are very hostile; some farmers do not want to see their workers joining a trade union, and so they would not allow access to their property or even allow the union to train the workers.

On the other hand, farmers are more organized, in organizations such as AgriSA and DAU-SA, which are affiliated to bigger industrial employers' associations that the government heavily relies on. According to FAWU, these organizations are not necessarily friendly with trade unions; some of them do not pay the minimum wages, some do not want workers to join organizations of their choice, and others do not even allow workers to cast their votes during national and local elections. During campaigns, FAWU signs memorandum of agreement with the employers that they allow workers to vote. According to the coordinator, even when farm workers secure their identify documents to be able to access basic services, some employers take those documents and keep them away, thereby preventing them from voting during election.

The narrations of FAWU's organising experiences, challenges and strategies in view of the extremely low state of trade unionisation among farm workers in SA points out that , the trade union model of organising among farm workers is fundamentally not effective:

It appears that *firstly that the trade unions have not properly understood the peculiar nature of the industry itself*. In SA, the restructuring and political legitimatisation with the demise of apartheid has been cited as major changes that transformed fundamentally the labour movement landscape.

By 1994, South African corporations first moved out to Southern Africa Development Community (SADEC), and then to the rest of the world through diversifying and transforming themselves from predominantly strong industry to finance corporations, which becomes the case all over the world. Industrial capitalism is no longer the predominant form of accumulation, and accumulation is now via stock exchange, i.e. *financialisation*. These changes resulted in job losses in SA, which continued from the 1990s all the way to today, whereby hundreds of thousands of workers have become unemployed.

The base of the unskilled and the blue colour workers, does not exist anymore because those workers have virtually become destroyed into sorts of informal employment. So SA unions now rest on very unstable layer of few permanent workers, while the majority of workers are in the informal economy. In the agricultural sector, the unions are not looking at the fact that their foundation has been restructured. They rely on a very small percentage of people within the working class, and the majority of the people have not been organised. The unions are not effectively orienting themselves to the so-called informal sector or atypical workers, as they believe it is difficult to organise.

As indicated by the trade union organisers, one of major difficulties for organising informal workers in agriculture is the *ambiguous employment relationship*: In the early 90s there was no ambiguity regarding the employment relationship. Every employee knew who

the employer was, and so negotiations were done on behalf of all workers, including casual workers. The working class by then secured some victories.

There is a strong belief among trade unionist, as mentioned by FAWU, although the new Labour Relations Act (LRA) brought a lot of positive things for unions, there were also very important losses. The right that if a union is able to organise workers it is recognised, was taken away. Organising workers now depends on worker strength, and the employer is no longer compelled to recognise the unions. Union recognition now depends on organising the workers and forcing them to go on strike, which is a very difficult thing to do.

Introduction of labour market flexibility was one of the losses. The only way capitalism could manage to structure the relationship was first to take war onto unions; that is retrenchment. And whilst unions were busy with retrenchment, there was the introduction of labour market flexibility. Besides fighting flexibility and job losses, workers were also fighting the restructuring of the fundamental processes of the relationships whereby the employers were now allowed to review almost all important victories that were won through negotiation.

Agriculture never escaped from those structural changes. SA had a system of agriculture under apartheid which was heavily subsidised for commercial farmers. The state provided almost free monies for commercial farmers; they could get inputs (diesel, etc), established marketing boards for the wine industry, oranges, fruits, apples. It was all good because besides government support in terms of farming inputs, farmers also had already made market for their produce. They had already made market for produce – the coops were guarantors for all the farmers' produce. SA was food sufficient country with developed large scale white-dominated commercial agriculture; there were not small farmers (Ewert and Du Toit, 2005; Naidoo, 2010).

One of the effects of this change in agriculture was the entry of large multinational agricultural corporations into agriculture. The process of structural adjustment removed all the social investment in the name of reducing cost. The state reduced all these social investments and the money generated gets taken up by all the big corporations. The state now offered money to the big corporations through reduction in taxes; capital had more money to invest in other places, resulting in an attack on the individual farmers. Hence these farmers begin to sell off to commercial large industrial agricultural corporations. The coops which were public bodies became privatised and the market bodies were done away with. This means that a farmer must win money in the open market; he must trade, which also depends on the exchange [rate]. This marks the entry of speculative capital into agriculture, which then forced a lot of these farmers out to facilitate the entry of these big multinational corporations (Naidoo, 2010; Ewert and Du Toit, 2005).

The state already in the 19th century also dealt with the issue of smallholdings that people used to have some time ago by forcing the people out of the land and making sure they congregate in the townships. By the 1970s there is very tenuous relationship between people in the townships whose relationship with where they come from were completely severed.

The agricultural industry became highly developed, with no small farmer, except commercial farmers. As the relationships get restructured, with the entry of multinational corporations in the agro-industry, the destruction of agricultural marketing boards, the farmer then begins to feel the pressures of neo-liberalism in the agricultural sector. This impacted on the farm worker in a very fundamental way.

The farmer-farm worker relationship in agriculture: This is fundamentally different from the worker in the industrial company. The farmer has a very paternalistic relationship with the farm worker. Essentially, firstly, the trade unions appear not understanding the

employer-employee relationship, and therefore transporting a model of organising directly from the industrial sector into the farming sector, which is a very atypical situation. Secondly, the unions appear not understanding the structural changes in the agricultural sector that has happened, and thirdly, the unions are not being able to change the model of organising to suit the circumstances.

This suggests strongly that there is the need to reconsider and rethink the trade union model of organising among farm workers in SA. The pictures within the farming sector as seen in the trade union experiences and challenges are that: they are battling for access to the farms, which are private properties, which is reinforced by the paternalistic relationship; the challenges of farm workers not allowing meetings during work [and the farm worker's free time is most probably is during the night]; the increasing trend of casual and seasonal workers [2 or 3 months contracts], with a thin layer of permanent ones; and contending with mobile workers and cost-effectiveness of subscriptions. Are trade unions prepared to change their model of organising? For example, can FAWU organiser be convinced to change his working hours from 6.00 in the night to 3.00 in the morning. Maybe if he even persuades the farmer to make subscription deductions, but by the time one subscription is paid the mobile workers are gone. The question is: how much time has been spent organising those farmers, what is the cost-benefit for the unions?

One notable effects of the changing organising terrain in the farming sector is farm workers' very bitter experiences with trade unions organising them. It appears farm workers in SA know about unions. There is a long history of South African workers organising themselves into unions, with successes as far back as in 1912 described as the ICU days (Interview with the Coordinator, SAFWN). However, SA has very negative experience of unions, where the organiser goes to organise workers, the workers go on strike, and then the union will disappear. The organiser organises the workers, the farmer will dismiss them, and

the unions are nowhere to be found. It is because of a combination of problems; the trade unions do not sufficiently understand the problems or if they understand, they have not taken appropriate measures to address them.

The relationship between farm workers and farmers is a close one, and the nature of farm work itself is a problem, and structurally the unions appear not geared up to organising farm workers.

From the foregoing, the question of farm worker/dweller organisational forms becomes crucial to the debates around transformation in rural areas, given that established unions have not had much success in organising the sector. New forms of organisations are emerging, through farm and area committees, and these structures are strongly rooted at the level of farms and comprise all who live and work on farms. These organisational structures need to be encouraged, as opposed to waiting for a union to arrive on the farm to organise (Naidoo, 2010:15-17).

So the question of organizing is to work with the farm worker as a social being, and not just organizing in the spheres of employment. These new forms of organising have in mind the entire conditions of the farm workers. For example, whether it is the question of cultural activities, organizing sporting events, organizing rallies, there is a lot of political mobilization of community and workers. Obviously there is a lot of political and ideological confusion that goes on especially within COSATU and its affiliates in the trade union front, as far as organising farm workers are concerned. The political and economic struggle of the working class can be won by organizing the informal workers. But the composition of the unions in COSATU does not even reflect the majority of the people.

5.2.2 Social Movement Organising: Sikula Sonkhe and Women on Farms Project

1. Sikhula Sonke

The Sikhula Sonke (SS) started in the Western Cape in 2005, with a staff of four women. Now with a membership of 5,000, it is experiencing an average growth rate of 1000 per year. Currently with a staff of nine, it is very small and not old, but presents an organising model that is completely interesting.

The SS model of organising

The union itself is interesting; it is a woman-led union, and their Constitution stipulates that the majority of people who hold positions in the union must be women. Farm work in most instances is feminine. Parts of the changes in the labour process have included the feminisation of labour. For many reasons farm work attract women because they are more dexterous, especially when it comes to picking and packing. Employers prefer women for their ability to handle fresh apples, especially for the export market. Women also are much easier to handle, as some farmers do not like workers who flex around with strikes. Women are also paid less than men. Some men will say 'how can I earn the same as women?' If the women are organized it is accepted, and so SS has found innovative solutions to solving the problems.

Firstly, when SS organize, they organise in totality; they do not first organize by taking up the wage issue. They take up whatever issues that is in the farm. If it is a question of access to the clinic, access to sanitation, employment contracts being in the name of men, and if the men get evicted, the families get evicted, or an issue of water, that is what they take up. SS does not just take up the issue of wages, or first start organising with the issue of wages. They start by taking up issues that are of concern to the farm workers.

Secondly, the way SS define a member is very flexible; a member is not someone who just pays subscription. They have various definitions of members; a member can be someone who is a retired farm worker, someone who is a seasonal worker, someone who is a permanent worker, or someone who works for the labour broker, it does not matter. Even when the person is someone who is sitting at home for half of the year or when they become employed for a year, they still remain members. They are all included in the activities of the union.

The union undertakes a variety of activities; whether it is a match, all members will come out. If there is the need to match against the local council to force them to provide water, because workers do not have water in the homes on the farms, that is what they take up, and all workers will go. For example, at the beginning of the year they will organise all the school children in the farms. They will go to corporate bodies and secure donation of shoes for children. Other companies will donate shirts, and this becomes big celebration for the community.

Funding: It is arranged such that even the unemployed are also expected to make contributions, which obviously does not have to be much; there is one-time fee for the unemployed for a year, and it is about R30 for the entire year. The union does not survive on subscription; they have to look elsewhere to sustain the infrastructure and administration.

Organisers: They have the condition that, any organizer that is employed, has to have been a farm worker. There is no issue of exporting someone to the farm, when the person has no idea of what is in there. All their officials are farm workers. They have a strategy of constantly looking among the members to see who has the interest and can be developed.

Their model of organizing is completely different from that of FAWU and the other traditional trade unions. For them it is important to struggle against that farmer-farm worker relationship. The best way of struggle against that relationship is to take up the immediate

concern of the farm workers. So will FAWU be prepared to match against the local council, especially with the political alliance? The organiser will get a phone call from head office or the provincial minister to ask him what they are doing. SS does not have all the complications of checking to see whether politically they are protected from what they are doing. SS takes up the issues in whatever ways. They work with NGOs, movements, anybody in the community, burial societies, soccer teams and choirs.

Organizing Challenges

According to the SS, there is very low level of organization on the farms because the farms are very isolated and very distant. SS also face difficulty in getting access to the farms, since they are private property.

The issues that they engage in are: evictions on farms; the fact that farm workers do not have contract of employment and employment through labour brokers; no regulation of working hours; piecemeal or less than minimum wages payment; no protective clothes and toilets – health and safety; and the issue of jobs tied to homes – "lose job lose home"; and lack of access to social services (Interview with Programme Director, SS).

Strategies for Organising

- SS Organize all workers; seasonal, temporary, permanent and unemployed in recognition of the fact that farm workers' homes are separated from work.
- It lobbies government, exposes issues in the media, and inform buyers of farm products (exploiting the links in the product chains).
- SS engage retailers and decision makers or buyers. This is done within the spheres of the ILO conventions and the respect for freedom of association.

- SS also makes oral submission on public hearing on sectoral determination, and advocates for a living wage for farm workers.
- It makes submissions to the CCMA for access to farms, as a result of backlash from farmers, who do not want a third party person, between them and farm workers.
- SS train members to exercise their rights and to deal directly with the farmers without the union intervention in negotiations of provident fund and other benefits.
- SS also build community of cadres among farm worker communities on the ground.
- SS employs the strategy of community against farmers in which they only come in to intervene, especially on cases of eviction on the farms.

2. Women on Farms Project

The Women on Farms Project (WFP) started organizing women farmers in the 1996. It operates in the Eastern and Western Capes. WFP's programmes include social security, cooperative, labour rights, health, and land and housing. The membership figures ranges from 500 to 800 members, and the reason for very slow increasing numbers is that, once a group of women is organized they get dismissed by farmers, and a new group has to be organized again (Interview with Labour Organiser, WFP).

Organizing Challenges

According to WFP, farmers are against organizing around labour rights, the minimum wage, and evictions. WFP also faces difficulty in getting access to the farms. According to a labour organiser, women are not eager to join any organization for fears of victimization and loss of job, and consequently they are in apathy and acceptance of their circumstance among them. This informs WFP programmes on awareness creation and empowerment.

WFP also faces the challenges of globalization and privatization, as in the increasing trend of more seasonal than permanent farm workers. Another challenge for WFP is the growing phenomenon of migrant workers, both locally and provincially; seasonal workers and across borders from other African countries. WFP recognises that, differences among farm workers are registered in the levels of payment, with migrants being paid less. This is fuelling the perception among indigenes that migrants who are mostly hired are stealing their jobs. According to WFP, alcoholism among women farm workers also affects the times for meetings and other organising activities among farm workers.

WFP Organising Strategies

WFP hold focus group meetings with women, where they inform farm workers on what the organization does. It embarks on awareness campaign programmes and organizes training for women farmers. They emphasise that the farmers must establish their own committees, and choose to belong to a structure in WFP, and these include; the social security, the labour rights, the health, and the land and housing. WFP gives information on the right to belong to a trade union, and the need for farm workers to take charge of their own organisation.

5.2.3 Land Rights Organizing: NKUZI

The Nkuzi Development Association (NKUZI) was formed in 1997 with two staff helping communities with restitutions applications. It has a current staff of 18, with oversight from 10 members of the board of directors. NKUZI is a non-governmental organisation working with farm dwellers in Limpopo and Gauteng provinces (NKUZI Annual report 2008).

NKUZI Programmes

1. *Community-support and assistance*: provision of support to landless communities in fighting evictions and other human rights abuses, finalising restitution claims and accessing various land reform and other government programmes;
2. *Land rights legal unit*: provision of quality specialised legal services to landless communities – particularly farm dwellers and restitution beneficiaries;
3. *Research and policy, compiling and sharing information*: critical analysis and recommendations related to agrarian reform and advocating for pro-poor alternatives; and
4. *Support to new land owners* – enhancing productivity and securing livelihoods: help communities access appropriate training, appropriate technology and markets (NKUZI Annual Report 2008).

NKUZI's Organising Activities and Strategies

The land redistribution: NKUZI assists farm workers / farm dwellers, when they are being threatened with eviction, by negotiating with land owners to sell the property or piece of land to the occupiers. This, NKUZI does with the support of the department of land affairs, which normally purchases the piece of land. It also assists farm workers / farm dwellers with drawing of a plan or business plan for the use of the land. If the land is just for dwelling or if part of it can be used for farming, they are encouraged to do that, so that they are able to feed themselves and to hire other people from outside their community to be working on those farms.

The land restitution: It is more of the lobbying for communities to get back the land that was taken away from them during the apartheid era. Whereby the clients are successful to get back their land, NKUZI assist them in training on what to do with the land, by way of

getting them to know what is expected from them, especially as outlined in the government manual in place. If it was a farm that was taken from them, and was used for animal production, or if it was land that was used for crop production, NKUZI assist them along those lines. NKUZI also bring in government, especially the department of agriculture (DoA), to assist them with training in whatever production that they will engage in on their land. NKUZI assists in the formation a committee that is driving their concerns to the government. But when the farm workers / farm dwellers get their land back, they are assisted to get another committee – the communal property association (the CPA), which will be the managers of the acquired land, and the CPAs are assisted with training workshops.

Land tenure: The organisation mainly deals with cases of evictions. The problems normally start with cases of unfair labour practices, which are mostly referred to the CCMA. Collaborating with Social Surveys, a research company, NKUZI carried put a national survey which measured the number of people who were evicted from farms in the 21-year period of 1984 and 2004, and found that two million people were evicted from farms in SA. And of these more than one million were evicted after post-1994 democracy. More than 75% of the evictees were women and children. The majority of people who were evicted ended up in informal settlements, in the poorest sections of townships, and former Bantustans (NKUZI, *putting farm dwellers on the agenda*). NKUZI encouraged the farm workers to report whatever problem that they come across to their own committee, which the organisation helped them to form in the land tenure and farming communities. And, if it is something that is beyond the knowledge of the committee, they call NKUZI staff to come in.

Having found that, of the one million black evictees from white farms since 1994, of whom 48% now live in townships, mostly in poorest sections, 30% now live in informal settlements, 14% now in live former homelands, and that only 1% all evictions were carried out per a court order; NKUZI is engaged in campaigning calling on government to implement

a moratorium on evictions as a temporary measure until new legislation and programmes are in place to properly defend farm dwellers (NKUZI, *putting farm dwellers on the agenda*).

NKUZI also collaborates with some unions on farm workers / farm dwellers issues in organising campaigns, research/studies and training/workshop programme, for example, with WFP, AFRA, FAWU, SCLC and TRAC. Through the workshops NKUZI runs, where farm workers / farm dwellers are taught their rights, and through their interactions with others, the organisation is known in most different areas.

NKUZI normally works with the councillors from the municipality, who persons who look after the people, depending on which area, on the farms and in the communities. Normally in times of elections, the councillors need to know where those people live in order to canvass votes for election.

NKUZI used slogan like "Nkuzi never sleeps" – it means anytime of the day when farm workers / dwellers come across a problem they can phone the staff. According to a Farm Dwellers Officer, it is no more like that nowadays, as some staff members switch off their phones. However, this proved very useful.

Challenges Encountered By NKUZI:

Evictions: The challenges NKUZI comes across are; *first there are issues of unfair dismissals from work, and evictions*. Normally the clients are encouraged to resist the eviction, if it is unlawful in the form of the verbal order. For it to be lawful, they need to be served first with notice, which they (evictees) send to NKUZI for direct communication with the farm / land owner. When written to by NKUZI, in most cases the farmers or land owners will either refer the matter to their lawyers or they will not respond immediately. The silence could take as long as about a year, before they bring in a lawyer with the eviction notice.

Farm/land owners' wrong use of legislation: Although the Act that actually governs eviction is ESTA, most land owners and their lawyers often use wrong piece of legislation. NKUZI will challenge the farmers or land owners and send the case to the Land Claims Court (LCC). The LCC will determine that they have used the wrong piece of legislation into a wrong case, and normally refer it back it where it is to be heard.

Employers' Attitudes: NKUZI has experienced dealing with farmers who do not have any problem with land and tenure laws, and as such they accept the legislation. Those farmers go to the extent of asking that farm workers be taught to understand that they have their rights as farmers, just as the farm worker do. However, there are farmers or land owners who actually see ESTA as something that is against them, and so are fighting against it. They say "this law is about the rights of the workers, but I also have the right as a farm owner". Sometimes farmers do not even want organisers to go into the farm, because they claim that organisers are coming in to teach their workers wrong things. In the case of farm owners' resistance, the organiser goes into the farms without the landowner's knowledge, or as a visitor, knowing that ESTA provides farm workers with the right to have visitors.

Besides the challenges concerning organising farm workers / farm dweller, NKZUI's major organizational challenge these days is funding. As a result of the global economic recession, it is not easy to secure funding. According to a Farm Dweller Officer, there are times when staff works without getting salary.

The Kind of Organisation for Farm Workers

NKUZI thinks that, when farm workers / farm dwellers are affiliated to a union, where it is possible, it can assist in most cases of employment related crisis. NKUZI believes that unions can help in cases of salary negotiations and work-related issues. NKUZI can assist in issues of evictions and land tenure and land management. For instance, at the

CCMA, NKUZI can only ask permission from the commissioner to go in as an observer. But the unions are actually allowed to take part in deliberations. In cases of unfair dismissal, the employers come with their lawyers, and this makes it difficult for the employees or farm workers; the farm workers end up getting threatened, and lose their cases, even if they have solid ground, because they have to face the employer and his lawyer (Farm Dweller Officer, NKUZI).

NKUZI tried linking farm workers to the unions and the problem is that the unions in certain areas were not that strong; they could not handle the challenges that farm workers / farm dwellers faced. The other challenge was that the clients did not earn enough to be able to pay the union dues. This in some instance compelled NKUZI to assist clients in submitting farm workers problems to CCMA.

NKUZI has also experienced cases of unions claiming to be representing farm workers when they actually appear to be selling them to the land owners. Whereby the organiser might actually be seen going to see the land owner, but disappears and never goes back to them, leading to the suspicion that the union organiser had been bribed by the land owners (Farm Dweller Officer, NKUZI).

From the experiences of the non-traditional trade union type of organising engaged by the new form of organisations demonstrate that, strategies that consider the farm worker as a social being other than organising along only wage- or labour-related issues, is more pragmatic and effective, and has the potential to break through the paternalistic relationship that hinders organising of farm workers. This can be described as social movement unionism or organising that deals with the immediate socio-economic issues facing the atypical workers or farm workers.

5.3 Organizing for Decent Work

This section discusses the question of how informal workers in the agricultural sector such as farmers can be organized to ensure decent work. The study claims that the extremely low level of organizing among farm workers in SA is a strong contributory factor to the decent work deficit in agriculture and worsening socio-economic conditions among farm workers. Accordingly, it is argued that, effective organising among farm workers would ensure decent work among farm workers in SA. The discussions here focus on mapping out effective alternative organizing model and strategies for farm workers in SA.

5.3.1 The Social Factors

Is the paternalistic employer-employee relationship a major barrier to organising workers in the agricultural sector? All respondents in the study, ranging from organisers from trade unions to social movement and land rights organisations, as well as farm workers confirmed that the paternalistic relationship between employers and employees on the farms is a major barrier to organising. This is historic and has long between established between the two parties that it requires tactical understanding and strategies to break (Ewert and Du Toit, 2005). The organiser is often perceived, especially by the employer, as a third party who is intruding in this relationship. The farm worker who depends on the employer (the farmer) for almost everything also sees the organiser as someone who is not working in the interest of his "master", and so can cause the loss of farm worker's job and consequently the termination of all the farmers' favours and benefits (Naidoo et al, 2007). It has been established that farmers exhibit hostile attitudes towards the organiser when, they begin organising on labour rights, creating awareness on the minimum wages, social security / protection and, housing and eviction cases. For instance, the WFP reports that when it goes on the farms with other programmes on health they normally get the cooperation of the farmers more than when they organise on other issues.

It has been argued that this paternalistic relationship within a private realm was attacked by the legislation, as farm workers are reported to have indicated that legislation such as the SD has led to strained relationship between them and their employers. Farm workers explain that certain benefits they used to enjoy were withdrawn, and even farmers went to extent of extending working hours, saying that they had to work more for the more money the law demanded for the farm workers ((Naido et al, 2007). The farmers have shown disregard for labour and land tenure regulations because the issue of housing, a significant part of the paternalistic relationship is viewed as unfair treatment to the farming sector, compared with other sectors like mining (Wegerif et al, 2005). This implies that any organising strategy that fails to tackle the paternalistic relation will not be effective among farm workers.

An organising that can effectively address this issue is the one that creates the awareness among both the employer and employee. As has been indicated, both the employer and employee need to know the legislations governing the farming sector. Practically, the most rewarding approach to breaking through this paternalistic relation is the use of organising models that deal directly with the concerns of the farm worker as a social being and to avoid beginning with work-related issues. This implies that living conditions issues such as the social services needs of the farm workers, and dwellers on the farm, should take centre stage. In that case organising strategies need include targeting government and public agencies to work towards the improvement of social services in the communities. This is where political alliance with party in government could be a setback, as the difficulties associated with organising strategies that target the state, especially for improvement in social services for the social needs of farm worker are eminent.

This approach of organising will serve the interest of both the farm worker and the employer, since the provision of certain services to the farm worker by the farmers reinforces

the dependence in the paternalistic relationship that is identified as a major barrier to organising on the farms.

Do the existence of social or group activities among farm workers through improved access to the farms result in effective organising of farm workers? The issue of distances from towns to farm locations, and from farm to farm, where farm workers work and dwell in, has been cited as another major barrier to organising in farming sector. This is not only peculiar to SA, but it is the case in many developing countries; farms are spatially isolated (FAO-ILO-IUF, 2005). This results in the problems of accessibility and limited social interaction among farm workers themselves and between farm workers and outsider organisers. It is also compounded by the fact that farm lands are private property of the farmer or the owner, within which farm workers work for very long hours and live on the farms.

It is argued that the existence of social groups and activities through improved access into the farms will result in effective organising. In this case an organising strategy that employs organising activities in or around the vicinity of farm workers can be very effective, especially when it entails utilising farm workers as organisers and leaders. The formation of farm workers committees, with their own leadership can inspire confidence among them, and limits the role of the external organiser to that of a facilitator. This has proved very effective in organising migrant workers. This strategy is also workable in the sense that the farm workers in their environment and conditions know best when they can have effective interaction as people facing the same challenges.

Does the resistance among members with regular employment to accommodating atypical workers along irregular employment and gender lines likely result in low organising of farm workers in the trade unions? This is organisationally a structural issue, in that unions at the federation, sectoral or local levels have experiences of what is termed solidarity crisis

among the different sections (Chun, 2008). FAWU reports of the unfavourable attitude of regularly employed members towards organising informal irregular workers, which surfaces from time to time. Some of the workers who are better paid see themselves as better workers than others. According to a coordinator of FAWU'S farm workers project, some members or employees of the union sometimes dismiss farm worker members as poor and illiterate. Some members do not hide their feelings that they cannot go and organize farm workers because of the difficulties associated with the driving on the bad roads or the fear of farmers' hostility against them.

The avoidance of discriminatory behaviour between regularly employed and atypically employed members that engenders solidarity crisis in unions/organisation, possibly informed the decision of COSATU, for example, to formulate a solely farm workers union in the name of SAAPAWU (Klerk and Naidoo, 2003). However, the collapse of SAAPAWU is a testimony that sectionalising in organising vulnerable workers is not a workable strategy.

Gender issues also play out strongly in the organisation of women farm workers. Respondents speak of disparities in pay, for example, male workers saying they cannot be paid equally with female workers. It is even difficult to see women farm workers in leadership positions in the union/organisation. There are instances of men debarring their wives or female partners from taking leadership positions or getting actively involved in union activities. This gender-based discrimination could be the motivation for the formation of female-dominated organisation such as the WFP and SS. Evidence suggests that women issues are not usually put on the agenda of unions/organisations, and even when they find the way there, they are often not treated with the seriousness they deserve. Chun (2008) provides illustrations of the gender discrimination among unions in Korea.

It can be concluded that, an organising strategy that encompasses issues of broader working class challenges and ensures active involvement of farm workers in the structures of

the organisation will foster solidarity. This generates a high sense of belongingness, commitment and general acceptability among all the members, irrespective of their employment status and gender (Bieler et al, 2008b).

Is the temporary nature of farm employment through migration and seasonality a strong barrier to organising this category of workers? It is often argued that how can mobile, migrant, casual seasonal, irregularly employed farm worker be organised, when they do not have defined workplace or situation. As seen in the evidences in the research, there is awareness among organisers that with innovative organising strategy, it is becoming possible to organising temporary atypical employees or workers. There is evidence that migrant workers are organisable and have been organised**.**

As seen with all the organisations in the study, they indicated that in organising farm workers, they organise all of them, be they casual, migrant or permanent workers. The SS organising model, for example, employed the innovative strategy of meeting farm workers when they come to town for grocery on Saturdays or for church service on Sundays (Devenish and Skinner, 2007). They definition of membership is also important. For instance, a member can be anyone who has ever been a farm worker, be it a retired farm worker, a seasonal or casual worker, or even the unemployed. FAWU described its strategy of going into agreement with employers to give first preference to employed seasonal worker in the next season, and also deduct subscriptions only when the seasonal employee is employed. The difficulty with this, as FAWU acknowledge, is that it all depends on the employer's cooperation. In that case the understanding of the seasonal, casual or migrant farm workers is vital in organising them.

Effectively, the organising strategy of social movement unionism, where broader issues and challenges facing the working class are put on board can be effective, as initiated in the world social forum (Bieler et al, 2008).

5.3.2 The Economic Factors

Is the poor economic status of low incomes and lack of access to production resources among farm workers a strong barrier to organising? The trade unions easily explain away that farm workers organisation is weak, because they are re poorly resourced and are lacking in income. It is a well-established fact that farm workers are among the poorest and lowest paid workers in SA (Naidoo et al, 2007). Farmer's economic status has been touted, especially as one of the major difficulties to organising them. It is explained that they are not able to pay their subscriptions. This brings to the fore issues of cost-benefit considerations in organising this category of atypical workers whose incomes are not regular. More importantly, they do earn enough to even meet their basic needs. Trade unions also consider this as a barrier because organisers cannot be adequately remunerated and incentivised to carry out the task of organising farm workers who are located long distances apart. However, this explanation can be seen as an attempt at importing the traditional model of organising among industrial workers who earn good wages regularly, with their social life completely separated from their working life.

The social movement organising model has proven that innovative strategies of allowing measures ranging from one-time subscription to once in a year subscription or a waiver of membership subscription fees is effective. More importantly, it is effective when the organisers are farm workers themselves or live among the farm workers, and the organisation seeks sources other than relying solely on subscription fees to fund their activities. Because of the growing global consciousness among labour movement and the increasing working class consciousness and solidarity, funds can be secured from sister organisations. It is also possible that with effective mobilisation and organising, the economic conditions of the resource-poor and low income farm workers' circumstance can be improved.

Does the existence of organised employers economic group / association most likely contribute positively to effective organising of farm workers? The organised employers' group or association provides a platform for social dialogue and compliance with the land and labour laws that facilitate organising farm workers. For instance, the AgriSA, DAU-SA and other farmers' organisation actively participated in the first national farm workers summit, even though Agri-SA staged a walk-out in protest against the final resolutions passed at the summit. It is argued that these bodies can be involved in matters and issues that affect their employees, the farm workers, and so their existence will actually provide the platform for dialogue on how best to implement labour and tenure laws in the agricultural sector.

When trade union and other organisations dialogue with these bodies, they are likely to be identified as meaningful social partners and not adversaries, and this can enhance their organising activities. There are reported instances when Agri-SA denounced that their members are not engaged in maltreating farm workers. And that it is farmers who were not members who were engaged in non-compliance of the labour and tenure legislation in SA (Wegerif et al, 2005). This response from them is possible because they saw accusing fingers pointing at this identifiable group of farmers. So the existence of organised union of economic groupings like that of the employers in the farming sector will most likely contribute positively to the organising efforts among farm workers.

5.3.3 The policy Framework

Do the availability and awareness of land and labour policies and legislation constitute a positive factor to organising workers in the agricultural sector? As realised, the post-apartheid government has extended reasonable legislation to the agricultural sector to deal with the inequities, inequalities and decent work deficit (Hall, 2003; Naidoo et al, 2007). This development has helped in no small measure, as they seek to address labour standards in tune with acceptable international conventions and agreements on human rights and

improvement in living standards, by providing unions and organisations the policy framework within which to operate.

Respondents such as organisers demonstrated high level of awareness of the labour and land legislations, although this cannot be said to be the case with farm workers and their employers. They indicated that, there are laws governing the organizing of farm workers, and that before 1994, farm workers were excluded in the labour laws. This was why in the late 1990s, the labour relations act, the basic conditions of employment act, employment equity act and unemployment insurance act, made farm workers become part in laws that govern labour issues in SA. Most notably, the SD act deal with key issues such as minimum wage and other minimum conditions in the farming sector, which were lacking due to the poor working condition, extremely low organisation and lack of collection bargaining among farm workers. The government in fulfilment of its part as a member of the ILO ensured that it extended policies to the agricultural sector in SA.

Several factors account for farm workers' lack of awareness of the government legislation and policies on labour and land for the agricultural sector. These include: the generally low levels of formal education and literacy; the remoteness of the farms from towns resulting in little contact with policy implementers, the lack of staff of government departments or agency to reach out to the farming sectors, which are often located in deep inside rural areas, to carry out awareness/education programmes; and the extremely low level of organisation among farm workers.

The antagonism and unwillingness on the part of employers to see to farm workers' education on key policies in the farming sector, is reported by organisers as a major obstacle thwarting their organising activities among farm workers. This attitude of employers is explained by some farmers' opposition to farm workers' involvement in awareness training

or workshops on labour rights, legislation on land and labour tenures such as the ESTA, BCEA and SD**.**

Although availability of the policy framework is a necessary condition for organising because it provides the platform for important stakeholder or social partners to engage in issues affecting farm workers, it is not a sufficient condition without awareness and compliance of the policies for realisation of decent work among farm workers.

5.4 Conclusion

To answer the question of how informal workers such as the farm workers can be effectively organised to ensure decent work in the agricultural sector in SA, specific cases of practical challenges and strategies of organising among trade union, social movement and land rights organizations, was discussed. It has been argued that, the extremely low organising among farm workers in SA contributes to the decent work deficit and worsening socio-economic conditions among farm workers. And that effective organising would result in decent work and improved socio-economic living standards among farm workers.

Notably one of the effects of the changing of organising informal workers in the agricultural sector is the bitter experiences with the traditional trade unions organising; when they go on strike, the farmer dismisses them, and the organiser disappears. It appears the trade unions do not sufficiently understand the problems or have not taken appropriate measures to deal with the paternalistic relationship between farm workers and farmers. Consequently, structurally the trade unions in SA appear not geared up to organising farm workers. Hence the question of farm worker organisational forms becomes crucial to the debates around transformation in rural areas, given that established unions have not had much success in organising the sector. There are emerging forms of organising through farm and

area committees with structures strongly rooted at the level of farms, encompassing all who live and work on farms.

New forms and strategies of organizing that seek to work with the farm worker as a social being, and not just organizing in the spheres of employment, approves more effective with informal workers in agriculture. The political and economic struggle of the working class can be won by organizing the informal workers, when the composition of the union members reflects the majority of the people in the informal economy.

From the perspective of the model of organizing, which is completely different from that of FAWU and the other traditional trade unions, it is important to struggle against that farmer-farm worker relationship. The best way of struggle against that relationship is to take up the immediate concern of the farm workers, and work in collaboration with non-governmental organisation (NGOs), movements, anybody in the community, burial societies, soccer teams and choirs. So the new social movement organising have proven that strategies that consider the farm worker as a social being other than organising along only wage- or labour-related issues, is more pragmatic and effective, with the potential to break through the paternalistic relationship that hinders organising of farm workers and atypical workers.

To the question of how decent work could be ensured through effective organising of informal workers in the agricultural sector in SA: To tackle the paternalistic employer-employee relationship as a major barrier to organising workers in the agricultural sector, an effective organising strategy is the one that creates the awareness among both the employer and employee, dealing directly with the concerns of the farm worker as a social being and their needs such as access to social services and social and economic rights, and not only confined to only work or employment related issues. The approach of organising to improve access to social services will serve the interests of both the farm worker and the employer, as

it will relieve the farmers in service provisions, and consequently dismantle the farm workers dependence in the paternalistic relationship.

To ensure that the existence of social or group activities among farm workers through improved access to the farms, an organising strategy that employs organising activities in or around the vicinity of farm workers coupled with utilising farm workers as organisers and leaders, is an effective organising strategy. The use of farm workers committees, with their own leadership can inspire confidence among them, and limiting the role of the external organiser to that of a facilitator, is also workable in the sense that the farm workers in their environment and conditions know best when they can have effective interaction as people facing the same challenges.

Resistance among members with regular employment to accommodating atypical workers along irregular employment and gender lines with the consequences of solidarity crisis and low organising among farm workers in the trade unions, can be tackled with the organising strategy of ensuring that issues of broader working class challenges and ensures active involvement of farm workers in the structures of the organisation is effective. This social movement organising has proven effective in generating a high sense of belongingness, commitment and general acceptability among all the members, irrespective of their employment status and gender.

The temporary nature of farm employment through migration and seasonality is not a strong barrier to organising this category of workers. This is backed by the evidence that, the organising strategy of social movement unionism, whereby broader issues and challenges facing the working class are put on board is effective.

To the issue of poor economic status of low incomes and lack of access to production resources among farm workers perceived as a strong barrier to organising is only associated with the traditional trade union organising. Obviously, the social movement organising model

has proven that, innovative strategies of allowing measures ranging from one-time subscription to once in a year subscription or a waiver of membership subscription fees is effective. The organisation seeking sources other than relying solely on subscription fees to fund their activities, through the increasing working class consciousness, solidarity and funding support, and with effective mobilisation and organising, the economic conditions of the resource-poor and low income farm workers' circumstance can be improved.

To the argument that, the existence of organised employers economic group / association would most likely contribute positively to effective organising of farm workers. It is established that with dialogue, these bodies and the unions/organisations are likely to be identified as meaningful social partners and not adversaries. This consequently will enhance the organising activities among informal workers in the agricultural sector.

Regarding the availability and awareness of land and labour policies and legislation, whereas organisers showed appreciable level of awareness of the labour and land legislation, this appeared lacking among the farm workers and their employers due to obvious reasons of: lack of awareness; the generally low levels of formal education and literacy; remoteness of the farms from towns and the relatively little contact with policy implementers; the lack of staff of government departments / agencies inside rural areas; and the extremely low level of organisation among farm workers. It is concluded that, although availability of the policy framework is a necessary condition for organising as it provides the platform for important stakeholders / social partners to engage in issues affecting farm workers, it is not a sufficient condition without awareness and compliance of the policies for realisation of decent work.

From the foregoing an effective organising models among informal workers in agriculture such as farm workers must consider the following elements:

1. *Going to the basics:* An organisation must be visible to its member. This is possible when organizers know what is happening in the farms by being physically present at where the farm workers are. This is important for building trust, as there is some mistrust between farm workers and trade unions. It is important for farm workers to decide the type of organization they want, and it should be owned by them.
2. *Establish relationship with farm workers:* Once a trustworthy relationship with farm workers is secured, it is possible to get farm workers' participation and commitment in programme or activities. Organising strategies that tackle issues concerning farm workers that go beyond labour-related issues is effective in establishing relationship with farm workers.
3. *Building farm workers' capacity:* Once workers do their own things, they become more creative and do not rely on prescriptions. The farm workers can defend themselves, hold regular general and monthly meetings and negotiate with employers to the extent that organizers can do other work elsewhere like servicing and recruitment. The farm workers can extend recruiting to others from their own experiences.
4. *Activities on the ground:* The farm workers organisation can be strong by ensuring that activities are not only happening where they are, but also by making sure that the members run their organization. Activities should aim at educating farm workers on the type of union they want, the issues of access to farms and labour issues such as collective bargaining, paid maternity, provident fund on farms. Workshops or training programmes and activities can be at their workplace if they do not have any problem with the land owner. Opening of offices in farm workers' vicinity will greatly enhance the contact and relationship with farm workers.

5. *Organise in close proximity:* Organizing workers in long distances apart may not allow easy servicing. Workers in close proximity must be organised to allow them to be serviced cost-effectively. The organisation is supposed to be more vibrant where the workers are, and this strategy is effective because farm workers of surrounding farms in / near the same town can be serviced effectively.
6. *Use those employers to assist:* Some farmers will assist in the running of training workshops and other programmes, through effective negotiating strategies for things that are of assistance. They can also assist with providing the food, the venue and other resources.
7. *Subscriptions:* Although subscription is necessary due to the high administrative cost of running informal workers' organisations/unions in the agricultural sector, ought to drop their fees, or adopt a strategy of a one-time member subscription for a year, as this has proven to be effective for atypical farm workers with low income.

CHAPTER SIX: CONCLUSIONS & RECOMMENDATIONS

6.1 Introduction

Against the background of rising prominence of the informal economy in Africa, which includes informalisation of work, and the importance of the agricultural sector on the continent, the study sought to answer the research question of: "what are the drivers and barriers to organizing the informal workers in the agricultural sector in South Africa?" Further, in answering this research question, two specific questions meant to refine the overall aim of the study were: "what are the social and economic factors affecting organizing informal workers in the agricultural sector?", and "in what ways can informal workers in the agricultural sector be organized to ensure decent work?"

In addition to the research questions, four research objectives outlined included to: invest social and economic factors and policy framework in the formal work in the agricultural sector; determine how the social and economic factors affect the organization of informal workers in the agricultural sector; analyse how policy framework in the organization of the informal sector for decent work; consider possible strategies for organizing informal workers in the agricultural sector."

With the rationale that the future of organized labour hinges on their ability to effectively organized informal sector workers", the study argued for the selection of cases of organisations in methodology on the basis of their organising activity. Organizers, farm workers and key informants were interviewed, besides analysis of the documents and the SA media's coverage of the issues under investigation.

In this chapter, conclusions are drawn on the discussion of findings in line with the research questions and objectives. Finally, recommendations, for effective organising of

informal workers in the agricultural sector for decent work and, for further studies, are also presented.

6.2 Conclusions

In identifying the key drivers and barriers to organising informal workers in the agricultural sector in South Africa, the study outlined the social and economic factors as well as the policy framework in informal work. Under social factors, the following key areas were explored: the paternalistic nature of employment relations, housing, social services, gender relations on farms and the impact of migration. Under economic factors the following were explored: employment environment and working conditions, access to land including tenure, and the state of unionisation. The policy framework for informal work in the agricultural sector in South Africa explored included the basic conditions for employment and sectoral determination, and the extension of security of tenure acts were also explored.

The barriers and drivers to organising the informal workers in the agricultural sector in South Africa were identified as follows:

The paternalistic relationship between farm workers and their employers is fostering dependence and creating difficulties of inaccessibility to the farm, and this constitutes a major barrier to organising farm workers. So to be able to organise farm workers effectively, it is very necessary to understand and possibly break through this relationship.

Farm workers' dependence on their employers for housing, is identified one of the major contentious issues on the farms that affects the lives of farm workers and their families, and it constitute a strong driver for organising informal workers in the agricultural sector.

Access to social services and the exercise of social and cultural rights among farm workers constitute drivers for organising this category of informal workers in the agricultural in South Africa; whereas the challenges of spatial inaccessibility to farm locations and farm workers' limited freedom for social activities such as meetings and communal interactions are effectively a barrier to organising informal workers such as farm workers in South Africa.

The issue of gender-based discrimination and inequities, owing to fact that the structural transformation in the agricultural production, which is resulting in increasing feminisation of farm labour and gender inequalities, is identified as a strong driver for organising informal workers in the agricultural sector in South Africa.

With the understanding that full realisation of worker rights are essential for improved living and working conditions, the challenges of migrant labour on the farms offer a driver for organising for broader working class interests, as this issue does not only highlight violations of worker rights and exploitation, but also conflict on the farm and in society in South Africa.

The conditions of employment faced by farm workers in SA, in spite of the availability of labour laws governing the farming sector, clearly point to the need for organising farm workers, as the presence of organised labour in the sector will likely serve as a catalyst in ameliorating the poor working conditions of farm workers. The widespread low wages couple with poor working conditions among farm workers, resulting from non-compliance to legislations on labour, provides the more convincing reasons why there must be effective organising among worker on the farms, to afford the farm workers the needed strength to deal with the labour-related problems.

Land rights, though very important for economic reasons, are linked to conflicts on the farms that often lead to evictions of farm workers. In spite of the enactment of land tenure to protect vulnerable workers on the land, as part of the post-apartheid land reforms programme, the abundance of evictions is in worsening social and economic conditions among informal workers in agriculture, and this trend presents strong motivation for organising farm workers in SA.

The study has been amply established that there is extremely low unionisation among farm workers, which is attributable to barriers such as difficult terrain, inaccessibility and paternalistic farmer-farm worker relationship. This can also be seen as a result of the weaknesses on the part of the farm workers or the labour unions; the poor economic and social status of farm workers, and loss of farm workers' trust for unions.

There is strong reason to suggest that the massive loss of farm jobs over the past decade and the rise in the rate of farm evictions due to a combination of economic pressures on farmers, and farmers' hostility towards the labour and tenure laws, in which changes in the global commodity markets have combined domestic deregulation and trade liberalisation to severely undermine the market for agricultural labour. There is, as a matter of fact, reasonable land and labour legislation for the realisation of decent work in the agricultural sector in SA, and this presents a strong driver for organising farm workers, in order to create awareness to ensure compliance and enhanced farmer-farm worker relations.

In identifying the strategies for effective organising for decent work for informal work in the agricultural sector in SA, the study draws the following conclusions based on arguments along certain identified themes in the research process:

The question of organizing informal workers in the agricultural sector can be answered with working with the farm worker as a social being, and not only limiting organizing to the spheres of employment of along only wage- or labour-related issues. This appears to be the positive trend among the new forms of organising, which are done with the entire conditions of the farm workers in mind, as seen with the experiences of the non-traditional trade union model of organising engaged by the new form of organisations. Organising the farm worker as a social being proves more pragmatic and effective with substantial potential to break through the paternalistic relationship that hinders organising of farm workers. This can be described as social movement organising that deals with the immediate socio-economic issues facing the atypical farm workers in SA.

It has been realised that both the employer and employee needs to know the legislations governing the farming sector. Practically, a model of organising strategies that deals with the living conditions such as the social services needs of the farm workers and farm dwellers, include targeting government and public agencies to work towards the improvement of social services in the communities, is more effective. With the tendency of relieving farmers of the role of providing certain services to the farm worker, this has the potential of dismantle the dependence in the paternalistic relationship that acts as a major barrier to organising informal workers in the agricultural sector in South Africa.

An organising strategy that employs organising activities in or around the vicinity of farm workers with improved access to the farms can be very effective, especially when it entails utilising farm workers as organisers and leaders, in organising informal workers in the agricultural sector in South Africa. For example, the use of farm workers committee, with their own leadership can inspire confidence among them, and only limits the role of the external organiser as a facilitator.

An organising strategy that encompasses issues of broader working class challenges and ensures active involvement of farm workers in the structures of the organisation that foster solidarity, can generate a high sense of belongingness, commitment and general acceptability among all the members, irrespective of their employment status and gender.

The innovative strategies of allowing measures ranging from one-time subscription to once in a year subscription or a waiver on membership subscription fees is effective, especially when the organisers are farm workers themselves or live among the farm workers, and when the organisation seeks funding sources other than relying solely on subscription fees for its activities. Possibly with effective mobilisation and organising, the economic conditions of the resource-poor and low income farm workers' circumstance can be improved.

With dialogue between labour union and other organisations, especially of employers, identified as meaningful social partners and not adversaries, organising activities can be enhanced. The availability of the policy framework is a necessary condition for organising farm workers as it provides the platform for important stakeholders and social partners to engage on issues affecting farm workers. However, the availability of policies is not a sufficient a condition for enhancing social dialogue, but it requires the awareness and compliance of the policies for realisation of decent work among farm workers.

6.3 Recommendations

6.3.1 Effective Organizing

Based on the discussions of the findings in line with the research questions and objectives, the following recommendations are made:

Organising farm workers must be done with the strategy of making the organisation more visible to its member, through active involvement of farm workers and ensuring organisers are physically present at where the farm workers are. The organisation is supposed to be more vibrant where the workers are, and so a strategy of opening of offices in farm workers' vicinity will bring the organisation closer to the workers on the ground for effective contact and servicing of members.

Trustworthy relationship between organisers and farm workers must be established through organising strategies that tackle issues of the informal workers in the agricultural sector as a social being beyond labour-related issues, has the potential to break through existing paternalistic relationship.

Farm workers' capacity must be built by ensuring that the organization is strong at the workplace and where the workers are, to enable them to become more creative and do not rely on prescriptions; they can defend themselves, hold regular general and monthly meetings and negotiate with employers, and can recruit others from their own experiences.

The farm workers organisation can be strengthened by ensuring that the organising activities are not only happening where they are, but also they aim at educating farm workers on the type of union they have or want, access to farms, ways of improving their access to social services, working conditions, social security safety nets through collective bargaining.

Organising informal workers in the agricultural sector should not cover very long distances apart; organising in close proximity allows servicing them cost-effectively.

Employers' involvement should be solicited in organising informal workers in the agricultural sectors through effective negotiation for their support or assistance from employers, to run training for farm worker at the workplace or in the same vicinity.

Although subscription is necessary due to high administrative cost involved in running informal workers' organisation, fees ought to be dropped their fees, or a one-time member subscription fees for atypical farm workers should be instituted as this category earn extremely low incomes.

6.3.2 Further Research

In order to add knowledge to the subject matter explored investigated in the study, the following recommendations are made:

The differential experiences of segments such as casual, seasonal and migrant farm workers, and their effects on organising these segments.

Detailed investigation of the gender issues in the farming sector employment, and their effects on non-gender based organising.

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APPENDICES

APPENDIX I: INTERVIEW SCHEDULE FOR FARM WORKER ORGANISERS & KEY INFORMANTS IN UNIONS/ORGANISATIONS

Department of Sociology / Global Labour University Programme
University of Witwatersrand, Johannesburg

RESEARCH TOPIC: **Organizing Informal Workers for Decent Work: The Case of the Agricultural Sector in South Africa**

INTERVIEW SCHEDULE FOR TRADE UNION/ORGANISATIONS/KEY INFORMANTS

Introduction

- My name is Yakubu Iddrisu, an MA in Industrial Sociology student in the Global Labour University Project (GLU) at Wits University.
- This interview is part of my MA Degree Research Project in the GLU programme at Sociology Department, Wits University in Johannesburg.
- The aim of the research is to investigate the "drivers and barriers to organizing farm informal workers in the agricultural sector in South Africa".
- Specifically the objective of this research is to determine the social and economic factor, as well as the policy framework affecting organizing informal workers (farm workers/farm dwellers) in the agricultural sector.
- You must be rest assured that your responses will be treated confidentially and will not be used for purpose other than for my student project.

Questions

1. What is your name?
2. Gender or sex [observed; not to be asked]
3. What is the name of your union/organisation?
4. What is your occupation (position and job description) in your union/organisation?
5. What are the government policies and legal frameworks for the informal employment in agriculture, such as farm work? Please describe these policies and legal frameworks.
6. What is your union/organisation's policy for farm workers / farm dwellers?
7. What are your objectives for organising this category of informal workers?
8. Do you have specific target in terms of numbers for getting membership from this category? Please explain whether you are able or not to achieve this target?
9. What account for your meeting the target or the shortfall?
10. What percentage of your total membership are informal workers such as farm workers and farm dwellers?

11. What specific category of farm workers do you organised?
12. Describe the conditions (social and economic factors) of farm workers / farm dwellers in South Africa, and communities you work in?
13. How does your union/organisation recruit informal workers in agricultural sector, such as farm workers / farm dwellers?
14. When did the union/organisation start organising this category of workers?
15. What specific programme (s) does your union/organisation have for farm workers and farm dwellers?
16. Describe your union/organisation's activities for farm workers / farm dwellers?
17. Do you collaborate or network with other social 'movement' organisations in your activities for farm workers / farm dwellers? Please explain you answer (describe your activities)?
18. What are the major challenges for organising farm workers / farm dwellers?
19. What are the opportunities in organising this category of workers?
20. What strategies does your union/organisation employ in organising farm workers / farm dwellers?
21. Do you think informal workers in agriculture such as farm workers are organisable?
22. If yes, what are the factors accounting for their 'organisability'?
23. If no, what are the factors accounting for their 'unorganisability'?
24. What efforts are being made by your union/organisation to organising this category of workers?
25. What is the response of the farm workers / farm dwellers to your organising activities?
26. What form of organisation (land rights, social movement or trade union) do the farm workers prefer, and why this preference?
27. Do you have any suggestions for effective or improving organising farm workers / farm dwellers in South Africa?

Closing:

It has been my pleasure conducting this interview with you. I hope for your support should there be the need for me to call on you again for some more information. Thank you so much for your time and cooperation.

APPENDIX II: LIST OF PEOPLE INTERVIEWED OR THOSE WHO RESPONDED TO KEY QUESTIONS

a) List of Key Informants / Organisers

1. Programme Manager, Nkuzi Development Association (NKUZI)
2. Project officer for Gauteng, Nkuzi Nkuzi Development Association (NKUZI)
3. Project officer for Polokwane, Nkuzi Nkuzi Development Association (NKUZI)
4. Executive Director, Women on Farms Project (WFP)
5. Women's Labour Rights Coordinator / organiser, Women on Farms Project (WFP)
6. Programme Director, Sikhula Sonke (SS)
7. Coordinator, Southern African Farm Workers Network (SAFWN), Khanya College
8. Coordinator, Farm Workers Project, FAWU
9. Project Officer, Farm Workers Project, FAWU
10. General Secretary, FAWU
11. Labour Attaché, Mozambican Embassy in South Africa
12. Vuyiswa Blayi, Staff of National Department of Agriculture, Republic of South Africa

b) List of farm workers

1. Farm worker Tulane, Gauteng
2. Farm worker Aaron, Polokwane
3. Dlamini, Hieldelberg, Gauteng
4. Tshivhula, Mopani area
5. Madam Boya, Limpopo
6. Shezi, Gauteng
7. Mr. Louw, Stellenbosch, Western Cape
8. Mokoena, Hoedspruit, Limpopo
9. Moheleng, Ottosdal, northwest province
10. Madam Mothobi, Krugersdorp, West Rand

APPENDIX III: DOCUMENTS AND SA MEDIA NEWSPAPERS REVIEWED

a) Documents Reviewed

1. **Focus Areas of Commission for the National Vulnerable Workers on Farms**; Lord Charles Hotel, Somerset West, Western Cape, 30 – 31 July 2010; Department of Agriculture, Forestry and Fisheries, Republic of South Africa.

2. **Resolutions of the National Summit for Vulnerable Workers in Agriculture, Forestry and Fishery. "Towards a better life for vulnerable workers on farms and in forestry and fisheries".** Lord Charles Hotel, Somerset West, Western Cape, 30–31 July 2010; Department of Agriculture, Forestry and Fisheries, Republic of South Africa.

3. **Consolidated Report: Provincial Mini Summits and Resolutions of Vulnerable Workers in Agriculture, Forestry and Fisher**y; Department of Agriculture, Forestry and Fishery, Republic of South Africa.

4. **What farm workers and farmers should know about minimum wages and conditions of employment?** Department of labour. Republic of South Africa.

5. **What the extension of security of tenure act (ESTA) means for occupiers and owners: know your land rights.** Department of land affairs. Republic of South Africa.

6. **Voices from the Land,** By Jurgen Shaderberg & **Still Searching For Security: The Reality of Farm Dweller Evictions in South Africa,** By Social Surveys & Nkuzi Development Association.

7. **Putting Farm Dwellers on the Agenda**. Nkuzi Development Association & the Atlantic Philanthropies.

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9. **Strategic Plan for the Department of Agriculture, Forestry and Fisheries, 2010/11.** Department of Agriculture, Forestry and Fisheries, Republic of South Africa.

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11. **Sikhula Sonke Annual Report 2008**

12. **Women on Farms Project Annual Reports 2004; 2005; 2007**

13. **Women on Farms Project Press Releases/Statements; 2006 – 2007.**

14. **Women on Farms Project Report of an exploratory study on monitoring compliance with the sectoral determination for farm workers in 5 Western Cape farming districts, March 2006.**

15. **Women on Farms Project Research Report. Making the first pedal stoke: Opting for an association of members.** Research commissioned by the WFP; Researchers: Merle Brown and Sadia Fakier; July 2003.

16. **The Position of Women Workers in Wine and Deciduous Fruit Value Chain;** March 2008. SANPERI. Commissioned by Women on Farms Project.

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17. **Rotten Fruits 2: South African Farm Workers Pay a High Price for Profits.** Research commissioned by WFP in partnership with Action Aid. Research Conducted by Mercy Brown-Luthango, January to February 2006.

18. **Women Workers in Wine and Deciduous Fruit Global Value Chains.** Summary Report by Stephen Greenberg and submitted on behalf of WFP, Stellenbosch, SA.

19. **Women on Farms Project 10th Anniversary Conference Report:** women on farms conference changing lives, 2-5 December 2006; Elsenberg College, Stellenbosch.

20. **Livelihoods struggles of women farm workers in South Africa**; by Fatima Shabbodien (Women on Farms Project Executive Director); For Submission to the South African Labour Bulletin, 2006-06-23.

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23. FAWU Education strategy. Multi-prong. Issued by Education Department, 20th November 2008, Updated 5th January 2009.

24. FAWU gender strategy 2010.

b) SA Media – Newspapers

1. The City Press, March 30, 2008; page 6.
2. The Business Day, 23rd June 2010; page 13.
3. The Star Newspaper, April 12, 2010; page 11.
4. The Cape Times, April 23, 2010; page 5.