

Anti-Oppressive Social Work Practice And Decent Work In The Unorganized Sector

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Abstract:

Social Work is an intervention-based profession and its overarching goal is social justice. This review article is aimed at arguing the case for promoting social work research and intervention for labour in the unorganized sector, adopting the anti-oppressive lens. Anti-oppressive approach in social work research advocates an inclusive and emancipatory methodology. The paper thus highlights a range of social security procedures that can minimize inequalities. Noting the extremely weak bargaining power of labour in the unorganized sector, and where welfare schemes too remain inaccessible, the significance of labour legislations is highlighted. The ILO's role in furthering the welfare options and to push ahead the decent work agenda is also discussed. This article thus advocates that an anti-oppressive social work research approach in the unorganized sector will identify and underline new ways of looking at structural inequalities that make societal and economic inequalities to thrive.

Keywords: *Inequalities, ILO, Labour legislations, Social Security, Unorganized Labour, Welfare schemes*

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I. Introduction

Social work focuses on practice and intervention with a thrust on social change, social development, social empowerment, human rights, social security, and various other welfare mechanisms. Such activities are directly or indirectly focused on the welfare of the person. It is also a universally accepted concept given by the International Federation of Social Workers. Social work being a helping profession, it intervenes and seeks to promote well-being to overcome different social illnesses. The social work profession also seeks to uphold government policies designed to reduce social problems and usher in social change. Hence there is the essence to understand the interconnectedness of rights, laws, and policies on labour issues¹. This study therefore explores different aspects of unorganized labour, labour legislations, labour welfare schemes, the International Labour Organization's (ILO) role, and the Sustainable Development Goal-8, within an anti-oppressive social work approach. It seeks to highlight the ILO's decent work agenda and the advancement of unorganized labour rights and their welfare, adopting the anti-oppressive lens.

II. Unorganized Labour In India

The words unorganized or informal are used interchangeably several times, although in the strict sense they differ. It usually refers to those enterprises which are not governed by any legal framework. The ILO refers to the unorganized sector as the set of economic activities characterized by the relative ease of entry, reliance on indigenous resources, small-scale operations, labour-intensive operations, reliance on skills acquired outside the formal education system, and an unregulated competitive market.

The informal/ unorganized sector is characterized by inferior technology, inferior quality of work, and inferior terms of employment related to remuneration and benefits. India is amongst the rare countries engaging in special surveys of the informal/ unorganized sector since the late 1970s. However, these surveys tend to underestimate employment. The delineation of the international definition of the informal sector has urged several countries to conduct national surveys on the informal sector. Nevertheless, national official labour statistics cannot easily provide empirical estimates of the informal/ unorganized sector. Computing the first component of the informal economy, i.e., non-wage employment or self-employment is relatively easier. The

second component is difficult owing to the extent of informality in the employer-employee relationships, as official data caters only to employees. Moreover, the Indian labour force surveys classify labour as casual and regular. However, what is conflicting is that several casual workers are also from the formal economy².

As per the Ministry of Labour, Government of India (GoI), the unorganized workers are generally categorized under four broad heads, namely; a) occupation: e.g. fisherman, construction workers, salt workers etc. b) nature of employment: e.g. bonded labour, migrant workers, contract labour etc. c) especially distressed categories: e.g. scavengers, carrier of head loads, toddy tappers etc. and, d) service categories: e.g. domestic workers, fishermen and women, barbers, etc. The Economic Survey 2021-2022, noted that around 43.99 crores were engaged in the unorganized sector during 2019-20 which comprises about 91 percent of the total workers. It was observed that as on July 18, 2023, more than 28.96 crore workers were registered with the eShram portal. This was launched in August 2021 to benefit unorganized workers and was created to serve as the National Database of Unorganized Workers by the Ministry of Labour and Empowerment³.

III. The Labour Market And Its Associated Problems

To understand the complexities of the unorganized sector, it is pertinent to understand a few key features of the labour market. Das Gupta discusses the division and classification of the labour market based upon: (a) occupation, (b) geographical location, (c) linguistic-cultural, caste/sub-caste and religious community division, (d) differences in wage rates, mode of remuneration and periodicity of wage payment, (e) methods of recruitment, (f) system of organisation of work and disciplining of the labour force, (g) institutional forces in the labour market, (i) nature and degree of attachment between the workers and their employers, (j) degree of employers' control over the market and (k) strength or weaknesses of collective bargaining. This segmentation however applies to both the organized and unorganized sector. He also talks about myriad varieties and degrees of overt or covert compulsion; and a very weak or total absence of bargaining power⁴.

The problems faced by the various types of unorganized labour differ from place to place as well as the kind of work they engage in. Some of the major problems faced by them are: a) low wages, b) distant working places, c) high levels of job insecurity, d) lack of welfare knowledge, e) occupational health problems, f) harassment at work place, g) lack of occupational safety, h) irregular availability of work etc.⁵. Owing to these problems, and considering the deeply abysmal conditions of the unorganized sector workforce, it is imperative to examine what welfare measures and labour legislations are necessary and available for them. Hence, in the context of social work, it is important to highlight the hurdles that come in their way of accessing such welfare measures, that can help overcome their poor working conditions.

IV. Labour Welfare Schemes And Labour Legislations

Jayna Kothari⁶ discusses the various schemes and policy initiatives for social security to the unorganized sector aimed at the disabled, the sick and infirm, the elderly, and women and children. Such welfare mechanisms were introduced from the Third Five Year Plan onwards, but lacked legislative backing. Without legislations, they cannot be claimed as entitlements. Poor awareness and non-compliance also characterize such schemes. Legislations would provide a compulsion on the state and make them accountable too. She notes that schemes can be easily passed by or even cancelled. However, legislations are more binding, and hence more impactful.

Realizing this, the 1980s and 1990s marked a gradual recognition of the right to social security as a constitutional right. The Directive Principles which talk about socio economic rights, refers to rights that are exigencies of life such as housing, health care, food, water, social security, and education, which are different kinds of social security. The State must necessarily assist in welfare promotion, minimize inequalities in income, facilities, and opportunities; create opportunities for public assistance for the unemployed, aged, infirm, disabled, and other cases of undeserved want. A renewed understanding that socio-economic rights such as the right to health, food, livelihood, and education are a precursor to a life with dignity has thus resulted in reducing the reliance on social security measures.

Kothari also specifies that in India, social security has moved to a social rights and distributive justice model. There were a range of new social security schemes introduced towards aiding senior citizens, the disabled, and widowed, among others⁶. Nonetheless, in addition to such schemes, there were new legislations enacted to provide such welfare-based entitlements. The focus must therefore now be on effective implementation.

The ILO also looks at similar basic social security measures such as ensuring health care, education, targeted assistance to poor households, basic universal pensions, and children related benefits. Earlier studies reveal a strong link between education, nutrition, and social development. Kothari additionally reveals that poor families instantaneously allocate a major proportion of their additional income on food⁶. This in turn gets reflected in the well-being and increased productivity of the poor.

Labour, especially in the unorganized sector, is lagging in terms of their actual consumption of food, or even the calorific value of per capita expenditure. Moreover, the daily food intake for considerable proportions of rural labour households in many parts of the country is below even the barest nutritional minimum level, resulting in stunted growth, high morbidity and debility and short life span⁷. Hence it is pertinent to understand that decent work will usher in decent wages and will help them to raise their per capita calorific consumption and this certainly needs an anti-oppressive approach.

It is also vital to analyze the different acts and welfare benefits for other kinds of workers in the unorganized sectors. In India, the minimum wage rates are fixed under Minimum Wages Act, 1948. It has been revised and is currently determined by both central and state governments as per their respective norms. Overtime compensation, as per the Factory Act 1948, is also fixed. The normal working hours is 9 hours per day and 48 hours a week and compensation should not be less than one and a quarter times the regular rate. The overtime period also cannot exceed two hours per working day.

In 2014, the labour laws were reformed towards empowering workers and to promote inclusive development of India. It is a novel initiative by the Government for both the organized and unorganized sectors. Thus, in 2020, the GoI took the historical step of codifying 29 laws into four codes to help the workers get security along with respect, besides health facilities and other welfare measures. The four new labour codes are: 1) The Code on Wages, 2019 (combination of four labour laws); 2) The Social Security Code, 2020 (nine labour laws); 3) The Occupational Safety, Health, and Working Conditions Code, 2020 (13 labour laws); and 4) The Industrial Relations Code, 2020 (three labour laws). Currently, there are 45 central and 200 state laws enacted and along with these four labour codes. The GoI attempts to ensure that all the workers can avail respect, security, health, and welfare needs⁸.

Labour welfare is inherent to social welfare and is a field of social work practice. Social welfare is primarily concerned with the solution of various problems including the prevention of destitution, poverty, etc. Similarly, labour welfare looks at the overall well-being and existence of physical, mental, moral, and emotional well-being of labourers. Accordingly, some important government schemes and projects have been initiated in India for social security and protection of unorganized sector workers.

V. ILO And Labour Welfare

The ILO is an international autonomous institution incepted in 1919, aimed at striking out poverty as it thwarts prosperity. Conceived with the principle of universal constitution, the ILO has a tripartite structure comprising of: a) employers b) workers and c) social partners of the economy, where they have the same voice and work together. In 1946, ILO became the first specific agency to work with the United Nations Organization. The main objectives are: a) to promote right at work, b) encourage decent work employment opportunities, c) enhance social protection, and d) strengthen dialogue on work-related issues. In short, the ILO advances the concept of decent work and promotion of social justice for all⁹.

The ILO and India are facing a host of common challenges due to globalization, ranging from increasing inequality and rising difficulties in implementing welfare policies and measures where the unorganized sector always suffers heavily. Nonetheless, India has been active in the governance of the ILO as it is a permanent member of the governing body and Indian representatives have frequently been part of the governing bodies. Trade Unions were rather weak and local in nature before the first world war. Participation in the ILO stimulated the birth of the AITUC in 1920 and legitimized the advancement of an independent trade union movement in British India¹⁰.

The ILO's agenda now is around the goal of decent work, which was advocated in 1999. The Declaration on Fundamental Principles and Rights at Work in 1998 was a precursor to it. Rodgers however cites that in India, a common reaction to the idea of decent work is to first look for work, and decent work comes later¹⁰. The ILO deems decent work as vital to sustainable poverty reduction and is essential towards equitable, inclusive, and sustainable development. GoI data, mainly during 1993–94, 1999–2000, 2004–05 and 2009–10, reveals that there is a shortage of decent work in India; and increasing over time. Besides, there exists rural-urban gaps and gender gaps, which are also increasing temporally. Majority of the workforce amounting to more than 92%, are informal workers, working under helpless conditions. Additionally, around 94% to 98% of the economically downtrodden are informal workers. In February 2010, the GoI effectively initiated the decent work agenda by ushering in a five-year “Decent Work Country Programme” with the ILO¹¹.

VI. Decent Work And SDG-8

The Ministry of Labour and Employment is one of the oldest and important ministries of the GoI. Their main responsibility is to protect and safeguard the interests of workers, particularly towards creating a healthy work environment aimed at higher production and productivity; and to promote and coordinate vocational skills training and employment services.

A few of the important SDG targets that mainly focus on unorganized workers are listed here. a) SDG 8.5: discusses the need to attain productive employment to the full potential and decent work for all women and men, including the youth, and the disabled; b) SDG 8.7: mentions urgent and efficient measures to eliminate forced labour, end modern slavery, human trafficking, secure the prohibition/elimination of child labour, and child soldiers; c) SDG 8.8 deals with the protection of labour rights, and promotes a safe working environment for migrant workers, particularly women migrants. To attain the Global Goals and to achieve SDG-8, i.e., 'Decent work and Economic Growth for All', India focused on 'Make in India', 'Start-up India', 'Skill India', and 'Digital India' and so on. These have been started to generate full employment for the youth which form the largest section of India's population¹². Developing entrepreneurial skills play a huge role in reducing the unemployment rate and acts as a bridge between employable youth and employment opportunities.

VII. Understanding Anti-Oppressive Social Work

Anti-oppressive social work practice analyses and evaluates the oppressive practices in the social system and the system itself. When we talk about oppression, it is an act or practice of injustice or unfair treatment against individuals, groups, or communities. Anti-oppressive social work is the application of social work practice, where multiple solutions can be applied accordingly; whether in prevention, rehabilitation or in bringing about social change/development¹³. It is a form of social justice-oriented intervention in social work practice. Thus, anti-oppressive social work aims to integrate the search and struggle for social change in society. In the year 1995, Clifford referred to the term anti-oppressive first. Anti-oppressive practice seeks to bring about a positive and conducive understanding of the intersection of social division based on race, class, gender, disability, sexual orientation, and age, within personal and organizational spaces. Thus, it studies the 'use and abuse' of power which is against inequality and creates racism, classism, and sexism. It also strengthens the understanding of social structure. The anti-oppressive approach seeks to include all the positive and negative aspects of power within which the relations of personal, family, community, organizational and structural levels are examined. It is also significant in determining and shaping social reality¹⁴.

Social justice-oriented social work started in the late 1880s. The social worker began to participate in social justice-directed organizations such as the Settlement House Movement, Rank and File Movement, and Canadian League, for social reconstruction. Under the roof of anti-oppressive practice/operation, there are several social justice-oriented approaches in social work namely feminist, Marxist, postmodernist, indigenous, poststructuralist, critical constructionist, anti-colonial, and anti-racist etc. From the 20th century onwards, a new phase of writing began and the practice of anti-oppressive social work had been applied to immigrant women, skilled immigrants, lesbian, gay, and bisexual people, women in prison, cultural diversity, chronic pain, disability and so on¹³.

Generally, in social work intervention models, there are various steps and levels of intervention that the social worker follows depending upon the situation. Similarly, anti-oppressive social work seeks to prevent social inequality and promote social justice.

Strier delineates anti-oppressive social work research within nine purposive categories namely;

- Goals: the systemic study of the oppressed situation and development of knowledge; to unshackle institutionalization of unjust authority and inequality.
- Population: target the most oppressed category of the population where people are isolated and disconnected from the main spheres of social and economic life; adopt an inclusive research and multi-strategic approach to minimize mistrust and alienation.
- Methodologies: research should adopt an integration of technical evaluation with a qualitative approach to capture oppressive experiences; the discourse about the oppressed must move away from a stigmatizing or dehumanizing approach and must be more constructivist in nature.
- Research Environment: oppression is usually a prolonged suffering due to systemic neglect; research should establish a safe space for reflection and self-inquiry.
- Role of participant: create room for active participation in the study as opposed to merely being present in an oppressive situation.
- Researcher-participant relations: advocate a balanced role despite the inequalities ingrained in the research process and promote egalitarian relations.
- Ownership of knowledge: oppressed groups being studied must be the rightful owners of their knowledge; societal stratification ordains the scientific community as knowledge producers, owners, and experts; essential to establish interdependency and reduce exclusionary barriers to genuine participation and provide control to the participants.
- Knowledge-action relationship: research should produce and promote knowledge for overthrowing oppression and positive change in structural relations.

- Boundaries of research: expand the scope of research from mere reporting to creating opportunities for change; anti-oppressive research must be active with long-term involvement in disseminating social injustice or discrimination¹.

Thus, anti-oppressive social work research is applied in various fields of social work mainly related to social justice and discrimination. It can be instrumental in advocating the eradication of oppression of labour and promoting decent work in the unorganized sector.

VIII. A Critique Of The Anti-Oppressive Approach

The anti-oppressive approach has become very pertinent in social work practice, given the increasing scale and range of inequalities and oppression in a rapidly globalizing world. It is an emancipatory approach aimed at social justice and social change to help defend the oppressed against structural inequalities. It is however essential to note how service users have been left out or marginalized in this very approach, where ‘experts’ seem to appropriate it. Service users here, refers to those who can, or need social work and welfare services. Often academics and practitioners tend to overlook the knowledge and practices of the oppressed service users. Although these observations by Wilson and Beresford (2000), were made with regard to mental health service users, it holds significance. Social workers must note that the oppressed are not simply intended to be ‘part of the social work project’. The anti-oppressive approach must not just serve to be ‘politically correct’, but aim to explore and include the ideas and experiences of the service users towards a more egalitarian society.

Social work itself is a profession that houses a variety of inequalities within inequalities. Strier talks about the unequal power relations between the client and the worker, the worker and the agency, and yet again between the agency and the state¹. Anti-oppressive social work practice seeks to make systemic changes at the legal and political level. This paper is a step towards taking up a more critical stance towards the planners, policy makers, and implementers, who are outside the oppression loop. While designing service delivery systems and welfare measures, or even formulating social security legislations, an inclusive approach is advocated. The anti-oppressive approach has its roots in participatory and emancipatory approaches of social science research, which is geared towards increased access and influence in the functioning and decision-making of organizations/ institutions.

IX. Conclusion

This study tries to lay bare the distinct issues that plague the unorganized sector in India. Multiple labour welfare schemes have been initiated but lacked grit owing to not being backed by legislations. The impetus towards recognizing social security as a constitutional right around the 1980s and 1990s paved the way forward to minimize inequalities. India has been an eminent member of the ILO and has contributed as well as gained a lot from it. The welfare approach model adopted by India can go a long way towards promoting the well-being of workers in the unorganized sector. The decent work agenda is a welcome step in the face of increasing globalization and inequalities. This paper underlines the anti-oppressive social work practice, which seeks to promote a research and practice environment, that is emancipatory and participatory. More inclusive studies where study participants too are looked at as equal partners and integrated within the research as equal owners of knowledge along with the researchers, are advocated. Labour welfare studies, especially in the unorganized sector, can gain via such studies, rather than merely through quantification of their numbers, wages, or welfare measures. The systemic oppression and institutionalization in some cases of injustice is sought to be challenged via participatory research. The anti-oppressive lens seeks to analyze and examine the system itself and the oppressive practices within it. It also seeks to challenge marginalization, power, privilege, and biases. Additionally, it highlights the intersectionality of complex identities, responsible for who we are in society. A systemic change is what is aimed for; and it is hoped that an anti-oppressive research paradigm can pave the way towards it.

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