



REPORT OF THE MEETING WITH PROSPECTIVE APPLICANTS TOWARDS: LITIGATING DOMESTIC/INFORMAL WORKERS' RIGHTS IN NIGERIA

Date: 18th January 2023

Venue: Lawyers Office at NO 21B Democracy Crescent Gaduwa Estate Gudu District Abuja, Nigeria.

Time: 11:00 am

Attendance

1. Mr Gbenga Komolafe -General Secretary of the Federation of Informal Workers' Organization of Nigeria (FIWON) and
2. Mr Kayode Ojo - HOD at the National Union of Hotels and Personal Service Workers.
3. Raph Gabin -Solidarity Center
4. Rommy Mom – President (Lawyers Alert)
5. Bamidele A. Jacobs, - Director Legal (Lawyers Alert)
6. Yemi Agoro - Director of Finance (Lawyers Alert)
7. Peace A. Okeshola – Legal Officer (Lawyers Alert)
8. Mainasara J. Galadima _ Legal Officer (Lawyers Alert)
9. Isese Sor- M&E officer (Lawyers Alert)

Meeting objectives

The meeting objectives are as follows:

1. For Lawyers Alert and Unions Representative to meet and familiarises themselves with each other and agree on the modus of engaging together.
2. To unpack the project and understand strategies on the approach towards Litigating Domestic/Informal Workers' Rights in Nigeria
3. Understanding the roles and responsibilities of the Lawyers and the Unions in Litigating the rights of Domestic/Informal Workers
4. Strategies towards getting the labour unions actively involved.

Introduction

Lawyers Alert and the labour union held a meeting supported by the Solidarity centre towards litigating the rights of informal/domestic workers in Nigeria. Participants from Lawyers Alert introduced the organisation while emphasising the organisation's mission, vision, programs and thematic areas. Representatives of the Unions also gave an overview of their Unions and their roles.



Fig. Mr Bamidele Director Legal of Lawyers Alert addressing the team

Issues raised and discussed

No formal contract: Participants observed that although the ministry of labour licenses some recruiting agencies for domestic/informal workers, there needs to be a structure to regulate their excesses. These recruitment agents play a vital role, as most are the only link between domestic/informal workers and their employees.

Lack of uniform salary structure: This has been and is still one of the main factors battled by the domestic/informal workers; there is no unified salary scheme that speaks to this, and this leaves most of the workers at the mercy of the agents or employees.



Fig 2. Mr Komolafe discussing the challenges faced by Union Members

The challenge of bringing people working in isolation: It was observed that most domestic/informal workers work in isolation with quite a number of them with little or specified time of work and holidays.



Fig 3. Mr. Ojo stating the challenges faced by the Union

Union and Community mobilisation response: The importance of Union and Community mobilisation was emphasised and discussed in line with past experiences and successes of Lawyers Alert with regard to SIL cases. It was said to rally support, reaching a broader population and creating the necessary coverage for continued advocacy. Traditional leaders also play a huge role in this, as most of them are used as recruiting agents for prospective employees. It was noted that most of the contracting firms are owned by the crème de la crème of the society hence the need to be deliberate about the strategies to be employed.

Strategic Impact Litigation (SIL): It was noted that SIL would take care of such lacunas' and concerns of informal and domestic works in Nigeria. Lawyers Alert rule in commencing and litigation, the SIL was emphasised, and the Union's role in ensuring engagement by union members to create public awareness for impact before and during the hearing of the case in courts. The Union are also expected to identify members who have suffered from violations of their rights, especially rights provided by the constitution and the Labour Act.



Fig. 4 Mr Bamidele Director Legal for Lawyers Alert discussing strategies to be engaged for SIL

Child Rights Act and Child Labour: Section 28 and other relevant sections of the Child Right Act regarding children working on farms or domestic etc, were identified to violate Human Rights Charters Nigeria has signed up, including the African Charter. A child cannot give consent, and any consent obtained in furtherance of any domestic work from a child is, in law, no consent.

Action Points/Recommendations.

1. The Ministry of Labour needs to be more conscious about its regulatory laws as the only documentation for these domestic/informal workers is a card, probably bank transfer or SMS only.
2. Inclusion of the domestic/Informal sector in the salary scheme, i.e. the extension of the country's minimum wage to the domestic/informal sector insurance scheme (housing, health, social etc.)
3. The need to have domestic workers' association to catered for the needs of certain categories of informal workers. The body will be saddled with the responsibility of intervening in members' cases.
4. It is crucial to fix the gaps in the law by escalating labour and employment rights to all sectors, including the informal sectors.

Next Steps

- Preparation of advocacy plan for union and media engagement.
- Lawyers brainstorm meeting to identify issues for litigation.
- Union; to map out prospective Applicants for filling of SIL
- Advocacy on both sides of media engagement for continuous advocacy.
- Union to begin mobilising union members towards gallery appearances during court sitting