

# ONE UNION

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for Democracy, Peace & Overall Change!

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**Secretariat Report adopted by  
the Fourth National Congress of GEFONT**



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Overall Change!

**Secretariat Report adopted by the Fourth National Congress of  
the General Federation of Nepalese Trade Unions (GEFONT)**

**ONE UNION** for Democracy, Peace & Overall Change!

**Published by**

GEFONT

General Federation of Nepalese Trade Unions

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Putalisadak, Kathmandu, Nepal

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**Cover, Lay-out, Design and  
Printing Management**

M's Mouse, 4265944

E-mail : [msmouse@wlink.com.np](mailto:msmouse@wlink.com.np)

Price: Nrs. 50.00

© GEFONT 2002

ISBN: 99946-940-1-4

## About the publication

This Report has passed through a series of discussions and interaction before being presented at the Fourth Congress. Allowed to be public following a detailed discussion in the Third National Executive Committee, this report is divided primarily into seven sections and is written in 292 paragraphs. Before the Congress, 236 labour leaders and activists from Jhapa, Sunsari, Saptari, Bara, Makawanpur, Kathmandu, Kaski, Rupandehi and Banke discussed the report from December last year to January 2004. The smallest number of participation was in Simra, Bara where only 9 comrades were present, and the biggest one was in Kathmandu where 75 comrades participated in the discussion. These discussions gave a number of suggestions to incorporate in the report. In addition, five Zonal committees, a central department and 11 National affiliates tabled 60 amendment proposals within the month specified for this purpose.

In addition to GEFONT family, the report has entertained comments also from political circles. Those who inputted to this document are CPN (UML) General Secretary Comrade Madhav Kumar Nepal, Standing Committee Member Comrades J.N. Khanal, Ishwar Pokharel, Pradip Nepal and Alternative Member of the Standing Committee Comrade Bishnu Poudel. Suggestions from Central Committee Member of the CPN (UML) Comrades Bhim Rawal, Shankar Pokharel and Pradip Gyawali have been instrumental to improve the report. On behalf of civil society, Gauri Pradhan, Chairperson- Alliance for Human Rights and Social Justice (ALLIANCE-Nepal) and Dr. Shiva Sharma, General Secretary- National Labour Academy (NLA-Nepal) have helped us through their valued inputs, suggestions and facts. We have also borrowed a lot from papers by intellectuals namely Dev Raj Dahal, Reader-Tribhuvan University and Dr. Narayan Manandhar, the then Executive Director of Industrial Relations Forum. Their papers have been used as references in the analysis of various events and contexts.

Our sincere thanks goes to the GEFONT colleague Comrade Mukunda Kattel who translated the whole document into English. Suggestions by Eva Tabor and Maria Bearing (Denmark), our international colleagues, gave us valuable reflecting points vis-à-vis political and theoretical issues analysed in this report.

Before GEFONT was able to develop a 'policy' to guide its life, it used to limit policy discussions to its organisational circles alone. This time the discussion was expanded beyond this limit. This document was shared with NTUC and other friendly trade unions for their comments and suggestions.

All these suggestions were tabled in the 4<sup>th</sup> National Congress; and those adopted unanimously by 300 delegates have been included in this report.

This report has made an effort to analyse the class structure of Nepali society in addition to politics, economy and trade union movement. Some of the issues raised—such as class hegemony, caste and ethnicity, gender and regionalism—may be different from the classical analysis made by the Nepali left-movement. GEFONT is of the view that these issues need further debates to arrive at an agreeable conclusion. 'Socialism for prosperous life' has been coined as the political goal of GEFONT. As such it has called into debate as to whether or not it is possible to have a single model of socialism, whether or not pluralism and socialism can go hand in hand.

We hope that the political scenario forecast analysed in this report and the future of the Nepali trade union movement will be a matter of concern for union activists.

In course of preparing this report, GEFONT Chairperson Comrade Mukunda Neupane and Chief of the GEFONT Department of Foreign Affairs Comrade Umesh Upadhyaya have expended a substantial amount of time and energy. The document prepared as the 'Secretariat Report' has been benefited significantly from Treasurer Comrade Binod Shrestha, Chief of the GEFONT Department of Education Com. Binda Pandey, Regional Coordinators Comrades Chudamani Jungali, Uddav KC, Om Koirala, Central Woman Workers Department Coordinator Com. Bina Shrestha, Chief of the GEFONT Department of Labour Relations Com. Hari Datt Joshi, Secretary Com. Ramesh Badal, many NEC members, Zonal Committees and leaders of National affiliates.

Comrade Rudra Gautam has made memorable contribution to the analysis of wages and Wage Indexation; Comrades Kabindra Shekhar Rimal, Kiran Mali and Manju Thapa did the tedious job of data processing.

Bishnu Rimal  
Secretary General (Outgoing)

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## List of Abbreviation

ACFTU	: All China Federation of Trade Unions
AICCTU	: All India Central Council of Trade Unions
AITUC	: All India Trade Union Congress
AMC	: Asian Migrant Centre
AMRC	: Asia Monitor Resource Centre
APFOL	: All Pakistan Federation of Labour
APTUF	: All Pakistan Trade Union Federation
APWSL	: Asia Pacific Workers' Solidarity Links
ASI	: Anti Slavery International
BMS	: Bharatiya Mazdoor Sangh
BILs	: Bangladesh Institute of Labour Studies
CAW	: Committee for Asian Women
CBA	: Collective Bargaining Agreement
CBS	: Central Bureau of Statistics
CGIL	: Confederazione Generale Italiana del Lavoro or <i>Italian Confederation of Labour</i>
CGT	: Confederation Generale du Travail or General Confederation of Labour
CITU	: Centre of Indian Trade Unions
CLAC	: Central Labour Advisory Committee
COSATU	: Congress of South African Trade Unions
CPN (UML)	: Communist Party of Nepal (Unified Marxist-Leninist)
CPN	: Communist Party of Nepal
CTEVT	: Centre for Technical Education and Vocation Training
CUT	: Central Única dos Trabalhadores or Central Union of Trade Unions (Brazil)
CUTS - India	: Consumer Unity & Trust Society - India
CUUPEC	: Central Union of Painter- Plumber-Electro & Construction Workers, Nepal
CWWD	: Cenral Women Workers Department
DANIDA	: Danish International Development Agency
DED	: GEFONT Department of Education
DECONT	: Democratic Confederation of Nepalese Trade Unions
DFA	: GEFONT Department of Foreign Affairs
DFID	: UK Department for International Development



DGB	: Deutsche Gewerkschaftsbund or German Trade Union Confederation
DLR	: GEFONT Department of Labour Relation
EEOW	: Expansion of Employment Opportunity to Women (ILO)
EI	: Education International
ESPS	: Environment Sector Support Programme of DANIDA
FAWN	: Federation of Agricultural Workers, Nepal
FES	: Friedrich Ebert Stiftung
FNCCI	: Federation of Nepalese Chamber of Commerce & Industries
GEFONT	: General Federation of Nepalese Trade Unions
GUFs	: Global Union Federations
HIV/ AIDS	: Human Immuno Deficiency Virus/ Acquired Immuno Deficiency Syndrome
HMS	: Hind Mazdoor Sabha
HRC	: Hotel Restaurant and Catering Sector
ICEM	: International Federation of Chemical, Energy, Mine & General Workers' Union
ICFTU	: International Confederation of Free Trade Unions
IFBWW	: International Federation of Building and Woodworkers
IFJ	: International Federation of Journalists
IGCUN	: Independent Garbage Cleaners Union of Nepal
ILO	: International Labour Organisation
IMF	: International Monetary Fund
IMF	: International Metal Federation
INTUC	: Indian National Trade Union Congress
IPWUN	: Independent Press Workers Union of Nepal
ITF	: International Transport Workers' Federation
ITGLWF	: International Textile, Garment & Leather Workers' Federation
ITGWUN	: Independent Textile-Garment Workers Union of Nepal
ITPWUN	: Independent Tea-Plantation Workers Union of Nepal
ITWAN	: Independent Transport Workers' Association of Nepal
IUF	: International Union of Food Agriculture Hotel Restaurant, Catering, Tobacco & Allied Workers Association
JIL	: Japanese Institute of Labour

JSF	: Jatio Sramik Jote
KAD	: Kvindeligt Arbejderforbund i Danmark or <i>Women Workers Union in Denmark</i>
KCTU	: Korean Confederation of Trade Unions
KH-CTU	: Hong Kong Confederation of Trade Union
KMU	: Kilusang Mayo Uno or May 1st Movement of the Philippines
LIF	: Left International Forum, Sweden
MNCs	: Multi National Companies
MPs	: Member of Parliaments
NATU	: Nepal Auto Mechanics Trade Union
NC	: Nepali Congress Party
NEC	: National Executive Committee
NGO	: Non-Governmental Organisation
NICIWU	: Nepal Independent Chemical-Iron Workers Union
NICWUN	: Nepal Independent Carpet Workers Union
NIFBWU	: Nepal Independent Food & Beverage Workers Union
NIHWU	: Nepal Independent Hotel Workers Union
NIWU	: Nepal Independent Workers Union
NLA	: National Labour Academy
NLSS	: National Living Standard Survey
NRB	: Nepal Rastra Bank or Nepal National Bank
NRPU	: Nepal Rikshaw Pullers' Union
NTUC	: Nepal Trade Union Congress
NWPP	: Nepal Workers Peasants Party
OSH	: Occupational Safety and Health
OSHE	: Occupational Safety & Health and Environment Institute
PHECT-Nepal	: Public Health Concern Trust, Nepal
PILER	: Pakistan Institute of Labour Education and Research
PSI	: Public Service International
RPP	: Rastriya Prajatantra Party or <i>National Democratic Party</i>
RWWD	: GEFONT Regional Women Workers Department
SAAPE	: South Asia Alliance for Poverty Eradication
SAARC	: South Asian Association for Regional Cooperation
SAC	: Sveriges Arbetares Central organisation or <i>Central Organisation of Swedish Workers</i>

SARDI	: South Asian Research and Development Institute
SAWTUC	: South Asian Conference of Women Trade Unionist
SEWA	: Self Employed Women Association
SIGTUR	: Southern Initiates on Globalisation and Trade Union Rights
STEP	: Strategies and Tools Against Social Exclusion & Poverty (ILO)
TUC-GEP	: Trade Union Committee for Gender Equality & Promotion
UK	: United Kingdom
UML	: Unified Marxist-Leninist
UN	: United Nation
UNDP	: United Nations Development Programme
UNI	: Union Network International
UNITRAV	: Union of Trekking-Travel-Rafting Workers, Nepal
US	: United States of America
VCD	: Video- Compact Disc
VGCL	: Vietnam General Confederation of Labour
WCL	: World Confederation of Labour
WFTU	: World Federation of Trade Unions
WIEGO	: Women in Informal Employment Globalising and Organizing
WSF	: World Social Forum
WTO	: World Trade Organisation
Zenroren	: National Confederation of Trade Unions (Japan)
ZWWD	: GEFONT Zonal Women Workers Department

# 1

## Politics after 3<sup>rd</sup> National Congress

The Third National Congress had analytically viewed this decade as one having a political reality different from that of the past decade. Its conclusion was that the change in polity, the change in traditional monarchy and the decisive role of the parties would explain the political reality of the nation. The vision of the GEFONT was reflected in the Congress through its Statement as '**Socialism for dignified working class and prosperous life.**' It had made the following observations in relation to political shortcomings, and had suggested some guidelines to accomplish the due tasks.

- The Constitution of the Kingdom of Nepal-1990, promulgated after the success of the 1990 People's Movement, has made the Nepali people sovereign. But external forces in economic and social terms, has been highly influential. The nation is thus in a semi-colonial state.
- There are some undemocratic articles in the Constitution which obstruct people's sovereignty.
- The failure to bring to justice the culprits of the 1990 People's Movement has encouraged the undemocratic and anti-people elements
- Political parties and leadership could not meet the people's expectations. Parties and party leadership could not remain politically clean and morally honest. As a result, corruption has been institutionalised. It is a bitter reality that National politics has been marred with division and abnormal contradictions within political parties.
- The "People's War" launched by CPN (Maoists), the communist faction heavily marred with ultra-leftist thinking and terrorist activities has been a serious concern of Nepali politics.
- The State is still under the control of reactionary and anti-worker forces. And the movement for democratisation of the Nepali society still continues.

These political conclusions derived by the Third National Congress have proved to be accurate. Events and incidents

that occurred after the Congress have complicated matters in Nepalese politics. Now, we are in a time of such a serious crisis the history of Nepal has never seen it before. As the tenure of the 3rd Congress comes to a close, one of the Congress conclusions "the national environment is conducive to the expansion and consolidation of labour movement" has been questioned.

Recently the following three important political events have occurred, which have drawn Nepali politics into the crossroads of new crisis and possibility.

- a) Maoist terror has expanded quantitatively in general and qualitatively in terms of military might. It has stroke in the power equilibrium maintained by the 1990 People's Movement.
- b) The royal massacre of June 1, 2001 has unexpectedly shaken the 235-year old base of traditional monarchy.
- c) The retrogressive royal move of October 4, 2002 has derailed the democratic system operating in Nepal for the last 12 years and pushed Nepali politics a step backward.

Local bodies are running without elected representatives. And the party in power has nominated its men to fill the posts. The interest and instruction of the customary forces has been dominant in the appointment of ambassadors, officials in the constitutional bodies and in the transfer of civil servants. All this suggests that regressive forces are plotting against democracy in a planned manner

Despite some achievements, our democracy is therefore under threat. Why is this?

**First,** the period of transition for democratisation become long. People who had high hopes lost patience. Frustration in them resulted in dissatisfaction, disagreement, opposition and conflict.

**Second,** inter-party competition changed into rivalry. Disagreement resulted from this led the parties to

the fight to finish. The government failed to achieve a national character. State bodies could not be inclusive and could not serve the interest of the people. Politics was heavily centralised.

- Third,** political parties could not represent the social plurality in their structures and functioning. The element of feudalism that characterised the Nepali state and the governments for years did not end, instead it emerged into the parties & Party leadership has gradually feudalised.
- Fourth,** for the consolidation of democracy, local bodies had to be empowered and enabled to function independently. Instead of this, the central state created structures parallel to local bodies, hence weakened the base of democracy.
- Fifth,** parties failed to develop programmes on the basis of ideology, and election manifestos on the basis of declared programmes. They failed to implement programmes as declared in the election manifestos. As politics was sidelined in the parties, its place was filled by internal feuds and groupism.

In conclusion, rampant corruption, absence of good governance and the increasing state of frustration in society gave way to extremism both in the Right and the Left corner.

In a common parlance Nation-state refers to the institution, which has monopoly on military-police & administration, power to levy taxes on the people and maintain their loyalty. In the contemporary Nepal, the Maoist terror has challenged all the components of the Nation-state. Maoists have "people's army/militia" to counter the National security forces. They have constituted "people's governments" parallel to State administration and local bodies. Maoists are forcing people to donate to operate what they call the 'new state.' They claim that they are enjoying people's loyalty. "There are two states and three forces, which maintain the balance of political power", they claim. Political parties in the mainstream do agree with the Maoist claim that the power balance is maintained by the three forces, but they do disagree with the Maoist claims of the "new state."

The Maoists and the pro-palace forces are claiming their hold of power with the support of rebel armies (guerrillas) and the state army respectively. But the State does not mean the control of people through arms. It is rather a process to form pro-people policies, reduce conflict amidst people and protect the people and their environs. Analysis from this perspective shows that people are feeling insecure from both the State and the rebels; they are terrorised by both. Therefore, the current politics is in the state of transition. The abolition of either of the three forces or unity and/or polarisation between at least two of them is inevitable. The future course of Nepali society, whether towards advancement or regression, depends heavily on this equation in the making.

What could be the way out of the current crisis? There are divergent opinions vis-à-vis this question. On the basis of the opinions expressed by the forces in power, the parties in the political mainstream and the rebels, the following common points can be sorted out.

- The nation cannot afford to maintain the status quo any longer. The change in political structure is a must.
- The achievement of the 1990 People's Movement should provide the basis for bringing about any changes in the political structure.
- The process and the programmes of the consolidation of democracy and the solution to socio-economic contradictions should be mutually inclusive and inter-dependent.
- In the context of progressive and forward-looking exit to current crisis, it is a must that a 'package' of basic understanding is developed on fundamental issues by the rebels, the government and the mainstream political parties through which to address the procedural differences dividing them.
- Measures should be in place to ensure that people are completely sovereign and the monarchy completely constitutional.





# 2

## Global politics & International Trade Union Movement

## **2.1 Our conclusion on the world politics drawn in the previous Congress**

In the previous Congress, the following was the conclusion we drew in relation to world-politics.

- In spite of imperialism and capitalism being highly aggressive in the contemporary world politics, socialism is also coming on the rise drawing lessons from its failures. Socialism has taken on a new stage to walk hand in hand with pluralism.
- The traditional notion about change through armed struggle alone has been replaced by many alternative ways.
- In the journey to socialism, multi-party democracy is being gradually adopted, overtly or covertly, by the advocates of social transformation globally.

The conclusions were drawn with the premise that there could be no immediate change in the current unipolar nature of world politics. The following incidents that have occurred since then brought the old scenario into focus. The aggressiveness of imperialism has further increased militarily.

- The attack on US on September 11, 2001. The incident gave the message that 'no one is safe from terrorist attack in the world'.
- Extreme repression of the Taliban regime in Afghanistan and the attack of multi-national army led by US. Powerful nations started to resort to military aggression.
- The unlawful attack on Iraq by US and the UK. The exhibition of the imperial lust of war.

These three incidents have left world-wide effects. On the one hand, terrorist attacks have expanded to Indonesia, Middle East, and Africa. On the other hand, the attack on democracy and peace continues under the influence of US and the UK. The Israel-Palestine conflict, the ongoing tension in

Korean peninsula and the increasing 'militarization' in Pakistani politics can be seen in this context.

Nepal is not untouched of these international developments. Nepal has traditional contradictions with neighbouring India. Indo-Nepal relations, which are characterised by socio-cultural affinity, geographic closeness and open borders, have some comparative advantages. In addition, India and Nepal have unequal relations in relation to trade and transit, and the use of natural resources. Indian ruling class has always adopted an aggressive, unequal and dominant vision towards Nepal. And there has not been any alterations in the Indo-Nepal relations of friendship and hostility in the last 50 years. In addition to India, powerful countries such as US and the UK have, in recent years, directly intervened in the Nepali politics. With the increase in Maoist terror, and after the regressive move of October 4, 2002, the role of India-US-UK has come into public debate as a matter of serious concern. As advisers to military affairs or in political event after the regressive move, their role is not promotional to democracy but to retrogression.

To speak in regional terms, the Indo-China relations, Indo-Pak conflict and the relation of India with other South Asian countries have left considerable effects in Nepal. The slackness of SAARC and the Bhutanese refugee problems have largely dependent upon the role of India. All this has implications for our socio-political and economic life.

## **2.2 The then Conclusion on IFIs & Globalisation**

'The aggressiveness of capitalism in the form of globalisation has been criticised even within capitalism itself.' To substantiate this conclusion of ours, many incidents have taken place since the Third National Congress. Huge demonstrations against globalisations organised in Seattle, Gothenburg, Genowa, Doha and Cancun can be related to this context.

Social forums are being launched at the global level as an organised campaign against globalisation. They have started from the centre of the social movement in Brazil. We have started our formal participation in such forums from the 'Asian

Social Forum' organised in India last year. But the international solidarity of the working class people against the globalization of capital is still miniscule.

There are reasons for this: capital is organised financially and physically, and is globalized with the help of the recent electro-wave revolution in science and technology. It crossed all has national and geographical borders, in the race of monopoly over the market and profit. But the international unity of the workers is just limited to moral and spiritual unity. Whereas the movement of capital is free, there are various hurdles to restrict the movement of labour.

Socio-economic disparities are widening alarmingly worldwide. In the world, 1.2 billion people live with an income of less than US\$ 1 a day, 488 million of them in South Asia. In 1960, the income of the richest 20 percent was 30 times that of the poorest 20 percent. In the year 2000, the ratio rose to 74 times. This statistics alone explains the widening gap between the rich and the poor. The gap can be explained even in labour terms.

**Table 1: Working-time and purchasing capacity of the workers**

SN	Commodity	Unit	Working time to purchase (In hours & minutes)				
			Nepal	India	China	Japan	USA
1	Rice	1 kg	1hr 33	28 hr 5	0 hr 22	0 hr 13.5	0 hr 5
2	Potato	1 kg	0 hr 41	9 hr 5	0 hr 22.5	0 hr 9.5	0 hr 4
3	Sugar	1 kg	2 hr 25	0 hr 27	0 hr 14	0 hr 7.5	0 hr 4
4	Milk	1 ltr	1 hr 43	0 hr 25.5	0 hr 33.5	0 hr 7	0 hr 3.5
5	Cooking Oil	1 ltr	5 hr 12	1 hr 19	0 hr 49	0 hr 12	0 hr 10.5
6	Shoes	1 set	17 hr 20	15 hr 51	8 hr 23	7 hr 42	4 hr 25
7	Women Dress	1 set	26 hr 1	14 hr 32	12 hr 34	22 hr 11	5 hr 54
8	Male Suit	1 set	346 hr 55	58 hr 9	75 hr 25	30 hr 47	14 hr 45
9	Radio	1 pc	43 hr 22	39 hr 38	15 hr 5	6 hr 9	3 hr 41
10	Colour TV	1 pc	1387 hr 40	396 hr 25	82 hr 47	19 hr 15	14 hr 45
11	Car	1 pc	43365 hr 8	7928 hr 7	4818 hr 10	1159 hr 33.5	1327 hr 44

*Source: Analysed on the basis of International Metal Federation*

Seen in the light of labour and purchasing power, the cost for commodities differs country after country. Table 1 presents

the scenario of the purchasing power in the developed countries (Japan and the US), developing countries (China and India) and the extremely poor least developed country (Nepal).

In the US, the wage of 5 minutes is sufficient to purchase 1 kg of rice. It takes a wage of 13.5 minutes in Japan, a wage of 22 minutes in China and a wage of 28.5 minutes in India. In Nepal, buying a kg of rice requires the wage of 1 hour and 33 minutes. Other commodities, that range from potato to clothes to cars, show a frighteningly wide gap in the value of labour (wage) between the rich and poor countries.

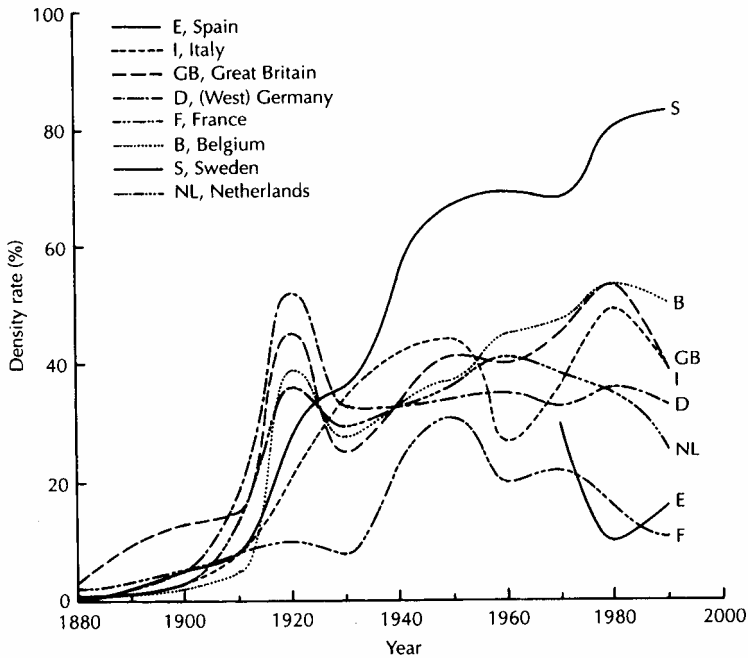
### **2.3 Unipolar World and Ups & down in International Trade Unionism**

Many ups and downs have been recorded in the history of nearly two century long life of organised trade union movement. Trade union itself is a politics; it cannot remain untouched of any alterations that shape the world politics. The 3<sup>rd</sup> Congress had drawn the following conclusion vis-à-vis the international trade unionism in the context of the 'unipolar' world politics.

- The strength of ICFTU, initially formed as the centre point of the forces who stand against scientific socialism, has increased
- The WFTU, which was backed by the Soviet model of socialism, has been weakened and crippled.
- There has been no significant changes in other international trade union centres

Evaluating the scenario of international trade unions today shows the similar picture as above. On the one hand, there are efforts to form a 'unipolar' trade union centre, similar type of campaign is going on to form a common 'Single' international trade union centre.

Chart 1: Ups and downs in the trade union movement of Europe in the period of hundred years



The following are some contextual examples. ICFTU is in attempt to include national forces fighting for trade union rights with differing visions. It is also trying to work closely with independent trade unions. Mainstream national federations of various characters are getting affiliations to the Global Union Federations which work in partnership with ICFTU. These are definitely positive developments resulted in by compelling international incidents.

Social insecurity caused by globalisation, liberalisation and privatisation compelling reality for the world labour movement. And this insecurity has been the result of the change in the nature and pattern of employment. The ups and downs in the power of trade union movement are associated with all this. The report entitled 'Industrial Relations in Europe' presents a statistics showing the change in union membership over the period of 100 years between 1890 and

1990. The statistics shows the reduction in union membership in the developed countries of Europe. Except in Sweden, the membership has decreased in the UK, Belgium, Italy, the Netherlands, France and Germany starting from the 1980s. The 1997 survey of the International Labour Organisation also confirms to this fact. The ILO report shows that the trade union membership has increased in Asian and newly democratic countries (Eastern Europe and South Africa).

If membership is taken as the standard to measure the strength of union, the centre of the union movement has now shifted from the developed countries to developing countries of Asia, Africa and Latin America. It has two aspects. First, these countries are new in terms of democratisation. The new consciousness brought by democracy in the working class people has increased their interest in trade unions. This has helped to foster unionisation. Second, Multilateral companies have centralised their activities in these countries. Moreover, organised industries have shrunk and the informalisation of labour has centralised the volume of labour in the countries known for 'the world of cheap labour' in the southern hemisphere. Some critics have even concluded that the trade union movement is on the retreat. They have drawn this conclusion in the light of the events of big strikes and demonstrations. But the experts of industrial relations hold that "being 'militant' only does not mean that unions are powerful." Rather, 'strikes' some times hint that tripartite or bipartite understanding has been broken.

With the dawn of the 21<sup>st</sup> century, numerous changes have occurred in the world of work. The employers are not like those of 200 years old. Today labour exploitation is not done by one or two individuals but through the management appointed by shareholders. A massive change has occurred in the vision about the workers. Labour-management relations cannot be maintained today without taking into consideration the feelings and psycho-social issues of the workers. Approaching labour-management relations merely along economic and physical terms does not make sense today.

Today, industries are not operated in a place employing a large number of workers. Today's trend is outsourcing of



labour and contracting workers in a small number scattered in communities. Today, a worker does not produce all the items as in the time of craft unionism. There is assembly line and labour is divided into smaller segments & production is divided into units. This kind of change in the nature of employment has forced trade unions to change their working modality as well. Their strategies include lobbying, as a political campaign for policy intervention, 'globalisation' of union movement, partnership with political parties and civil society on the issue of socio-economic transformation. Instead of following a traditional way of achieving political goal by economic demands, what has come into prominence today is to support members through cooperatives and financial investment, and secure their employment through legal assistance.

The change that has occurred in the nature of employment has given rise to varieties of thoughts and ideas, and, thus, new challenges to the trade union movement. Contemporary capitalism tends to earn an immediate profit by mobilising financial capital; it does not care for long term benefit which can be earned through capital investment. This trend has affected the working class as well. For example, the youth workers in both developed and developing countries, where social security is guaranteed, are attracted to the employment that gives them an immediate benefit. But the old workers are still in the preference of traditional employment which is long-term and permanent in nature. This trend is seen amidst all workers in the societies where there is no social protection.

National centres in many countries are centralising their activities in the informal sector where there is no formal relations between the employer and the employee. The world trade union is also establishing itself by adopting such new measures as the code of conduct in industry-enterprises, cooperatives movement and women worker centred policies.

The Asian Regional Trade Union Conference held in Seoul, Korea on 5-7 November 2003 is quite relevant to this context. Organised by the Korean Confederation of Trade Unions, the conference adopted a plan of action entitled "the formation of

new trade union movement in the new context", to which we support as a participant union, hence agree to:

- Participate in the Southern Initiatives on Globalisation and Trade Union Rights (SIGTUR)
- Participate in the tri-continental conference to be organised progressive trade unions of Asia, Africa and Latin America
- Participate in each movement aimed to consolidate Asian trade union movement.

### **On conclusion,**

We favour the policy that implements in actions the global sentiment of "workers of the world, unite." For this to materialize, it is not wise to seek consensus on A to Z issues. In fact what we feel reasonable and the best policy is to seek 'unity in diversity.'

Based on this policy, we should stand for the creation of "single international trade union centre" in which all national centres can fit in. In a continental level, there should be "single regional trade union organisation" and, in the sub-regional level, "single sub-regional organisation."

To achieve the goal of this kind of common international trade union, we should link our movement with the pro-workers progressive movements in the southern hemisphere. We should never forget that the support of the trade union movement of the 'northern hemisphere' is very crucial to foster south-south unity.

There have been numerous debates and discussions, and various opinions have been formed, both in the world as well as in the contemporary Nepal, as to what is socialism and what is not. GEFONT has also forwarded its views about socialism while setting-up of "socialism for dignified working class and prosperous life" during the 3<sup>rd</sup> National Congress.



# 3

## Our Political Vision: Socialism for Prosperous Life

There have been numerous debates and discussions, and various opinions have been formed, both in the world as well as in the contemporary Nepal, as to what is socialism and what is not. GEFONT has also forwarded its views about socialism while setting-up of "Socialism for dignified working class and prosperous life" during the 3<sup>rd</sup> National Congress.

"Socialism is the advanced form of social system in which the exploitation of human beings by human beings will completely end. Class divisions will be gradually erased. Dialogues and debates will go up to a new and improved stage. In the field of science & technology, new characteristics will emerge. Research and investigation will progress in a new speed. Love, cooperation, mutual trust and respect will be the main feature of human society. But the struggle between human beings and nature and between truth and faults will continue. Society will make a leap forward in an unprecedented way.

Human beings will completely depend on society. In such a society, only the working class people will be dignified and their lives will be prosperous."

The socialism we are talking about is not only a mere fantasy; it is our political goal. But, it is not something that will be achieved automatically. Instead it is a continuous process. Various models of socialism have been practiced in the world. We should internalise that socialism should not be understood as a single-model; it has diversities and varieties within.

Our final destination is the achievement of free, dignified and prosperous life of the working people. Socialism is therefore our political goal. The question is- where are we in the journey to socialism? Let us look at the contemporary Nepali society.

### **3.1 Land, ownership and landlessness**

Nepali society still relies heavily on land-based economic system and land-based mentality. If the dependence on land is not reduced proportionate to the rate of population growth, economic life cannot be activated. This will only catalyse land fragmentation and increase the incidence of poverty. Failure to expand other opportunities of employment and income

results in the increased pressure on land. Progressive Land reform is, therefore, the need of the day and an important social, economic and political agenda.

The current state of land ownership shows that 24.4 per cent households are landless (census 2001). In terms of figures, this is more than one million. Assuming that 20 percent of them do have alternative employment options and income sources, the figure stills stands to the tune of 815 thousand.

The situation of landlessness is very appalling in the terai, quite serious in the hills and negligible in the mountainous region. Following table explains this fact.

**Table 2: Landlessnees on the basis of ecological belt**

Area	Total Households	Landless households	Total landless households	Rural Landless households
Nepal	41,74,374	24.4	10,18,548	8,14,839
Mountain region	2,85,213	7.5	21,391	17,113
Hills	19,51,191	20.6	4,01,945	3,21,556
Terai	19,38,970	30.8	5,96,895	4,77,516

(Source: Census, 2001)

There are 19 districts with more than 20 percent landless households with a total number of 452,913 rural landless households. Of which, Manang has the least number of 345. In this category, Morang has the highest number (64,464 households). GEFONT is working in the 16 districts belonging to this category. Similarly, 17 districts have 10 to 20 percent of landless households, where the total number of rural landless households is 114,782. GEFONT is working in the 10 of them.

In the second category of districts, Rasuwa has the least number of landless households (862) where as Kailali has the highest number—14,102.

There are 36 districts having less than 10 percent landless households, and most of these districts are in the mountainous region with a total of 67,128 rural landless households.

Seen along this district-wise line and reducing the number of the urban landless shows a total number of 634,823 households having no access to land. Fifteen percent of this total households in the country do not have a piece of land, even to construct a hut, and completely depend on land-based employment and wages for their livelihoods. This shows a significant incidence of absentee land ownership.

It is obvious that land is closely associated with economic security in Nepali society. The landless thus feel psychologically insecure. If there is any saving or earning from foreign employment, even the middle class and mobile groups invest in land for economic security. Associated with the question of land ownership are the following three major challenges:

- a. how to dissociate from the lust of land ownership the middle class and other families having good earning from other alternative sources and how to eliminate absentee ownership
- b. how to make tens of thousands of landless families (the agricultural workers), the owner of sufficient land- who depend on land for employment and how to increase their wage to the level that earns them a decent living
- c. how to increase the share of land of the poor who have just some homestead land with them

### **3.2 Poverty, Labour Force & their purchasing power in Nepal**

The National Living Standard Survey (NLSS) carried out in 1995/6 has shown 42 percent Nepali people below the poverty line. The government assessment at the end of the Ninth Plan confirms it at 38 percent.

Official statistics show a reduction in poverty, however evaluating the poverty situation on the basis of the global standard of earning US\$1 a day shows that 53 percent Nepalis are below the poverty line.

The nature of poverty varies between rural and urban areas. The increasing opportunities for modern employment in the cities have reduced dependency on land. This has changed the incidence of poverty in the cities and there have been some progresses as well. But the poverty situation has exacerbated in rural areas where as many as 86 percent Nepalis live. According to the NLSS, altogether 23 percent urban population and 44 percent rural population is below the poverty line. The intensification of poverty is very high in remote areas. Analysis of the data between 1975 and 1995 shows that 350,000 people have been added in the number of those below the poverty line. Compared to terai poverty scenario is worse in the hills and pushed up hill-to-terai migration making terai a concentrated shelter of the poor now.

In such a situation, the ever increasing labour force is sure not to get gainful employment in home; hence foreign migration is on the rise. There are five features of foreign migration.

- a. The poor migrate to India just for livelihoods
- b. Those with low income migrate to the Middle East after selling all their properties
- c. The educated low-middle class group go to East Asian countries by using their position, influence and contact
- d. Those belonging to the middle class and having a secure financial position in home go to Europe-America-Australia for higher income
- e. Those traditionally employed in foreign forces including present days security guards

But this trend of migration does not address the problem facing the poor. Their situation is going worse from bad.

It is said that foreign remittance is playing a vital role in national economy. But as the NLSS show, agricultural income is still the mainstay of household income and the basis of livelihoods.



**Table 3: Contribution of various sectors to family income**

Area	Contribution of Family income in %		
	Agricultural incomes	Non-agricultural incomes	Other incomes
Nepal	61	23	16
Urban Centre	16	53	31
Rural Areas	65	20	15
Mountain region	62	18	20
Hills	58	24	18
terai	64	22	14

(Source: NLSS 1996)

To look at the statistics of income distribution of the *Nepal Rastra Bank* (National Bank) Survey-1977 and the NLSS survey-1996 shows that the share in household income of 40 percent poor families has decreased. There has been considerable increase in the household income share of 50 percent middle class families. The share of the top 10 percent has also decreased somewhat. The reduction in the share of 40 percent families hints that poverty is increasing.

**Table 4: Distribution of annual family Incomes**

Year	The share of total annual family incomes		
	Bottom 40 percent (the poor)	Middle 50 percent (mid-income families)	Rich 10 percent families
1977	12.6%	28.2%	59.2%
1996	11.0%	37.1%	52.0%

(Source: NRB, CBS)

It is indicative that all the opportunities are centralised in the high and middle class. It is these groups who have access to national resources. The purchasing power and the socio-economic status of the bottom 40 percent is deteriorating.

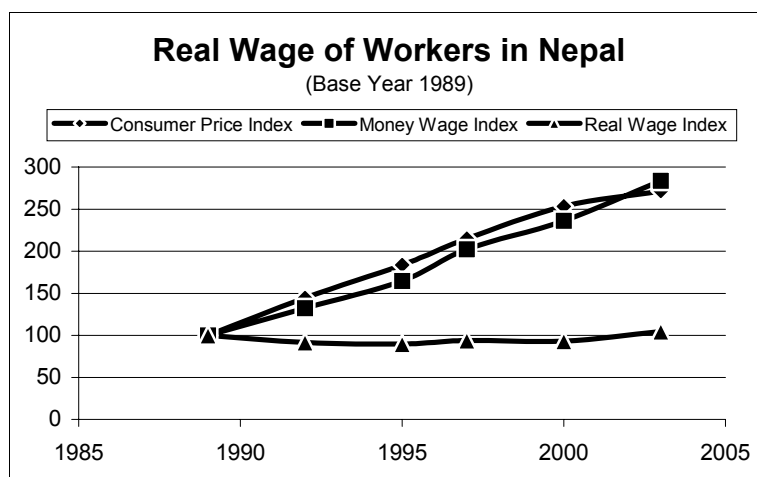
The situation of the day is more horrible. Economic activities are stagnant due to violence and terror, and agricultural production has plunged all time low. This has started to affect badly the middle class as well.

The other important reality is that real wage has been declining in the past years, and thus the purchasing power of the working class people has decreased. Already marred with the absence of the social security system, the decrease in the real wage has resulted in a crisis of livelihoods amidst the working class people. The following chart shows the decrease in real wage, and the critical situation of the workers.

Table 5: Real Wage of Workers, Nepal 1989-2003 (Base year 1989=100)

Year	Consumer Price Index (CPI)	Money Wage Index	Real Wage Index
1989	100.00	100.00	100.00
1992	144.59	132.33	91.52
1995	183.49	164.55	89.68
1997	214.86	202.15	94.08
2000	253.39	236.09	93.17
2003	271.38	283.78	104.57

Chart 2: Real Wage of Workers in Nepal



The price increase in commodities and services between 1990 and 2003 is shown by Consumer Price Index. If compared with the price of base year 1990, the price level has increased by 171.38 percent. Changes over the same period come to be increased by 183.78 percent. The real wage or the purchasing

power of the workers is on the decline. But this year some improvements have been noticed due partly to a rigid bargaining. There has been an increase in the minimum wage, in total by NRs. 444. This rise in wages only earns the purchasing power at the level it was 20 years ago. Given the situation of violence, insecurity, displacement and increased unemployment, this improved real wage will be limited to a few working communities. Majority of the working class people will remain in a situation of unemployment, displacement and livelihoods threats.

Although there has been improvement in real wages this year, the portion and share of wages has decreased. In 1991, the workers used to get 25 percent of the share of the value added income. It decreased to 19 percent in the year 1997 and further to 17 percent in 2002. This shows the widening disparity in the distribution of the returns. What is the reality of the day is the decrease in the purchasing power and real wages of the majority of the working class people.

### **3.3 The Big Business Houses & Nepali Entrepreneurs**

There is no national capitalist class as in past in the current profit race of capturing market by multinational companies (MNCs) based on present day globalisation and joint venture.

Traditional classification naming capitalist forces as comprador bourgeoisie (those with a huge capital) and national or patriotic capitalist (those with small capital) is a wrong notion. In fact it was an absolutist position even theoretically.

The flow of capital has transcended all national borders. It flows to the areas where there are prospects of profit in a minimum investment, and the direction of the flow is led by MNCs in a no-obstruction way. Today, the MNCs have been active and successful to some extent to have control over all the aspects of economic life. The native capitalist class—the entrepreneurial and business class—is adopting all measures, fair and foul, to compete to this situation. This class is adopting a policy of collaboration with multinational institutions (MNCs) instead of competing with them. And, is trying hard for joint venture with MNCs thus to ensure security

of entrepreneurial-managerial status. Always ready to evade tax-obligations, this class does not qualify to the name of national capitalist class.

The big business houses are being notoriously known for the misappropriation of bank loans as defaulters. They are withdrawing their investment from their enterprises and making them largely bank loan-based. This trend is resulting in enriched entrepreneurs and their families but the enterprise itself is going bankrupt. It is an unfair and fraudulent practice.

The Nepali society is transitioning from a semi-feudal phase, and the entrepreneur-business class is evolving into the capitalist class from the land-based feudal class. The feudal nature of land property is thus changing into modern capital investment, but not the mentality, which is still feudal. Consequently the business class in Nepal doesn't have balance approach in industrial relations.

The other reality of the day is that the influence & corrupt intervention of the business class is increasing state power. The MNCs, joint venture companies, big business houses and ambitious entrepreneur-business executives are trying their level best to maintain their control over the state policies concerning industries and enterprises. The feudal land-based class is thus being replaced by the business class in the central state-power. During the hung- parliamentary period, this class was heavily involved in the horse-trading of MPs. And currently it is backing-up the regressive state of the day. But in the district level and in villages, the old feudal class is still influential. This is because in the local level, the power equation and power exercise is dependent on the phenomenon of land ownership.

Even social work is being considered like business and mobilised from the profit-making standpoint but they are hesitant and not dynamic to operate big trust through which to launch social security and social welfare scheme.

The process of production is slow, and the pattern of production status-quoits. But there have been changes in the pattern of consumption and life-styles due largely to

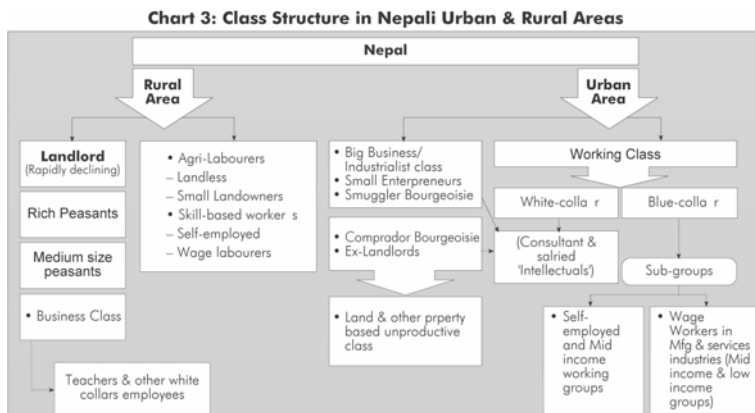
demonstration effects and to the influence of information technology. This change in the pattern of consumption has forced the people to search for new sources of income, thus enhanced mobility of the labour force is being witnessed.

### **3.4 Contemporary Nepal; class & changing structure**

Although the mobility of thinking & thoughts is weakened, the trend of migration has increased for enhanced earning. The limitation of land and the unmanaged growth of population has been a push factor for migration. People migrate to city centres within home or go to India and other third countries to earn a living. The change in the nature of industries has increased the demand of diverse commodities and services. The service sector is thus developing at a faster pace. Resultantly, the urban area is seeing a fast development of technology and technological changes. The mobility of the people, the export of labour and the expansion of the effects of globalisation in society through various ways have resulted in the fast change in class structures.

The class structure is undergoing a rapid change in the city and rural-urban migration is impacting on the rural class structure. Big landlords and the landlord class are in fast declining trend. Rich farmers have an increasing influence in the rural power structure, rich farmers & middle peasantry has been a decisive force, but it is under the domination of statusquoism and always fearful about change. But the student community, the largest youth force, comes from this rural middle peasantry class, which maintains high influence even in the urban movements.

The consumption patterns and the living style in rural areas are being shaped differently by the influence of these students. Rich farmers and the middle peasantry class are centring in the cities, thereby co-opting themselves into low-middle and middle-urban class. The majority white-collar workers come from this class. Youths from rural middle peasant class and rich peasant class are transforming into urban working class, primarily into white-collar working class. All this has also caused changes in the class structure of Nepal as shown in .



The contradiction of the contemporary Nepali society can thus be summarised as following:

- a. Society is in the process of new polarisation; middle class has increased and it has full control over the people above the poverty line.
- b. The middle class is a Class mostly flexible, dissatisfied and full of prejudices. It does not take risk of losing the present status for the unseen benefit that may result from overall change. In this sense middle class may be considered statusquoist.
- c. But the student force that stems from the middle class has a dominant say, as it is a decisive force in the 'urban movement'. We need to carefully see to what direction our movement should pull this force.
- d. Nearly half of the total population are below the poverty line. The mainstream political forces and mass organisations do not have a strong influence over this poorest segment of people. Therefore the solution to the problems facing the poor lies in the structural change. But the numerically increasing middle class and the upper class as the customary power is maintaining its say over the state is not prepared for structural change. Without structural change, the contradiction of Nepali society will not solve.

- e. Poverty is rural based, where the rebel group has a strong presence. In the 12 years of democratic polity, there have been urban focused efforts for structural improvements; where Peoples' organisations are active, but it does not address the 'biggest problem' of poverty.
- f. Contradictions of the contemporary Nepali society are not solely based on class structure. Caste and ethnicity, gender and regional sentiments are also crucial to create conflict and problem in the social structure. In the caste context, the problems of dalits and untouchability hold prominence. In the context the regional sentiments the problem between developed and underdeveloped parts of the country (viz. western & eastern hills; Inner Terai and the hills) and in the context of gender, discrimination between male and female are important issues. Addressing these issues will help address some complexities created by class contradictions too.

Contemporary Nepali society is confronting a challenge as to how to lead the society towards positive end placing the class issue at the centre while addressing tactfully gender, caste and ethnicity and regional issues.

In the journey to socialism, we need to move ahead addressing social contradictions and undertaking a lot many other initiatives. The most urgent tasks can be discussed as below.

- a. Educate the working class people in a perspective of socialist education and culture
- b. Continue the movement for civil and political rights to guarantee the ideological freedom, right to speech, writing, assembly, elections and the right to be elected
- c. Foster partnership with the political party that follows the principles of scientific socialism and stands for periodic elections to garner the vote of confidence of the people over the governance of the party

- d. Develop trade union as a reliable social movement in order to develop the working class in a liberal frame work of socialist culture
- e. Develop a scientific mechanism and legal framework to handle dialogues, debates & interactions and transform resultant social contradictions. Consolidate the state as a welfare state in order to end the oppression and exploitation of labour by capital through the rule of law.
- f. Establish the process and practice of pluralism, fact-based conclusion and transparency in order to prove by practice that socialism is more advanced and scientific in all respects than capitalism.
- g. Protect and promote 'creative reform' instead of extreme 'class struggle' or 'class hegemony', and promoting & develop productive forces based on the ground reality of political equilibrium of Nepal and norms established by the 1990 People's Movement.
- h. Effectively intervene on behalf of the working class people in the process of formulation of national policies & policy decision as well as amending such policies or reforming them.
- i. Monitor the programmes operated by the state from local to national level





# 4

## Activities of this tenure, an evaluation

#### 4.1 Educational Campaign

The activities of this tenure began with educational campaigns under the theme "GEFONT campaign in the beginning of 21<sup>st</sup> Century." The following were the guidelines of programme implementation for this four year period.

- a. Enable through training the leadership of National affiliates so that they can train the members as per the need
- b. Provide training on Basic and contemporary issues to various levels of the Federation in cooperation, if required, with various institutions related to labour
- c. Conduct training programme on political and ideological issues in a planned way
- d. Encourage affiliates to the possible extent, to operate technical training centres for technical education with the assistance of the concerned agencies.
- e. Operate literacy programme to end the current level of illiteracy still plaguing the labour field.

A number of activities have been launched to accomplish these actions. The GEFONT Department of Education has been mobilised to meet the plans and aims set for the training programmes. During this period, as many as 26 major training events were organised covering 822 participants.

In addition, a dozen of briefing programmes were organised including one with the CPN (UML) leadership on trade union related issues. Comrades representing the GEFONT department of education & central office have participated in a number of programmes, small and big, which might not have been documented.

In mid April 2003, a comprehensive evaluation of the education campaign of this tenure was done through an expanded meeting of National Council members. As an achievement of the campaign, the meeting pointed to the development of skilled human resource, development of educational materials and the effective participation of affiliates in the educational programme. The meeting has

noted the 'study circle' campaign as a new method. Similarly, it has noted, as shortcomings of the campaigns, that the mobilisation of the educated person was not up to the requirement and that the illiteracy-end campaign could not achieve the targeted goals. Policy-wise issues could not reach the grassroots level, and the political-ideological training could not be operated as planned. So was the situation of the training in relation to technical and vocational skills.

Despite all this, the successful implementation of 'basic course of trade unionism' as a compulsory subject of training at the local level should be taken as a quality leap forward in the educational campaign of this period. Similarly the use of the 'study circle' methodology should be taken as the important achievement.

#### **4.2 Organisational Expansion & Mobilisation**

This tenure continued the organisation expansion programme in rural agricultural sector set by the 2<sup>nd</sup> National Congress. The formation of the Federation of Agricultural Workers, Nepal (FAWN) had started at a time when there was an internal political contradiction. This tenure did not see any debates and contradictions of that kind. But the spread of violence during this period obstructed the expansion of organisation as expected. However, we could launch our activities in nearly 40 districts.

We expanded our activities in a new sector—amidst the workers in street vending; the Street Vendors' Union has been registered as the 87<sup>th</sup> trade union federation. Similarly, a structure of Private & Boarding school Employees Union has been established.

During this period, the following sectors have been identified as new sector for organisation expansion and mobilisation.

- a. Saloon
- b. Domestic workers
- c. Jewellery & Ornament workers
- d. Courier and carrier workers
- f. Service sector (cooperatives and finance)

- g. Nursing
- h. Security service

The 3<sup>rd</sup> National Congress had decided to classify the affiliates into four categories on the basis of their performance.

- a. Self-reliant
- b. Federations close to self-reliance
- c. Federations with potentiality for self-reliance
- d. Federations without prospect for self-reliance

The second NEC meeting of the GEFONT held on June-2000 formed a Commission entitled 'Affiliates Status Recommendation Commission' with Com. Uddav KC as coordinator and Comrade Binda Pandey and Balaram Khatri as Members. The Commission identified the following attributes as the basis for status setting: financial position of union (the state of income, savings and loans), sources of income (regular & occasional), the nature of the union, the scope, extent and human resources of union, membership base, annual activities and work plans. On the basis of the Commission's recommendations, the fourth meeting of the National Executive Committee drew the following conclusions.

- a. Self-reliant affiliates
  - i. Independent Transport Workers' Association of Nepal (ITWAN)
  - ii. Nepal Independent Hotel Workers' Union (NIHWU)
  - iii. Independent Textile-Garment Workers' Union of Nepal (ITGWUN)
  - iv. Nepal Independent Chemical and Iron Workers' Union (NICIWU)
- b. Affiliates Close to Self-reliant
  - v. Independent Tea Plantation Workers' Union of Nepal (ITPWUN)
  - vi. Nepal Independent Carpet Workers' Union (NICWUN)

- vii. Union of Trekking-Travel and Rafting Workers, Nepal (UNITRAV)
  - viii. Independent Garbage Cleaners' Union of Nepal (IGCUN)
  - ix. Nepal Auto-mechanics Trade Union (NATU)
  - x. Nepal Independent Food and Beverage Workers' Union (NIFBWU)
- c. Affiliates with potential for self-reliant
- xi. Federation of Agricultural Workers, Nepal (FAWN)
  - xii. Central Union of Painter, Plumber, Electro and Construction Workers, Nepal (CUPPEC)
- d. Affiliates with no possibility of self-reliant
- xiii. Nepal Independent Workers' Union (NIWU)
  - xiv. Independent Press Workers' Union of Nepal (IPWUN)
  - xv. Nepal Rikshaw Pullers Union (NRPU)

#### **4.2.1 Trade Union Movement: Current Situation**

The introduction of the Trade Union Act in the country has expedited the process of union registration. Based on the Registrar's office information, efforts have been made to assess the recognition of the National Federations/Confederations, their strength and influence. On the basis of this, an analysis of the 'Nepal: trade unions in critical situation' was carried out last year. The analytical report also brought into focus that "some trade unions, although registered legally, are not in operational practice."

Taking into consideration this fact, the GEFONT undertook an on-the-spot survey in November 2003. The survey collected information in relation to the number of union registration & registration cancellation and the number of unions losing their existence due to the closure of the enterprises.

Of the total 1,634 unions (with 10 or more workers) registered in various enterprises in the country, 680 have lost their registration for failing to meet the prescribed legal requirement. Nineteen unions do not exist due to the closure of the enterprises. The unions with legal validity have further been divided into three categories as "active, inactive and unverified" unions. Of the 935 unions with valid registration, 561 are affiliated with GEFONT and remaining 374 are affiliated with other union centres. This number also includes those unions which are not affiliated with any recognised Confederations. Analysing the data, only GEFONT affiliated unions have been classified as 'active and inactive'. Since other unions outside GEFONT have not been included in the analysis, all the 374 unions have been stated as unions awaiting verification.

Active union	365
Inactive union	196
Yet to be verified	374
Non-existent due to the closure of industry	19
Registration Cancelled	680
<b>Total</b>	<b>1634</b>

Unions' position by Zone is as follows:

**Table 6: Unions' position by Zone**

Zone	Confederation	Active	Inactive	Not verified	Closed	Cancelled	Total
Biratnagar	DECONT			12		1	13
	GEFONT	56	6	0		2	64
	NTUC			66		5	71
	OTHERS			10			10
	<b>Total</b>	<b>56</b>	<b>6</b>	<b>88</b>	<b>0</b>	<b>8</b>	<b>158</b>
Birgunj	DECONT			5			5
	GEFONT	47	29	0	1		77
	NTUC			39		2	41
	OTHERS			2			2
	<b>Total</b>	<b>47</b>	<b>29</b>	<b>46</b>	<b>1</b>	<b>2</b>	<b>125</b>

Zone	Confederation	Active	Inactive	Not verified	Closed	Cancelled	Total
Butwal	DECONT			0		3	3
	GEFONT	27	5	0	1	5	38
	NTUC			8		8	16
	OTHERS			5		5	10
	<b>Total</b>	<b>27</b>	<b>5</b>	<b>13</b>	<b>1</b>	<b>21</b>	<b>67</b>
Dhangadhi	GEFONT	1					1
	NTUC			2			2
	<b>Total</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>
Hetauda	DECONT			1			1
	GEFONT	22	6	0		6	34
	NTUC			7		1	8
	OTHERS			1			1
	<b>Total</b>	<b>22</b>	<b>6</b>	<b>9</b>	<b>0</b>	<b>7</b>	<b>44</b>
Janakpur	GEFONT	7					7
	NTUC			6			6
	OTHERS			2			2
	<b>Total</b>	<b>7</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>15</b>
Jhapa	GEFONT	23				3	26
	NTUC			13		2	15
	OTHERS			0		1	1
	<b>Total</b>	<b>23</b>	<b>0</b>	<b>13</b>	<b>0</b>	<b>6</b>	<b>42</b>
Kathmandu	DECONT			17		47	64
	GEFONT	156	141	0	13	192	502
	NTUC			98	1	244	343
	OTHERS			40	3	136	179
	PE'S			29			
	<b>Total</b>	<b>156</b>	<b>141</b>	<b>184</b>	<b>17</b>	<b>619</b>	<b>1117</b>
Nepalgunj	GEFONT	1	1			7	9
	NTUC			5		9	14
	OTHERS			0		1	1
	<b>Total</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>0</b>	<b>17</b>	<b>24</b>
Pokhara	DECONT			2			2
	GEFONT	25	8				33
	NTUC			3			3
	OTHERS			1			1
	<b>Total</b>	<b>25</b>	<b>8</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>39</b>
<b>Grand Total</b>		<b>365</b>	<b>196</b>	<b>374</b>	<b>19</b>	<b>680</b>	<b>1634</b>



The survey also concerned enterprises employing more than 10 workers, and as to how many of them are union members. The number of the total workers as explained while getting registered in labour offices and the total number of members as claimed by the union has been taken as the basis of information.

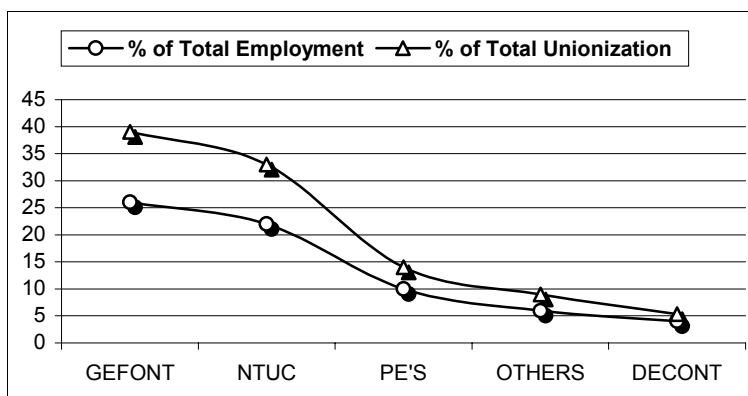
This figure does not update the changes which might have occurred in the enterprises. Similarly, the number of members associated with unions includes the updates as shown in the time of union renewal. This analysis can be considered as near-truth in terms of unionisation and the total number of workers in organised enterprises.

As shown in the table, of the total 173,702 workers, 117,848 are associated with various unions, 26 percent of them (45,404) with GEFONT, 22 percent with NTUC, 10 percent with the Public sectors employees' unions affiliated with one of the non-recognised general association named- Confederation of Professionals, 6 percent with individual unions and 4 percent with DECONT. Nationwide, a total of 68 percent workers are unionised (See Annex:2). Of the total unionised members, 39 percent are associated with GEFONT and 33 percent with NTUC.

**Table 7: The density of unionisation and the total number of workers**

Confederation	Total number of workers	Number of organised in unions	Percent of the total number of organised workers	Percent of the total number of the organised
DECONT		6270	4	5
GEFONT		45404	26	39
NTUC		39020	22	33
Other unions		10373	6	9
Professional		16889	10	14
<b>Total</b>	<b>173702</b>	<b>117848</b>	<b>68</b>	<b>100</b>

Chart 4: The density of Unionisation in Nepal



The facts justify that the unionisation is at a satisfactory level. The industrial census 2001/02 has recorded 181,695 workers in organised industries. This figure is not that different from what the GEFONT has recorded (173,702) through the labour offices. This statistics also suggests that unionisation has a strong hold over organised industries in Nepal.

#### 4.2.1 Current Organisational Strength

Given the complex socio-political situation, there is no need for dissatisfaction at the mobility of the organisation and its committees. There are as many as **935** committees of the affiliates active nationwide locally and at the enterprise level. In terms of the intensity of unions, GEFONT affiliated unions occupy 60 percent, NTUC affiliated unions 26 percent, other unions 10 percent and DECONT affiliated unions 4 percent.

Table 8: Enterprise level unions

Confederations	Total Unions	Percent of the number of unions
GEFONT	561	60
NTUC	247	26
DECONT	37	4
Other unions	90	10
Total	935	100

The following table presents the scenario of the organisations and the number of active committees in the informal sector.

**Table 9: Number of committees of National Affiliates in informal sector (702)**

Zone	No of Committees							Total
	ITWAN	IPWUN	NATU	CUPPEC	IGCUN	NRPU	FAWN	
Jhapa	3	0	2	19	1	6	11	42
Biratnagar	16	2	6	28	1	13	67	133
Janakpur	4	2	1	0	0	5	50	62
Birgunj	3	1	0	2	0	2	27	35
Hetauda	1	1	0	1	1	1	12	17
Butwal	16	2	1	3	4	5	115	146
Nepalgunj	1	0	1	2	0	3	75	82
Dhangari	2	0	5	2	1	6	46	62
Pokhara	10	2	1	7	1	1	1	23
Kathmandu	28	15	16	35	6	0	0	100
Total	84	25	33	99	15	42	404	702

GEFONT verifies its membership-base every four years. During the 3rd National Congress, there were 52,175 paid-up members affiliated to different 15 National Affiliates. In the last four years though there is increase in signatory membership; there has been slight decline in the paid-up & associate members. The base of the current membership is as follows.

**Table 10: Estimation of the GEFONT membership**

Union	Paid-up members	Signature members	Associate members	Total
NIWU	2257	4603	5834	10437
ITGWUN	3234	13410	14681	28091
ITWAN	9627	9627	24669	34296
NICWU	1067	3826	6512	10338
NIHWU	3148	8022	8002	16024
UNITRAV	1760	4260	1534	5794
IPWUN	350	1406	2600	4006
ITPWUN	2414	5500	4000	9500
NATU	2178	4153	6650	10803

Union	Paid-up members	Signature members	Associate members	Total
CUPPEC	6228	25052	31176	56228
IGCUN	1116	1932	3500	5432
NIFBWU	2210	3785	3062	6847
NICIWU	4500	5399	12137	17536
NRPUN	1000	10250	0	10250
FAWN	5284	44325	31694	76019
Street Vendor	1475	3000	0	3000
Total	47848	148550	156051	304601
<b>Comparison with outgoing tenure</b>				
Previous tenure	52175	120292	190283	310575
Present	47848	148550	156051	304601
Increased	–	28258	–	–
Decreased	4327	–	34232	5974

(Source: NEC meeting of 15 December 2003)

#### 4.2.2 National Affiliates: Current Situation

Estimates of National affiliates themselves and the information suggested by Zonal Committees shows that the ITGWUN, ITWAN, IPWUN, CUPPEC-Nepal, NICIWU have spread their activities respectively in 9, 23, 10, 29 and 15 districts. Similarly, the activities of NATU, NIFBWU, NIHWU and NIWU have expanded in 9, 5, 4 and 3 districts respectively.

In addition to the expansion of activities, the analysis of the membership base and average income and expenditure, it is appropriate to classify organisations as self-reliant, self-reliance oriented and those having possibility for self-reliance, as done immediately after the 3rd National Congress. The latest analysis puts ITGWUN, ITWAN, NIHWU, NATU and NICIWU in the first category; ITPWUN and CUPPEC in the second category; and, NIWU, NICWU, UNITRAV, IPWUN, IGCUN and NIFBWU in the third category.

**Table 11: The expansion of work (42 districts)**

UNION	Districts with union access	Plus	Minus
NIWU	9	3	6
ITGWUN	11	9	2 (Closed)
ITWAN	31	23	10
NICWU	1	0	1
NIHWU	10	4	6
UNITRAV	2	2	0
IPWUN	15	10	5
ITPWUN	2	0	0
NATU	19	9	10
CUPPEC	31	29	2
IGCUN	8	8	0
NIFBWU	14	5	9
NICIWU	17	15	2

Of the self-reliant federations, ITWAN and NICIWU show a huge amount of occasional income now; thus, nothing can be predicted of their future. On the other hand, NATU is heading towards being a self-reliant union from its current position of self-reliance-tilt.

NICWU, UNITRAV and IGCUN, of those with potential of self-reliance, have an occasional income more than regular income and membership dues. Even in expenses, additional expenses seem more than basic and regular expenses. That the membership base of all these category is not expanding hints that much needs to be done in the days ahead.

Thirteen National Affiliates, excepting FAWN and rikshaw pullers unions, have an income of Rs. 18,050,126 of the last three years. Their total expenditure is Rs. 9,012,150. Looking at the status of income, expenditure and loans, ITGWUN, UNITRAV and CUPPEC Nepal fall in the category of unions with "more income, more expenditure and less savings, less loans." NICIWU, NIFBWU and IGCUN fall in the category of unions with less than Rs. 500,000, expenses proportionate to the income and low income obligation. On the affiliates with more income, more expenditure and good savings is only ITWAN.

NICWU is seen as a union with more expenses than income and a high loan obligation; IPWUN has a high rate of advance to settle; and, NIHWU and NATU have a good amount of loans and advances. NIWU and ITPWUN are highly indebted. This scenario is suffice to assess the status of the National affiliates.

#### **4.2.3 Zonal Committee**

Zonal committees are a new experience of our organisational life. These are the ones with a local base. However, we have had significant zonal level experiences as the period of the last four years has not been sufficient. As per the GEFONT statue, 10 labour offices in the country have been considered as 10 zones with the following working areas.

- a. Jhapa: Mechi Zone
- b. Biratnagar: Koshi Zone
- c. Janakpur: Sagarmatha, Janakpur Zone
- d. Birganj: Bara, Parsa and Rautahat Districts of Narayani Zone
- e. Hetaunda: Chitwan and Makawanpur Districts of Narayani Zone
- f. Kathmandu: Bagmati Zone
- g. Pokhara: Gandaki and Dhawalagiri Zone
- h. Butwal: Lumbini and Rapti Zone
- i. Nepalgunj: Bheri and Karnali Zone
- j. Dhangadhi: Seti and Mahakali Zone

For one year after the Congress, the zones were in a transition. Preparation for zonal-level congress was done in the first six months; the second six months was the period of managerial set up and procedural arrangement. After November 2001, a team composed of the GEFONT Chairperson and Secretary General visited various zones to evaluate their programmes and activities. In the meetings of zonal committees, the status of the work was analysed in detail. Following areas were pin-pointed-

- a. Meeting conduction, minute writing and sending circulars
- b. Regularity of meetings (number and interval of meetings, legal arrangement, participation in the meetings and meeting agenda)
- c. Process of membership distribution, expansion, mobilisation and renewal
- d. Work plan of the Committee (monthly, bi-annual and annual)
- e. Day-to-day affairs and issues of local unions; plan & strategy and mechanism for crisis management
- f. Issues, methods and tools of education and training
- g. Role of central leaders of the National affiliates
- h. Role of district-level leaders to mobilise local level unions

After the visits of zonal offices and series of meetings held there, the GEFONT Chairperson presented an evaluation report in the second meeting of the National Council. Upon hearing the report, the Council resolved to give appropriate directives and guidance to the zonal committees.

The eighth meeting of the National Committee analysed that the functioning of the zonal committees did not improve even after the directives issued through National Council, and decided the following to strengthen zonal committees.

- a. Meet at a regular interval as specified in the statute
- b. Regular monitoring of local and enterprise-level committees by zonal committees
- c. Regularise district committee meetings of affiliates
- d. Divide duties and responsibilities as per the ability, assign sectoral responsibility in the light of the nature of enterprises
- e. Central leaders of National affiliates in the zone to report to the chairperson of the zonal committees

- f. Rank-n-file committees to follow zonal committee circulars, and zonal committees to report 'as it is' to the central office.

There has been improvements in zonal functioning in recent days, but still short of expectation. In the light of their functioning, Zonal Committees can thus be categorised.

- a. **Problem-ridden zonal committees:** Zonal Committee, Janakpur has noted geographical complexity as a problem, and Zonal Committees of Nepalgunj & Dhangari are hit hard by problems related to violence.
- b. **Zonal Committee with specific problem:** Special Committee in Kathmandu is amidst problems right from its formation. Central offices of all the affiliates are in Kathmandu. Generally, local unions here have direct access with their own presidents and secretaries of the central committee. Such a dealing kept the Special Committee under shadow. Taking this into consideration, the sixth NEC meeting of GEFONT held on April 2001, decided to dissolve existing committees and form the Special Committee. Yet, there remain some difficulties. Due to shortcomings in the leadership, Zonal Committee Pokhara has not functioned well.
- c. **Comparatively active committee:** Zonal Committees of Jhapa, Biratnagar, Birganj, Hetaunda and Butwal are in this category. However, all these committees have different records of functioning. Even these committees have some difficulties in terms of the mobilisation in team.

#### 4.2.4 Regional Coordination Committee

Three Regional Coordination Committees are operating in the structure of the GEFONT. Following Regional Coordinators, elected by the Congress, lead the Coordination Committees with the Chairpersons of the concerned Zonal Committees as ex-officio members.



S.N	Region	Coordinator
1.	Eastern Region	Com. Om Koirala
2.	Mid-Region	Com. Uddav KC
3.	Western Region	Com. C.M. Jangali

The Coordination Committees have not been able to meet regularly and are yet to organise a 'regional level' planning workshop. Even in terms of reporting, there are lacking in preparing committee-level report although the Regional Coordinators have provided with necessary information whenever it is asked for.

Zonal Committees and National affiliates are yet to realise the value of the Regional Coordination Committees. Some regions have allegations of "unnecessary interventions" by Regional Coordinators. Some comment that the Coordinators "did not pay due attention." The Regional Coordinators also have complaints that they are expected to "involve in nitty-gritty daily chores" or they 'have been bypassed' by rank-n-file committees.

In totality, some reform is necessary in our operating mechanism in order to make the Regional Coordination Committees effective and useful.

#### 4.2.4 Central Organisations

The following structures are in place in the central organs as per the constitutional arrangement of GEFONT:

- a. National Council
- b. National Executive Committee
- c. Central Secretariat (Departments and Issue-wise Committees)
- d. Central Planning and Research Commission
- e. Central Audit Commission

**National Council** is the apex body between two National Congresses. It evaluates the functioning of the national executive committee and adopts annual plans for the next year. Each of the National Affiliate sends an equal number of members (4) to the National Council. Other Additionally, 4 at

the maximum, are elected for the Council on the basis of membership claims. In this tenure, three meetings of the Council were organised: the first on April, 2001, and the second on April, 2002. The third was organised on April, 2003 as an extended meeting. The third meeting conducted an evaluation of this tenure, and suggested issues and framework for the Fourth National Congress.

**National Executive Committee** is the highest body that coordinates the functioning of GEFONT between two National Congresses. It evaluates the functioning and provides with necessary directives. As per the rule, the central committee should meet at least twice a year. In this tenure, it met ten times including two special meetings.

National Executive Committee has given continuity to its functions as per the GEFONT statute. It has organised "Annual planning workshops" and the "Meeting of the office bearers" for the development of concrete plans & indicators of achievement and to design evaluation tools. It has thus made every effort to form policies and adopt decisions with the participation of Zonal Committees, local unions and National Affiliates. It has also set a trend of announcing annual programmes, developed by the annual planning workshop and adopted by the National Council, on May Day.

Despite all this, the national leadership could not maintain stability. In this period, three NEC members left the committee, and some NEC members could not be mobilised in full-scale. The following gives description of national leadership:

S.N.	Name/Remarks	Post	Area represented
1.	Mukunda Neupane	Chairperson	Full Timer
2.	Lalit Basnet	Vice Chairperson	Full Timer
3.	Bishnu Rimal	Secretary General	Full Timer
4.	Binod Shrestha	Treasurer	NICWU
5.	Om Koirala	Coordinator	Full Timer (Eastern Region)
6.	Uddav K. C.	Coordinator	ITWAN (Central Region)
7.	C M Jungali	Coordinator	Full Timer (Western Region)
8.	Umesh Upadhyaya	Chief, DFA	Full Timer

9.	Hari Datt Joshi	Chief, DLR	ITGWUN
10.	Binda Pandey(Ms)	Chief, DED	Full Timer
11.	Bina Shrestha(Ms)	Coordinator	IGCUN (CWWD)
12.	Buddhi Acharya	Member	IPWUN
13.	Goma Timalisina (Ms)	Member	ITWUN
14.	Bidur Karki	Member	ITWAN
15.	Madhav Neupane	Member	NIHWU
16.	Deepak Paudel	Member	UNITRAV
17.	Narayan Rajbansi	Member	ITPWUN (Expelled)
18.	Bal Ram Khatri	Member	NATU
19.	Jitendra Shrestha	Member	CUPPEC
20.	Nara Nath Luitel	Member	CUPPEC
21.	Mohan Nepali	Member	IGCUN
22.	Kalicharan Basnet	Member	NIFBWU (Resigned)
23.	Janak Chaudhari	Member	NICIWU
24.	Rajiv Ghimire	Member	Chair-Jhapa
25.	Yogilal Yadav	Member	Chair-Biratnagar
26.	Tribikram Gyanwali	Member	Chair-Janakpur (While Krishna K. C. Resigns)
27.	Dinesh Rai	Member	Chair-Birgunj
28.	Madhusudan Khatiwada	Member	Chair-Hetauda
29.	Surya Mohan Subedi	Member	Chair-Pokhara
30.	Kamal Gautam	Member	Chair-Butwal
31.	Keshav Giri	Member	Chair-Nepalgunj
32.	Dharma N Panta	Member	Chair-Dhangari
33.	Krishna Ghale	Member	Nominated
34.	Kabindra S Rimal	Office Secretary	Full Timer

During the National Planning Workshop on July 2003, the NEC Members discussed in depth the issues adopted by the third meeting of the National Council and resolved. All members and officials also conducted self-evaluation. Evaluation of its kind has further consolidated a comradely feeling in our leadership, and has added new energy to give additional energy to the movement.

**Central Secretariat** is the permanent structure to take care of daily administration of GEFONT. It is not a decisive engine, but is one responsible for undertaking assigned activities and their monitoring. It is formed under the leadership of the Secretary General, under which departments and issue-wise committees operate. The Chairperson and Vice Chairperson are permanent invitees in the Secretariat meetings.

SN.	Position	Name	Area of responsibility
1.	Secretary General	Bishnu Rimal	Complete responsibility of the secretariat, central office, publication and administration
2.	Treasurer	Binod Shrestha	Department of Finance
3.	Regional Coordinator	Om Koirala	Eastern Region
4.	Regional Coordinator	Uddhav KC	Central Region
5.	Regional Coordinator	Chudamani Jangali	Western Region
6.	Department Head	Umesh Upadhyaya	Dept of Foreign Affairs
7.	Department Head	Hari Datta Joshi	Dept of Labour Relations
8.	Department Head	Binda Pandey	Dept of Education
9.	Coordinator	Bina Shrestha	CWWD
10.	Office Secretary	Kabindra S Rimal	Central Office, assist Secretary General in publication and administration

In addition to four occasional meetings and special one, 23 meetings of the Central Secretariat were organised during this period.

The Office is also undertaking its activities smoothly. GEFONT may not be completely satisfied at the functioning, but it notes that its functions are on the par with various other central offices known for their well-functioning records.

A process has started to set up similar kind of office in the local levels. Central Committee houses and part-time activists. In the affiliated and local committees, more than leaders, activists and staffs are taking care of the committees' work. The numbers of these volunteer leaders, activists and staffs have been presented in Table 12.

**Table 12: Number of volunteers (full time and part-time) working in General Federation and Zonal Committees**

Office/Source	Regular	Project based	others (Occasional)
Central Office	25	0	0
Jhapa	0	1	1
Biratnagar	0	1	0
Sagarmatha/Janakpur	0	1	1
Birgunj	0	1	0
Hetaunda	0	1	0
Kathmandu+	0	1	0
Pokhara	0	1	1
Butwal	0	2	3
Nepalgunj	0	5	2
Dhangadhi	0	3	2
NIWU	0	1	0
Garment	0	1	0
Carpet	0	1	0
Hotel	0	1	0
Tea	0	1	0
Food and beverage	0	1	0
<b>Total</b>	<b>25</b>	<b>23</b>	<b>10</b>

**Table 13: Number of paid full timers, part timers and staff in affiliates**

Union			Total
NIWU	Full time	1	1
	Part time	0	
	Staff	0	
ITGWUN	Full time	2	5
	Part time	3	
	Staff	0	
ITWAN	Full time	31	134
	Part time	14	
	Staff	89	
NICWU	Full time	0	3
	Part time	0	
	Staff	3	
NIHWU	Full time	2	3
	Part time	0	
	Staff	1	

Union			Total
UNITRAV	Full time	2	6
	Part time	0	
	Staff	4	
IPWUN	Full time	0	1
	Part time	0	
	Staff	1	
ITPWUN	Full time	0	0
	Part time	0	
	Staff	0	
NATU	Full time	2	6
	Part time	0	
	Staff	4	
CUPPEC	Full time	5	22
	Part time	17	
	Staff	0	
IGCUN	Full time	0	1
	Part time	0	
	Staff	1	
NIFBWU	Full time	1	1
	Part time	0	
	Staff	0	
NICIWU	Full time	1	1
	Part time	0	
	Staff	0	
NRPU	Full time	0	0
	Part time	0	
	Staff	0	
FAWN	Full time	0	0
	Part time	0	
	Staff	0	
<b>Total</b>			<b>184</b>

The Central Office sends participants to attend various programmes being launched in the country. During this period, 200 major programmes were attended by 448 (103 women and 345 men) persons.

In terms of the organisers, more than 37 percent of such participations were with ILO and UN agencies. Our participation in other programmes in terms of percent is the following: 26 percent in programmes organised by the government or government related agencies and 23 percent in programmes conducted by labour support NGOs and other NGOs. In terms of gender, the participation of women has been 21 percent on average.

**Table 14: Organisations/agencies inviting to various programmes**

Organisations	Total Number of programmes		Total Male participants		Total Female participants		Total No of participants	
	Number	%	Male	%	Female	%	Total	%
Political parties and mass organisations	5	3	11	3	6	6	17	4
Other NGOs	28	14	28	8	5	5	33	7
Trade union	6	3	23	7	3	3	26	6
ILO and UN agencies	73	37	140	41	54	52	194	43
Other international agencies	4	2	8	2		0	8	2
Labour related NGOs	18	9	25	7	4	4	29	6
Professional Organisations	9	5	11	3	0	0	11	2
Government sector	52	26	91	26	29	28	120	27
Other organisations	5	3	8	2	2	2	10	2
<b>Total</b>	<b>200</b>	<b>100</b>	<b>345</b>	<b>100</b>	<b>103</b>	<b>100</b>	<b>448</b>	<b>100</b>

Of the total programmes during the tenure, GEFONT's participation in 2002 has been 34% the highest one, whereas in the year 2001 it was 11% programmes the lowest percent of participation. The programmes attended were to develop a social charter, design a time-bound programme for the elimination of child labour and poverty eradication and other general programmes such as mass meetings, inauguration of buildings and book release. The other crucial area of GEFONT participation was in the projects supported by the Asian Development Bank, and the context of participation was policy interventions whereby the projects would enforce labour standards in their programmes.

**Table 15: Participation by Programmes**

Programmes	Total Number of programmes		Total Male participants		Total Female participants		Total No of participants	
	Number	%	Male	%	Female	%	Total	%
Seminar/ Workshop/ Symposiums	119	60	352	79	76	74	428	78
Dialogue/Meetings	66	33	79	18	19	18	98	18
Other	15	8	13	3	8	8	21	4
<b>Total</b>	<b>200</b>	<b>100</b>	<b>444</b>	<b>100</b>	<b>103</b>	<b>100</b>	<b>547</b>	<b>100</b>

**Table 16: Participation by Year**

Year	Total Number of programmes		Total Male participants		Total Female participants		Total No of participants	
	Number	%	Male	%	Female	%	Total	%
2000	21	11	48	14	9	9	57	13
2001	67	34	127	37	30	29	157	35
2002	51	26	79	23	26	25	105	23
2003	61	31	91	26	38	37	129	29
<b>Total</b>	<b>200</b>	<b>100</b>	<b>345</b>	<b>100</b>	<b>103</b>	<b>100</b>	<b>448</b>	<b>100</b>

**Central Planning and Research Commission:** This structure is formed to analyse and decide relevant issues for research and operation of projects. It has a decisive responsibility. However, it could not move beyond 'ad-hoc' nature of performance. One of the reasons behind this might be the fact that same persons being in executive positions of various structures. As a result, this commission was sometimes treated as a 'technical committee', and at other times it was over-evaluated as a 'super national committee'. There should be a new arrangement to address this kind of operational problems. A detailed internal evaluation has been undertaken of GEFONT projects launched for a decade and the ones of this tenure. Briefly, the subjects of the project can be discussed as following:

#### **4.2.5 GEFONT & its Projects**

GEFONT has, jointly with national and international agencies, operated as many as 61 projects between 1990 and 2003 for its institutional development and capacity enhancement. Mainly these projects have been launched to develop human



resources for the operation of GEFONT and to create institutional foundation. Some of these projects were associated with social, economic and cultural development of the workers. In terms of coverage, these projects addressed both formal and informal sectors.

On an average, more than 4 projects have been launched annually. But in 1990/91, only one project was launched each year. The largest number of projects were launched in 1996 and 1999, at the rate of 9.

Between 1990 and 2003, GEFONT has received NRs. 51,119,770 to operate 61 projects. Each project cost, on an average, is NRs. 817,000. Looking project wise, GEFONT had launched the smallest project of NRs 20,000 in 1990 with the help of Asia-pacific Workers Solidarity Link. Of the total 61 projects, around 52 percent were of less than NRs 200,000, and only 23 percent projects exceeded Rs. 500,000.

The biggest project of this period is the one going on now with the help of Women Trade Union of Denmark (KAD). The budget of this single project is 22.23 percent of the total amount invested in these 61 projects. Until 2000, 43 percent of total project investment was available, the remaining 53 percent was of the last three years. This hints that the recognition of GEFONT has increased exponentially very high after the 3rd National Congress.

In the span of the last 13 years, GEFONT has launched projects in cooperation with 17 national and international organisations. Calculating the financial cooperation given to operate these projects shows the ILO contribution of 37 percent, which has helped to launch 18 projects. Other supporters have been KAD (23 percent), CAW (9 percent), FES (6 percent), ICEM (4 percent), LIF-Sweden (3 percent), APWSL (2 percent), IFBWW and so on.

Putting financial support aside and counting on solidarity as an indicator, SAC of Sweden and FES of Germany occupy an important position. ILO supported projects have been crucial to address child labour and bonded labour issues and strengthen Agriculture Workers Organisation. The support of

KAD, LIF and CAW have been significant in promoting women's participation and enhancing their leadership capacities in trade union movement. Cooperation from other agencies has centered around trade union education for trade union movement, human resource development, networking of unions and institutional development.

Almost all of the projects operated by GEFONT match with its aims and objectives. The number of programmes operated under a project are more than one. Therefore, although the total number of projects are 61, the number of programmes implemented is 133.

Majority of all these projects and activities (30 percent) have focused on awareness raising amidst workers, and nearly the same number of programmes (29 percent) has focused on building pro-worker trade union movements and awareness raising. The smallest proportion (3.76 percent) has been invested for awareness raising relating to multi-party system and other political issues.

Majority of the programmes are in the projects which aim to enhance the participation of women in trade union movement. This project has covered such issues as leadership development, information collection and documentation, organisation expansion and consolidation and development of audio-visuals that contribute to increasing awareness.

Publication has been the largest activity (24.81 percent) of them; the second largest (24.06 percent) has been trade union education for human resource development. Looking at project-wise shows that the infrastructure development of the GEFONT has received relatively less priority.

GEFONT projects have targeted working masses in sectors. Majority of the programmes have addressed a range from enterprises to the central leadership of GEFONT. Some programmes were launched to enhance and expand international relations. Programmes of this category were International Trade Union Conference, South Asian Conference of Women Trade Unionists and high level panel discussion.

Of the total projects, 24.29 percent programmes were connected with central leadership and around 28 percent centred on women workers. Of 21,026 persons directly involved in the programmes, 57 percent were grassroots workers (women and men), 15 percent women, 12 percent local level union activists and 11 percent children. The smallest portion (6.56 percent) of participants were enterprise/local level activists.

This shows that the beneficiaries of these projects and programmes have ranged grassroot workers, both in formal and informal sectors, to those in GEFONT Central leadership. It also shows that the grassroots workers are in the priority. Similarly, through special programmes of regional & international nature, even trade union leaders of Asia- Pacific Region and the world have been benefited as well.

GEFONT project raised issues ranging from unfair labour practices in the formal and informal sectors, problems faced by women, gender related issues, industrial relations, union management, information collection and documentation and human resource development. Focus of the projects can be classified as trade union movement, women workers, elimination of child labour, trade union management, labour laws, globalisation and migrant workers.

Within 14 years since 1990, GEFONT has launched 344 activities under 133 programmes through 61 projects.

**Table 17: Activities of GEFONT**

S.N	Categories	Percent
1.	Training/workshop	23
2.	Seminar	5
3.	Education	17
4.	Publications	16
5.	Institutional strengthening	9
6.	Research/Survey	5
7.	Audio-visual aids	4
8.	Campaign	9
9.	Exchange of experiences	4
10.	Others	8

The report of the **Central Audit Commission** has been presented separately. This Commission is a political-technical committee for internal auditing of the GEFONT.

### 4.3 The Issue of Unified Trade Union Movement

The 3rd National Congress had given following directives vis-à-vis unified trade union movement:

- a. Organise all the workers associated with all three sectors—industry, services and agriculture—under the single umbrella of the union movement.
- b. Give affiliations to the 'independent' trade union functioning in the public sector outside of the GEFONT umbrella. Even if affiliation is not possible, try to bring them under the umbrella, while allowing them to function independently. If failed both ways, move ahead in such areas constituting new organisations.

As per the directives of the Congress, efforts have been made to build unified trade union movements as expected. Today, we work hand in hand, one way or the other, with the following:

- a. Formation of Trade Union Committee for Gender Equality and Promotion (TUC-GEP) to build common understanding on gender issues. Under this structure are three senior leaders from each of GEFONT, NTUC and DECONT. It is operating with an understanding that the Committee Chair rotate amongst them every four months. Through a ten-point understanding, a national consensus has been made amongst the three confederations.
- b. A common effort of all the three trade unions is going on centring on seven issues which aim at amending the labour law. The achievement with regards to the review of minimum wages has been the success of our common work.
- c. Between GEFONT and NTUC, there has been series of meetings and interactions in the context of building one union. A 'high level task force' has been formed

through the meeting of mid-November 2000 consisting of 4 leaders from each. A series of meetings and interactions have led to the decision of the formation of NTUC-GEFONT Board as a common secretariat of the task force. The task force has drawn the following conclusion as to how to translate into action 'one union, one voice.'

- i. Both the unions have agreed to form single union umbrella for the welfare of Nepali working class people. They have realised it as a long-term process.
- ii. Both Confederations will work as the promoters of 'Single Union' Campaign. In the future, all unions will, as far as possible, be involved in the unified campaign
- iii. 'Single Union' does not, however, mean that GEFONT and NTUC give up their political/ideological beliefs, be so-called 'independent' or co-opt in a party or a faction. This is rather an effort to find unity in diversity. This is the 'single union' campaign based on the goal of multi-party democracy, socialism and progressive social transformation.

Partnership between GEFONT and NTUC so far has given us hope that this initiative will be successful. We also hope that the unions outside these two Confederations will be positive towards this initiative.

- Joint activities continue amongst Nepali Federations affiliated with global union federations. CUPPEC-Nepal, NICIWU and IGCUN, the three organisations affiliated with GEFONT, are also affiliated with global union federations, and are also involved in promoting unification process through an 'affiliates committee' of global union federations. CUPPEC is fostering partnership with DECONT through IFBWW affiliates committee; NICIWU & IGCUN, through the ICEM coordination committee, are involved in joint

campaigns with a union of the Confederation of the Professionals and of NTUC.

- We are also debating on the nature of relationship between the Confederation of Professionals and its affiliates and GEFONT. A debate is going on as to whether or not the affiliation to GEFONT of unions not affiliated to Nepal Trade Union Congress would be meaningful. It is this debate, which has delayed the process of bringing service sector unions under the GEFONT umbrella, as expected by the 3rd National Congress.

The May Day celebration holds prominence in the context of the formation of single union. On May Day 2000, we had inaugurated the 3rd National Congress amidst a huge gathering with the declaration that 'Workers of the world, unite! One Union, One Voice!' The May Days of subsequent years have carried over that spirit and feeling.

Various political leaders on the left-parties were invited in the Open-air Theatre in 2001 with the view of bringing together at least the pro-left trade union movement. Amongst a number of foreign delegates, CPN (UML) General Secretary Madhav Kumar Nepal, leaders from United People's Front, CPN (Masal) and NWPP addressed the gathering.

The result was not negative or harmful. It could create positive impact on Nepali Congress as well. As a result of the partnership with NTUC, the then Prime Minister Girija Prasad Koirala called CPN (UML) General Secretary Madhav Kumar Nepal in parliament and shared his views that there should be a 'single trade union'.

Amidst the state of emergency, the May Day of 2002 was observed in the Auditorium of Royal Nepal Academy. Nepali Congress President Girija Prasad Koirala, CPN (UML) General Secretary Madhav Kumar Nepal, President of the Federation of Nepalese Chamber of Commerce and Industries, ILO Director Leyla Tegmo Reddy and other foreign delegates addressed the gathering. It was the first time in the democratic polity of Nepal that the leaders of the then ruling and main opposition

parties addressed the workers from the same forum sharing a common view that there should be 'single union.' It conveyed a positive message to the campaign for single unionism.

The May Day-2003 added another significant record with the chairpersons of two major trade union centres of the country—GEFONT and NTUC—co-chairing the programmes. The Day was observed in Birendra International Conference Hall amidst the tightly packed worker participants. The other significance of the Day—the Nepali Congress President and CPN (UML) General Secretary addressed the joint gathering calling all those present to participate in the joint people's movement to be started from May 3rd. It was indeed a historic day.

May Day symbolizes the unity amidst workers in itself. During this tenure the celebration of the May Day was not limited to official formality alone, but was crucial to narrow the gap of inter-organisational rivalry and unfair competitions. It expressed a message of unity in trade union movement across the country although the above programmes were centred in Kathmandu. There were other kinds of Zonal level programmes outside Kathmandu, which helped consolidate the message of unity.

#### **4.4 Issues of Social Concern**

The trade union moment has both professional and social responsibility. Based on this policy, the following was adopted as a policy-framework for programmes addressing social concerns.

- a. Campaign for the elimination of child labour (awareness raising, child labour as the agenda of CBA, effective implementation of labour law related to child labour, and the formation and implementation of a code of conduct amongst the concerned).
- b. Campaign for the elimination of bonded and forced labour (abolition of the kamaiya system and campaigns against other forms of forced labour)
- c. Programmes against social discrimination and superstitions

- d. Programmes related to consumer-welfare and environmental protection
- e. Programme against women trafficking

'Elimination of child labour' has been taken as a departure point to expand the programmes in the kamaiya sector, where we are intervening continuously. The campaign is quite effective. A common declaration developed jointly by us and other two confederations and two teachers organisations point to the success of this campaign. Not only in the agricultural kamaiya sector, we have made 'child labour elimination' a key concern amidst the workers in garbage-cleaning, tea-plantation, hotel and construction works as well as other sectors of formal and informal economy. Child labour elimination has been completely successful in tea estates. GEFONT has been credited for creating an environment for children of Garbage cleaning communities to go to school.

Our involvement in kamaiya liberation campaign has been proven the most effective of all. After the formal ban on the kamaiya system on July, 2000, GEFONT was involved in campaigns for kamaiya's rights food-shelter and clothing. The campaign, which is still on-going, includes both project-based activities and organisational activities, which range from 'Micro-health insurance' and 'relief distribution' through 'crisis management' to awareness raising and union formation. Taking 'kamaiya family' as a base, the campaign is launched specifically in Kanchanpur, Kailali, Bardiya, Banke and Dang. And, as an extended target area, Kapilvastu, Rupandehi and Nawalparasi have also been included in this campaign.

It is contextual here to introduce the 'South Asian Consultation Workshop on the Elimination of Bonded and Forced Labour' which was organised in Kathmandu on May 16-17, 2001 as part of GEFONT campaign for the elimination of forced labour. With this programme, we have started our partnership with the London based Anti Slavery International. We have developed programmes to take up this campaign in as many as other 20 districts with the help of ILO.



Although we could not be that much effective in our campaign against social discrimination and superstitious values, we were able to undertake a study on 'Dalit Labour in Food Industries' and internationalize its findings. During this period, we have developed and disseminated information tools to introduce 'discrimination' and explain why it needs to be eliminated. A cartoon booklet has been developed on the '11th Amendment of the Civil Code and the Rights it Granted to Women' as an effective tool of campaign against social discrimination. The cartoon booklet now forms part of teaching material.

Barring a few project-wise activities, no note-worthy progress has been achieved with regards to environment and consumer welfare issues. Similar is the situation of the proposed programmes against human trafficking.

#### **4.5 Planned Movement in Grassroots**

A policy had been adopted to develop a code of conduct through which to ensure minimum standards to all workers in all enterprises of the big houses. This code of conduct would guide the movement at the local level in a planned manner. With the help of South Asian networks similar kind of code of conduct had to be adopted vis-à-vis multinational companies. The second NEC meeting of the GEFONT had forwarded the following three programmes:

- Present the issues for discussion by organizing meetings with the employer's council of the FNCCI
- Promote bi-lateral dialogue between concerned GEFONT affiliates and 25 commodity associations of FNCCI
- Launch necessary campaigns in cooperation with concerned actors in local level including local bodies to implement the minimum wages of agricultural workers.

The aim of the meeting with Employer's Council was to introduce each other and seek positive approach of parallel organisations on our agenda. Therefore, a high level meeting was held on June 2000 in the central office with FNCCI team

led by the then Chairperson. The plan of the meeting with commodity association was to discussion on issue-wise collective bargaining.

But the relationship with employers could not remain smooth following a bi-partite meeting with the employer's council and Nepal Textile Organisation, hence the GEFONT plan to achieve "planned dialogue, planned movement" could not be materialized. It was only exceptional that some of our member organisations could maintain a comparatively fair relations with a few commodity associations. The relations worsened with the employers' misunderstanding on the movement about the issue of 10 percent service charge in the Hotel Restaurant & Catering (HRC) sector. Following this incident, the GEFONT suspended its plan to hold a centralized 'dialogue' with employers' organisations. During this period, as per the decision taken by the fifth NEC meeting, a '300'000 card signature campaign' was started to protest against the Essential Services Act-2014. But the upsurge of the Maoist violence shadowed this campaign.

The campaign for the minimum wages in agricultural sector and the relations with the multinational companies were also shadowed with all these incidents. The activities of this period were mainly limited to resolving the emerging problems through bi-partite dialogues. The negative expressions in relation to the 'world of work' by the chairpersons of FNCCI in the May Day of 2002 and 03 were challenged on behalf of the workers, and a clarian call was made for collective initiation and bi-partite dialogues to solve the problems emerging.

Table 18: The number of cases handled by Labour Relations Department

Court	Case	Workers covered by the case	Case won	Workers covered by the case won	Cases compromised	Workers covered by the compromised case	Cases lost	Workers covered by the lost case	Case ongoing	Workers under the on-going case
Labour Court	194	1354	77	501	24	41	41	82	52	730
Supreme Court	21	141	7	29	5	70	2	2	7	40
District Court, Kathmandu	3	33							3	33
District Court, Lalitpur	1	1			1	1				
Appellate Court	2	2			1	1	1	1		
<b>Total</b>		<b>1531</b>	<b>84</b>	<b>530</b>	<b>31</b>	<b>113</b>	<b>44</b>	<b>85</b>	<b>62</b>	<b>803</b>

The identification of seven areas for labour law amendment through a series of interactions and the understanding reached in order to review the minimum wages can be taken as the achievement of our organisation as well as of the whole trade union moment. After 1990, the rise in the minimum wage has been the highest this year, and in our tenure, the wages have been reviewed twice, including this one. The 10-percent service charge movement in the HRC sector was internationally highlighted. The movement of the public enterprises employees became a noted national movement. A number of enterprise level movements, including the one in Biratnagar Jute Mills, have received much attention at the local level. The number of cases handled by the Labour Relations Department of the GEFONT has been presented in Table 18.

#### 4.6 Social Security Campaign

In relation to social security, Nepal has the provision of provident fund, gratuity and, pension benefits limited to public sector. We had thus to launch a campaign for awareness of 'what social security is and why'. It is therefore the 3rd National Congress had adopted a policy that 'formulation of an Act is the first campaign for social security.' But, it was not possible to develop a clear concept as to 'what

to do and how.' The political situation that developed did not remain favourable to form new laws and implement the existing ones. The laws and constitution were reduced to the talk of the town.

GEFONT had aimed to launch the campaign for the ratification of ILO Convention No 156 & 103, operate appropriate projects to solve internal problems of the cadres and to widen the scope of Emergency Fund Scheme. But these programmes could not be brought to action. Only the following programmes could be completed.

- Social security issue was included in CBA at the Enterprise level.
- Interactions, discussions and workshops were organised with ILO, Global Union Federations, Employers, government and trade unions as to what should be the 'nature of social security' in the world of work in general, at sectoral level and a particular places.
- A 'Woman Workers' Welfare Fund' was established for 'women workers' in GEFONT

#### **4.7 Campaign for effective implementation of Labour Laws**

The 3rd National Congress had given following directives with regards to the effective implementation of the labour laws.

- Start enforcement of the law where it is not introduced
- Launch a campaign for effective implementation of provision concerning 'welfare fund', Provident fund, Housing fund, gratuity funds, OSH and child care centres in sectors where labour law is enforced.
- Provide necessary training to unions on methods of CBA negotiations, and monitor the implementation of CBA agreements

- Collect information on the violation of trade union rights and incidences of intimidation, and launch campaign against such mischiefs.
- Carry out efforts for the amendment of labour law as required

The three issues of 'Trade Union Rights' published during this period explain the scenario of the trade union rights. Of them, the one published in 2000 (Trade Union Rights-2000), includes a detailed study about the implementation of labour law. On the basis of the indicative survey of 750 enterprises, the industries violating trade union rights have been blacklisted and made public.

A two-day panel discussion was organised, in cooperation with National Labour Academy, with senior officials of the Labour Office on "Practical Problems of Labour Law and their Solutions'. This programme helped bring uniformity in the implementation of labour law nationwide. A programme of similar nature was also organised nationwide amidst labour-lawyers.

A report was presented in the meeting of National Council of 2001 detailing our tasks, and cares to be taken, with regards to the operation of National Welfare Fund. As a result of our collective initiatives, a team, which consists of unions, entrepreneurs and government representatives, is working towards that end. In the meantime, a strong resistance of trade unions was able to block a malicious effort made by government and entrepreneurs to amend the labour law. This resistance resulted into an agreement in 7-point agendas to be discussed between trade unions and employers' organisation, and the law amendment work is progressing smoothly so far. In fact the fate of the future of various funds proposed in this tenure depends on how and whether this 7-point agenda sustains.

The on-going union campaigns is centred on the mobilisation of such structures as the labour relation committee, OSH safety committee and the supremacy of authentic unions. The effectiveness of such campaigns will be ensured along with the

increasing partnership with NTUC. Such structures have also been interlinked to the process of moving towards single unionism.

The violation of trade union rights has been internationalised. The worldwide campaign implementing the declaration of the International Labour Organisation--Fundamental Declaration of the Right at Work--has helped internationalise any form of the violation of trade union rights in Nepal 's world of work.

#### **4.8 HRD Programme**

We had devised a training plan with regards to the operation of organisation, office and project thereby to develop able and skilled human resource in trade union movement. For this, we had planned to train our activists in the area of 'technology and technical subjects', and develop a terms-of-reference of leaders/activists and office staffs so that the scope of their work would be specific.

In this tenure, we focused on equipping Central and Zonal Offices with appropriate technology. In the first phase, we provided training on practical skills in relation to union office management. Then, phase-wise computer skill trainings were given to every Zonal office and central office of the National affiliates. At least one person in each zone was trained on the basics of Internet to enable Zonal Offices send information digitally to the Central Office.

During this period, a total 37 representatives of various zones and affiliates attended computer trainings.

Alongside human resource development, efforts have been made to equip local offices. Accordingly, telephones, faxes and computers have been granted to them. The Central Office of the GEFONT is now responsible for at least one full-timer in each zone.

Under the human resource development programme, 19 comrades have participated English Language training in Kathmandu. Of them, 3 received training in the American Information Centre with the help of ESPS/DANIDA and

remaining were trained in the GEFONT Central Office with the solidarity of a British colleague Jamie J Cross. Similarly, 3 persons received micro-credit skills training, and 19 were sent to SEWA-India on study tour about cooperatives.

Our participation in hundreds of national-international programmes organised for various purposes also form part of our human resources development programmes. The participation of various comrades in these programmes has helped us enhance our experiences and capacities as per the principle of 'learning by doing.'

We have under our umbrella four kinds of leader activists responsible for two main types of tasks: (a) 'thinking' and (b) 'doing'. Our leader activists holding honorary positions, taking partial responsibility in policy-making levels, working full time in policy-making levels and working as paid volunteers have a clearly specified responsibility. Still, we could not meet our expectations in terms of the scientific division of tasks and responsibilities amongst leader/activists.

#### **4.9 Workers' Cooperative for collectivism**

GEFONT has linked labour cooperatives to its goal of 'socialism'; hence the cooperatives campaign is forwarded as 'guiding principles of life' and 'planned initiation for internalisation of socialism.' The campaign began with the inauguration of '**GEFONT Health Cooperative Clinic**' during the inaugural ceremony of the 3<sup>rd</sup> National Congress. It was planned to expand the 'health cooperatives' to all 10 Zones to the access of around 50 thousand workers. It was not an unachievable goal in itself provided that continuous efforts could be made. The membership of Health Cooperative in Kathmandu remained around 1,000 and less effective than our expectation. The expansion of the Cooperatives movement did not proceed outside Kathmandu Valley.

The Cooperatives is much publicised outside as well. Even the International Labour Organisation has conducted a case study on this initiative as a 'model case' and its official magazine "World of Work" published an article with much emphasis on it. PHECT-Nepal, NGO working with Health Co-op and

International Health Cooperatives Organisations, have been in touch with us as new friendly organisations.

However, we could not achieve as expected due in large part to our limited human resources and the multiple workload of the comrades in the leadership. Consequently, required attention could not be given to this undertaking, which in fact was daring. In addition, the 'internal' funds and similar schemes of some affiliates have also become obstructive in promoting the 'Health Cooperatives.' Some enterprises are providing better health services than the Cooperatives. This has also been a hindrance to the advancement of our Cooperative movement in Kathmandu.

Similarly, we could make no progress to develop the Cooperatives as a means of producing a team of health activists and transforming it as a research centre for the study of occupational diseases. We did also fail to make workers and other people outside Kathmandu aware of the value of such a Cooperatives although the need for health services is very pressing.

However, a unique campaign- **Health Micro Insurance Scheme** has been launched recently in Banke and Bardia districts. ILO/STEP programme is one of the promoters of this campaign and local health providers including District Health Office and its Community Health Posts are the partner organisations.

#### **4.10 Financial scheme for Self-reliance**

In view of our insufficient financial base, GEFONT had thought of two main programmes: 'income-generating projects' and 'membership due-based resource mobilization'. Despite lengthy discussion and homework, no source could be arranged for 'income-generation.'

Similarly, the cheque-off system could not be implemented. Unwillingness of the entrepreneurs, insufficient knowledge about this initiative amongst members and the lack of necessary laws dealing with such programmes did not allow us move beyond the level of discussions and interactions.



However, few enterprises like Hotel Soaltee & Radisson, Hulas steel, Bhrikuti pulp & papers and Hetaunda Cement etc the initiatives of authentic unions have been successful to adopt cheque-off system.

#### **4.11 Women Workers Campaign**

The 16-point programme adopted by the 3<sup>rd</sup> National Congress had included 'women workers campaign' as special programme. As per this, the following were proposed to enhance the participation of women in union movement:

- Various initiatives to be made unilaterally, bilaterally and multilaterally amongst labour, management, government and civil society organisations.
- Launch campaigns against all forms of discriminations, oppressions and discouraging socio-economic institutions against women workers
- Include the issue of gender discrimination in trade union movement and launch campaign for gender-sensitive union movement
- Introduce 'class oriented feminism' in union movement, and
- Take various initiatives necessary for leadership development of women.

To achieve the above, trainings and awareness raising campaigns were launched at the initiation of the Central Women Workers Department (CWWD). Also other various activities have been undertaken towards enhancing women's capacity and bring about gradual changes in the traditional/patriarchal thinking and mentality of men.

##### **4.11.1 Zonal Convention and women participation**

Female representation is compulsory in the GEFONT Zonal Convention from one each every enterprise where women are working. But in the First Zonal Conventions held in 2000, this could not happen.

For example, of the 2389 representatives from 614 enterprises and committees participating in the Zonal Convention, only 312 (13 per cent) were women despite the constitutional provision of 20 per cent women representation. In four Zonal Committees there is one woman (the coordinator of Zonal Women Workers Department as an ex-officio member) who also serves as the member of Zonal Committee. In the rest 6 Zonal Committees, one additional woman member is also represented in each.

Of 7,045 members in 910 unions affiliated with GEFONT, there are 645 (9.2 per cent) women. In 2001, it was just 8.6 per cent, now increased by 0.6 per cent. In the Central Committee of Federations, of 228 total members, 30 (13.1 per cent) are women. In 2001, it was only 6.3 per cent. Of the 2007 representatives in the National Conventions, the apex policy-making body of the National Affiliates, 239 (11.9 per cent) were women.

Considering sector-wise status, women participation is very low in agriculture, which in fact is women-dominant sector. Garbage cleaning, tea plantation and carpet sectors also need careful attention in terms of women participation. Despite the fact that participation of women is significant at workplaces, their participation is negligible in NIWU, NIHWU, ITGWUN and NIFBWU. In CUPPEC-Nepal, the participation of women is increasing. In totality, it is urgently necessary that we pay proper attention now on to enhance women's participation in a balanced way in all units and positions.

On the whole, women participation is increasing in all sectoral unions, but yet not as expected. The centre-point of women campaigns should be the women-dominant sectors.

Trainings, interactions and planning workshops have been held for the capacity enhancement of women activists at Zonal and district levels under the initiation and work plan of the CWWD.

In the last three years, the CWWD facilitated the holding of 6 central level, 8 Zonal level and 20 district level programmes.

For human resources development under CWWD, it was planned to identify and mobilise 100 women from 10 zones and 20 districts. As per the plan, necessary investment has been made to train the 100 women and mobilise them in the activities in the women sector. Accordingly, 100 women were identified, but still there are problems in their further capacity development and mobilisation in field activities.

#### **4.11.2 First National Women Workers Conference**

The First National Women Worker's Conference was organised on June 21, 2003. Representing various zones and GEFONT central leadership, 497 delegates participated the Conference. Zonal level conferences were also organised amongst working women with a view to collecting feedbacks and inputs with regards to the preparation of the Fourth National Congress and on the policy GEFONT has adopted towards working women. A total of 625 members, including 164 males (26%), participated in the 10 zonal level conferences.

#### **4.11.3 Situation of women workers involved in GEFONT activities**

The CWWD conducted an indicative survey amidst the participants of zonal and national conferences of women workers in last June, 2003. Filled in by 777, the survey provide a baseline for the analysis of the status of working women. Some of the findings are as follow:

Of those participating in various GEFONT activities, 59 percent are above the age of 30. Of the remaining 41 percent, 37.3 per cent are above 20 and 3.7 per cent are below 20 years of age.

To look at the occupational background, 77 per cent women hail from farm families background. Amongst the married women, only 20 per cent have their husbands working in agriculture, the rest are involved in other occupations. This hints that the women of the households have joined labour market whose male members are in formal employment. No instance was reported of a male member taking care of

household chores, while many female partners of the employed males are housewives.

From educational viewpoint, 17.2 per cent women are found illiterate. Of the literate, 44.5 per cent are literate by their own efforts or through adult education classes. The percent of those crossing SLC level is 21.3%. A majority of the illiterates are elderly women, and a large number of those who went to schools are low-aged. This is surely an encouraging sign. But what is painful is that 3.4 per cent of women under-20 are still illiterate and 39.3 per cent are deprived of schooling opportunities. This study suggests that the union movement should focus on using audio-visual aids for other 20 years to come in its educational campaigns.

Looking at marital status, 77.2 per cent women are married. Of the 59 per cent women aged 30 and above, 98.6 per cent are women are married. Of the 37.3 per cent women in age group 20-30, 58.6 per cent are married. Only 5.8 per cent women are unmarried belonging to 30 plus age group. This suggests that, the institution of marriage stands as a compelling element in Nepali working community.

Sixty-nine percent of married women have only 2 children, while 16 per cent have 3 children and 15 per cent have more than 3 children. Amidst the working women, the awareness of 'small family' is high. In fact, the working women have been an effective partner in the implementation of the national policy.

The per cent of women working in the labour market for more than 10 years is 28.2 and 29.5 per cent have worked for 5 to 10 years, whereas 21 per cent have worked for 3 to 5 years & 14 per cent for less than 2 years. There has not been any increase in the opportunity for women to join formal sector. In this light, although the participation of women is increasingly high in international labour market, no significant progress is seen in the case of Nepal.

Of the total respondents, 77.5 per cent women are union members, nearly 80 per cent of them aged 20 and above. Only 52 per cent of under-20 are union members; 21 per cent

women of this age group do not have knowledge about union. Careful efforts should be made to popularise union amidst youths.

Only 6.3 per cent women are involved in union activities for more than 10 years while 16 per cent have the union experience of 5 years and 37 per cent of 2 years. Twenty-eight per cent women have union experience of less than 2 years. All this shows that 63 per cent women have been union members during this tenure only. The data also hint that the union campaign launched in this tenure to enhance the participation of women has given a positive result.

The study also gives useful inkling in terms of women's participation in policymaking. Eighty-nine per cent women are active as union members- 38 per cent of them hold executive positions, and 10 per cent each are in the positions of presidents and secretaries. Mainly, these women hold the positions in workplaces occupied only by women or where they are in majority.

Working women have gained both negative and positive experiences while involved in union activities. Altogether 52 per cent note, on positive side, that the activities have helped them raise their awareness level, 14 per cent have got opportunity to make new friends and 11 per cent feel their self-confidence strengthened. For some, union activities helped solve their grievances with employers and for others an opportunity to be organised, to know about the rights of women and build their self-esteem in society and workplaces. Some of them even felt that union activism has given them a sense of employment security.

They also have a number of negative effects to report. The major negative consequence of union activism is the extra economic burden it brings to their daily life. Humiliations rank second, then comes the disturbance in domestic chores. Other problems, as reported, include the fear that getting employment may be difficult due to union activism, social treatment would not be healthy, and the care of children would not be proper due to time constraint.

Workers are first organised in their own unions and move ahead getting informed of CWWD and GEFONT. Of the respondents, 89 per cent have knowledge about GEFONT, 11 per cent do not know anything about it.

Seventy-two percent of the respondents have attended some of GEFONT-organised programmes and 28 per cent have not had an opportunity to attend such programmes. Those who have known about GEFONT but have not had chances to participate in its programmes are 52% under-20 years of age.

Of those who have participated GEFONT programmes, 42 per cent women have chanced more than 3 programmes whereas 16.8 per cent have attended 3 programmes, 17.8 per cent 2 programmes and 23.4 per cent only one. What all this suggests is concentrating programmes on the same workers is helpful to keep the programmes sustainable and the members develop their skills and expertise, but they could not be mobilised for the expansion of new members.

Women of higher ages have had opportunities to participate in more programmes. Fifty per cent women aged 49 or above have attended more than 3 programmes. The per cent of those participating more than 3 programmes in 30-49 age group is 43, 20-29 age group is 40 and below 20 is 36.

Sixty-seven per cent women are fully informed of GEFONT policy and programmes. Of the rest, majority have heard of GEFONT, a few of them know a little bit about it but they do not have full information about GEFONT.

One of GEFONT policies is to guarantee 20 per cent women participation in Zonal Conference. In this period, Zonal Conferences have been completed in all 10 Zones. The per cent of women aware of women representation in these conferences is 32.2, but 37.4 per cent explained that women were not properly represented. The rest 30.5 per cent however did not know that GEFONT had any policy vis-à-vis women's participation. The response suggests that GEFONT policies are good. But there is an urgent need for explaining the policies amidst all workers in the field, and bringing them into effective implementation. For this to happen, there

should be an effective coordination and division of work amongst the department, affiliates and the whole structure.

The reasons behind the low participation of women in zonal conferences are: (a) women are not properly aware of their rights, (b) no presence of unions in some of the factories, (c) women are not well informed of GEFONT policy on women, and, (d) no presence of women members in unions.

For the enhancement of women's participation, GEFONT has launched 'special campaign for women workers' at the central level. It is also encouraging its affiliates in all level to launch women-specific programmes. Despite all this, only 43 per cent women know that there are special programmes going on at the local level addressing women issues. This campaign is yet to reach the rest 57 per cent women.

#### **4.12 Programme for International Relation**

The 3<sup>rd</sup> National Congress had given the following directives for the development and expansion of international relations:

- Continue developing and expanding relations with various friendly trade unions. Take steps to expand bilateral relations with respective GUFs and the concerned National Affiliates of GEFONT
- Develop and expand relations with various labour friendly organisations on a priority basis
- Build contacts with national/international trade union centres of the world as per the need and involvement on the basis of the mutual respect.
- Actively involve in fostering networking at the South Asian level in particular and at the international level in general.

In this tenure after the 3<sup>rd</sup> National Congress, the GEFONT participated in 93 programmes abroad through 110 leader/activists from the GEFONT leadership itself and affiliated unions - 27 of them are woman comrades. In percentage, the participation of women is 25 and that of male is 75.

**Table 19: Participation by year**

Year	No of programmes	%	Males	%	Females	%	Total	%
2000	15	16	14	17	4	15	18	16
2001	22	24	22	27	9	33	31	28
2002	24	26	20	24	6	22	26	24
2003	32	34	27	33	8	30	35	32
Total	93	100	83	100	27	100	110	100

In light of the nature of the programmes, 26 per cent of our participation has been in conferences, conventions and congresses, 19 per cent in international meetings, and 6 per cent in solidarity programmes such as rallies and demonstrations. The largest of our participation (48 per cent) has been in seminars, workshops, symposiums and training programmes.

In this tenure, 26 participants visited Thailand in connection with a number of programmes. In 14 programmes, 26 participants visited India, and 8 participants visited Italy to attend 8 programmes. A total of 22 countries were visited by our leader/activists during various programmes.

International Labour Organisation (ILO) invited 24 participants to attend 22 programmes. ILO has thus been the largest of all organisations to invite us to attend in programmes. In the second rank are labour support NGOs. In 20 events organised by them, 24 of our comrades have participated. Global Union Federations have been in the third rank, inviting 21 of our comrades to attend 17 programmes. Of Global Union Federations, IFBWW—the international Federation of Building and Wood Workers—and ICEM—the International Federation of Chemical, Energy, Mine & General Workers Unions have been the other main organisers. GEFONT participated in 16 programmes of trade union centres of various countries. Total 13 leaders attended 11 programmes organised by international union centres.



**Table 20: Participation by Programmes**

Programme	Programmes	%	MALE	%	FEMALE	%	Total	%
Conference/Congress	23	25	21	25	8	30	29	26
Meeting/Evaluation	18	19	14	17	7	26	21	19
Solidarity/Participation	7	8	6	7	1	4	7	6
Seminar/Workshop/ Training	45	48	42	51	11	41	53	48
<b>Total</b>	<b>93</b>	<b>100</b>	<b>83</b>	<b>100</b>	<b>27</b>	<b>100</b>	<b>110</b>	<b>100</b>

**Table 21: Participation by Organiser**

Organisation	Programmes	MALE		FEMALE		Total		
		%	%	%	%	%	%	
Global Union Federations	17	18	10	12	11	41	21	19
International Trade Union Centres	11	12	13	16	0	0	13	12
National Trade Union Centres	16	17	17	20	4	15	21	19
Labour Support NGOs	20	22	15	18	9	33	24	22
ILO & UN Agencies	22	24	21	25	3	11	24	22
Miscellaneous Organisations	7	8	7	8	0	0	7	6
<b>Total</b>	<b>93</b>	<b>100</b>	<b>83</b>	<b>100</b>	<b>27</b>	<b>100</b>	<b>110</b>	<b>100</b>

In the context of fostering international relations, we are maintaining contacts and holding dialogues with international centres linked to all divergent views. Our relations are based on the principles of non-alignment, independence and no prejudices. The following are mentionable in this regard.

- a. A high-level delegation led by the Chairperson of the GEFONT attended the 14th Congress of WFTU aiming to contribute to forming a common & single international trade union centre. The delegation met all of the major central trade unions of India as well as other unions participating in the WFTU world congress. In the meetings various relevant concerns were raised and issues discussed. Exchange of communications continues with the WFTU now.

- b. After the 3rd National Congress, we are in frequent touch with WCL. In June 2001, GEFONT Secretary General, in connection with his Brussels visit, met WCL General Secretary William Thys and then Confederal Secretary Necie Lucero in the HQ of WCL. Followed by this, the Chief of the GEFONT Department of Foreign Affairs attended the 25th World Congress of the WCL. Following our participation in various WCL programmes, a WCL delegation visited GEFONT from July 28 to August 4. After meeting the WCL delegation, GEFONT made public its views that both the organisation could work together in areas discussed and mutually agreed upon.
- c. GEFONT has started a lively contact and information sharing with ICFTU recently
- d. Among GUFs, leaders of various levels of ICEM and IFBWW have visited GEFONT at various times. Also the leaders of ITGLWF, UNI, IMF and IUF have visited the Central Office of GEFONT coinciding with various programmes and occasions. All this has helped consolidate bilateral relationship.
- e. Of various national trade union centres, we have had visits to and exchanges with, among others, the CITU, AITUC and SEWA of India; ACFTU of China; Korean Confederation of Trade Unions (KCTU) of Korea; KMU of the Philippines; CGIL of Italy; SAC of Sweden; DGB of Germany and CGT of France.

HMS, BMS, AICCTU and INTUC of India has participated in various GEFONT programmes; ZENROREN of Japan; JSF & JSJote of Bangladesh; and, Free Trade Zone Trade Union and Tamil Teachers Union of Sri Lanka has also participated in some of the GEFONT programmes.

GEFONT has given high priority to foster relations with the COSATU of South Africa and Brazilian CUT. Similarly, our bi-lateral communication and exchange continues with the VGCL of Vietnam; APFOL and APTUF of Pakistan; and, HK-CTU of Hong Kong.

GEFONT is also having cooperation with the some of the regional and national organisations such as-

APWSL, CAW, AMC, AMRC, SARDI, Federic Ebert Stiftung (FES), PILER-Pakistan, Karmojivi Nari & Bils-Bangladesh, CUTS-India, AAMS, SAAPE, JIL, OSHE, ASI, Homenet, WIEGO and so on.

In addition, we have links with the various international forums as well.

- f. During this period, a number of missions from various countries, delegations and representatives have visited GEFONT Office and held interactions on a number of issues. In their invitations, a number of meetings and discussions have been held with GEFONT leadership also in places other than GEFONT Office. Such meetings and interactions have helped us to be recognised in the international level. GEFONT leadership has held interactions with the representatives and delegations of International Labour Organisation (ILO) and various UN agencies, World Bank, Asian Development Bank, DFID and DANIDA etc on various aspects of the socio-economic life of the country.

Our international relation has entered into a new dimension in this period through participation in international programmes, meetings, exchange of ideas, email communications, exchange of protest messages and expression of solidarity in various movements. Following the policy of 'dignified participation' adopted by the 3<sup>rd</sup> National Congress, the expansion and development of contacts has been very much encouraging during the period. It is mentionable that the latest participation of 40 comrades in World Social Forum (WSF), Mumbai-India has been highly significant with the view point of fast developing international relation of our organisation.

#### **4.12.1 International Relation of Affiliates**

According to the GEFONT Statute, international relation of affiliates is regulated through the Department of Foreign Affairs. En route to this, the preliminary processes to affiliate our affiliates to the Global Union Federation have been completed. CUPPEC-Nepal and NICIWU & IGCUN are already affiliated to IFBWW and ICEM respectively. Recently NICWU, ITGWUN & NIWU have gained affiliation with ITGLWF. IPWUN

has applied for the affiliation with UNI. The process is underway to affiliate with some of the other GUFs and GEFONT affiliates.

CUPPEC-Nepal is represented in the Asia Regional Committee of IFBWW and NICIWU does in the Presidium of the International Committee of ICEM. Besides these, our priority goes to extend our relationship with other new organisations and strengthen with the previous ones.

#### **4.12.2 New Dimension in Int'l Relation: SAWTUC**

GEFONT, in support of KAD-Denmark organised a three-day South Asian Conference of Women Trade Unionists in Kathmandu on March 15-17, 2003. Participation of women trade union leaders of India, Bangladesh, Sri Lanka, Nepal, South Korea, Japan & Denmark and representatives of Global Union Federations like Union Network International-Asia Pacific in addition to WCL, ICFTU and CAW.

#### **4.12.3 Partnership with political parties for social transformation**

Our movement has accepted the Trade Union movement as a 'political movement.' Either affiliated with political parties or work autonomously, trade union cannot be apolitical. The conclusion derived in the tenth anniversary of GEFONT, has been proved further by the universal practices and behaviour. Therefore, the pro-worker trade unions carry on the professional interest along with class-interest, which is not apart from the politics.

The Third National Congress of the GEFONT reached in a consensus that the goal of social transformation can be reached only by working hand-in-hand with the political parties. It is therefore the Congress adopted a policy to work in partnership with the political parties having the same political goals and objectives and issue based collaboration with those who differ.

Policy to work closely with CPN-UML was adopted on the ground of similarity on policies such as the People's Multiparty Democracy, pluralist and socialist social system.

To achieve the goal in the working period, the GEFONT involved in the political movement, which can be cited as follows:

- Dissemination of information about interaction on political/ ideological issues with the Central Party School Department of CPN-UML.
- Organisation of a programme with the CPN-UML high-level leadership to share information briefly on the contemporary trade unionism.
- Interaction on a GEFONT research on Big Business Houses in Nepal with intellectuals from the CPN-UML.
- Participation in different programmes on movement against corruption organised by the CPN-UML including other political parties in struggle.
- Cooperation with different social activists against the discrepancies seen in the labour market due to the Maoists misconducts.
- Active participation in the movement against the royal regressive move of October 4, 2001 in favour of peace and democracy.
- Publication of ideas and views of Top political leaders of CPN-UML, NC, NC-Democratic, RPP, NPWP, CPN-Unity Centre (Mashal) on labour market issue in Nepal.

#### **4.14. Our participation in movements against royal regression**

GEFONT formally declared its opposition to the royal move of October 4 (2002) through a press statement dated October 6. The unconstitutional ouster of the then Prime Minister Sher Bahadur Deuba and the appointment of Lokendra Bahadur Chand as new Prime Minister was publicly denounced as “an act against the spirit of the Constitution promulgated by 1990 People’s Movement”.

On December 2001, GEFONT formally participated in a protest rally called by CPN (UML) against this action in Kathmandu. On March the same year, a joint delegation of GEFONT and NTUC

met the Prime Minister to register a protest against anti-worker and anti-trade union activities of the government.

On May 1, 2003, at a May Day ceremony jointly organised by NTUC and GEFONT, it called on all its force to participate in the people's movement to be organised by five political parties taking off on May 3. This call was made in response to the invitation made by CPN (UML) General Secretary and Nepali Congress President. On June 15, 2003, a nation wide programme of 'tools down' and 'steering jam' was effectively organised.

Following the movement, Prime Minister Lokendra Bahadur Chand and his unconstitutional government was dethroned. Agitating political parties proposed UML General Secretary as a consensual candidate for Prime Minister, but the king denied this proposal and nominated Surya Bahadur Thapa. This invited new spate of movements. On first week of September, many GEFONT activists including its Chairperson were arrested while protesting the Prohibition order imposed by the government. Such a protest continued up till the whole week (Sept 4-10, 2004) on a regular basis.

From April 1, 2004, valley centred protests began against regression. In this phase, GEFONT, together with NTUC and professional federations, launched series of protest programmes. In the following two-month long movement, more than 45 leaders and activists were arrested from Kathmandu alone. Hundreds sustained injuries elsewhere. In each protest and resistance, the involvement of GEFONT leaders and activists remained quite visible. In this connection, basing on regression and anti-regression issues and events, GEFONT prepared a documentary entitled 'power to the people.' The documentary exposed the despotic face of the unconstitutional government internationally. This case was even registered as an example of the violation of trade union rights in the relevant department of the International Labour Organisation.

Such activities have helped much introduce GEFONT in the society. It has ensured much access in the intervention and policy making of trade union movement.

#### 4.15 Foreign Employment & Migrant workers

Nepal is a country of surplus labour and many of the guest workers are working here. As the scholars view, 'Sending the surplus labour in the foreign employment is relaxing the pressure of the immediate labour market. It is like unravelling safety valve of pressure cooker.' But due to the Maoists insurgency, many villagers are obliged to leave the country no matter whether they be employed or go idle. On the other hand the pressure of Indian labour in Nepal does not show any symptom of decline.

Keeping these facts in notice, the Third National Congress had decided,

- To establish GEFONT Support Group in different countries,
- To sensitise the embassy, mission and labour attaché in favour of migrant workers,
- To update the day-to-day information and work in favour of migrant Nepali workers through the union movement of the respective countries

To accomplish the tasks, the GEFONT obligated the department of foreign affairs as special agency, which constituted a five-member Migrant Workers' Committee.

The working period could not result in expected outcomes. The work in the countries like South Korea, Hong Kong and Japan, the countries with existing GEFONT Support Group, could not be geared up. It, however, is an achievement to forming Equality Trade Union-Migrant Branch by the migrant workers in South Korea and affiliate with KCTU. Relation is developed with Singapore, Malaysia and some other countries of Middle East and Europe. The countries are deemed as new destination of Nepali workers for employment, but the relation is yet to reach in a solid institutional frame and many institutions of migrated Nepalies lack coordination.

But an attempt to work on this front is not zero. The participants, participated in the innumerable programmes,

have met and interacted with the Unions of respective countries and migrant Nepalis. Such activities including the publicity of GEFONT policy have been undertaken even by the top-level leaders of the GEFONT.

At home, the GEFONT has published and disseminated a manual entitled "Facts to Know by Those Who Go for Foreign Employment." It is also to be noted that on migration & HIV/AIDS, GEFONT is involved in South Asian Research under the UNDP Programme on HIV/AIDS coordinated by South Asia Research and Development Initiatives (SARDI).

#### **4.16 Research, Policy Intervention & publication**

As proposed in the Third National Congress, WTO, Industrial Policy, Economic Policy, Productivity, wage and employment, Workers Participation in Management, Education-Communication and Culture, Population and Environment, Health, Commerce, Selective Privatisation, NGO and Trade Union Movement and International Trade Union Movement & Solidarity were the issues of research specified. In addition, a policy was promulgated to carry out issue-based research on various contemporary topics by the Central Planning & Research Commission.

Similarly, the Congress had directed to ensure participation of GEFONT in almost all forums for policy intervention.

Policy for maximum use of printing and electronic means for the publication and dissemination had been adopted.

In the working period, publication works were carried out in three layers under Action research, project-based activities and regular publication.

The following study and research has been done and published in our regular publication **Trade Union Rights**:

1. A Decade of Trade Union movement (2000)
2. Implementation of Labour Law in Nepal: Situation analysis (2001)



### 3. Nepal: Trade Unions in Critical Situation (2003)

Project-based research reports published (English and Nepali) in different subjects are as follows:

1. Women's participation in Nepali Labour Movement (2001)
2. GEFONT Study and Researches (2000)
3. Evaluation of GEFONT-Launched Project (2000)
4. Search for Alternative (2003)
5. Report of National Women workers Conference (2003)
6. The Big Business Houses in Nepal (English, CD Version) 2000
7. Garbage Cleaning Community and Child Labour in Nepal (English, CD Version) 2000
8. Impact of Intervention in Kamaiya (English, CD Version) 2000

The following issues were highlighted in the research-based articles in 19 issues of *Shramik Khabar*:

1. Kamaiya Movement
2. Misuse of Essential Service Act
3. Service Charge in HRC
4. Trade Union Movement of 1947
5. Royal Massacre
6. Land Reform (English)
7. World Trade Organisation
8. Labour Law Amendment
9. Foreign Employment
10. Health Cooperative (including English)
11. Trade Union in critical situation (including English)
12. Social Security

13. Labour Market Flexibility (including English)

14. Social Discrimination

15. Street Vendors

16. WSF and Music of dissidents

Additionally, research-based materials on poverty, Labour Market Flexibility, Productivity, Wages, and Workers participation on Management & International Trade Union Movement have been published. They are:

1. Wages (cartoon book) 2002
2. Today's Labour Agenda 2002

During this tenure (December 2003), 32 books have been published and about 9 books are in pipeline. Twenty issues of *Shramik Khabar*, nine issues of *Workers News*, one issue of *Pro-workers Voice* (now its publication is closed), and four issues of *Shramik Mahila* have been published as our regular publications.

Basic Course of Trade Unionism, Women's Rights Guaranteed in Civil Code 11<sup>th</sup> amendment, Report of 3<sup>rd</sup> National Congress, wages and We, the Workers in Construction sector are the materials widely used in this period.

Mentionable, two publications *Role of Trade Union in Democratisation Process*, by Andres Ahlion, Sweden and *The Language of Solidarity: Internationalism and a Gaikhane Bhasa in Nepalese Leftist Labour Movement*, by Jamie J. Cross, UK, are important in the area of publication.

The followings are the published materials in audio and visual and electronic version.

- Remembering the Women Workers (audio cassette, CD/MP3)
- Remembering the Women Workers (VCD) with English sub-title.

- Together for Equality (documentary against gender discrimination, both in English and Nepali languages)
- Towards the bright Horizon (documentary on women's participation in Nepali trade union movement, both in English and Nepali languages)
- Towards Feminising the movement (documentary of South Asian Conference of Women Trade Unionists, both in English and Nepali languages))

GEFONT has launched three web sites at a time. Share goes to National Labour Academy in the Labour Nepal and Bonded Labour web sites. The web sites are:

- [www.gefont.org](http://www.gefont.org)
- [www.labournepal.org](http://www.labournepal.org)
- [www.bondedlabour.net](http://www.bondedlabour.net)

The first is the GEFONT's official web site, the second is web portal and the third is South Asian Interactive web site about bonded labour.

GEFONT has broadcast its activities through Radio Nepal and Nepal Television as well. Programmes on Gender Equality and Workers Rights were broadcast through Radio Nepal, Sagarmatha FM, and Nepal Television on 8th March 2000 and May Day in 2001 respectively. Similarly, the programme South Asian Regional Conference of Women Trade Unionists was aired live through four FM stations throughout the country. Many songs of GEFONT VCD have been broadcasted by Nepal Television.

Press statement has been the regular means of publicity. During the working period, 43 press statements related to labour dispute & repression upon workers and burning issues were released. Solidarity messages have further consolidated the publicity at home and aboard.

On every May Day, 8 March and other occasions various posters have been published as the campaign & publicity materials.

In addition to GEFONT, publications of other affiliates have contributed much in the union movement. The following affiliates have published at least one issue of the following publications annually:

<b>Member Organisations</b>	<b>Publications</b>
NIWU	Mazdoor Sandesh
ITGWUN	Posak
NICWU	Carpet Workers
NIHWU	Satkar
UNITRAV	UNITRAV
IPWUN	Mudran Sansar
NATU	Automechanics
CUPEC	Nirman Karmi
IGCUN	Chwafi
NIFBWU	Khurak
NICIWU	Union

#### **4.16.1 National Labour Academy & GEFONT**

There was dire need of an institute for research & policy intervention on labour market issues. National Labour Academy, Nepal (NLA) was founded in 1995 in order to meet this necessity as a common institute of Trade Unions, NGOs and some intellectuals working in the field of labour. GEFONT is proud to pronounce that GEFONT and its affiliates are the founder organisations of the NLA.

NLA's growth is satisfactory; it has its own building and physical infrastructure now. Researches carried out by it on dozens of issues has contributed our movement. Annual General Meeting of NLA held this year has planned to continue a study on labour as a new paradigm.

During this period, NLA has contributed to union movement through the following programmes:

1. Residential workshop with the labour officers in order to bring uniformity on Implementation of Labour legislation.

2. Residential workshop with the Labour-lawyers through out the country and establishment of Labour Lawyers Network.
3. One day interaction on Voluntary Retirement Scheme.
4. One day interaction on Labour Market Flexibility and Hire & Fire and publication of Book on Hire & Fire.
5. Annual programme on [labournepal.org](http://labournepal.org)
6. Interaction on the implementation of Labour Law against misconduct.

GEFONT is involved in different platforms on various occasions for policy-intervention. Following are some of the forums mentionable:

1. Central Labour Advisory Committee (CLAC)
2. Expert Committee of the Debt Bondage Project (PAC-Asian Development Bank)
3. Freed Kamaiya (bonded agricultural worker) Rehabilitation and livelihood development programme
4. National Steering Committee on Elimination of Child Labour
5. Minimum wage determination committee
6. ESPS national coordination committee and component committees
7. National welfare fund tripartite management Committee
8. Occupational Safety and health project committee
9. Labour Act drafting sub-committee
10. Committee for the determination of minimum wages for tea-plantation workers
11. CTEVT managing committee and curriculum development taskforce

12. National steering committee of policymaking programme formation for the empowerment of women workers go for foreign employment
13. EOW National Steering Committee
14. Gender Main-streaming National Committee
15. Health micro-insurance scheme (Health Ministry) national committee
16. Various committees among trade unions

In addition to it, our representation in the national and international is a matter of proud for GEFONT.

1. Vice Chairperson Lalit Basnet- MP, National Assembly
2. Department Head Binda Pandey- Member, National Women Commission
3. Department Head Binda Pandey- Vice president of women committee & presidium member, ICEM International Committee



# 5

## **GEFONT & its Affiliates:** Structural problems and proposal for improvement



The functioning organisational structure of GEFONT is designed on the ground of one and half decades' experience. Based on the practice, the following amendments are proposed to be undertaken:

1. **National Council:** This is the supreme body that directs the Organisation on policy level during the interval of two Congresses. Minimum number of members are selected on proportional basis where the additional ones are nominated on the basis of the paid-up membership of the respective unions. To promote the women in the policy-making level to cope with the increasing ratio of women worker in the labour market, provision to directly nominate women members in the National Council from the member unions should be guaranteed with an amendment in the functioning policy to elect five members including at least a women from the affiliates. National Council should be developed as a powerful legislature and be consolidated as a platform to be controlled by the affiliates representing respective workers to exercise rights and to intervene in policy decision between two Congresses.
2. **National Executive Committee:** This is the committee responsible, under the policy directives of the National Council, for programme execution, follow-up and monitoring. This Committee can, in other words, be called as "executive" whose day-to-day activities are carried out by the Secretariat. The secretariat regularly gets feedbacks from various departments and commissions which work as line-agencies. Given the expansion of current activities, it is felt that this 'engine' lacks human resources. Some difficulties have also been noticed with regards to leadership development and mobilisation. The comrades in leadership position are burdened with various responsibilities and work-loads. In some cases, however, the division of work is unscientific, comrades delegate 'little' responsibility as compared to their position. This dilemma is true also to the leadership development process of the affiliated unions. And, with this some complexity has also developed.

The main condition for union dynamism and continuity is to develop capable leadership at various levels. Particularly in central leadership, there is a strong need for second-rank and third-rank leadership to make sure that the movement does not slow down or collapse after certain point of time. Taking into consideration the current situation, following changes are suggested in the existing structure.

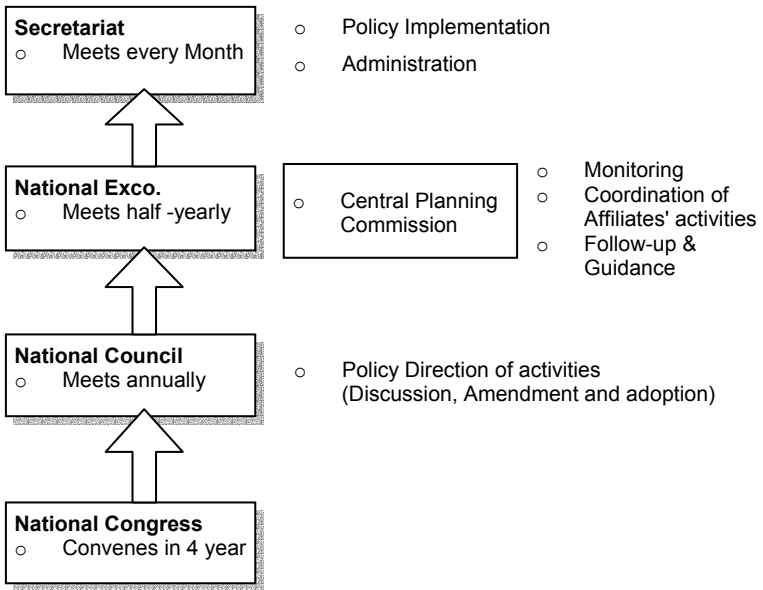
- The **National Executive Committee** should monitor the functions of various sectors and areas, coordinate the activities of all affiliates and direct them accordingly. To enhance its effectiveness, the existing Planning and Research Commission should be strengthened and activated. The Central Planning and Research Commission should be transformed into an 'engine' strong with authority as well as resources- to develop new policies and projects independently, and to evaluate the existing policies, projects and on-going programmes. Since this Commission is responsible for policy & programme planning, it is appropriate to merge the Central Auditing Commission to it through which to minimise unnecessary bureaucratic formalities that may result from multi-structures. And it should be renamed as Central Planning Commission with responsibilities for policy, research and auditing.
- The **Central Planning Commission** should be constituted under the leadership of GEFONT Vice-Chairman. In the Commission should be experts (such as economists, sociologists, etc.) and technical expert (such as auditors, project coordinators, etc) with a status equivalent to that of National Council Members. However, in the exercise of the rights they will only be observers or advisers.
- It is not practical to coordinate the functions of the **secretariat** by the Secretary General 'alone', as in the existing provision. To assist the Secretary General in day-to-day affairs, therefore, there should be a provision for a Deputy Secretary Generals. For the time being, there should be at least three Deputies. In the proposed structure, there should be two Vice

Chairpersons and three Deputy Secretary Generals. The Secretariat should be constituted under the leadership of the Secretary General with Deputy Secretary Generals, Regional Coordinators and the Coordinator of CWWD. The Secretariat is mainly the mechanism responsible for planning execution and running administration. Thus, existing 'compulsory' presence of Chairperson & Vice Chairperson is not necessary in the Secretariat meeting. It is like a 'ministry' which brings into force the plans devised by the 'executive' (the NEC).

- **Secretary General** is the administrative chief of GEFONT, thus is the Head of Central Office; who centrally plans the programmes & activities. The proposed Central Planning Commission develops the planning of policy only. What needs to be noted here is that these two positions and institutions are complementary to each other.
- The existing departments alone cannot coordinate all the programme activities of GEFONT at the time when it is rapidly expanding. To meet this challenge, therefore, departments should be arranged with distinct responsibilities as suggested below:
  - **Department of Trade Union Education:** Workers' education, resource centre management & operation and curriculum development
  - **Department of Finance:** Financial administration, fund operation & management and resource mobilisation
  - **Department of Foreign Affairs:** Development and expansion of international relations, and functions related to migrant workers
  - **Department of Labour Relations:** Labour disputes, trade union rights, implementation and monitoring of labour law
  - **Department of Publicity & Publication:** Publication and Publicity work including media, sports and cultural programmes

- **Department of Social Security:** Cooperatives, occupational safety and health
- **Central Women Workers Department:** Special department concerning women workers
- The proposed departments should be coordinated by Deputy Secretary Generals as far as practicable.
- Departmental secretaries should be elected as permanent leaders to accomplish the functions of the departments. On the basis of the proposed departments, there should be provisions for eight secretaries including the Secretary of the Central Office. In this structure, there is no need of a **Treasurer**.
- The provision for the Deputy Secretary General and Secretaries should be considered as a process of developing tyres of leadership. To expand this process to the affiliates as well, there should be a provision that the person elected as Chairperson, Vice-chairpersons, Secretary-General, Dy Secretary Generals and the Coordinators be automatically relieved from the major posts from the affiliates.
- The size of the National Executive Committee should be expanded, from the current 35 to 41 size of the persons. In the NEC, there should be a proper balance in terms of gender, geography and ethnicity. The representation of women leadership should at least be 15 percent of the total number.
- On the backdrop of the above, the national structure should be as following:

**Chart 5: National Structure: New Proposal**



**Position & Responsibility in the National Structure**

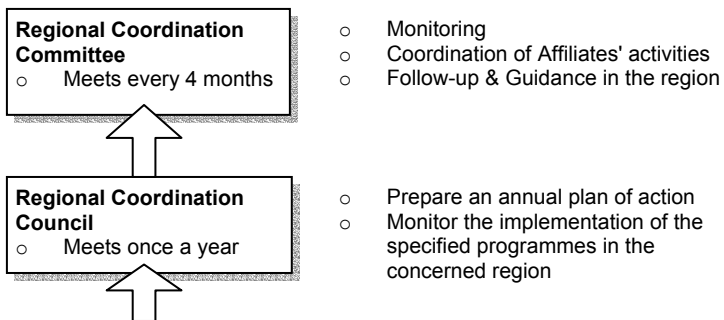
1. Chairperson:	Chief, Political-Organisation
2. Vice Chairperson	Deputy to the Chairperson
Vice Chairperson	Chief, Central Planning Commission
3. Secretary General	Chief, Administrative- Mobilisation
4. Dye Secretary General (3)	Coordinators of the Departmental work
5. Regional Coordinators:	Coordinator of the affiliate activities in Regions
6. Coordinator of CWWD:	Coordinator of Women workers among Affiliates
7. Secretaries (7)	Secretaries to Department
8. Members (23)	From Affiliates 8 Ex-officio members 15 Chair, Zonal Committee- 12 Coordinators of RWWD- 3
<b>Total</b>	<b>41</b>
9. Principal Secretary to the Central office	1 (Appointed by NEC)

3. **Regional Coordination Committee:** As per the existing provision, this Committee is the ‘highest’ body in the concerned region, and, as such, vested with all responsibilities ‘legislature’, ‘executive’ and ‘ministries’

to be carried out at the regional level. It was not easy coordinating three functions by a single mechanism. In addition, the legal arrangement of a small team (the provision of only the Zonal Chairperson as ex-officio member of the committee) definitely limits its functions and capacity. This mechanism not only failed to coordinate the functions of affiliates, it created a kind of conflict between the functions of the affiliates and the GEFONT local structures. Instead of being these two mechanisms complementary to each other, as expected literally, they turned to be competing in practice.

- To address this problem, there should be a new provision for **Coordinating Council at the Regional level**. This council should act as a 'legislature' of the whole region of GEFONT. The regional council should propose yearly programmes for the region and monitor and evaluate the implementation of programmes devised by the National Executive Committee. Zonal Committee chairpersons and Secretaries, Coordinators of the Zonal Women Workers Department and all central committee members of the affiliates of the concerned region should be ex-officio members in the regional council.

Chart 6: Regional Structure: A New Proposal



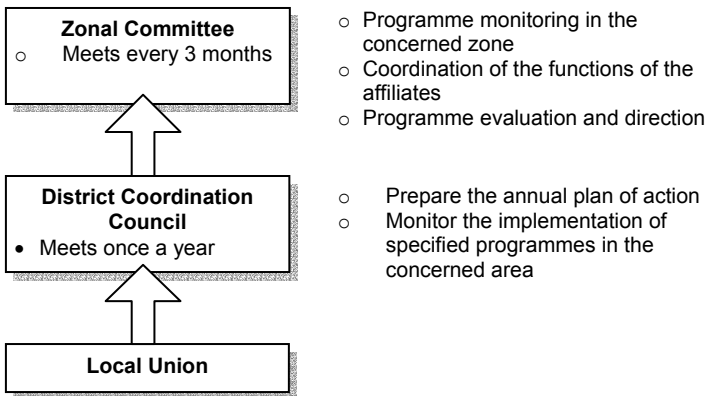
- The existing Regional Coordination Committee should remain as it is. It should have a coordinator as the political-organisational chief and the chairpersons of each Zonal Committee & Coordinators of RWWD as

members. As an executive committee, it should direct and monitor regional programmes, and coordinate the functions of the affiliates. The regional structure should be as proposed above.

- In order to foster the participation of women Regional Women Workers Department (RWWD) as a new structure should be added under CWWD. Its co-ordinator will be the ex-officio member of Regional Co-ordination Committee & NEC. Regional Women Workers Department will consists of Co-ordinator of ZWWD.
4. As a **local structure**, Zonal Committee functions now. Since the District Coordination Committee as per GEFONT Statute is voluntary, no such committees were constituted during this tenure. In the Zonal Committee, ex-officio members stand more than two-thirds of elected members as per the statutory provision. This does not match the democratic spirit, nor our goal to build a workers-based union movement.
- To address this dilemma, the Zonal Committee should solely be elected by the local unions. The central committee members of the affiliates should no more be ex-officio members of the Zonal Committee. Similarly, the office bearers of the Zonal Committee or its members should not remain in the central committee of the affiliates. In the Zonal Committee, there should be a chairperson, vice chairperson, secretary and joint-secretary as office bearers and the coordinator of the Zonal Women Workers Department as an ex-officio member. The vice chairperson should be made the chief of the finance department, thus responsible for account operation & financial management. The size of the committee should be no more than 15 members, including the office bearers. As an executive committee at the local level, it should be responsible for coordinating the activities of the affiliates as well as for implementing proposed programmes, its follow-up and monitoring.

- The debate as to whether or not to form district coordination committee should now come to an end. When a Zonal Committee is made a fully executive coordination committee, there remains no need for a district level structure of its kind. But there should be some mechanism at district level in order to involve the affiliates in policy intervention and programme planning.
- The mechanism is in fact the new proposal for **District Coordination Council**. This can be constituted in districts where at least three or more affiliates exist. The chairperson of the Zonal Committee chairs the district coordination council. Zonal Committee officials and members of the concerned district will be the ex-officio members of the council. The member of the District Women Workers Department, all enterprise-level & unit-level presidents in the district, and all district committee members of the affiliates will be the members of District Coordination Council. The council will be responsible for proposing programmes for the district concerned, follow-up and monitoring the implementation of programmes identified earlier in the concerned areas. To sum up the following should be the organisational structure at local level.

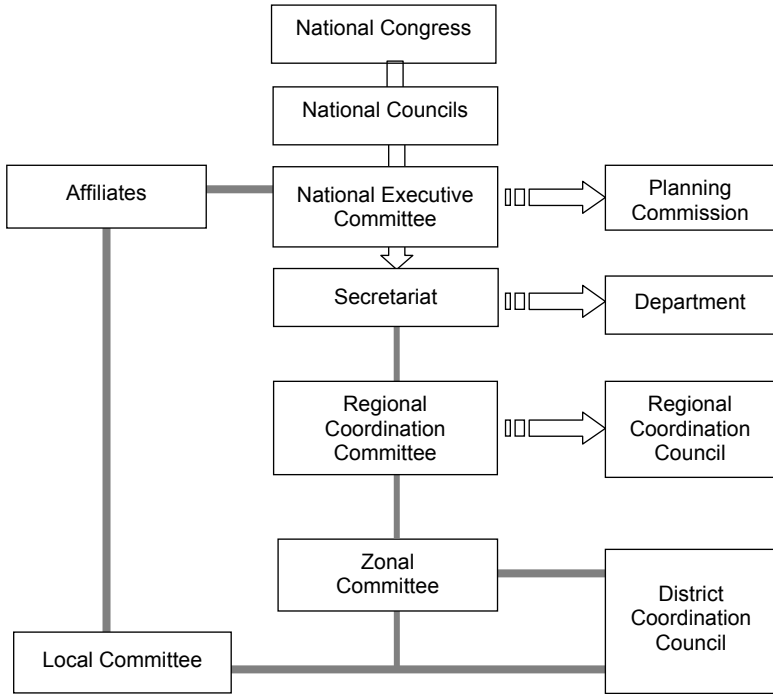
Chart 7: Local Structure: New Proposal





In a glimpse, the GEFONT will have the following structural set-up.

Chart 8: Proposed Structure of the GEFONT



# 6

## Scenario Forecast of Nepali Unionism

It is not easy to forecast scenario of the union movement given the current political situation, which is so fluid. However, we can imagine three types of scenarios:

**Scenario 1:** Statusquo

**Scenario 2:** Progressive Change

**Scenario 3:** Extreme National Crisis

Given the current balance of political power, the **first scenario** seems imminent. And, there runs a risk of intense militarization by both the left and right-wing extremism. Politics and people's power may be pushed towards marginal point and the achievements of the 1990 People's Movement may be further curtailed. Political parties and people's organisations may not be banned but they will have very little to engage in political processes. A so-called government may carry out day-to-day administration on the directives of the customary conservative force. The situation can be termed as 'guided democracy.' The State will be run by the customary power active in cities, outskirts and urban centres may adopt a policy of controlling over rural and outlying areas through both carrot & stick measure. Thus, a regressive move would prevail in political dispensation.

If this situation is to emerge, GEFONT and national trade union movement would face the following **challenges**:

- GEFONT will be relatively weak; frustration will enter into union movement
- Policy intervention will be weak. It will be difficult to mobilise the working class people into democratic-political mainstream as all major democratic-political outlets will be tightened.
- Trade union movement will be reduced a 'reactive' engine that would show concern after the occurrence of an incident. There will be no prospect for proactive initiatives.

This scenario may also lead to the following **opportunities**:

- Working class people of all ideologies may come under an umbrella to restore peace and democracy
- Like in the *Panchayati* era, union movement may be polarised into pro-regressive and anti-regressive streams. GEFONT could consolidate itself as a common union movement of anti-regressive streams.
- A new identity & image of union movement could be established in Nepali society.

If the experience of South Asia and other newly democratised countries is any guide, **guided democracy** does not sustain in our geo-political set-up. Lacking political commitment, the security force may not be able to control insurgency and the resultant violence escalated in the rural areas.

Such a situation may give rise to a new kind of transitional phase. There could be a unity temporarily between the mainstream political parties—who truly represent the people's force—and the ruling traditional force. In such a scenario, a powerful and all-party government could be formed. The movement against regression may reach a new height resulting in a quantitative reform in the status-quo. This would then force the political parties towards qualitative reform. Such a transitional phase may not last long, and will take us to the '**scenario-2**' situation.

Conflicts and insurgencies of all kinds will have ultimately been resolved through dialogues and political processes. Drawing insights from this phenomenon, the internal and external political forces will encourage the State and the insurgents to hold dialogues. If this happens, packages of overall change will be forwarded for the peaceful resolution to the problems. The rebels, the customary power-now controlling State power and the political parties which represent the people's Power will engage in interactions, debates and dialogues as per their political agenda. All this will lead to an environment of change; and, to a series of exercises, both hidden and open, aimed to consolidate democracy, make people completely sovereign and the

monarchy fully constitutional. A new transformatory condition will also emerge vis-à-vis the mainstreaming of the rebel force and the management of their weaponry. This phase of transformation may relatively be long, and it may prove to be a time of unity and polarisation amongst political forces.

In such a scenario, our movement may have to face the following **challenges**:

- GEFONT will have to compete with various competitors; even a division may be anticipated amidst traditionally friendly forces
- A new 'militant' force may emerge as a competitor. Because of this force, industrial relation may be influenced by 'extra-legal means' rather than by 'rule of law'.
- Instead of a large and widespread movement, GEFONT may have to be limited to small-scale activities. It may be reduced to a policy of power consolidation through labour disputes.

Under this scenario, there may also emerge a number of **opportunities**:

- The working class people will generate new hope and encouragement
- The mainstream trade union movement, including GEFONT, will be unified in a wider structure. Within union movement, democratic forces will be active nationwide to counter the expansion of anti-democratic and totalitarian forces.
- GEFONT will be fully committed to social justice and to the concept of the 'welfare state' that reinforces its goals. The significance of trade union movement will further expand in the society.
- All social partners will stand for a national consensus for a new economic system and social transformation. Union movement will be established as inevitable and generally-accepted institutions.

- We will have a full support and solidarity from the international union movement.
- Union movement will move forward as a visionary movement of the entire social movement.

The increasing non-political and anti-social activities unleashed by the rebels and the intervention of international power centres into Nepali affairs hint that the possibility of the 'peaceful resolution of problems' seems dim. In such a situation, **scenario-3** comes into attention. The State may rigidly stick to the 'military solution to the problem', and the rebels may continue their strategy of capturing the state through a rebellious war. The power of people may weaken, the intervention of foreign power centres may escalate. The country may plunge into a civil war if foreign intervention and conflict is to continue. And Nepal may turn to a 'failed state'; our sovereignty may be in crisis.

In such a scenario, the trade union movement may have to face the following **challenges**:

- The nature of industrial relations will be changed in the labour market. Extreme anarchy will be a social reality. Working class people will be displaced & pushed into a state of extreme frustration.
- The strength of union will be weak; divisions and conflicts will hit the union movement.
- The issue of nationality will get prominence over the issue of class- rights and social security.
- Social dialogue will completely break down.

This will also create a few **opportunities**;

- GEFONT will reinforce its traditional 'revolutionary' zeal. It will develop itself as a common forum of patriotic, nationalist and democratic forces.
- Union movement will sustain albeit as a defensive movement. It will draw moral solidarity from international union movements.

We should prepare the Nepali trade union movement capable to face any challenges posed by unfolding political reality, and able to capitalise on available opportunities. The theme of the 4<sup>th</sup> National Congress—Enhance One Union for Democracy, Peace and Overall change—rightly reflects our vision of the future trade union movement.

# 7

## Proposal of Future Plan of Action



For the forthcoming tenure the following plan of action has been proposed:

7.1 Partnership with political parties for social transformation:

- Continue partnership with political parties for the restoration of democracy, peace and social advancement.
- Launch political education campaign by forming 'socialist study group' at all level of trade unions- local, district, regional and central.

7.2 Education campaign:

- Developing separate curriculum for workers in the formal, informal & self-employment in order to systematise Trade Union Education
- Developing separate curriculum for target groups like grass-root workers, cadres and leaders in order to provide political & issue-based education
- Emphasising to develop issuewise-experts and continuing the ongoing educational activities

7.3 Organisational expansion and mobilisation:

- Consolidate regional and zonal structures
- Activate organisational mobility through division of work into policy making and organisation mobilisation.
- Centralise the labour force at regional and central levels and mobilise it at least 5 times a year as below.
  - **May 1:** Kathmandu-based (International Labour Day)
  - **November 20:** Regional level (International Child Rights Day)

- **December 18:** Regional Level (International Migrant Workers Day)
- **March 8:** Kathmandu-based (International Working Women's Day)
- April 28: Regional Level (International Day for commemoration of accident victims)
- Actively involve in the implementation of the common 7-point proposal for the amendment of labour law and its enforcement. It should be done in the light of the principle of "the more social security, the more flexible labour market."

#### 7.4 One union campaign

- Continue the efforts to develop a labour parliament or a similar structure to bring into practice **One Union, One Voice**.

#### 7.5 Involvement in issues of social concern

- Undertake the following programmes to add socio-political dimension to trade union movement
  - Launch class-based programmes
  - Launch programmes against social discrimination
  - Launch programmes against superstitious social ill-practices
  - Support the movements of consumer rights

#### 7.6 social security and worker cooperatives movement

- Give continuity to GEFONT Health Cooperatives campaign
- Conduct feasibility study for the operation of other cooperatives campaigns
- Start operating Activist Welfare Fund
- Consolidate the Welfare Fund for Woman workers

### 7.7 Women Worker Campaign

- Strengthen the existing policy with the aim to increase the participation of women by 5 percent in various levels.

### 7.8 Human resource development programmes

- Give emphasis on the development of technical Human Resource
- Focus on the development of vocational-professional work force
- Focus on the development of politically capable leading force

### 7.9. Programme of the development of international relations

- Collaborate with different international trade union centres with a view to go ahead for **one international trade union centre** in future days.
- Promote the respective affiliates to affiliate with appropriate global union federations, and collaborate with them
- Engage in regional and international alliances on the basis of South-South Cooperation.

### 7.10 Research, policy intervention, publicity and publication

- Undertake research studies on contemporary and burning labour related issues
- Publish the research reports and findings
- Use various alternative media for the publicity work

### 7.11 Unionisation of the informal sector

Take initiatives to centralise unionisation campaign in the following sectors including agriculture and construction sectors.

- Shaloon
- Home-based workers
- Gold and silver workers
- Couriers and carriers
- Professional artists
- Service sector (cooperatives and finance)
- Nursing
- Security services

#### 7.12. Financially self-reliant programmes

## Annex - 1

### **7-Point agenda on Labour Law Reform: The Trade Union's Position**

Challenging rhetoric demand of Hire & Fire and "Labour Flexibility" of the employers, the three recognised trade union centres- General Federation of Nepalese Trade Unions (GEFONT), Nepal Trade Union Congress (NTUC) and Democratic Confederation of Nepalese Trade Unions (DECONT) placed a common position paper for the discussion on labour law reform agendas. Covering all 7-points of the agendas, following is the summary of presentation, presented on November 27-28, 2003 in the bipartite social dialogue held in Kathmandu.

#### **Underlying Principles and Policies**

1. Labour law is basically designed to protect the rights & interests of the workers. However, as the law can play a significant role in establishing harmonious industrial relations in the country, the law should contain provisions on the duties and discipline of the workers and rights and responsibilities of the employers.
2. The law must confirm to the ILO's declaration on fundamental principles and rights at work.
3. Provisions made in the law are only minimum conditions and the conditions above the minimum level can be arrived at collective bargaining process.
4. The labour market should completely be free from any kind of discriminations based on cast, race, gender, colour, political & religious belief, marital status, and origin etcetera in terms of employment and implementation of labour legislation. There should be equal pay for equal value of work.
5. Every worker should have freedom of association and right to collectively bargain. No person would be fired or harassed in no way based on their involvement in union activities and CBA process as the union activists.
6. Exploitative labour practices such as forced and child be strictly prohibited in the workplace. Those found guilty in such practices would be strongly punished.
7. Labour market flexibility and social security issues are not contradictory concepts. In fact, they are complementary. There can be high degree of flexibility when there is high degree of social security in the country. The policy should focus on the concept of "more the social security more the flexibility".

8. In order to guarantee the social security of each worker, a contributory Integrated Social Security Fund by the three social partners can be established.
9. There is a need to strengthen the roles of three partners for harmonious industrial relation and improve labour administration.

### Proposal on Seven Points

**Social Security Scheme:** There is a limitation in applicability of the existing social security scheme in Nepal. Gratuity, Provident Fund and some sort of maternity leaves are common package in formal sector. In government services and in some of the Public Enterprises provision of Pension also exists. However, large numbers of workers are out of safety net.

Thus, proposed social security scheme should have of coverage of all informal and formal sectors, all geographical regions, all registered employees, and all employees earning different levels of income.

Similarly, proposed contribution ratio by employees, employers and government to be of 1:2.5:2.5 into the social security fund. The unions propose the sources of contribution to come from the enterprises, construction companies, agriculture land revenue, and remuneration tax. The tripartite committee will operate the Fund. The unions proposed a phase wise proposal of social security in both formal and informal sectors is given below.

Formal Sector	Construction Sector	Other Informal Sector
<b>First Phase</b> <ul style="list-style-type: none"> <li>• Old age phase (Pension, PF, Gratuity)</li> <li>• Medical Leaves, Medical expenses (including hospitalisation)</li> <li>• Maternity Protection</li> <li>• Disability benefit</li> <li>• Survivors benefit</li> </ul>	<b>First Phase</b> <ul style="list-style-type: none"> <li>• Sickness and Medical Expenses</li> <li>• Maternity Protection</li> <li>• Disability benefit</li> <li>• Survivors benefit</li> </ul>	<b>First Phase</b> <ul style="list-style-type: none"> <li>• Sickness and Medical Expenses</li> <li>• Maternity Protection</li> <li>• Disability benefit</li> <li>• Survivors benefit</li> </ul>
<b>Second Phase</b> <ul style="list-style-type: none"> <li>• Family responsibility</li> <li>• Unemployment allowance</li> </ul>	<b>Second Phase</b> <ul style="list-style-type: none"> <li>• Family responsibility</li> <li>• Educational Support</li> </ul>	<b>Second Phase</b> <ul style="list-style-type: none"> <li>• Educational Support</li> </ul>

-	<b>Third Phase</b> <ul style="list-style-type: none"> <li>• Old age benefit (Including pension)</li> <li>• Unemployment allowance</li> <li>• Social Insurance</li> </ul>	<b>Third Phase</b> <ul style="list-style-type: none"> <li>• Family Responsibility</li> <li>• Old age benefit (Including pension)</li> <li>• Unemployment allowance</li> <li>• Social Insurance</li> </ul>
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### Flexibility & Exit Policy

**On present debate on flexibility:** The present debate on flexibility measures has confined to legal, administrative and market aspects of labour flexibility. Trade unions believe that there should be balanced control on these three aspects.

**On payoff decisions:** Though, in principle, trade unions agree on payoffs due to mergers, losses, industrial sickness, and introduction of new technology following points need to be considered:

- Payoff decisions to be interlinked with social security
- Payoff decisions to be made through due procedure including union consultation.
- All actions done through mala fide intentions are to be made void.
- Simplification of the law through bipartite and tripartite consensus.

### On disciplinary actions

- Meet all procedure including chances of hearing
- Produce adequate and appropriate evidence
- Personnel regulation (House-rule) of the company to be made an issue of CBA
- Government to issue model personnel regulation to avoid no personnel regulation situation.

**On working hours**

- There can be flexibility in the determination the working hours
  - There could be minimum hours for compulsory OT
  - Voluntary OT hours can be left after determining the maximum allowable hours.
  - Acceptability of flexi time

**On minimum wages:** Minimum wages to be fixed at national level, at regional level and at sectoral level.

**On layoff decisions:** Layoff decisions can be taken at the bipartite consensus between management and trade unions.

**On permanency issue**

- The workers can be divided into regular and irregular workforce. However, all workers are to be made eligible for minimum facilities, services and social security.
- The existing 240 days provision can be reviewed, however, the issue of social security and disciplinary actions to be made as per law.
- Irregular workforce to be defined as those jobs not having more than three months of duration. The irregular workforce can be hired under contract. However, in order to discourage unfair labor practices, if a single job is performed by different categories of workers, all workers are to be deemed regular workforce.

**Gender Issue:** Since there is a National consensus on Ten-points finalised by the TUC-GEP process, it is expected to implement them in practice.

**Labour Administration:** Labour Administration should be impartial & and effective. Thus, in order to enhance its capacity divide human resources as Labour inspection, Factory inspection and the Administration. Labour Court should handle all of the labour related justice; and the Labour should be strengthened in such way, which could judge immediately and efficiently. There must be the pool of labour administrators.



**Trade Union, CBA and the workers of informal sector:** There should be the provision of compulsory existence of unions in all sectors of economy. A common platform at National, regional and local level is advisable. A Cheque-off system be introduced and strictly follow the periodical election process to identify authentic unions in the enterprises. At Local, sectoral and the National level CBA process should be compulsory in regular period basis. And a registration system for all wage earners and self-employed in the informal economy should be started.