

A bitter harvest: migrant workers in the commercial agricultural sector in South Africa



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2. Research objectives



- A comprehensive policy review, both state and non-state, of existing legislation, policies, arrangements, and practices relating to the **procurement, retention and regulation of low waged migrant farm workers** in South Africa
- State of data
- Relationship between the transformation of the South African economy and low waged migrant labour in the sector
- Actual practices relating to the management of migrant farm labour
- State of play of mobilisation of workers - actors, challenges, structures

3. Theoretical framework



- The role of commercial agriculture as a source of food security, rural employment and export revenue in South Africa
- Increased precarity of farm workers as a result of broader structural transformation in the sector, and limited mobilisation of farm workers and migrant workers in South Africa
- Relationship between the **spatiality of commercial farms and the labour outcomes of farm workers**, in particular if and how farms' locations as private and isolated spaces, and their geographic locality on or near borders, determine the modes of labour conditions



Increased unemployment, informality and precarity of workers; & retreat of organised labour

- Between 1985 and 1996 as many as 200,000 permanent – and a further 200,000 seasonal – farm workers lost their jobs”
- Many farmers changed their workforce, moving from a core group of permanent workers to a “ to a smaller settled workforce, some of whom are beneficiaries of equity schemes.. and the remainder of the workforce hired on a temporary or seasonal basis according to the work rhythms.” (Mather and Greenberg (2003:395- 412)
- GEAR + migration regime = double edged sword for migrant workers

Findings (1): Policy and data



- No labour migration (LM) policy framework for low skilled workers
- Depth of data on sector but not labour
- Commercial agricultural sector employs **709 000 people; of which approx 7%** are foreign born
- Number of people employed in sector declining -5% from 2010
- Percentage of farm workers as a share of the total labour force declined from 12% in 1990 to 4,6 % in 2010 (Stats SA)

but... type of jobs lost also of concern



Findings (1): Demographics



- Most workers are employed on farms due to a lack of options in the labour market that match their skills. For foreign workers the low barriers to work in the sector in terms of both documentation and education are a key determinant of work options

Findings(2): Migration



- The main motivating factor for **migration** to South Africa was a lack of job opportunities at home coupled with political unrest for those from Zimbabwe or Mozambique
- *Here is better because sometimes you get some job, maybe piece job. Unfortunately if you are there, you can't get a job... Yeah, here is better. But sometimes you think Zim is maybe. But that is a part of life. Sometimes it's better, sometimes not: Interview with Alb 28/06/2013; ACMS Offices*



- low skilled workers use two principal avenues to enter, remain in or regularise their stay in the country:
 - through formal mechanisms such as corporate permits, special dispensation and amnesty programs, the asylum seeker process, and the visitor’s visa system; and
 - informally through illegal border crossings, informal labour brokers, or remaining undocumented
- Of the 35 foreign born individual
 - 26 were documented through a range of permits: 9 citizenship in South Africa, 10 visitors visas, 4 asylum seeker permits, 2 work permit, 1 corporate permit;
 - 9 were undocumented.



Another layer:

- **Artificial borders?**

I don't know but I understand that my parents originally came from Mozambique. Apparently they came in the 1980s and settled in Malelane then later moved to Stanloop. But I was born in Mpumalanga.

By the time I arrived in South Africa there was something called (Sthaboo) of which South African and Swaziland soldiers were on guard when you arrive there you register your name give reasons why visiting South Africa and indicate period you would like to stay and that's how I entered. I like South Africa at my young age because I grow up here. Actually there is another area called (Mbuzeni) separated by fence so I was used to pass by to visit my grandmother.



“Most [of] the land around here can be claimed by people on 3 sides of the border: Swaziland, South Africa and Mozambique. The tribal chief in this area is Swazi. He gives land according to your family and tribal history not your nationality. Nationality doesn’t matter... borders should be more open”

Labour conditions



- Limited reach of labour law in protecting workers
- Personal characteristics of the employer determine variances
- Casual workers face worse conditions
- Locational variances but overall poor conditions
- **Wages** vary from province to province with the majority of permanent farm workers in Mpumalanga receiving around R1 600, while seasonal workers in the Western Cape are reported to earn as low as R100 / month
- *Casual workers* :*Gwaza* in Mpumalanga and *pallet* as explained in the WC which pay workers according to targets



Class and worker identity stronger than a nationality based identity

- explains the lack of open hostility and divisions amongst foreign and local farm workers in Mpumalanga

However despite a permeating shared identity, mobilisation amongst farm workers remains limited

- poor structural systems
- precarity of the workforce
- divisions



- *Siyafana “We are the same”*

Most respondents believed that as long as they are exploited there is no foreign or local as reflected in the statements below:

- “We are all paid the same and do the same amount of work. *Asibambane* [meaning let us unite]”
- “*We visit each other*”.
- “*siyavana*” (meaning we click)

Findings(4): Mobilisation



Mobilisation:

Low unionisation and mobilisation points to broader issues of precarity and marginalisation

- **Unionisation:**
- 2 of 61 respondents belonged to a union, reflection of sector (5%)

Findings(4): Mobilisation



- *The problem is that we are not united. If we say let's strike, others "pull back". If we put pressure on Mlungu, to pay, he will. We have different beliefs and thinking. People from Mozambique or Swaziland are scared to strike*
- *Most of the challenges are caused by our employment status. You find that you want to raise money issues but you are scared because you are a contract worker. You ask the permanent workers to raise those issues, but they are also scared. So I can say being a contract worker limits the number of things you can communicate to management*

Conclusions



- **Lack of labour migration policy worsens conditions for workers** and employers in the sector: for employers are faced with either regulating workforce with increased administrative burden involved or employ under the radar leading to poorer working conditions
- DoL and DHA have **little coordination** in terms of regulating LM for benefit of economy and for protection of rights of workers
- **Two systems of labour migration** in commercial agriculture: historically entrenched with formal –informal systems in border-lying provinces, and a more evolving organic system as a result of contemporary political and economic dynamics, mobility and labour in the region
- Whilst the first system is more formalised through bilateral agreements, both have formal/informal dynamics and **are exploitative**

Conclusions



- Working conditions for farm workers, regardless of location, nationality, documentation status or type of work are poor
 - **increased informalisation, and casualisation** in the sector.
 - limited implementation and enforcement
 - **power of the employer** in determining conditions on farms, rather than the state
- **Broader evidence suggests greater precarity of work**

Conclusions



- Strong shared identity amongst workers in Mpumalanga drawing on working class, historicity of regime, and shared linguistic and tribal identities; yet
- Poor organising in sector explained by broader structural reasons (low unionisation capacity, farm workers' reluctance to engage in mobilisation for fear of reprisals/lack of faith, problems with access to farms)