

# Gender and Economic Policy Discussion Forum

Gendered Impact of the COVID-19 pandemic and associated lockdown: The readjustment of women's labour

FORUM XXXII | AUGUST 25, 2020

BRIEFING NOTE 32

## HIGHLIGHTS / KEY POINTS

- Effects of COVID-19 and the subsequent lockdown on India's workforce are notably gendered and most pronounced in the case of informal workers who were left to fend for themselves in the face of massive layoffs, depleting savings and a largely inadequate public infrastructure system that often fails to reach them.
- Understanding these gendered implications requires contextualizing the impact within a framework that recognizes invisibility, devaluation, criminalization and penalization of women's work leading to diverse yet specific vulnerabilities across sectors and spaces. "Place of work" is a particularly important lens in bringing out many of these gendered costs and vulnerabilities.
- Women working in 'informal places of work' such as home-based work, domestic work, street vending or waste picking were the worst affected owing to their already marginalized and poor conditions of work. These workers, most often poor, lack any means of recognition or social protection. They live and work in conditions which add many direct and indirect costs to their livelihoods.
- Sex workers and workers from gender and sexual minorities were doubly vulnerable to stigma, discrimination and impoverishment during the lockdown owing to a direct criminalization of their identities and occupations along with social norms and notions that routinely make them vulnerable to exploitation and violence.
- Over and above job loss and income loss, women informal workers faced several other common challenges during the lockdown such as food insecurity, lack of access to any form of social protection, lack of access to water and other basic services, lack of access to transport, lack of access to medicines and healthcare, increasing burden of rent, evictions, alarming rise in unpaid work burdens, violence at home and in public spaces, worsening mental health issues and, lack of access to information around the virus and preventive materials such as soaps, masks and sanitizers. However, several challenges were specific to sectors and their spaces of residence/work.
- The discussion brought out 5 broad domains of recommendations which include – amending a legal framework that currently criminalizes informal livelihoods and marginalizes identities; stimulating the economy and employment through active fiscal policy and an accommodative monetary policy; supporting enterprises, jobs and incomes; protecting workers at informal workspaces, and; an inclusive reimagining of planning and recovery models that recognize the vitality of women informal workers.

Increasing evidence supports the fact that India may potentially be one of the worst affected countries by the ongoing global coronavirus pandemic, both epidemiologically and economically. The Ministry of Statistics and Programme Implementation (MOSPI) has revealed that in the first quarter of the present financial year (April – June 2020), India's GDP contracted by 23.9%, the highest dip ever recorded (Express Web Desk, 2020). Centre for Monitoring Indian Economy's (CMIE) Consumer Pyramid Household Survey estimates that over 120 million people in India lost their jobs in the immediate aftermath of the lockdown. Of these over 91.3 million were small traders and workers in the informal economy while even a sizeable share of regular salaried and self-employed individuals also lost their jobs (Inamdar, 2020). Many of these included migrant workers who faced forced displacement owing to conditions of food insecurity, malnutrition and hunger, lack of disposable income and fear of the disease.

ILO reports that unlike other recessions, the COVID crisis and lockdowns imposed has affected sectors which account for a sizable share of women's employment around the world – accommodation and food services; real estate, business and administrative activities; manufacturing and wholesale/retail trade (ILO, 2020). Even in India, these were some of the sectors which reported high contractions as per the data released by MOSPI. On the one hand, women overall reported 70% lower employment levels in April 2020 when compared to April 2019 in India (Deshpande, 2020). However, women in certain sectors such as health workers (ASHAs, ANMs, nurses and others<sup>1</sup>), teachers and sanitation workers found themselves at the frontlines of the public offensive against COVID-19. To add to this, the retreat of India's population back to its homes and villages has led to a manifold increase in women's unpaid work burdens. Women, who account for a larger share of precarious jobs, were affected both in terms of lost income opportunities and a sudden increase in their work burdens. Job loss among women is also often accelerated due to patriarchal notions

that encourage the ideal of 'male breadwinner', thereby normalizing unfair hiring and firing practices towards women workers.

The aim of the discussion was to unpack the differential gendered impacts across communities by placing at the centre those which remain at the peripheries of our society. The discussion aimed to start a dialogue by engaging with experts and documenting their assessment of the COVID-19 impact on the informal women workers. More closely, we aimed to understand from them how a recovery plan that takes into account gender intersections, queerness and informality should look like. The speakers for this discussion forum were – Ms. Shalini Sinha (India Country Representative, WIEGO); Ms. Tejaswi Sevekari (Director, Saheli Sangh) and Ms. Shubha Chacko (Executive Director, Solidarity Foundation). The discussion was moderated by Ms. Bharti Birla (Chief Technical Advisor -Project Manager, Sustainable Global Supply Chains in South Asia, ILO DWT for South Asia and CO for India).

### **Contextualizing gendered work in the informal sector: from invisibility to criminalization**

Much of women's work is centred in places that are often not recognized as workplaces. Bharti alluded to the fact that labour laws and codes are enforceable only in those establishments or economic units where an employment relationship can be established clearly, leaving out many of the informal workers who constitute about 94% of our total workforce. She noted that such misrecognition has led to the invisibilization of many workers, especially women who work within homes such as homeworkers, domestic workers, contributing family members and several other own-account workers and homebased workers.

Owing to similar reasons, Shalini asserted that among all the accepted definitions of informal work, whether it is based on the enterprise or jobs, "place of work" is a particularly revealing lens while unpacking gendered vulnerabilities. She stated using NSSO data from 2011-12 that a higher share of urban women works in informal places such as streets, homes (own or of others), unregulated factories and small sweatshops when compared to men. According to the recent Periodic Labour Force Survey 2017-18, there were approximately 41 million home-based workers in India. In case of domestic workers, the most recent estimate from official statistics is 39 million (Sinha, 2020). It is precisely such informal workplaces that often get left out of policy

discussions. These workers remain hidden within homes, their own or others', where they routinely face isolation, exploitation and violence. Using home-based work as a case Shalini gave a telling glimpse of some of the different vulnerabilities that women workers face.

Home-based workers occupy the lowest positions within supply chains that are characterized by seasonal demand, rapid fluctuations in tastes, and several layers of intermediaries. As a result, a series of risks and cost-cutting measures are transferred down which are ultimately borne by them resulting in starkly low earnings despite long and arduous working hours in often unsafe and inadequately provisioned spaces (Chen & Sinha, 2016). In addition to this they face severe challenges in organizing and collectively demanding their rights. Most women informal workers face similar challenges due to which their lives are often characterized by poverty. Informal workers increasingly hold a hostile viewpoint within policy that penalizes and criminalizes their lives and livelihoods, both directly and indirectly.

Moreover, informal workers live and work in settlements that are often peripherally located, seldom well-connected to vibrant city centres, and poorly provisioned in terms of basic public services such as housing, water, sanitation, transport, etc. This coupled with women's limited mobility and specific infrastructural needs such as child care, well-lit safe pedestrian roads or cheaper commute options, etc. make them especially susceptible to invisible costs which have to be routinely borne by them while pursuing their work. Research has shown that these factors are crucial for women while making their labour market decisions (Sharma & Kunduri, 2015). Yet, their absence from most policy dialogues is a major example of indirectly taxing informal livelihoods.

Sex work is one form of informal unorganized work which is not recognized as work and is instead directly criminalized by a legal framework that works against sex workers' right to life. Tejaswi pointed out that one main reason for this is the conflation of sex work with trafficking. Archaic laws such as the Immoral Trafficking Prevention Act (ITPA) and Sections 370-373 of the Indian Penal Code criminalize livelihood practices such as soliciting in public and workplaces such as streets, public spaces, etc. These laws reside in patriarchal notions that negate women's choice, agency and right over their own bodies (UNHRC, 2014). This, in turn, leads to not just high levels of violence and stigma against sex workers but also extreme poverty, malnutrition, no

formal safety nets and high susceptibility to sexually transmitted diseases.

These vulnerabilities, violence against constitutional rights and mis-recognition due to direct criminalization, are escalated manifold in the case of gender and sexual minorities in India as was pointed out by Shubha in her presentation. The transgender community has been routinely vilified facing stigma, discrimination and violence (physical, sexual and mental) throughout their lives, often beginning with families, schools, neighbourhoods and extending to workplaces. Despite, judgments made by the Supreme Court upholding their right to self-determination, the recent Transgender Protection Act, 2019, is yet another example of how state laws and policies continue to erode them (Mudraboyina, Jagirdar, & Philip, 2019). Under the said Act, the state assumes the right to 'scientifically certify' who can be deemed transgender which violated the dignity and integrity of these individuals. After months of tireless advocacy by trans activists, the revised rules in September 2020 dropped the need for examination and certification by a medical officer in order to ascertain gender identity.

Shubha stated that physical and sexual violence, torture, bribery, extortion, false criminal charges and false convictions are some of the most common examples showcasing the approach of police and other law enforcement agencies towards gender and sexual minorities. Owing to routine institutionalization of prejudice and violence against them, and transphobia which underscores our hetero-patriarchal society, they are often denied the right to education and secure decent livelihoods. Shubha mentioned that even in the HIV prevention movement, most transgender workers are not recognized as workers and are often relegated to be volunteers despite many of them being at the frontlines. Such complex and cross cutting factors often push them to very low levels of education, high poverty and highly precarious and informal professions, including seeking alms and sex work, where they face added layers of criminalization and exploitation.

The impact of the coronavirus pandemic and the associated lockdown has to be read against these diverse and specific vulnerabilities.

### **Unpacking the COVID-19 Impact: commonalities and differences across sectors and spaces**

Bharti began by presenting findings from a recent COVID-impact study which stated that the first order

labour supply shock to our economy during the Lockdown 1.0 was about 116.18 million workers (~25% of the total workforce) which decreased to 78.93 million (~17%) by Lockdown 2.0 (Estupinan et al, 2020). Their analysis has revealed that own account workers, home-based workers, and others in informal employment were the worst affected. The first order labour supply shock was also more pronounced in urban areas than in rural areas. Bharti predicted that based on many of the vulnerabilities mentioned by other speakers she estimates the actual job loss to be much higher due to interconnections between supply chains causing a multiplier effect of contracting investments, demand and second order labour supply shocks.

Over and above job loss and income loss, workers in the informal economy faced several other common challenges –

- *Food insecurity* – most informal workers are not covered under India's public distribution system due to their extreme invisibility and unavailability of government ID documents. This is especially true in the case of sex workers or individuals from gender and sexual minorities who remain ostracized by many institutional systems and are unable to establish their identities. Coupled with loss of income and depleted savings, many of these workers reported mass hunger and starvation during the initial days of the lockdown. Even for those covered by the public distribution system and government canteens, these services failed to make up for a severe lack of access to vegetables, milk and other essential food items including edible oil, pulses, eggs, etc.
- *Lack of access to social protection measures* – most informal workers including sex workers and workers from gender and sexual minorities have not figured in any of the economic recovery packages. While measures have been introduced to facilitate borrowings by micro, small and medium scale enterprises, own account and self-employed workers, it is likely to be the least attractive option in the face of massive debt burdens that India's poor are already facing due to job and income loss. Tejaswi mentioned that sex workers are fulfilling all their needs including food, ration, cooking fuel, vegetables, medicines, etc. through support from local non-governmental organizations.
- *Lack of access to water and other services* – For most workers living in low income informal settlements, access to clean drinking water was disrupted during the lockdown. Many depend on

private or public water tanks, nearby ponds or sources within their neighbourhoods but due to movement restrictions they were unable to access such basic services including community toilets, cooking fuel, banks, etc. Unavailability of public services often leads to greater unpaid work burdens for women as the responsibility to procure these services invariably falls on them. In some cases, this has led to women stepping out of the house much more regularly than other members leading to greater exposure risks.

- *Lack of transport* - unavailability of public transport and travel restrictions imposed during the lockdown aggravated many other challenges including access to work, money, food, medicines, healthcare, collecting payments, etc. Many were trapped in cities with no shelter, source of food or water and had to rely on government canteens which often became overcrowded and increased their risk of exposure. In the case of sex workers, this was doubly compounded by the fact that many were unable to obtain e-passes to travel back home owing to red-light districts being unfairly declared as containment zones across many cities. Tejaswi pointed out that this led to them having to take huge loans and spend huge amounts of money to travel. Shubha added that for many workers from gender and sexual minorities who lacked the education or legal identity documents, filling out e-passes to apply for travel was not short of a nightmare and this contributed to them being stuck in situations of hunger and lack of any money or support.
- *Lack of access to healthcare* – informal workers by virtue of their residence in ill-provisioned settlements faced an acute shortage of access to public dispensaries, primary health centres and pharmacies. For certain sections, such as people living with HIV or other serious morbidities, including sex workers and individuals from gender and sexual minorities, the lockdown caused a sudden shock to their urgent healthcare needs. In the case of trans individuals, access to many other crucial health services such as sexual reassignment surgeries, hormonal therapies, etc. have been affected severely. Speakers also specifically pointed out that inability to access sexual and reproductive health services including safe abortion, menstrual hygiene, contraceptives, etc. is to be recognized as a major gendered implication of the lockdown on healthcare.
- *Increasing care work burdens* – All the speakers stated that the pandemic and lockdown have led to a crisis of care work, the brunt of which is being

borne by women. Poorly provisioned settlements where the informal workers live led to more time being spent by women in accessing basic services such as water, toilets, garbage disposal, cooking fuel and food. The closure of schools, day care centres, hostels, etc. has meant that children and other dependent members retreated back into homes leading to constant care demands from women. Shalini mentioned that among those women from low income households who often have more than one dependent member who are either sick, differently abled or require specific care the challenges to addressing their alarming care burdens during the current pandemic are manifold.

- *Burden of rent* – The inability to pay house rent due to job and income loss led to higher eviction rates with many migrant workers leaving cities and retreating back to their native places during the lockdown. The mass movement of migrants out of major Indian cities has indeed become one of the most brutal evidences of the crises imposed by the lockdown. Shubha mentioned that owing to this burden, individuals from the gender and sexual minorities including many transgender persons were forced to travel back to abusive homes and families often facing increased violence and harassment.
- *Violence at home and in public spaces* – The National Commission of Women had alerted early on during the lockdown about the increasing incidence of violence against women within their homes. Many field studies conducted during the lockdown have also revealed that owing to factors such as partner's being at home, lack of work, pressure, anxiety, stress, unavailability of alcohol or other substances, there has been an increase in intimate partner violence and violence against women within homes. Both Shalini and Shubha alluded to the fact that women and other gender and sexual minorities have reported alarming rises in cases of violence against them. Shalini also stated that many informal women workers such as street vendors, hawkers and waste pickers have also time and again reported acts of violence and brutality meted out by police and other law enforcement officials as part of the strict clampdown on lockdown violators. Sex workers have reported increasing instances of harassment and violence due to rising indebtedness and complete depletion of their savings.

- *Worsening mental health issues* – many informal workers including sex workers have reported increasing rates of anxiety, stress and depression owing to lack of income, starvation, nature of the disease and fear associated with it, lack of any support systems, indebtedness and bleak hope for the future.
- *Lack of access to information on the virus and preventive materials such as soaps, sanitizers, etc.* - raising of awareness and information campaigns during the lockdown were also

unfriendly to the poor and often induced panic or paranoia rather than providing support and assurance. Due to the ineffective distribution of soaps, sanitizers, masks and other protective items, a greater burden and strain was felt by local community workers and civil society.

Despite many of these shared experiences, presentations by our speakers revealed that many of the reasons for job loss and income loss were specific to the sectors. The table given below provides a snapshot of these as emerging from the presentations of all our speakers –

Table 1 – Sector-specific reasons for job loss and impacts

|  |   |
|--|---|
| <p><b>Domestic Workers</b></p> <ul style="list-style-type: none"> <li>● Massive layoffs</li> <li>● Payments deferred or cancelled for work performed prior to lockdown</li> <li>● No support from employers</li> <li>● Increased stigmatization and being looked at as “disease carriers”</li> <li>● Limits to the number of houses they can work in</li> <li>● Higher risk exposure</li> <li>● Increase in work burden</li> <li>● Unable to get their work back</li> </ul>  | <p><b>Street Vendors</b></p> <ul style="list-style-type: none"> <li>● Harassment and eviction from their workplaces at the hands of state</li> <li>● Costs of procuring products to sell</li> <li>● Market closure</li> <li>● Disrupted supply chains</li> <li>● No protective equipment</li> <li>● Less demand for cooked food and fresh produce from vendors due to fear of disease</li> </ul>  |
| <p><b>Home-based Workers</b></p> <ul style="list-style-type: none"> <li>● Loss of work</li> <li>● Further lowering of piece rate wages</li> <li>● Disrupted supply chains &amp; expected long recovery period for orders</li> <li>● High cost of raw materials</li> <li>● No markets for finished products</li> <li>● Unable to collect payment for previous orders</li> <li>● Unable to pay rent for their homes, workshops and trading premises</li> </ul>   | <p><b>Waste pickers</b></p> <ul style="list-style-type: none"> <li>● Segregation centres where women usually worked were all closed</li> <li>● Particularly vulnerable because of being at the bottom of the pyramid and usually belonging to disadvantaged caste backgrounds</li> <li>● Access to landfills, garbage dumps and waste sites was halted</li> <li>● Falling rate for materials</li> <li>● No market for produce – piling of stocks</li> <li>● Higher risk exposure</li> </ul> |
| <p style="text-align: center;"><b>Sex Workers</b></p> <ul style="list-style-type: none"> <li>● Red-light areas unfairly declared as containment zones despite no cases leading to many sex workers being trapped and unable to go home</li> <li>● Unable to negotiate relationships with client due to their inability to access street spaces or transport</li> <li>● Higher risk as many may agree to riskier sexual services due to loss of work and depleting savings</li> <li>● Many sex workers, especially those operating in non-brothel-based enterprises were left without any support and additional burdens of rent, food, etc.</li> </ul> |   |

Source – created using speaker presentations made at the XXXII Gender and Economic Policy Discussion Forum

While on the one side a major share of women was facing complete job loss, women in certain sectors of work such as healthcare; including nurses and community workers such as the Accredited Social Health Activists (ASHAs), Aanganwadis and Auxiliary Nurse Midwives (ANMs); providers of paid care, live-in domestic workers and sanitation workers were among those who underwent a major readjustment in their work environments. Many of them, despite being unrecognized and largely invisible have been pushed to the frontlines of the offence against the pandemic leading to a manifold increase in their work burdens and exposure risks.

### Recommendations for an inclusive gender-responsive recovery strategy

Taking into account the varied ways in which gender intersects with workplaces and sectors of work to create greater precarity and vulnerabilities, it is clear that a recovery model for many of these marginalized workers should not aim to return to status quo. Instead, as Shalini mentioned, this is a time for policy to critically reflect and learn from all their failures, limitations and aim at radically transforming our economy using a more gender-inclusive lens that creates equal opportunities for all kinds of jobs to prosper. This requires concerted efforts and political will across several pillars that bolster safe and secure livelihoods. The discussion brought out the following five key pillars of policy action –

#### 1. *Amending a legal framework that criminalizes identities and informal livelihoods*

This argues for urgent de-criminalization of livelihoods such as sex work and seeking of alms by upholding the choice and right to decent livelihoods of women and people from gender and sexual minorities. This means seeking immediate amendments to the ITPA and the Indian Penal Code. In the case of the transgender community, this also requires legislation that affirms their right to self-determination and upholds their individual dignity and agency over their own lives.

#### 2. *Stimulating the economy and employment*

In the macroeconomic sense, many experts have argued for the government to increase expenditure by putting in place an active fiscal policy that stimulates demand and investment in the economy. Some of these as suggested by the ILO include tax exemptions, public sector loans, equity injections and loan guarantees. There is a

strong need to boost cash transfer schemes and generate public employment through inclusive programmes which put money directly into the hands of the people. While doing so, the needs and demands of specific groups and identities such as transgender workers should be kept in mind. To complement an active fiscal policy, many economists have also argued for an accommodative monetary policy through successive reduction in interest rates and increasing liquidity. The state should direct lending and borrowing opportunities especially to cash-strapped micro, small and medium enterprises which are the hardest hit.

#### 3. *Supporting enterprises, jobs and incomes*

In order to tackle the issue of job loss, income loss, malnutrition, food insecurity, poverty and many other associated challenges in the case of informal workers, there is a need for continued advocacy towards ensuring social protection for all. While it has been successfully implemented in case of some sectors such as construction work, there is an urgent need to broaden the coverage to include other informal workers such as home-based workers, domestic workers, street vendors, waster pickers/segregators and sex workers. In case of sex workers and workers from gender and sexual minorities, the first step towards this would be to identify and recognize them as workers. It is also urgently needed to universalize PDS unlike the current criteria which excludes many informal workers such as sex workers, workers from transgender communities and short-term migrants due to lack of official documentation and recognition.

It is also crucial to effectively implement the existing schemes such as the Building and Other Construction Workers Act, 1996, which are riddled with issues such as under-utilization of collected funds and inability to universalize registration and coverage. Additionally, the state should recognize and strengthen bargaining capacities of workers' groups especially from precarious forms of employment. Moreover, even within such spaces of representation, there is a need for trade unions and workers' organizations to recognize gender and sexual minorities as a particularly vulnerable group and extending membership and recognition to those representing these communities. Finally, financial and tax policies should be designed to support small scale enterprises that are based on local

markets in boosting revenue and profit and should also be designed in a way that promotes retention of employees.

#### 4. *Protecting workers at the workplace*

Efforts are required to recognize informal places such as homes, streets, etc. as places of work and regulate these places to make livelihoods more sustainable. It is also important that policies are tailor-made across sectors so that it increases the capacity of workers to enhance their livelihoods. For instance, in the case of street vendors and waste pickers, an inclusive city policy would have to focus on designating safe vending zones that increases sales and business. Similarly, safe zones including streets and public spaces should be identified to allow for and promote a safe working environment for sex workers. In the case of home-based workers, on the other hand, this would mean adequate provision of affordable public housing, public services, community work stations in addition to ensuring payment of minimum wages, regular work and fair terms of trade.

At a more general level, occupational safety and health measures including access to quality health care and protective equipment should be provided to all informal workers and especially to those such as street vendors, waste pickers and construction workers who often face higher risks. Finally, legal provisions along with a radical reimagination of public services and infrastructure that take into account multiple gender identities are required to protect workers against violence, harassment and abuse.

#### 5. *Inclusive planning and recovery models that recognize the vitality of informal livelihoods*

Going forward, there is a need for more inclusive city planning processes through extensive consultations with informal worker groups to devise strategies that put their livelihoods at the centre of city development. Policies should be geared towards promoting affordable housing for the poor informal workers through security of tenure, regularization of informal settlements, in-situ upgradation instead of peripheral resettlement; universal access to clean and safe drinking water, toilets, waste management systems, and; cheap, safe and reliable public transport systems including encouraging pedestrianization (which is preferred by most informal women workers).

Effective and innovative planning also requires dialogue across sectors leading to synergies in knowledge, advocacy capacities and potential for action. Such spaces and cross-sectoral collaboration needs to be promoted by the state as well as within civil society organisations. Furthermore, policymakers should realize that informal workers such as waste pickers, sanitation workers and sex workers have a central role in curbing the pandemic and therefore there is a strong need to invite them into hitherto closed enclaves. As Tejaswi stated, "Sex workers know the virus as they have gone through the whole journey with the HIV pandemic before COVID hit...." This argues for recognizing informal workers as possessing localized pragmatic knowledge around 'best practices' and 'what works' and points towards a strong need for dialogue with marginalized communities while drafting and implementing policies.

## Endnotes

<sup>1</sup>ASHA and ANM have been abbreviated from Accredited Social Health Activist and Auxiliary Nurse or Midwives, respectively. ASHAs and ANMs are community health workers instituted under the Government of India's Ministry of Health and Family Welfare as part of the National Health Mission.

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### Speakers at the Forum

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**Tejaswi Sevekari** (Director, Saheli Sangh, Pune)

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