



**An Exploration of the Drivers of Vulnerabilities in Informal Employment: A case study of  
the Agricultural Sector in uPhongolo Local Municipality**

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## **Abstract**

This study explores the drivers of vulnerabilities in informal employment using the agricultural sector in uPhongolo Local Municipality as a case study. The study is against the backdrop of inefficient enforcement laws governing the relationships between employers. This study employed a qualitative research methodology with 30 purposively selected participants comprising, twenty farm workers, five municipal workers, and five officials of the Department of Agriculture & Rural Development. Data were collected using face-to-face in-depth audio-recorded interviews. The interviews were transcribed, coded thematically, and analysed using the Institutional theory. The study's findings revealed that informal agricultural labourers have substantial risks and vulnerabilities due to the unpredictability of their working status, the lack of a documented labour contract, and the lack of efficient enforcement of regulations surrounding the terms of their employment. The government's inability to effectively enforce labor regulations in the agricultural sector has resulted in worker vulnerability in this sector. Due to these factors, informal agricultural workers have limited access to good and affordable health care for themselves and their families. Most unprotected agricultural laborers face a variety of difficulties, including significant criminal exposure and a lack of legal and social protection. Lastly, most farm workers are victims of salary deductions without any contractual or verbal agreement, low remuneration including unpaid overtime, and inconsistent working hours. This study recommends that government must review current labour legislation in the agricultural sector, this could be done by creating a single joint interdepartmental collaboration structure. This study also recommended that there is a need for increasing digital communication mechanisms and media coverage on labour issues in the agricultural sector. There is a need for amendment and enforcement of the Labour Relations Act of 1995; and the Basic Conditions of Employment Act of 1997 (Sectoral Determination 13: Farmworker Sector). The government has the mandate to ensure that Determination 13 for Agriculture is applied in agricultural farms. This can be done by maximizing the number of professional labour inspectors. Finally, the study recommended a need for the establishment of a workplace forum to represent farm workers' labour rights.

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## Abbreviations

ANC	African National Congress
BCEA	Basic Conditions of Employment Act
BCEA	Basic Conditions of Employment Amendment Bill
CCMA	Commission for Conciliation Mediation and Arbitration
COSATU	Congress of South African Trade Unions Congress
ECC	Employment Conditions Commission
EEA	Employment Equity Act
ILC	International Labour Conference
ILO	International Labour Conference Organization
LRA	Labour Relations Act
NDP	Plan National Development Plan
NGP	New Growth Plan
OHSA	Occupational Health and Safety Act
SADWA	South African Domestic Workers Union
SD	Sectoral Determination
SDLA	Skills Development Levies Act
TES	Temporary Employment Services
UIA	Unemployment Insurance Act
UICA	Unemployment Insurance Contributions Act
UIF	Unemployment Insurance Fund
UN	United Nations
SASA	South African Sugarcane Association.
SPS	Social Protection Schemes
IFW	Informal Farm Workers
IE	Informal Employment

# **Chapter One: Introduction and Overview of the Study**

## **1.1 Introduction**

Informal employment includes a lack of social protection, absence of a written work contract, and poor working conditions, among other socio-economic challenges. Rural informal workers encounter considerable risks and vulnerabilities due to the insecurity surrounding their employment situation and the absence of regulation over the conditions of their employment. There is a limitation to accessing affordable and adequate health care for themselves and their families. Most informal workers in the agricultural sector encounter many challenges, such as high exposure to crime and lack of legal and social protection. The informal economy employs lower-income groups and contributes to the Gross domestic product (GDP). The direction and advancement of informal jobs in KwaZulu-Natal lack coordination. In this study, the researcher explored the drivers of vulnerabilities in those employed in the informal agricultural economy in the uPhongolo Local Municipality. This chapter provided an overview and background to the study, a statement of the problem, the rationale of the study, research objectives, research questions, definition of terms, preliminary literature review, research methodology, ethical consideration, and limitations of the study as well as the rationale of the Study.

## **1.2 Background to the Study**

Meyer (2019) stated that following the country's transition to a democratic regime in 1994, progressive legislation was enacted that granted all South Africans social, economic, cultural, political, and civil rights, including laws that governed the relationship between employers and workers and aimed to protect workers from unfair labour practices. Department of Labour (2018) stipulated that employers in agriculture are now obliged to provide written contracts to all farm workers and pay an annually adjusted minimum wage. Department of Labour (2018) furthermore noted that employers are obliged to allow workers to join trade unions, provide protective clothing for workers exposed to pesticides and allow labour inspectors to monitor working conditions on agricultural farms. However, this research demonstrated that a considerable number of farmers fail to comply with these requirements. According to Gumede (2021), most informal workers in the

agricultural sector are faced with various labour challenges in wages, contracts, and occupational health and safety. Mather (2020) also stated that most farm workers in South Africa do not meet the standard requirements for payment, working hours, leave days, legal employment agreements, and occupational health and safety standards outlined in the Basic Conditions of Employment Act No. 95 of 1997 (DoL 1997). Skinner and Rogan (2019) argued that farm owners' failure to comply with most of the labour regulations in the agricultural sector demonstrates that local government and other spheres of government are currently facing serious and urgent problems when it comes to enforcing labour regulations in the agricultural sector.

The agriculture sector is an important source of raw materials for the agricultural economy (Greyling 2021). The farming industry contributes approximately 67423.54 million to the South African economy each year, and farm employees labour tirelessly for the agriculture sector to prosper. In this context, issues such as unfair labour practices and regulatory implementation failures have a negative influence on key the growth of the agricultural sector and must be addressed. Furthermore, South Africa is a democratic country with a strong constitution, yet certain injustices, such as worker oppression, run counter to the concept of a free and equal society.

There has been limited policy support given to informal employment in the agricultural sector. Hall (2018) noted that a barrier to labour formalisation is a lack of labour policy implementation. According to Hall (2018), there is little or no capacity in agriculture to execute Sectoral Determination. According to Braun (2020:65) "To protect vulnerable employees in a specific sector, sectoral determinations are made which provide for minimum conditions for employees in that sector. One such sector is the farming industry where Sectoral Determination 13 regulates the basic conditions of employment and remuneration of farm workers in South Africa". According to Kheswa (2020), even though these policies are in place, farm labourers are in worse conditions than previously. Greyling (2021) also argued that farm labourers are often left without housing or social protection. Thus, even though there are laws in place to protect farm workers, the same labour difficulties that existed before democratic governance are still present in modern-day South Africa (Grub 2018). London (2019) stated that most farm labourers in South Africa had been recruited for years without a legal contract and working restrictions were given verbally. The

failure to issue legal contracts to farm workers is another impediment to labour practices because there is no accountability on the part of both the employer and the employee (Devereux, 2020).

It was necessary to conduct doctoral research to address the problem of the study. Doctoral research into this problem contributed to the body of knowledge by revealing what went wrong with current agricultural labour policies. Rogerson (2018) asserted that policies related to the informal sector might have objectives such as employment creation and strengthening livelihoods for agricultural workers. The informal sector is a substantial and integral part of the economy which needs concerted analytical and policy attention. Research on farm labourers has focused on the interaction between farm employees and their employers, with little emphasis on the government's role in alleviating labour conditions in the agricultural sector. Ready (2018:63) stated, "Apart from farmers themselves, the government is responsible for failing to enforce compliance with pro-worker legislation, while trade unions have failed to represent farm workers and hold farmers and government to account To address the problem of the study, this study presented government officials' perspectives on informal employment in the agricultural sector, as well as workers who face labour challenges in this sector. The purpose of this study was to investigate the factors that lead to vulnerabilities in informal agricultural work and to make recommendations that would add to the body of knowledge in the research field. The research problem is discussed in the following paragraph.

### **1.3 Statement of the Problem for the Study**

An estimated 30% of overall employment in South Africa is informal, equating to at least 4.8 million employees (Gumede, 2021). These workers can be found in a variety of industries, including mining, construction, hospitality, and agriculture. This study focused on informal agricultural workers, who have been identified as one of the most vulnerable groups, ranking as some of the poorest people in South Africa. Crush and Si (2020) noted that most informal agricultural workers do not have labour contracts, and regulations are complicated. Devereux (2020) stated that informal workers do not have stable employment contracts, work benefits, social protection, or trade union representation. Devereux (2020) further noted that these workers face several challenges, including a lack of access to social security, notably social insurance. As a

result, conducting a study on this group of workers is critical. According to Skinner and Rogan (2019), employees in rural informal employment experience more risks of poverty than those employed in the formal sector. Oviedo and Thomas (2019) stated that there are significant overlaps between informality and poverty, the extent and severity of which tend to be more generous in rural than urban areas. Agriculture is a seasonal sector and work is often temporary or insecure. Lewchuk and Dassinger (2020) stated that temporary workers commonly have less bargaining power, have a tougher job accessing their rights, and are more at risk of exploitation.

Recent studies have shown that social protection regulations are not effectively designed to suit informally employed workers (Adebanjo, Ojadi, Laosirihongthong, and Tickle, 2018). There is a lack of awareness among workers about the rules, and this is due to limited market and outreach initiatives. Vorley (2018) argued that policy reform needs to support informal actors' interests. Farms or other supplier worksites that are remote or isolated, or distant from government agencies, trade unions, or NGOs may cause high risks at the workplace. Workers working for commercial farmers may be working in very informal situations and have limited education or knowledge of their employment rights. There is poor accommodation and transport provided to workers' farms, which affects their work performance. Women employees in the agricultural sector work long hours and earn low-income as compared to male employees. William (2018) stated that over one-third of women employees working less than 35 hours a week are in informal employment compared to 54.2 percent among men employees in an analogous situation.

Gender inequality may also cause vulnerabilities in informal employment in the agricultural sector (Neef, 2018). Plagerson and Patel (2019) stated that women are less able than men to compete in labour, capital, and product markets because they have low levels of education and skills or are less likely to own property or have market knowledge. Gammage et al. (2020) argued that women's time and mobility are constrained by social and cultural norms that assign the responsibility for social reproduction to women and discourage investment in women's education and training. As a result of that, women workers in informal employment are quickly hired, fired, discriminated against, and exploited. The labour systems and social rules and norms make it difficult for women workers to receive equal working rights as men. Amine (2019) explored options for improving the status of women as workers in informal employment while recognizing that a profound change in

existing social norms that restrict women's physical mobility, access to education, and social networks is not possible in the short run.

There is a need for reviewing economic and social policies to ensure they do not marginalize lower informal workers, especially women. More women are likely to work from home than men, reinforcing the invisibilities and marginalization of female work (Braun, 2020). This also means fewer prospects for women of shedding their traditional responsibilities of unpaid domestic labour and care work and limits the scope of collective organizing around remunerated activities. Harwood et al. (2019) stated that there are gender-related vulnerabilities to do with women's care responsibilities for others in their households and communities and their exposure to those in positions of power over them. The traditional norms and practices of patriarchy have left women in vulnerable conditions in informal employment because they are expected to adhere to all instructions from their male employers.

Societal environments shape the lack of decent working conditions in informal employment. Hacker and Binz (2021) noted that the societal environment and social structures lead to the type of working conditions experienced by informal workers. In rural areas, there are still norms and social beliefs that people do not need to perform agricultural activities, especially women. Adeniyi (2020) argued that education is not prioritized in rural agricultural environments. As a result, informal farm workers are being exploited and mistreated by their employers who do not see a need for them to sign contracts. These poor working conditions are associated with social, political, and economic systems in which the agricultural sector in rural areas operates. “The current social and economic problems faced by South African farm workers stem from a long history of, among other factors, colonialism, segregation, apartheid and, more recently, post-apartheid perceptions and marginalisation by political and economic power bases” (Crush and Si, 2020:89). Organizational activities are associated with three pillars as part of the agricultural institutional structure: regulatory, normative, and cognitive (Phahle, 2020). Gender issues speak to the norms of society, also regulations and rules within the rural informal sector (Routh, 2018). The decent working conditions that are lacking in the agricultural industry may be due to the rules and regulations that are not supportive and norms and standards that are set by society, the local government, the national government, and other intergovernmental relations (Braun, 2020).

Most informal employees operate in hazardous and low-wage occupations with little or no access to social security, leaving them subject to the harsh realities of poverty and rising living costs. Farm labourers have been designated as one of the poorest and most vulnerable groups, making research on this group of unpaid workers critical. Alter (2019) noted that “throughout the developing world, access to health care is one of the most important social protection areas that informal workers search for. Despite some progress in the development of national health systems, at least half of the world’s population still cannot obtain essential health services”. Alter (2019) further stated that informal farm workers endure a slew of problems, exposing them to a variety of social risks and vulnerabilities. Despite the above-mentioned social risks and vulnerabilities, the researcher has noted that there has been little research on the practicality of building a social protection system in South Africa that appropriately serves informal agricultural labourers (Gumede, 2021). According to Adeniyi (2020), informality is difficult to quantify, especially in rural areas where labour statistics and data are rarely gathered. This study is significant because it added to the literature on the development of a legal framework for the expansion of a social protection system for informal farm laborers. Furthermore, civil organizations and other labour market players will find this research useful as an advocacy tool to improve decent and productive work for informal farm labourers.

## **1.4 Rationale of the Study**

Farm workers make a significant economic contribution by enduring low wages, deplorable living circumstances, and unstable employment to provide a large quantity of surplus value for their employers through their labour. According to Crush and Si (2020), while the South African government talks about protecting vulnerable employees, their practical initiatives to address labour challenges have been limited. Addison (2023:76) also noted that “Farm workers are acknowledged to be a vulnerable group of people. Despite this acknowledgment and various pieces of legislation aimed at protecting farm workers, social protection to farm workers in the agricultural sector is limited”. The study was motivated by farm labourers' insecure working and living situations in the agricultural sector. The researcher sought to identify elements that



contribute to governments' ineffective practical measures to enforce labour regulations in the agricultural sector.

This study aimed to explore the drivers of vulnerabilities in informal employment in the agricultural sector, with uPhongolo Local Municipality as the study area. This study contributes to existing knowledge as it revealed what went wrong with current agricultural sector labour policies. This study provided government officials' perceptions of informal employment in the agricultural sector and included the workers who experience labour issues in this sector. This study contributes to the body of knowledge as it pointed out which government departments are responsible for ensuring compliance and fair labour conditions in the agricultural sector. The study highlighted the importance of intergovernmental collaboration when addressing vulnerabilities in the agricultural sector. Collaboration from different government departments and the inclusion of farm workers' representatives and community role players to deal with agricultural sector labour issues were discussed in this study. The findings from both government officials and farm workers themselves revealed the importance of this collaboration. The national, provincial, and local governments must provide farm workers an opportunity to participate in policy amendment meetings. Farm workers' insights play a crucial role and may assist the government to make proper decisions on policies since they have valuable knowledge about the labour issues experienced in the agricultural sector. This study's findings and recommendations will assist uPhongolo Local Municipality and other relevant provincial and national government departments to understand existing labour issues and workable solutions to address them.

## **1.5 Aim and research objectives**

### **1.5.1 Aim of the study**

The study aims to explore the drivers of vulnerabilities in informal employment with a focus on the agricultural sector in uPhongolo Local Municipality.

### **1.5.2 Research Objectives**

The main research objective of the proposed study is as follows:

To explore the drivers of vulnerabilities in informal employment in the agricultural sector in uPhongolo Local Municipality.

Linked to the main research objective the following are Sub-research objectives:

1. To explore the experiences of informal workers in the agricultural sector in uPhongolo Local Municipality.
2. To examine how the systems of social structures affect informal employment in the agricultural sector in uPhongolo Local Municipality.
3. To investigate how the local government supports informal employees in the agricultural sector in uPhongolo Local Municipality.
4. To assess the role of intergovernmental relations in informal employment in the agricultural sector in uPhongolo Local Municipality.
5. To examine what could be done to improve conditions in informal employment in the agricultural sector in uPhongolo Local Municipality.

### **1.5.3 Research Questions**

The main research question of the proposed study is as follows:

What are the drivers of vulnerabilities in informal employment in the agricultural sector in uPhongolo Local Municipality?

The following are the sub-research questions:

1. What are the experiences of informal workers in the agricultural sector in uPhongolo Local Municipality?
2. How do the systems of social structures affect informal employment in the agricultural sector in uPhongolo Local Municipality?
3. How is the local government supporting the informal employees in the agricultural sector in uPhongolo Local Municipality?
4. What is the role of intergovernmental relations in informal employment in the agricultural sector in uPhongolo Local Municipality?
5. What can be done to improve the conditions in informal employment in the agricultural sector in uPhongolo Local Municipality?

## **1.6 Definition of terms**

**Informal employment-** Employees are deemed to have informal employment arrangements if, in theory, or fact, they are not covered by national labour laws, income tax laws, social security laws, or employment benefits laws (advance notice of dismissal, severance pay, paid annual or sick leave, etc.). According to Laperye (2020), the underlying causes could be non-declaration of the jobs or the employees; temporary or casual employment; employment with hours or pay below a predetermined level (for social security contributions, for example); or a lack of practical application of law and regulation.

**Agriculture-** Can be referred to as the art and science of cultivating the soil, growing crops, and raising livestock. It involves preparing plant and animal items for human consumption and distributing them to marketplaces.

**Social protection-** According to Norton and Foster (2011:65) social protection refers to “the public actions taken, responding to the levels of vulnerability, risk, and deprivation which are deemed socially unacceptable within a given policy or society”. According to this definition, the concept of social protection includes both proactive and reactive intervention measures that aim to protect citizens.

**Integration-** Most of the time, organizations structure their activities by their organizational mission and planning procedures; occasionally, however, organizations or departments fail to integrate similar services to get the best results. In this study, the term "integration" refers to a procedure that unites two or more organizations that carry out related tasks to better meet the varied demands of people and prevent duplications.

**Coordination-** Vanagas and Stankevic (2014:155) explained coordination as creating “communication channels between people who are executing different work, and it combines workers with different but interrelated work tasks to achieve organizational goals”.

## **1.7 Preliminary literature**

The exclusion of informal workers from contributory social schemes creates significant gaps in social protection for them. Woodland (2018) stated that these social security schemes provide compensatory support and benefits to formal sector workers. Gumede (2021) noted that most informal workers remain excluded from public policy. Sindzingre (2016) argued that although social protection may significantly impact informal workers, weak government capacity causes significant challenges to ensuring social protection for struggling informal workers. Informal employment comprises young, old, low-skilled, and rural workers. Typically, there are no labour laws that ensure job security, setting minimum wages, and fair employment conditions.

Literature on labour conditions in the agricultural sector revealed that most farm workers are not familiar with Occupational Health and Safety Act (OHSA) as a result they do not know the correct procedures to follow in case they get injured at work. The Occupational Health and Safety Act (OHSA) affirms that every employer shall provide and maintain, as far as is reasonably practicable, a safe working environment without risk to the health of his employees (Lapeyre, 2020). Occupational health and safety issues explored in this study comprise compensation for injuries at work, access to water and sanitation facilities at worksites, exposure to pesticides, and poor provision of protective clothes.

Informal employment has a significant impact on the quality of life for rural people. Zimmermann (2012) found that informal workers start their working life with temporary employment with lower income, reducing their standard of living and quality of life. There is a higher poverty risk for those who depend on informal employment income for a living (Chen, 2019). However, being an informal worker can assist in uplifting the quality of life of people who live in poverty and deprivation. Chen (2019:62) stated that “the informal economy includes barter of goods and services, mutual self-help, odd jobs, and direct sale activities. Income generated by the informal economy is usually not recorded for taxation purposes and is often unavailable for inclusion in gross domestic product computations.” According to Benson (2019), informal employment often lacks social security. Benson (2019) further stated that there are many dependent employees, and the relationship between informal workers can be voluntary or involuntary.

## 1.8 Research methodology

There are typically three primary research methodologies that can be used while conducting a reach study. This includes mixed, qualitative, and quantitative approaches. There are many ways to perform quantitative research. Correlational, developmental, observational, and survey research are all employed in descriptive research. Experimental and causal-comparative research may also use some of these study techniques. In quantitative research, a topic is investigated to put a theory to the test, quantifying it in numbers, and evaluating it using statistical methods. A typical activity in quantitative research, according to Mouton (2017), is gathering data and converting it into numerical form for statistical calculations to draw judgments. Quantitative research investigates the accuracy of a theory's predictions (Habib, Maryam & Pathik, 2019). While there are several ways to conduct a research study, the researcher utilized qualitative research. According to Brink (2018), qualitative research entails a researcher engaging with participants to learn about their daily lives and then using that knowledge in a way that improves their position. The main goal of qualitative research is to discover people's meanings and perceptions of everyday life, and then to analyse this knowledge in words so that it is obvious and valuable to anyone interested in learning about specific life experiences. Fitzsimons (2017) delivers facts in the form of words, document quotes, and transcription to make the message apparent.

There are several different methods for conducting qualitative research; however, Leedy and Ormrod (2019) recommend the following five: Case studies, grounded theory, ethnography, content analysis, and phenomenology. Creswell (2018) describes how these methods meet unique needs. For instance, case studies and grounded theory research explore processes, activities, and events while ethnographic research analyses broad cultural-sharing behaviors of individuals or groups. Case studies as well as phenomenology can be used to study individuals.

To explore the drivers of vulnerabilities in informal employment in the agricultural sector, the researcher **applied** a case study that is under qualitative research. According to Dattalo, (2017), a case study is an empirical inquiry into a current phenomenon in depth and real-life settings – and, more importantly, when the boundaries between phenomena and environment are not obvious. A case study approach was selected for this study because it allowed for in-depth, up-close research and provided firsthand information on the investigation's issue. The case study of this research was the uPhongolo Local Municipality. The researcher is of the view that a case study approach is

appropriate because it provided a complete contextual analysis of the issue under investigation. Yin (2019:63) stated that it "provides much more detailed information, as it allows for the use of a variety of methods of data collection (i.e., surveys, interviews, document review, and observation) and analysis in a variety of contexts, thereby providing a comprehensive view of the subject under study". This research looked at the drivers of vulnerabilities in informal employment in the agricultural sector, with a focus on informal workers who work and stay on a farm in uPhongolo Local Municipality. This study looked at the working and living conditions of rural informal workers and aimed to explore how government can intervene.

## **1.9 Data collection method**

To collect data for this study, the researcher conducted in-depth interviews. According to Asborne and Grant (2021:116), "In-depth interviewing is a qualitative research technique that involves conducting intensive individual interviews with a small number of respondents to explore their perspectives on a particular idea, program, or situation" Interviews are commonly used to contextualize other data (such as outcome data), offering a more complete picture of what occurred in the program and why it occurred. This tool helped the researcher explore the participants' perspectives on the drivers of vulnerabilities in informal employment in the agricultural sector. According to Naz, Gulab, and Aslam (2022), an in-depth interview is a qualitative research method that has been widely used in a variety of disciplines in which the researcher obtains detailed information directly from the participants to explore in depth their underlying opinions, motivations, beliefs, experiences, and feelings on a specific subject. The researcher is of the view that viewing the world through the participants' eyes is the goal of the qualitative interview. It enables both the interviewer and the interviewee to ask some open-ended questions and openly express their opinions.

This method of interviewing was chosen because it allows the researcher to explain a question to a participant if they do not understand it during the interview. The in-depth interview allows the researcher to construct questions and adjust them based on the responses of the participants (Naz et al, 2022). The interviews were conducted using a recorder. An open-ended interview needs face-to-face interaction with the participants, which takes time and money to perform. The interviews were conducted in uPhongolo Local Municipality because the surrounding areas include people who live in extreme poverty and are dependent on agricultural work. These interviews have been

crucial for study in terms of getting a practical and theoretical view of the realization of strategies to address labour issues in the agricultural sector. To interrogate labour issues in the agricultural sector it was important to conduct in-depth interviews with all the participants of the study.

### **1.10 Data analysis**

The researcher used theme analysis to make sense of the data gathered through the interviews in this study. The researcher used NVivo qualitative data analysis software version 12 to conduct theme analysis with the help of computer-assisted, qualitative data analysis (CASQDA). According to Boyatzis (2018), thematic analysis is a sort of qualitative analysis. It is used to look at categories and identify themes (patterns) in the data. It shows the data in detail and uses interpretations to cover a wide range of topics. The researcher chose this type of data analysis since it presents the obtained data clearly and understandably. This method of analysis allows the researcher to uncover themes that emerge from the acquired data, allowing the data to be simply interpreted. According to Braun and Clarke (2016), it allows the researcher to link the frequency of a topic to one of the whole contents. Thematic analysis is important for this study because it gives the data obtained a clear meaning. This is because the researcher only selects themes that emerge and interprets them in a way that is concise and clear. Thematic analysis, according to Namey et al (2018), is more concerned with identifying and describing hidden and visible themes than with counting explicit words or phrases.

### **1.11 Ethical consideration**

The researcher followed the ethical rules for research set by the University of KwaZulu-Natal. The researcher requested the gatekeeper's letter from the uPhongolo Local Municipality, department of Agriculture and rural development, as well as the organization used as a research site. The gatekeeper's letter was then attached to the application for ethical clearance at the University of KwaZulu-Natal (UKZN) research office, together with the gatekeeper's letter. The researcher ensured that participants had the option to participate or leave the study at any moment without facing any consequences. The researcher has shown regard for the participants' dignity by obtaining their full agreement before the study. Potential participants were given an informed consent form and the goal of the study was communicated to them.

At all levels, the researcher has respected the identity and confidentiality of the participants. This is a completely voluntary exercise, according to the researcher. Before the interviews began, interested participants were allowed to read informed consent and consent forms. This was done to ensure that potential participants were aware of the research issue, the researcher's goals in conducting the study, and the implications of their participation (Milena, 2018). Van (2010) stated that during the research process, the researcher must ensure that participants are not harmed in any way. Participants were allowed to sign the informed consent form at the end of the interviews to ensure that they had read and understood the content of the study and that their participation was free and fair.

### **1.12 Limitation of the study**

This study contributed to a body of knowledge; however, it was limited by a lack of relevant research done on informal employment in the agricultural sector in rural areas. The secondary data could not provide full details concerning farm owners' perspectives and answers as to why they disregard existing labour laws. The findings provided in this study were only based on informal workers in the agricultural sector, Department of Agriculture and Rural Development officials, and as well uPhongolo local municipality officials only. Other stakeholders, such as the Department of Labour and Employment were excluded from the study since they did not have an office in the municipal area where the study was conducted. The Department of Agriculture and Rural Development has a branch within the uPhongolo Local Municipality, and the officials were keen to participate in the study. However, the researcher acknowledged that the absence of these stakeholders impeded the study because they would have provided their own opinions. Furthermore, important stakeholders like the farm owners were not interviewed in this study since it was difficult to access them. The researcher acknowledged that the farm owners should have been interviewed, to have a clear comprehension of how they look at the farm labour issues. Failure to involve farm owners limited the study as they would have shared their perceptions. Since the researcher discovered that farmers frequently refused access to their farms, the interviews were conducted on weekends and on days when farm workers were accessible. Most farmworkers lived in farmhouses near or adjacent to the farm. The researcher interviewed the farmworkers at the farmhouses where they live.



## 1.13 Chapter outline

### Chapter one

#### *Introduction*

This chapter provided an overview and background to the study, which comprised its aim, research objectives, research questions, research problem, preliminary literature review, research methodology, ethical consideration, and limitations of the study as well as the rationale of the Study.

### Chapter two

#### *Literature Review*

This provides an overview of institutional theory as a theoretical framework of the study and the literature around the theory, and how it differs from other existing theories. The chapter provides contextualization for the agricultural sector. Relevant literature on the drivers of vulnerabilities in informal employment in the agricultural sector is broadly discussed. The researcher addressed the literature using secondary data on how other scholars had explained the key terms of the study. The literature was addressed based on the research questions and objectives.

### Chapter three

#### *Methodology*

This chapter provides an overview of the research methodology applied, including the research design, sampling method, data analysis, and research paradigm. Furthermore, it provides data collection methods utilized for the study.

### Chapter four

#### *Presentation of data*

This chapter presents the findings of the data collected through in-depth interviews. Collected data is analysed based on the research questions and objectives.

### Chapter five

### Discussion of findings.

The researcher interprets and explains the results together with all readings previously conducted. The researcher addresses the aim and objectives of the research and shows how the data collected supports or refutes the study. The conclusion is drawn from the research results and literature on the drivers of vulnerabilities in informal employment in the agricultural sector in uPhongolo Local Municipality.

### Chapter six

#### *Conclusions and Recommendations*

This chapter provides an overall summary of the study and revisits objectives. The reason for revisiting the study objectives was to assess if the study results managed to address all the objectives, also if the research questions were answered. Furthermore, the chapter provides recommendations for the study and future research.

## **1.14 Conclusion**

This chapter provided an overview and background to the study, which comprised its aim, research objectives, research questions, research problem, and keywords as well as the rationale of the Study. The last part of this chapter is an outline for the entire study which explained what each chapter focuses on. The subsequent chapter reviews the literature on the drivers of vulnerabilities in informal employment in the agricultural sector in uPhongolo Local Municipality. The researcher discusses various authors' perspectives on informal employment in the agricultural sector. Furthermore, the researcher provides a theoretical and conceptual framework applied in this study.

## **Chapter 2 Literature Review**

### **2.1 Introduction**

In this section, the researcher reviews the literature on the drivers of vulnerabilities in informal employment in the agricultural sector. The chapter reviews recent literature and first defines informal employment and reviews the literature on the experiences of informal workers in the agricultural sector. The chapter then focuses on how the systems of social structures affect informal employment in the agricultural sector. Furthermore, the chapter discusses the role of local government and intergovernmental relations in informal employment in the agricultural sector. The researcher discusses different strands of arguments in the literature on improving conditions in informal employment in the agricultural sector. Lastly, this chapter discusses the theoretical framework (Institutional theory) and the conceptual framework (Collective leadership approach) that guides the study.

### **2.2 Informal employment defined.**

Rogan et al. (2018) stated that informal employment consists of employees that are not on social security benefits, labour regulations, and income taxation. Informal workers are often precluded from lawful social security coverage. The agriculture sector is known for having a high percentage of informal employment, with most workers hired at entry-level as general labourers and unable to afford private insurance (Gumede, 2021). Lapeyre (2020) noted that informal employment is defined by a lack of quality labour and a lack of legal protection. According to Gumede (2021:98) stated that “Many of the informal workers are outside legal protection, they do not enjoy any representation by unions, have limited rights at work nor access to social protection”. Informal work has low skill requirements, and admission into the workplace is easily accessible. This makes farmwork appealing to disadvantaged groups like migrants and illiterate women among others.

Inadequate access to social protection is one of the drivers of vulnerabilities among informal workers. Most informal workers are dependent on labour income to sustain their livelihoods. Addison (2023) noted that, although great strides have been made in building social protection

systems worldwide, most informal workers are still excluded. Benson, Erman, and Baulch (2019:141) stated that “Informal farm workers are exposed to hazardous working conditions, yet they are unable to access social insurance due to not being recognised as an ‘employee’ with an identifiable employer”. Benson et al (2019) further revealed that informal workers change occupations as harvest seasons change or project work becomes available, making it difficult to obtain social protection provisions that link employer payments. William (2018) argued that there is no employment protection or benefits for most informal workers. Therefore, their jobs are not protected. This makes them vulnerable to income poverty when they lose their earnings (income insecurity).

Informal employment in agriculture has become one of the routes out of poverty. According to Smith (2018), people involved in informal employment can escape poverty. Smith (2018) further noted that in some countries, informal employment is considered a solution to some of the obstacles to development in rural communities. A huge informal-formal income gap assists in explaining shaper poverty rates among informal workers. Lapeyre (2020:119) noted that “In terms of health and safety, working conditions in informal employment are dire, with high social and economic costs. Many informal workers, particularly but not exclusively in developing countries, face health and safety risks in the workplace”. The ILO estimates that 2.78 million people lose their lives from work-related diseases and accidents every year, and about 317 million suffer from injuries. Banerjee and Kundu (2020) noted that low literacy and poor training regarding safety methods lead to exposure to hazardous substances and possibly high death rates among those in informal employment. In the next paragraph, the researcher reviews the literature on the perceptions of informal employment.

### **2.2.1 Perceptions of Informal Employment**

There is a significant intersection between informal employment and non-income proportions. According to ILO (2017:93), “the tripartite discussion on decent work and informal work at the 2002 International Labour Conference concluded that informal workers face greater deficits than formal workers concerning the four pillars of decent work: economic opportunities, labour rights, Social Protection, and Voice”. Chen (2019) also argued that informal workers also have more significant decent living deficits than formal workers. Chen (2019) further stated that informal

workers typically have less access to sufficient and inexpensive housing, health, education, and essential infrastructure services because most of them have financial difficulties. Despite these disadvantages, informal employment contributes to economic growth and poverty reduction. Kingdon and Knight (2017) concluded that it is time to rethink the informal economy, accept the changes over the past decades, and explore challenges that will affirm future policy attention and need research. This study notes that economic growth is at the heart of any government initiative to create long-term jobs, which eliminates poverty and inequality in the agricultural sector. According to Mailovich (2017), the agriculture industry in South Africa makes a substantial contribution to the country's diverse economy. The subsequent paragraph provides a broad discussion of informal employment in agriculture.

The agricultural value chain contributes to primary, secondary, and tertiary economic activities, which must be recognized. When comparing 2016 to 2017, the fourth half-year quarter-on-quarter economic growth was 3.1 percent seasonally and annually (Smith 2018). Agriculture contributed the most to the country's 2.5 percent growth, which served to soften the country's economic fall (Bateman 2018). Despite South Africa's severe agricultural conditions and obstacles resulting from economic troubles in some areas of the country and its aftermath in other parts of the country, this contribution has been made. According to the country's National Development Plan (2011), the agriculture industry can provide an additional one million jobs by 2030, which will help alleviate hunger and social inequality. Smith (2018) however indicated that, due to various external causes, the agricultural sector's contribution to the country's GDP is decreasing, limiting employment creation prospects in this area, as noted in the NDP. Sustainable employment, with a special focus on permanent work, is a significant priority to combat unemployment and inequality.

South Africa's informal laborers are disorganized in all areas, with little government protection. The government of South Africa has a broad definition of informal labourers and the sector. According to DPLG (2017), people in precarious employment are classified as informal employees, regardless of whether their employer is in the official or informal sector. People who work in private households and are not entitled to basic benefits such as pension or health insurance contributions from their employer and who do not have a job are all considered informally employed; formal sector workers; and people who work in private households and are not entitled

to basic benefits such as pension or health insurance contributions from their employer and who do not have a job are all considered informally employed.

The government of South Africa has a broad definition of informal labourers and the sector. Informal workers are subjected to exploitation, bad working conditions, and low wages, all of which contribute to immoral employment (Benson et al, 2019). People working in the informal sector, formal sector workers, and people working in private households who are not entitled to basic benefits such as pension or health insurance contributions from their employer and do not have a written employment contract are all considered to be in informal employment (Viljoen, 2014). As a result, the informal sector is divided into two categories: workers in establishments with fewer than five employees who do not deduct income tax from their salaries/wages, and employers, self-employed individuals, and people who help in the household without pay who are not subject to income tax or VAT. Given the scope of the South African Labour Force Survey's definition of the informal economy, DPLG (2017) concluded that, despite its diversity, the informal economy might be split into two major groupings based on employment status. The self-employed, who run tiny, unregistered enterprises (Statistics South Africa (Stats SA)), are the first group (2015). According to ILO (2017:92), “Second, hired employees in unstable and precarious employment (although some informal workers, particularly homeworkers, may not fall neatly into one of these categories) share one element in common: a lack of proper legal recognition, regulation, and protection.”

Employment in the informal sector is a key dimension for planning and evaluating government policies and programs to promote and formalize informal employment. This includes focusing on small and micro enterprises in the informal sector as a potential cause of job creation. Therefore, Blaauw, Schenck, Valenzuela, Schoeman, and Melndez (2018) noted that providing information about informal employment and the informal sector is also essential for designing and evaluating economic and social policies, improving working conditions, and fighting poverty. According to the ILO (2018), employees in the informal economy face significant levels of vulnerability and poverty, as indicated in the resolution on decent employment and the informal economy. Governments can use the information on the informal sector and informal employment to develop strategies to address these decent work deficits, as well as assess the economic and social

consequences of macroeconomic changes such as the impact of business cycles or long-term changes in employment levels and composition (Theodore et al., 2015).

### **2.2.3 Types of informal workers in the Agricultural Sector**

Hired informal workers are people who work in farms, greenhouses, and processing plants producing food and fibre worldwide (Selepe, Chamane, and Mdiniso, 2018). Informal workers do not own land, tools, and equipment they use. Spring (2019:93) argues that their working and employment conditions vary widely, creating distinct classifications: temporary, permanent, migrant, and seasonal workers. Most informal workers are part of the labour market and work for wages to feed their families (Rustagi, 2015).

Farm workers earn their living in an industry that ranks among the top three most dangerous industries, along with mining and construction. Neves and Du Toit (2013) argued that farm workers are exposed to many risks at work, including hazardous machinery, dangerous electrical wiring, equipment, and other toxicants. Correspondingly, Poschen et al. (2014) argued that many agricultural jobs are physically demanding in nature, requiring extended working hours with awkward working postures. Palmer (2018:52) stated that “Although technological change has reduced the physical drudgery of farm work, it has introduced new risks, particularly those related to the use of sophisticated machinery and the intensive use of chemicals, often without adequate safety measures, information as well as training.” Not surprisingly, there are many severe and fatal accidents and illnesses. Spring (2019) argued that farm workers do not receive any long-term disability insurance or survivor’s benefits should anything happen to them while on duty. The following paragraphs discuss diverse types of informal workers.

#### ***2.2.3.1 Permanent workers***

Permanent informal workers typically have better earnings, better job security, better health, better housing, and better job responsibilities than temporary workers. However, this does not necessarily entail that they are well-paid. Jackson (2012) stated that informal workers work long hours in rural areas, and wages are normally lower than in urban areas. Permanent contracts are not a prevalent type of contract in rural areas, and their existence in agriculture has been decreasing in most countries. Kucera and Roncolato (2018:65) stated that “there is a trend away from full-time

employment to more casual and seasonal employment, often referred to as the ‘casualization’ or ‘flexibilization’ of employment, with little or no social protection.” This is in line with Jackson (2017) who stated that most under-permanent agricultural workers are not social security benefits.

#### *2.2.3.2 Casual, temporary, and seasonal workers*

Most waged agricultural workers in developing countries like South Africa are employed on a casual or temporal basis. According to Palmer (2018), casual workers are workers who are paid by the end of each day worked; workers who are only employed for a specific but limited time are temporary workers. Jackson (2017) stated that most temporary, casual, and seasonal workers are not getting any form of unemployment benefits, holiday pay, maternity, or sick leave. These jobs are often categorized as temporary or casual regardless of continuous employment. An act of circulating informal workers to decline their benefits of permanent employment status is entirely common (Palmer, 2018).

#### *2.2.3.3 Indigenous rural workers*

Indigenous informal workers are part of the agricultural workforce in many countries. Poschen, Sievers, and Abtew (2014) stated that most informal workers had been forcefully taken out of their lands, so they ended up as informal workers, typically employed under poor working conditions. ILO (2013:87) found that “In many Latin American countries, for example, the living and working conditions of Indigenous workers and their families are below the average for workers belonging to what is referred to as the predominant society, including non-indigenous rural informal workers”.

ILO (2013) stated that there are recurring challenges in quantifying overall employment in agriculture, defining, and measuring employment relationships in agriculture, particularly employment relationships such as part-time work, fixed-term contracts, temporary work, seasonal work, and self-employment. All these forms of work are part of flexible labour markets, which simultaneously reduce farm workers' income and social security and significantly increase the risk of poverty, gender inequality, and social exclusion (McKeever, 2017). Impacts on low-income workers are identified for farm households. According to Lighthelm (2016:42), “Analyses of typical and informal employment in the agricultural sector using data from available data sources



are limited by the lack of information that accurately describes atypical and informal employment concerning other indicators important for measuring development could identify agricultural sector.” Employment-related indicators are among the most important measures, especially in less developed countries.

Lichtthelm (2016) indicated that it is significant to use available employment indicators to identify the incidence, persistence, causes, and consequences of atypical and informal employment in overall employment and agriculture as a major economic sector. At the same time, these analyses form the basis for identifying poor and low-wage earners. Ligthelm (2016) further stated that most of the worlds working poor are in informal employment or are part of atypical employment. This study notes that this situation confirms a solid interconnection that happens between informality and atypical forms of employment with poverty. According to available statistics, informal and atypical workers lack basic social protection and earn little (Barnett, 2014). Burger and Fourie (2015) noted that statisticians need to improve current farm surveys as information on farm employment is better treated. The following section focuses on the experiences of informal workers in the agricultural sector.

## **2.3 Experiences of informal workers in the agricultural sector**

### **2.3.1 Lack of decent working conditions**

ILO (2013:64) stated that:

*Informal worker vulnerability is exacerbated by political systems that do not recognize them, global economic conditions that hurt the formal sector, and national economic systems that view informal work as a resource guzzler, inconvenient and underfunded health systems, poor education and training systems, and sociocultural norms that allow for gender discrimination.*

Due to poor working conditions and poor access to health care in the agricultural sector, informal workers are at elevated risk. As the ILO (2013) argued, most agricultural workers are exposed to difficult working and living conditions. In the agricultural sector, informal workers are vulnerable to more significant health risks than formal workers because of work-related conditions. Work-related injuries and accidents are 7.2 times higher in the informal than in the formal sector.

Younger and older people are at a greater risk to be affected by various diseases in their working environment. Sindzingre (2016) noted that migrant workers are primarily in domestic and agricultural work, which puts them in a vulnerable situation. Trebilock (2014) found that women face greater limitations regarding work-related health problems. They cannot take primary health care or parental leave because their employers do not allow them. Despite experiencing high health problems, they are obliged to continue working because their jobs are not protected.

There is a higher risk of poverty among informal workers than formal workers in the agricultural sector; however, not all informal workers are poor. Hart (2016) argued that many informal workers who are not classified as poor earn just enough to stay above the poverty line. Fields (2020) argued that although informal workers are not always among the poorest members of society, the impact of the COVID-19 crisis puts many of these workers at elevated risk of falling into poverty or deeper into poverty. Guha-Khasnobis, Kanbur & Ostrom (2016) found that most informal workers are not considered at risk or struggling enough to claim social protection benefits. Their irregular and low earnings allow them to contribute to private or pay social insurance systems. The subsequent paragraph discusses social protection gaps in informal employment.

### **2.3.2 Social protection gaps in informal employment**

More than 60% of the world's workforce is involved in informal employment. Most of them experience significant decent work gaps, comprising inadequate social security (ILO, 2017). According to ILO (2017:103), "Many of those working in the informal economy among the 55% of the world's population have no access to social protection at all, while many others have only partial protection". Pratap and Quintin (2016) stated that "many (but not all) workers in the informal economy do not have the sufficient contributory capacity to pay contributions regularly; they may face difficulties in meeting the administrative requirements, or they may simply not be covered by the applicable legislation".

The COVID-19 crisis has exposed the worrying consequences of social protection gaps for informal economy workers and their families. ILO (2020) stated that such gaps make these workers and their families particularly vulnerable to shocks. They typically cannot count on social security protection or welfare systems that narrowly target those experiencing poverty. Kabeer (2018:75)

argued that “In many countries, the two dominant types of social security schemes are (a) social insurance and other contributory provisions for those in the formal economy and (b) poverty-targeted social assistance or ‘safety net programmes’ for the poor.” It is prevalent for informal workers to be excluded from both forms of protection, the ones working in formal employment and the ones for poor people. According to Kabeer (2018), this inadequate protection is referred to as a lack of a centre. The following paragraph looks at the barriers to the extension of social protection to workers in the informal economy.

ILO (2017) argued that informal workers remain unprotected despite a noteworthy progression in increasing social protection for workers in informal employment. Yu (2012:91) stated that “It is important to understand and analyze the factors underlying coverage gaps in each country’s context, formulate strategies and implement reforms to protect this vulnerable category of workers and facilitate the transition into the formal economy.” The lack of social security for workers in the informal economy is a severe barrier to economic and social progress. According to the ILO (2018), a lack of integration and policy coherence between social protection institutions and other policy sectors frequently leads to coverage and adequacy gaps, duplication, inefficiency, and distorted incentive structures. In many nations, informal employment accounts for most of the workforce. In certain countries, it accounts for more than 80% of the total workforce (ILO, 2020). In the following paragraph, the researcher discusses numerous factors that limit social protection coverage.

### **2.3.3 Lack of Inclusion of informal agricultural workers under social security legislation**

Mesa-Lago (2018) argued that estimates for Latin America show that rural population coverage levels range from one-third to one-sixth that of urban populations. Scheil-Adlung (2015:136) found that “concerning health insurance, many categories of rural workers are often excluded by law, while rural populations generally face much greater difficulties in accessing health services than urban populations.” Social security is needed in the agricultural sector because informal workers are exposed to many risks at the workplace. If they are not protected, this may cause them to work in fear, knowing precisely that their jobs are insecure.

Legal exclusion of agricultural workers from social security may be caused by several factors, including high labour mobility and fluctuating income. Saunders (2015:91) argued that “in some countries, workers in the agricultural sector, or some categories of workers in that sector, are excluded from coverage by the main social security or labour laws or are subject to separate laws that provide a lower level of protection”. Bertranou (2017) found that language barriers and illiteracy are prevalent in rural populations, making them unable to read and understand legal regulations, written in English. Barkan (2013:46) argued that “Apart from the number of contributions, employees and employers may have difficulties in contributing if the financing arrangements, particularly the arrangements for collecting contributions, are not adapted to their situation”.

The legal framework is more likely to limit the participation of some workers in social protection schemes and may remain in the informal economy (Bernstein, 2018). According to Gumede (2021), legislation in most countries makes social protection coverage conditional on the recognizable employment relationship between informal workers and employers. This definition eliminates those categories of workers that lack similar recognizable relationships. Additionally, the law may consist of rules based on employment location, company size, types of contracts, the number of hours worked, or minimum contract length, effectively eliminating specific categories of workers (Gumede, 2021). Bernstein (2018:28) noted that “In some cases, this is the case even where some categories of workers are formally regulated by law, social protection schemes are not adapted to the specific situation and needs of these workers (e.g., in terms of contribution amounts and benefits) and are therefore unlikely to be enforced to their benefit is coming”.

#### **2.3.4 Gender-related Issues in informal employment**

In developing countries like South Africa, women tend to be involved in informal employment without access to social protection. According to ILO (2016:37), “A total of 74.2% of employed women in sub-Saharan Africa and 63.2% in South Asia are currently not contributing to social protection, which is associated with high levels of informality in these regions.” Women are exposed to gender inequalities, leading to low-paid and low-skilled jobs. Trebilock (2014) argued gender discrimination in households and reproductive responsibilities results in women bearing

the challenge of paid work. This condition limits them from participating in the labour market, where inadequate childcare services minimize their options. This situation disadvantages them in participating in the labour market, where a lack of social protection and adequate childcare support services limits their choices. ILO (2017) asserted that this results in a disproportionate number of women employed in high-risk and insecure types of employment, linked to higher social exclusion and poverty.

The literature shows that the promise of social protection in informal employment remains unattended. Informal employment in the labour market is a significant factor in this exclusion. This is supported by Hart (2016), who found that gender bias and inequalities in markets, laws, households, and policies compound this exclusion of women, encompassing women in informal employment. Furthermore, Hart (2016:33) argues that “the widespread legal exclusion of domestic workers, one of the most feminized categories among the informal workforce, from formal social protection systems reflects gendered notions that domestic work is not real work and is therefore undignified of the legal and social protection afforded to other types of wage labour”. Similar ideas about what types of work are suitable for people and their merit are also given forms of patterns of occupational exclusion within the informal economy.

Traditional social insurance systems designed for undisturbed work in informal employment have not successfully worked for informal workers, particularly women (Valodia and Devey, 2017). Bosch, Melguizo, and Pages (2013:162) argue that “In most countries in Latin America, only 4 in 10 older adults have a contributory pension, i.e., a pension linked to past wage contributions”. According to the accessible data, women are part of those excluded from social protection, and their coverage is lower than half the existing low coverage of men (UN Women, 2015). Several factors account for the exclusion of women from accessing social protection in informal employment.

The factors that prevent women informal workers from receiving social protection programs are diverse and go beyond program-fixed elements. Hart (2016:39) noted, “The connection to sociocultural norms that influence how institutions are designed, how men and women interact in public spaces, and how to work and resources are distributed within households.” Kabeer (2018)

stated that women also have various risk outlines than men, arising from their gender-fixed living and social vulnerabilities. Inadequate social protection, like health insurance against work-related injuries, means fewer health shocks may have a significant economic effect on the income of informal workers like high health expenditure. Trebilock (2014) argued that the vulnerability of the life cycle from infancy through reproductive age to old age poses a variety of vulnerabilities for women that calls for specific social protections. Lund (2019) argued that women who are not entitled to parental benefits or employment guarantees after childbirth are in danger of losing their jobs or having a reduced wage during or post-pregnancy. This causes women to rush back to work after childbirth and potentially endangering their health and that of their children. In the following paragraph, the researcher looks at the effects of systems of social structures in informal employment.

Although the total number of individuals engaged in the informal sector has remained constant, there is a considerable shift in the gender mix of the sector. Even within the same occupational group, women who remain in the informal sector are far more likely than males to be self-employed, less likely to be employers and earn significantly less than their male counterparts. This contrasts with the importance of money in the hands of women for the well-being of households and the corresponding impact on poverty reduction.

Social policy and social protection are developed at the national level in many nations. Lund (2012) stated, “The fact that the local, municipal level of government influences the daily life of the informal workers is most directly influenced by the provision of an infrastructure that enables workers to access safer and healthier workplaces, including their own homes”. In the framework paper on social protection, and then even more clearly through health work at the general municipal level of government, the daily life of the informal workers is most directly influenced by the provision of an infrastructure that enables workers to access safer and healthier workplaces. WIEGO's strategic interventions, guided by her theory of change, ask that we balance support for on-the-ground organizations of informal workers with an examination of the vertical hierarchy between local and state or federal levels of government (Barnett, 2014). In the subsequent paragraph, the researcher summarizes women's income security and how policy implications affect women's lives in informal employment.

Women in informal employment require not simply linking or decoupling social safety systems but also a more radical rethinking. One of the fundamental purposes of social protection, according to Barnett (2014), is to secure basic income stability for all people, regardless of their employment history or ability to contribute to social security systems. Andrews, Sanchez, and Johansson (2019) stated that they should be granted a pension if they are no longer able to work, health care if they become unwell, and maternity benefits so that they can cease working before or after the birth. Women's income security is harmed by their unpaid caring responsibilities, which are often not expressly recognized in established social protection structures (Du Toit and Neves, 2017). According to Alfars (2016), the labour market is their primary source of income, and they receive less of it because they lack access to affordable and dependable services that would allow them to devote more time to productive activities rather than caring for aging parents, sick relatives, or young children.

The above two statements present concerns and problems for future research and campaigning on social safety for women who work in informal settings (Barnett, 2014). They emphasize the importance of social protection system research and analysis that is context and status specific. To better understand the relationship between informal employment, care/reproductive work, and public policy in women's lives in informal employment, further research is needed (Altman, 2017). One of the most difficult aspects of advocating for social protection for informal employees is maintaining a systemic viewpoint while keeping the focus on informal workers. According to Alfars (2016), the most effective and long-term policy solutions are those focused on constructing universal systems with a broad base that can be used to support services and benefits in a long-term (via progressive taxation or cross-subsidies) and politically stable manner (through mobilization and making demands). According to the International Labour Organization (ILO), policy debates in this area are not always or exclusively about informal workers, but rather about recognition and redistribution in general and forging alliances for universal social protection systems that provide workable solutions for those who are currently eliminated.

The International Labour Organization has worked towards the formalization of the informal economy. The ILO (2015) argued that formalization is crucial to ensure workers' social, economic, and legal inclusion in informal employment. According to Berg (2016:58) "There are two views

on the debate on the informal economy: Capital view considers the inclusion of enterprises in the formal tax and financial systems, and labour view considers the inclusion of workers in the social protection system.” Skinner (2019) found that promoting the informal economy will positively impact the economy. Ramani (2013) found that the informal sector is likely to become mainstream if labour laws, business regulations, and legal frameworks secure property rights. Sparks and Barnett (2014) argued that the promotion of informal employment is hampered by inappropriate and misinformed macroeconomic and social policies. There needs to be a collaborative approach on the part of the government to deal with the implementation of laws and policies.

## **2.4 Systems of social structures in informal employment in the agricultural sector**

### **2.4.1 Social structures defined.**

Social interaction refers to how human beings interconnect and are organized by a specific framework called ‘social structure.’ According to Barkan (2013:87), “Social structure is one of the fundamental concepts of sociology and is defined as the social patterns by which a society is organized.” These can be either vertical or horizontal. Barkan (2013) defines vertical social structure as how societies arrange people in ranking, with some being more identical than others. It indicates how societies categorize people by rankings. For instance, one’s position in the industrialized globally is influenced by ethnicity, class, and gender (Barkan, 2013). Therefore, advantaged societies might be at the top in a vertical social structure, with others in the centre or at the bottom. Williams and Kedir (2017) argued that people’s positions have a significant impact on how their lives and the lives of their families happen when it comes to opportunities, behaviours, resources, and more. According to Williams and Kedir (2017), horizontal social structures are referred to as attributes of the various groups people belong to and their social relationships. Social structures exist at both micro and macro levels. Micro-level refers to individual relationships, while macro refers to social relationships.

People live together in societies that make up most of the social fabric. According to Williams and Kedir (2017), a society can be explained as a group of people residing in the same area and sharing prevalent culture. In a society, there can be homogeneous and heterogeneous groups. Some may



be either industrial or traditional. In industrial societies, the focus is on the individual and, therefore, is organized in an individualistic way, with people focusing on their own lives (Lichthelm, 2014). On the other hand, traditional societies are community-oriented, with cohabitation, family, and social activities with their community being a prime concern. Barkan (2013) described traditional societies as mechanically solidary and industry societies as organically solidary. ILO (2013:48) argued that “the evolution of societies from traditional to industrial societies can be seen in the classification of societies from the past to the present into different types arranged in increasing order of complexity of their social structures, agricultural societies, industrial societies, and information (or post-industrial) societies.”

Another element of social structure is social institutions or forms of beliefs and behaviours that assist a society to match its fundamental needs. According to ILO (2013:41), “Modern society is full of many social institutions, all of which help society meet its needs and achieve other goals, thus having a profound impact not only on society but also practically every individual in a society.” According to Barkan (2013), instances of social institutions are family, community, economy, religion, education, and medicine. In any society, there is a tough force on the members to behave a certain way. For instance, farmers and their families are expected to adhere to societal expectations (Williams and Kedir, 2017). In all societies, there are accepted ways of doing things and these ways directly concern society's culture.

A good structure of a society is recognized by its organization into tribes, families, communities, and other divisions. Chen (2016) found that one's attitudes and people's expectations are guided by the groups to which they belong. Schneider (2012) stated that traditionally, certain tasks are expected to be carried out by women and not men in rural areas. Women are responsible for household chores such as fetching firewood and water, childcare, and cooking. ILO (2017:136) found that “In several African countries over 60% of all farm work is typically done by women. Women often have their fields on which they grow food crops, while the men are responsible for commercial crops such as tobacco or oil palm.” The researcher argues that in South Africa, women and men may work in the same areas but carry out different tasks. Chen (2016) explained that in Botswana, for instance, ploughing and cattle-related work is traditionally done by men, while scaring, weeding, and threshing are carried out by women. Lichthelm (2014) noted that agricultural

extension is often male-centered, with male extensions visiting male farmers. However, any switch in the way people farm will also affect women and may fail should advisors not include women in their programmes. The subsequent paragraph focuses on how rural people's religion, land ownership, and beliefs affect informal employment. The following paragraph discusses the impact of social norms on informal employment in the agricultural sector.

#### **2.4.2 Impact of Social Norms on informal employment in the agricultural sector**

The culture of society influences farmers' and employees' desires and attitudes. Schneider (2012) stated that it is a widespread practice in a certain society to sow seeds and till the soil, people will grow up believing that this is the only right way to plant. Even when they are taught a new different method, it can be challenging to change their entrenched attitudes. In every society in a rural area, there is a certain behaviour expected from people. In the agricultural sector, where informal workers carry out their tasks, they display different beliefs and behaviours depending on their society. These beliefs and behaviours may lead to conflict or misunderstanding in the working environment if farmers and employees are not considerate or educated about social structures in societies. Ligthelm (2014) argued that most informal workers prefer working in an environment where they feel acceptance and approval from employers. They tend to behave according to the expectations of the society they come from. Some farmers may dismiss informal workers who have different beliefs, not knowing its effect on their farm. When informal workers feel accepted and approved to carry their beliefs, they are likely to be productive at work because their beliefs form part of their lives. Rustagi (2015) argued that when a person does not comply with societal expectations, those around them will express their disapproval, and this may cause minor tensions.

The members of religious groups share attitudes and beliefs, which are likely to influence their disposition to work closely with people of their religion. Schneider (2012) noted that there could be tension created by differences in religious groups in rural communities: the extension agent should be alert those certain religions inflict forms of behaviour that may affect the counseling. Rogerson (2016) argued that there are times of the day that may be dedicated to religious events, meaning farmers or informal workers are not available to work on the farm. It has already been said that one's position determines the behaviour that others expect of them. These expectations are norms. According to Ligthelm (2016), norms are enormously rooted in people's beliefs and

attitudes. Land ownership is how people are granted the freedom to possess and utilize the land. and tenure system differs from one society to another. Therefore, social structures impact how informal workers behave in their workplaces. In the following section, the focus is on social and cultural barriers in agriculture.

### **2.4.3 Social and cultural barriers to agricultural change**

#### ***2.4.3.1 Responsibilities and social obligations***

Even though social structures and cultures are evolving, the process is frequently slow. Sinclair (2016) argued that characteristics of culture and society could obstruct change in agriculture. One needs to be alert to the existence of such blockades and deal with them accordingly at work. Poschen et al. (2014:39) argued that informal workers within society groups have expectations that “the more money a farmer earns, the more help relatives expect. This can be a profoundly serious obstacle to change when the individual sees little benefit in improving their position because there is not much personal benefit from the improvement”. This means that if employers or informal workers neglect these duties, it may anger other members of society because there are expectations for every position one holds. The following paragraph focuses on more social and cultural barriers to agricultural change.

#### ***2.4.3.2 Traditional events/ceremonies***

Attending events such as weddings, religious festivals, and funerals may take much time that the farmer and his employees may not operate efficiently. The researcher argues that gaining the support of traditional community leaders can reduce the impact of tradition. According to Rustagi (2015), extension programs that welcome new methods should consider the potential impact on society as a whole and its tradition, not just the technical outcome of the recommended methods. The following section focuses on the role of local government in informal employment in the agricultural sector. The following paragraph discusses the role of local government in informal employment in the agricultural sector in uPhongolo Local Municipality.

## **2.5 The role of local government in informal employment in the agricultural sector in uPhongolo Local Municipality.**

### **2.5.1 Introduction**

Through capacity building, local government is expected to play a key role as the domain of government closest to the people. Khambule (2020) noted that the local municipality is ideally placed to plan and manage projects aimed at empowering rural communities to take ownership of their development because of ongoing and regular engagement between local government and rural communities. Konte (2016) found that municipalities face various barriers to formulating and implementing policies that both create an enabling environment for the informal sector and meet the needs of a wide range of stakeholders. To address the challenges of creating an enabling environment for the informal sector, Nel (2018) stated that the local government sector should function as a single point of contact for agricultural sector project identification, planning, and execution. Vink, Rooneyen (2019:73) stated that for improved farm working conditions there should be a “Strengthening of intergovernmental relations and the meaningful engagement of organized labour, worker formations, agriculture, and civil society on matters affecting farmworkers”. The following paragraphs will define South Africa’s rural areas and municipalities.

### **2.5.2 Defining South Africa’s rural areas and Municipalities.**

Rural poor households rely on a combination of subsistence farming, employment in commercial farms, social assistance, and remittances from relatives who work in cities or mines. Due to the many ties between household assets and conventional land tenure, households find it challenging to employ their assets as a source of wealth creation. Limited access to essential municipal services like water, sanitation, and electricity, as well as a lack of high-quality social services (education, health, and ambulances), make poverty and unemployment difficulties even more difficult to overcome (roads and buses).

South Africa has 278 municipalities, which include eight metropolises, forty-four districts, and 226 local municipalities (Brand South Africa, 2015). stated that most local municipalities are in small towns surrounded by rural communities. Mubangizi (2021) stated that municipalities are constitutionally expected to provide infrastructure and essential services necessary for building local economies, among other things. Mubangizi (2021 further argued that although towns rely on

the national government for much-needed funds, it is expected that municipalities will fund their statutory tasks in most cases. Koma (2010:113) noted that municipalities, as the sphere of government closest to the people, have the primary responsibility of “rendering a variety of basic but essential services to the communities within their jurisdiction.” The mandate of South African municipalities is succinctly captured in essential legislation and regulations.

Rural municipalities may play a significant role in reducing the worst forms of poverty and promoting development in rural regions by effectively delivering basic services, leveraging municipal spending to create local jobs, and supporting local economic development (LED). According to the White Paper on Local Government “Basic services enhance the quality of life of citizens and increase their social and economic opportunities by promoting health and safety, facilitating access to work, to education, to recreation and stimulating new productive activities” (Republic of South Africa, 1998:92). It must be emphasized, nonetheless, that municipalities are not the only ones accountable for tackling the key issues of rural poverty and rural development. The viability of rural towns depends on the advancement of rural economies and general government policies toward rural areas. The mandate of local government is specifically stated in the preamble to the Local Government: Municipal Structures Act (117 of 1998), which states:

*A vision of democratic and developmental local government in which municipalities fulfil their constitutional obligations to provide sustainable, effective, and efficient municipal services, to promote social and economic development, and to promote a safe and healthy environment by collaborating with communities to create environments and human settlements in which all our people can live uplifted and dignified lives. (Republic of South Africa, 1998)*

Government policy started the process of prioritizing the transformation of rural areas from "surplus labour reserves" into dynamic local economies that can offer sustainable self-employment opportunities and lucrative jobs in 1995 with the Rural Development Strategy and the Rural Development Framework. This goal is currently being pursued through several rural development programs, including numerous LED efforts and programs for land reform and restitution. Making ensure municipal spending is in line with local developmental requirements and priorities is a crucial problem in the short term. Rural towns must, in the longer term, make sure that they generate their resources in a manner consistent with their fiscal capabilities to minimize their reliance on federal payments, maximize their capacity to provide services and promote growth.

### *2.5.2.1 Characteristics of rural areas/municipalities*

Municipal boundaries were extensively redeliberated because of the post-apartheid restructuring of local governance. Due to the close ties between cities and the countryside, this process eliminated the official boundary between urban and rural areas. Although this has mostly been a positive development, it has made it more difficult to administratively define what qualifies as a rural region and, thus, a rural municipality. According to the rural development framework from 1997, rural regions must have the following two qualities:

- lightly populated places where people cultivate crops or rely on natural resources, including scattered villages and small towns.
- regions with sizable settlements in the former homelands, which rely on migrant labour, remittances, and government social assistance for their existence and often use traditional land tenure systems.

There is no distinction between municipalities in urban and rural areas according to the constitution. The sole differentiation made is between local (category B) and district (category C) municipalities outside of metropolitan municipalities. It is also crucial to remember that many sizable metropolitan municipalities, such as the metros of eThekweni and Tshwane, incorporate functionally rural districts.

The Department of Cooperative Governance's approach is the main tool utilized in this Review and elsewhere to define rural municipalities (COGTA). This approach, which is based on the environment in which municipalities operate, divides municipalities into seven categories based on variables such as the number of poor households, the percentage of households with access to services (water, sanitation, and electricity), and data on capital and operating budgets.

### *2.5.2.2 Classification of municipalities into categories for analysis*

<b>Class</b>	<b>Characteristics</b>
Metros	Category A municipalities
Secondary cities (B1)	All local municipalities are referred to as secondary cities
Large towns (B2)	All local municipalities with an urban core. There is a huge variation in population sizes

	amongst these municipalities and they do have large urban-dwelling populations.
Small towns (B3)	They are characterized by the large town as a core urban settlement. Typically, these municipalities have a small population, a considerable proportion of which is urban and based in one or more small towns. Rural areas in this category are characterized by the presence of commercial farms, as these local economies are agriculturally based. The existence of such important rural areas and the agriculture sector explains its inclusion in the analysis of rural municipalities.
Mostly rural (B4)	These are characterized by the presence of at most one or two small towns in their areas, communal land tenure, and villages or scattered groups of dwellings typically located in former homelands.
Districts (C1)	District municipalities that are not water service providers.
Districts (C2)	District municipalities that are not water service providers

*Table 1: Showing classification of municipalities into categories for analysis (COGTA, 2018).*

Rural areas fall under categories B3 (small towns) and B4 (rural) municipalities, as shown in the table above. Small towns and commercial farms make up the economic foundation of all the municipalities categorized as B3; none of them have a large town as their centre. The rural definition given in the rural development framework closely matches the geographic location of B3 and B4 municipalities. Small towns make up a substantial portion of the population in these locations. Rural areas, which are on farms, are home to a smaller percentage of the population.

Mubangizi (2022) noted that most of the traditional rural areas of the former homelands are represented by the municipalities that fall under the B4 classification. There are a few tiny towns in these areas that offer barebones services and economic support. Mubangizi (2022) further stated that most people in B4 municipalities live in villages where traditional leaders still have a significant impact on development and decision-making. The KwaZulu-Natal, Eastern Cape, Northern Cape, and Limpopo provinces, respectively, are home to most rural municipalities with the B3 and B4 classifications, according to the Local Government Budgets and Expenditure Review (LGER) report (2016). The Free State, Northwest, Mpumalanga, and Western Cape provinces also have a few rural municipalities.

While the constitution's division of municipalities into three groups aids in separating urban from rural municipalities, it is unclear what exactly qualifies as a rural area in the post-apartheid age. The DRDLR (2010:4) contrasts this definition with one that refers to "rurality" as "a way of life, a state of mind, and a culture which centres around land, animals, crops, and community." All traditional communal areas, farmlands, peri-urban areas, unofficial settlements, and small towns where people can live off the land are included in the DRDLR's definition (2018). Land serves as a source of livelihood for rural residents and serves as the foundation for the growth of rural economies. However, for individuals in peri-urban areas and small towns who require it for residential purposes instead of for farming, its use and value vary. The definition of 'rural' as articulated by The DRDLR (2018) omits consideration of the two issues of communal land tenure and traditional authority that are unique to traditional rural areas. Despite other aspects of rural life, the relationship between land tenure and traditional authority makes rural places distinct from urban ones, where traditional authority is irrelevant, and land is privately owned. These difficulties are not addressed in the delineation of municipal borders or the division of municipalities into three categories (Category A, B, and C).

Even though the goal of the integration issue was to link beneficiaries between urban and rural areas, it confounded the categorization of rural areas. For instance, rural residents moving to urban areas and large towns in quest of employment opportunities are a major cause of peri-urban areas and informal settlements. Since their style of life is more urban than rural, such informal communities cannot be categorized as rural. As has been noted by Ndevu and Muller (2017), peri-urban and informal settlements use and value land differently from rural areas where it is used for



agricultural and communal reasons. Nevertheless, Ndevu and Muller (2017) stated that it is crucial to define and categorize rural areas according to certain features to design the right policies and intervention techniques to address the issues of rural poverty and rural development in post-apartheid South Africa.

The other characteristic of rural areas in South Africa is that power is still vested in traditional leaders who are regarded as the custodians of tradition. Understanding the dynamics of power in traditional rural communities cannot be done effectively through electoral politics. Local councillors and other elected officials must compete with and coexist with traditional leaders, who continue to have significant sway in rural communities (Galvin, 2017). Therefore, traditional rural areas face a twofold leadership issue. In the new settlements, where local power dynamics are influenced by political politics and where traditional authority is not recognized, the situation is different. Due to the lack of conventional power in these new settlements, elected local council members can control the political scene and exert their influence over nearby localities (Ndzelu, 2016). However, as allowed by the Republic of South Africa's constitution, local people in the new settlements can also use their influence to affect choices.

COGTA (2018) noted that low levels of economic activity and inadequate infrastructure are characteristics of rural areas within B4 municipalities (see Table 1). Ngcamu (2019:198) argued that these are “typical rural communities of the former homeland regions that are now part of the local government and where apartheid policies of racialized territorial segregation and economic exclusion are related to poverty, inequality, and unemployment.” According to Stats South Africa (2015), 42.5% of South Africa's population lives in the rural areas covered by the B3 and B4 municipalities, however, there are big differences in the kinds of settlements that are found there. Only 10% of households in B3 municipalities are on tribal territory, whereas 52% live in small urban communities, and 38% on farms. Only 17% of households in B4 municipalities are found on farms and small towns, while 83% are situated in communal or tribal communities (National Treasury, 2011). Fifty-four percent of people in B4 municipalities and 52% of people in B3 municipalities are women. This suggests that in South Africa's rural areas, women suffer the most from poverty.

The former apartheid administration left behind a significant legacy of rural poverty, inequality, and unemployment for the democratic government to inherit. Rural poverty in 1993 was estimated

by the Department of Land Affairs (1997) to be 74.7%. The democratic era gave most Black people, especially those living in rural regions, hope for a better life. Mbeki's (2019) claim that rural areas represent the worst concentration of poverty and that no progress can be made toward a life of dignity for the people of South Africa unless rural areas are developed makes clear the difficulties associated with the conditions in rural areas and the country's democracy. Ultimately the South African government has implemented significant policy reforms to combat rural poverty and promote rural development since 1994 (Parasuraman, Sekher & Kattumuri, 2018). As a result, several rural development policies have been developed to eradicate rural poverty and foster a conducive climate for rural development (Ndzelu, 2016). The notion of rural development in a democratic South Africa was one of the major concerns that needed to be addressed by policy reforms. To orient the vision of a better life for all rural residents, a working definition of rural development had to be established.

#### ***2.5.2.3 Rural Development and local government***

Rural development is typically defined according to the mechanisms and goals of development. It was described as a structural change in the rural economy throughout the 1970s as it diversified from agriculture (Nkomo, 2017). Another significant school of thought focused on the delivery of social services to the rural underprivileged to define rural development. This definition was made because, despite the significant income development in rural areas, social services access was not always guaranteed to be equal. Ngcamu (2019) stated that the improvement of living standards and the development of human capital through social services like education and health are now included in the definition of rural development.

South Africa Rural Development Quarterly (2015) described rural development as the positive advancement of communities in rural regions through the enhancement of rural institutions and systems, expansion of rural infrastructure, and increase in rural economic activities. This concept acknowledges that rural development encompasses more than just agricultural operations and addresses other measures to improve the economic well-being of rural residents, such as the provision of infrastructure (Parasuraman, Sekher & Kattumuri, 2018).

Current government policy on rural development is informed by the Comprehensive Rural Development Strategy (CRDS). In addition to providing infrastructure (such as schools, clinics,

boreholes, and water reticulation systems) that can support both agricultural development and the delivery of essential services to rural households, this strategy establishes agrarian transformation and land reform as pillars of rural development. This suggests that local government when cooperating with other parties will play a significant role.

Successful rural development is essential for the long-term sustainability of rural municipalities. Both the need for and the means to pay for fundamental municipal services are created by thriving local economies. The Department of Rural Development and Land Affairs was established to concentrate especially on this subject because the government has designated rural development as a significant priority area. A wide notion, rural development involves both public and private sector organizations. According to Ngcamu (2019), municipalities' primary roles in rural development are the efficient delivery of essential services and the support of regional economic growth (LED). Nkomo (2017) argued that state-owned businesses, the private sector, and other national and provincial government organizations must also contribute to their respective mandates.

The provision of fundamental services can play a significant role in lowering poverty and unemployment while boosting social capital (Qumba, 2021). It can also play a role in restoring rural non-farm businesses including tourism, agriculture, and others. For instance, road infrastructure enables the movement of people and goods throughout the region and connects rural areas to urban centres. Roads provide the links needed for local economies to grow and make it easier to deliver public services like police officers and ambulances. Perishable food supplies can be delivered to high-end urban marketplaces with the help of effective feeder (access) roads. Opportunities for job development via labour-based upkeep strategies can also sustain household income and keep resources in the neighbourhood. Road infrastructure deficiency impedes development.

Depending on the type and extent of technology, water infrastructure has a lot of potential to promote both small- and large-scale agricultural activities. It is impossible to overstate how crucial energy infrastructure is in rural communities. In addition to enhancing people's lives, it can promote the growth of small businesses. The government has emphasized how important it is for rural towns to play a part in reducing access to essential services backlogs (Pepinsky, Pierskalla & Sacks, 2017). To match service levels to what consumers can pay, careful decisions must be made.

To make sure that resources are used as effectively as possible to meet household demands, it is crucial to use the right technology.

Rural municipalities (both B3 and B4) have the highest number of backlogs in sanitation, electricity, and water. In contrast, the shortage of housing access poses a fundamental problem in large urban towns. Van & Ferreira (2016) noted that the delivery of all services slowed down in 2009, according to recent patterns in rural municipalities' access to basic services. Except for the provision of electricity, there was little access expansion reported in 2009 in small town (B3) municipalities. There has been a loss in the availability of water services in primarily rural municipalities (B4), also sanitation service delivery has not increased since 2008 (Nkomo, 2017). It is significant to note that these municipalities' (B4) primary source of funding for capital projects is transferred from the government. Among these transfers, the most significant is the municipal infrastructure (MIG).

In rural municipalities, basic infrastructure delivery has advanced significantly. There is still a lot to be done, though. Due to the dispersed nature of rural settlements, attempts to provide these services have frequently been made using urban-based technologies, which have proven to be expensive. There have been complaints that the MIG's structure and management prevent a long-term reduction of backlogs in rural villages. Because households in towns are more likely to be able to pay for services, municipalities frequently use it to upgrade and restore network infrastructure in towns. Van & Ferreira (2016) stated that due to the lack of water, low population density, and morphology that make conventional technologies expensive to install and operate, there is also a general lack of experience with alternative, relevant technology solutions that can be used to supply services to villages.

Clear guidelines must be followed to extend and maintain access to basic services in rural regions:

To start, rural communities must agree on the need to adopt suitable and cheap technologies. Networked utilities like water-borne sewerage and piped water are frequently too expensive to establish and maintain in rural locations. This needs to be acknowledged, and given current pricing levels and resource availability, alternative methods need to be deployed to maximize access.

Second, more innovation is needed in the creation and application of technology suitable for rural areas (Masuku and Jili, 2019). These include on-site sanitation solutions, non-grid electricity

sources, groundwater delivery through boreholes, and water harvesting. These ecologically friendly service solutions could also offer a more effective and cost-effective method of providing rural services if they are effectively managed.

Finally, technical skills needed to support infrastructure delivery are a limited resource nationwide, and this is especially true in rural areas where it is still difficult to attract these capabilities. Municipalities need new institutional service delivery models that let them make use of local expertise and resources (Moloto, Mkhomazi, and Worku, 2020).

### **2.5.3 The Role of Municipalities in Rural Development**

Local municipalities are required by sections 152(1) and 153 of the Constitution of the Republic of South Africa of 1996 to foster social and economic growth within the municipality, offer democratic governance and services to communities, and support a secure and healthy environment. According to Mubangizi (2019):

Part B of Schedule 5 of South Africa's Constitution identifies the following services as falling concurrently within the national and provincial competence constituent units: water; electricity; town and city planning; road and storm-water drainage; waste management; emergency services such as firefighting; license provision; fresh produce markets; parks and recreation; security.

RSA (2017) stated that according to the Local Government: Municipal Systems (Act 32 of 2000), municipalities are required to be the guardians of IDPs, which are used to plan for and manage all community needs. The SDBIP, which is the tool for implementing all initiatives, prioritizes these needs (. The requirement that a council's strategy "shall be coordinated with any national or provincial sectoral plans and planning requirements" is another significant clause in section 26 (d) of this Act. IDPs should be in line with the NDP, the Medium-Term Strategic Framework (MTSF), and Provincial Strategic Plans to achieve rural development.

Decentralization means that local government plays a crucial role as an autonomous entity in steering rural development, especially in South Africa (Abrahams, 2015). Through the integrated development planning process, the local government sector is participating in projects with goals that are comparable to those in the meaning of the term "rural development" (Todes and Turok, 2018). It is challenging to discern between the numerous municipal development programs that take place inside a rural environment and the other rural development programs highlighted in

multiple sector programs due to the clear multifaceted character of rural development. Due to this, it is challenging to prevent power struggles between the various government sectors participating in rural development (Rogerson, 2018).

The local government sector ought to serve as a single point of contact for the selection, preparation, and implementation of projects. The data gathered by the local government sector through IDP processes (clearly demonstrating community development needs) transforms it into a cogent and equitable institution to manage the identification of potential development needs, like sector department projects, within a specified municipal space (Nel, 2018). It will be crucial to get past some of the challenges to project execution and sustainability that continue to beset rural development projects if the local government sector takes the initiative in the initial stages of program and project management. The local government, which is the sphere of government closest to the people, plays a significant role in capacity building. Due to the continuing and regular contact between local government and rural communities, the sector is well-positioned to plan and administer initiatives aimed at empowering rural communities to take control of their development.

Moloto et al (2020) stated that by making capacity building for rural development a top priority for local government, money allocated to programs by different stakeholders can be used more efficiently. The industry must change into a learning sector that can effectively share and spread knowledge lessons learned both locally and globally since local governments have comparable capacity constraints (Khambule, 2020). Since local government is best positioned to comprehend community training needs concerning rural development projects, local government also plays a significant role in rural development. Additionally, it is the level of government closest to the communities the project is intended to benefit (Gumede, Byamukam & Dakora, 2019). Even though not all municipalities may have the necessary expertise and experience to conduct the necessary training, the local government sector's relationship with the community makes it an ideal level of government for cooperation on the training interventions of key players (Nel and Rogerson, 2018s).

According to the 1998 White Paper on Local Government, municipalities should be development-oriented through maximizing social and economic growth, integrating, and coordinating efforts, democratizing the development process, and taking the lead and learning from others (RSA, 2017:23). According to the World Bank (2017:18), maximizing social and economic development

results in development that are both sustainable and efficient. The accomplishment of community goals is ensured by integrating and coordinating the tasks and responsibilities of each participant. According to Reddy (2016), community participation in municipal affairs is not only a crucial goal of local government but also one of the elements that could promote sustainable rural development. The ability to take the lead while learning best practices is a requirement for the role of local government in leading and learning.

Rural development, as defined by Sender and Smith (2016: 12), is the process through which rural populations acquire information on their initiative and use it to improve their lives. Communities, according to Sureshkumar et al. (2015:2), cannot improve their lives on their own; instead, they require government support and empowerment. Rural development and job creation, according to Swanepoel and de Beer (2013:2), cannot be separated because rural communities need to generate money to combat poverty.

According to Brandt and Otzen (2017:23), South Africa has policies and programs that address rural development, such as the CRDP of 2009, which had the goal of building thriving, equitable, and sustainable communities. The Rural Development Framework of 1997 was created to address the socioeconomic issues faced by rural communities in South Africa, according to Fitzgerald, Lennan, and Munslow (2018:208). The government's failure to prioritize ending poverty is the core cause of poverty, and according to the 1997 Rural Development Framework, around 75 percent of South Africans who live below the poverty line dwell in rural areas. The Rural Policy Framework concentrated on meeting fundamental human needs while attempting to raise the standard of living for every rural household. The Rural Policy Framework also placed a strong emphasis on developing local enterprises, including livestock and crop value chains, as well as rural markets and financing opportunities (RSA, 2017).

Since then, the 2009 CRDP and the 2011 Green Paper on Land Reform and Rural Development have taken the place of the 1997 Rural Development Framework (Fitzgerald et al., 2017:208). The Green Paper on Land Reform calls for the agrarian transformation, which is coordinated and integrated, the improvement of land reform programs, and investment for the benefit of rural communities to serve as the foundation for land reform (RSA, 2016:10). RSA, 2016:67) The formation of community land tenure systems with traditional councils, communal property organizations (CPAs), and all those who assert to be the land's rightful custodians was

recommended in the 2011 Green Paper. The CRDP, which was founded in 2009 and is an initiative-taking planning approach to rural development, is the third strategic objective of the government's Medium-Term Strategic Framework (MTSF) (2014-2019). (DRDLR, 2009: 3). The CRDP aims to reduce unemployment, inequality, and poverty. The following paragraph shifts the focus to the perceptions of the role of local government in informal employment.

#### **2.5.4 Perceptions on the Role of local government in informal employment**

20 years ago, the local governments were inclined to deal with informal employment based on legislation, particularly street vendors. This strategy is based on an inherently restricted perspective of the informal economy's problem. According to Rogerson (2016), this bad attitude has contributed to the marginalization of this sector of the economy in official economic development policies, both within municipalities and among some formal firms.

In South Africa, local governments have begun to take a more development-oriented approach to the informal economy, especially informal trading. This, according to Godfrey (2017), was due to a rising acknowledgment of the informal economy's relative importance in terms of jobs and income at both the local and national levels. Only a few local governments have devised and executed policies to provide an enabling climate for the informal economy. Kraemer-Mbula & Konte (2016:193) noted that “Municipalities have various obstacles in formulating and executing policies that both create an enabling environment for the informal sector and meet the needs of a broad collection of stakeholders.”

Godfrey (2017) used this approach to the informal sector to encourage communities to adopt new thinking in this area by including the informal economy as an integral part of government initiatives to combat unemployment, assist livelihood development, and reduce risks. The guidelines place the informal economy in perspective and urge it to be considered in integrated community planning procedures. It gives an overview of local government policies and practices regarding the informal economy. According to Godfrey (2017), the document's primary body is a guide for local governments to build informal economy policies and essential policy issues for developing an integrated LED plan that includes the informal economy.



The informal economy is associated with innovation, improvisation, opportunity, low incomes, marginalization, and exclusion. In South Africa, the informal economy has been the site of development, conflict, and repression. Godfrey (2017) argued that the risk of inaction or, worse, repression of informal employment consists of local government taking on the most vulnerable population. Simultaneously, local government is challenged by the competing realities that the informal economy presents. On the one hand, it offers economic opportunity, and it gives expression to the rights of people to create their livelihood. On the other hand, it can strain local infrastructure and increase competition, especially in public spaces.

The informal economy is a local government matter. It implicates several local government responsibilities and highlights the complexities of urban governance. Godfrey (2017:36) argues that “Local government must support local economic development; promoting integration and inclusion; and protect the rights of individuals to engage in economic activity.” But it is complex to integrate economic activity that is not yet adequately covered or regulated within local government planning, frameworks, and regulations. Local government regulations affect the rights, location, and nature of informal businesses, municipal infrastructure, and public space. Konte (2016) stated that it is incumbent upon South African local authorities to respond to and guide informal economic activity in their local areas in ways that are socially just and developmental, that ensure the resilience and improvement of cities and towns, and that balance the needs of multiple sectors and stakeholders.

Mailovich (2017) noted that the informal economy in South Africa is particularly fragile, according to numerous research reports. Low wages, terrible working conditions, and a lack of union representation have all been mentioned. In the ways it has attempted to regulate and safeguard informal workers, the state has played a minor, conflicting, and ambiguous role. Moloto, Mkhomazi, and Worku (2020) stated that the relationship between the state and informal employees is contentious in most areas; for example, the use of force to regulate informal labour and the implementation of local government bylaws are two examples.

The relationship between the state and informal labourers is mediated by national labour laws (via the National Department of Labour) and numerous municipal regulations (jurisdiction of local

government). Two pieces of legislation principally govern South Africa's informal sector: the Labour Relations Act 1995 (LRA) and the Basic Conditions of Employment Act 1995 (BCEA), updated in August 2002 to provide a more explicit framework for integrating informal employees. The legal reforms attempted to resolve concerns with worker and self-employment definitions, which previously excluded certain groups of informal workers. Furthermore, these improvements aided in forming a centralized bargaining committee for informal workers to handle concerns such as pay and retirement, medical care, working hours, security, and other job conditions. Other policy elements, such as the National Economic Development and Labour Council (NEDLAC), were formed to provide a forum for various stakeholders to communicate and potentially influence employees in the informal economy.

Local governments struggle to have a workable strategic way to deal with challenges that affect the informal economy. Kraemer-Mbula and Konte (2016:299) noted that:

*A typical problem faced by local governments internationally and in South Africa is that resources for economic development are concentrated in national and provincial areas of government that are responsible for however, regulation and management as far as the informal sector is concerned is at the local level.*

This points to the importance of coordinating the responses of national, regional, and local governments. This demonstrates that policy context is vital when local governments consider integrating the informal economy. Skinner (2018) noted that macroeconomic, trade, industrial, and competition policies affect the informal sector and need to deliberately incorporate policies that empower, not exploit, informal workers. The following paragraph further explains issues that hinder the implementation of workable informal economy policies.

There are many reasons why a developing policy that might foster opportunity in the informal economy confounds local government. Local governments struggle to conceptualize and calculate the nature and contribution of the informal economy. They often have limited access to this economy. In her examination of the history of state policy Skinner (2018) offers insights into the areas in which South African policy is helpful and where it falls short. The challenges identified

by these authors include resources, policy context, meaningful engagement, and the connection between the formal and informal economy.

A major problem in policymaking around the informal economy is that policies targeting the formal economy exclude the informal economy. Kraemer-Mbula and Konte (2016) argued that the challenge is to deepen the reach of economic policies to include the informal employment informal economy and deepen the informal economy's reach in the supply chain of formal economic services and products. The connection between these two ends of the formality/informality continuum will produce a robust, productive local economy. Skinner (2018:51) noted, “that the informal economy is viewed as distinct rather than a subset within each economic sector and therefore bureaucracy does not facilitate links between informal and formal economic sectors.” There is a severe shortage of economically trained industry specialists focused on deepening the informal sector's outreach across different segments of the economy (Skinner, 2018). Furthermore, Skinner (2018) stated that the linkage works both ways, but there is no focus on adapting formal sector policies to include the informal sector.

Several local government functions directly impact how well or poorly the informal economy performs. Godfrey (2017) explained that local government is mandated to regulate, plan, and provide services to protect the rights of informal workers and economic entities and to regulate their impact. Informal economic activities create jobs and opportunities, especially for vulnerable populations. ILO (2013) stated that the local government must provide an enabling environment for the informal economy through how it governs, plans, regulates, and invests in infrastructure that supports productivity, enhances income-earning potential, and furthers social inclusion.

Every community must deliberately establish conditions that encourage informal sector productivity to optimize the quality and number of jobs it provides and contribute to long-term economic development and better living conditions. Skinner (2018) argued that each municipality must provide informal workers and enterprises with space and opportunity to thrive and grow. The following section discusses the role of intergovernmental relations in informal employment in the agricultural sector in uPhongolo Local Municipality.

## **2.6 The role of intergovernmental relations in informal employment in the agricultural sector in uPhongolo Local Municipality**

### **2.6.1 Overview of Intergovernmental Relations in South Africa**

The Intergovernmental Relations Inaugural Report (IGR) of 2005 examines the significant policy, legal, and programmatic changes made by the government since the Intergovernmental Relations Framework Act (13 of 2005) was passed in August 2005. The goal of the Act was to give shape and form to the cooperative governance concepts outlined in the constitution, which are based on a multi-sphere system of government in which each sphere performs unique duties under the guiding principles of interdependence and interrelatedness (COGTA, 2018). Tau (2015) stated that the purpose of the Act is to give structure and form to the constitutional principles of cooperative government, the foundation of which is a multi-sphere system of government in which each sphere exercises distinct powers and functions while adhering to interdependence and interrelatedness principles. As a result, the Act establishes a framework for the Republic's functional integration of IGR. Tau (2015) further stated that the approach of this IGR report of 2005 is informed by the degree to which this system is institutionalized inside the government.

Shopola and Mukonza (2020) argued that a more cogent intergovernmental (IG) response to the policy and governance problem of attaining sustainable and equitable development should be encouraged by the successful application of the IGR's principles and values. Recent assessments of early indicators of development show that there have been a few areas of achievement, and the report highlights these. These include areas where policy and legal frameworks are effectively interpreted, and where IGRs are increasingly strategically used to govern regional issues. Furthermore, it includes where local development planning is more credible, where support programs are expanded, and where the government-wide monitoring and evaluation (GWM&E) system has an IG focus (Shopola and Mukonza, 2020). These programs implement statutory and constitutional requirements across the whole government.

South Africa's intergovernmental system is founded on collaboration among the three levels of government: municipal, provincial, and national. While some functions are ascribed to a distinct sphere, the three spheres share responsibility for many others. The relationships between the three

spheres of government are known as intergovernmental relations. According to the South African Constitution, Anderson, and Wright (2015) stated that the three sectors of government are independent, interdependent, and interrelated. Provincial and municipal governments are distinct spheres of government that are not part of the national or provincial government's functions or administrative executive arm. Hendricks and Majozi (2021) stated that despite their autonomy, the three government departments operate within a single South Africa. According to Hendricks and Majozi (2021), this means they must collaborate in decision-making and coordinate budgets, policies, and operations, especially for functions that cross spheres.

Local municipalities and traditional chiefs are both parts of local government. According to Konte (2016), municipalities are responsible for municipal planning, which includes planning for the municipality's geographical, economic, and social growth. Planning is a powerful instrument in determining priorities, finances, and delivery of services. The Five-Year Integrated Development Plan is the most valuable tool in municipal planning (IDP). In the first year after an election, each local council must approve a new IDP, which must thereafter be updated annually. According to the Department of Provincial and Local Government (2017), the IDP should be based on long-term spatial, infrastructure, and budgetary objectives. It should prioritize budgets, capital investments, and service delivery over the 'five-year lifespan. Anderson and Wright (2015) argued that the IDP cannot be just a wish list; it should clearly state what can realistically be achieved given the capacity and resource constraints faced by a community.

According to the Department of Provincial and Local Government (2017), the 1996 Constitution of the Republic of South Africa is the ultimate law in South Africa and provides the foundation for government structures and operations. It is the ultimate reference for understanding how government institutions should operate and collaborate. The three parts of government should coordinate their actions while working together, avoid turf conflicts, participate in inter-state relationship structures, and monitor inter-state relationship processes. Intergovernmental ties and cooperation are critical in any system in which powers are divided among multiple government bodies at the same time. According to De Villiers and Sindane (2018), cooperation occurs within a legislative and institutional framework. Therefore, the South African Constitution's creators included the most thorough provisions on intergovernmental relations and cooperative

governments of any constitution at the time or since. Shopola and Mukonza (2020) stated that other legislation, such as the Intergovernmental Relations Framework Law 13 of 2005, which consolidates prior informal institutions, and structures, and establishes the minimum platforms and procedures for collaboration, supports the foregoing constitutional provisions.

According to Anderson and Wright (2015), intergovernmental ties are vital exchanges between governmental institutions in all sectors. The rising complexity and interdependence of political systems can be seen in the characteristics of interstate relations. The number and variety of officials involved in intergovernmental relations, the intensity and regularity of contacts between these officials; the significance of officials' actions and attitudes; and dealing with financial policy issues are characteristics of these more complex and interdependent systems. Shopola and Mukonza (2020) stated that intergovernmental ties are defined under the Intergovernmental Relations Framework Act, 13 of 2005, as relationships developed between governments or between government agencies in their operations. Hendricks and Majozi (2021) noted that intergovernmental relations focus on officials acting in an intergovernmental context while also addressing informal labour relations in institutional contexts. They recognize relationships between different entities and sectors within the three spheres of government and focus on officials acting in an intergovernmental context while also addressing informal labour relations in institutional contexts. Intergovernmental relations, according to the Department of Provincial and Local Government (2017:39), “are meant to foster and facilitate collaborative decision-making and ensure that policies and activities in all areas improve service delivery and effectively satisfy the requirements of citizens”.

Various authors had similar views that the roles assigned to different spheres of government in an intergovernmental process are known as intergovernmental roles. According to Discussion Document (2019:4), “The 1996 Constitution of the Republic of South Africa (Act 108 of 1996) and subsequent legislation established intergovernmental structures and institutions, which may include commissions, institutes, committees, and forums for interstate cooperation”. White Paper on Local Government (2014) stated that the goal of an intergovernmental relations system is to foster cooperative decision-making, assure policy execution through effective communication, coordinate goals and budgets across sectors, and avoid disputes and conflicts between government

sectors. It could be noted that studying the three domains of governance is required to comprehend intergovernmental relations' intricacy. South Africa is a sovereign, democratic country founded on ideals such as human dignity, equality, and workplace promotion of human rights and liberties. As a result, to comprehend the nature and substance of intergovernmental relations, it is necessary to place the three domains of government in the context of this study. Because of the function of government, the growing number of state institutions, and the impact of human behaviour on interstate relations, the study of interstate relations is complex and problematic. This is in line with Poschen, Sievers, and Abtew (2014) who noted that to understand the intergovernmental relations role in South Africa, a full examination of interstate relations ideas is required. The following section discusses the labour legislation in South Africa and how it impacts informal employment in the agricultural sector.

## **2.6.2 Labour Legislation in South Africa**

The section begins with an examination of labour legislation introduced in South African agriculture in the early 1990s, labour legislation introduced in the mid-1990s, and issues related to the legislation.

### ***2.6.2.1 Labour legislation affecting agriculture in the early 1990s.***

In the past, working in South African agriculture had little legal protection. The main form of protection was common law, based on precedent drawn from previous judgments (Newman, 2016). Common law has always permitted a contract of service between the employer (farmer) and employee (farmhand). According to Newman (2016) and Lewis et al. (2015), farmers began adapting to labour legislation introduced in the early 1990s before the country's first democratic elections in 1994. The following legislation affected agriculture before 1994:

- (1) Basic Conditions for Employment Act (BCEA) 104 of 1992
- (2) Unemployment Insurance Amendment Act (UIA) 130 of 1992
- (3) Agricultural Labour Act (ALA) 147 of 1993.
- (4) Occupational Safety and Health Act 85 of 1993.

### *2.6.2.2 An overview of labour legislation introduced post-1994.*

Agricultural labour legislation was introduced because common law was inadequate in regulating the relationship between labourer and farmer (de Lager and Wild 2015, cited by Newman 2016: 12). The following legislation affected agriculture after 1994:

(1) The Basic Conditions of Employment Act 75 of 1997 (amended)

(2) The Unemployment Insurance Act 63 of 2001 (amended)

(3) Labour Relations Act 66 of 1995

(4) The Land Reform (Labour Tenants) Act 3 of 1996

(5) The Extension of Security of Tenure Act 62 of 1997

(6) Employment Equity Act 55 of 1998

(7) Skills Development Levies Act 9 of 1999

- (8) The Sectoral Determination (an amendment of the BCEA 75 of 1997) which includes the imposition of minimum wages.

(1) The Basic Conditions of Employment Act 75 of 1997 (amended)

“The Basic Conditions of Employment Act (BCEA) 75 of 1997 was introduced to advance economic development and social justice by fulfilling the primary objectives of this Act, which are-

(a) to give effect to and regulate the right to fair labour practices conferred by Section 23

(1) of the Constitution, namely (i) by establishing and enforcing basic conditions of employment; and (ii) by regulating the variation of basic conditions of employment. and

(b) to give effect to obligations incurred by the Republic as a member of the International Labour Organisation” (Department of Labour, 2013).

The BCEA sets the maximum weekly working time, the normal daily working time, and the maximum number of hours that an employee can work in 24 hours. The law also provides for the



extension of working hours, meal breaks, and overtime. A study by the Ministry of Labour (2015) showed that many farmers did not comply with employment conditions, especially regarding working hours. Under minimum wage legislation, an employee should work a minimum of twenty-seven and a maximum of 45 hours per week to qualify for the minimum wage. However, the minimum of 27 hours per week now only applies to domestic workers and not to all farm workers, who receive the full monthly wage in their respective regions (Department of Labour, 2016). In the Department of Labour study (2015), half of the workers surveyed indicated that there are times of the year when they work 55 hours or more per week. One in ten said they sometimes work more than 72 hours a week. The law regulates the payment of overtime and works on Sundays and public holidays. The law deals with annual leave, sick leave, and the termination of service contracts. In the study conducted by the Department of Labour (2014), many respondents did not receive their statutory entitlements to annual leave, sick leave, parental leave, UIF membership, and overtime pay. It was reported that children ages fourteen and younger worked on almost a quarter of the farms in the study (at least 15 years old). Children aged 15 to 17 worked on almost 40% of the farms surveyed.

The BCEA also requires farmers to post the law so staff can read it in their language to understand their rights and responsibilities. The compensation process to be followed by the employer is described, including record keeping and deductions, and payment of benefit fund contributions. The law defines the role of labour inspectors and their responsibilities. If a farmer is found guilty of violating the law, they can be fined, imprisoned, or both.

Barker (2017) notes that the law increases direct and indirect labour costs. The transaction costs in terms of time, money, and effort expended by farmers dealing with labour are increased. The reduction in hours worked increases labour costs and production costs in general due to fixed labour costs, variable labour costs, and capital costs. Because fixed labour and capital costs do not change proportionally to decreases in the number of hours worked, employment costs spread over fewer hours, thereby increasing hourly labour costs. In terms of variable labour costs, the hourly labour cost remains constant when the labour is paid hourly. But if workers are paid weekly or monthly and the wage rate remains constant with a decrease in hours worked, the decrease in hours worked increases the hourly labour cost. As labour costs rise, farmers will tend to substitute capital for labour (Barker 2017).

## (2) The Unemployment Insurance Act 63 of 2002 (Amended)

The purpose of the Unemployment Insurance Act (UVG) is to set up an unemployment insurance fund to which employers and employees pay and from which unemployed employees or their beneficiaries are entitled. The law is therefore intended to mitigate the harmful economic and social effects of unemployment (Department of Labour, 2013). Goedeke (2013: 17) suggests that the fund ensures that contributors are insured against loss of earnings following termination, illness, or pregnancy. The law applies thirteen to all employers and employees, except for employees who work less than 24 hours per month with a given employer (Department of Labour, 2013).

The contributor may receive the following benefits:

- Unemployment benefit
- Sickness benefit
- Maternity benefit
- Adoption benefit (e.g., only one contributor of the adopting children is entitled to the adoption benefit for each adopted child).

The Act also makes allowance for the role of labour inspectors and includes a list of offenses.

in terms of the Act, for example, the failure of an employer to contribute to Unemployment.

Insurance Fund.

## (3) Labour Relations Act 66 of 1995 (LRA)

Agricultural Labour Law 147 of 1993 (ALA) allowed for the establishment of an agricultural labour tribunal. The court dealt with unfair labour practices. The law established procedures for dismissing a worker and dealt with unionization. In 1995 the LRA was passed, and the ALA was amended. The LRA gives workers the right to freedom of association, i. H. to join any union. It also enables workers to organize in unions and engage in collective bargaining. The law allows union members to take time off work to attend strike meetings, as registered unions now have the right to strike as well as organizing rights. The LRA sets out the procedures to be followed when bringing a dispute before the Council for Conciliation, Mediation and Arbitration (CCMA) or the Labour Court. Unfair labour practices and unfair dismissals are dealt with in the LRA. Finally, the

LRA provides a guideline or code of conduct for employers to follow when dealing with labour issues (Labour Relations Act 66 of 1995).

#### (4) The Land Reform (Labour Tenants) Act of 1996

The law is based on the principle that the existing labour lease system was the result of racially discriminatory laws and practices that denied tenants access to land. It gives work sharecroppers and their families the right to purchase land and leaseholds where they live. Beneficiaries have access to a range of grants (R20,000 to R100,000) depending on the amount of their contribution in kind, labour, and/or cash. Beneficiaries must make a personal contribution of at least R5,000 (Department of Land Affairs, 2006). The law was passed in March 1996 but has been applied retrospectively since June 1995 (Land Reform Act 3 of 1996).

The law distinguishes between workers and farm workers. Labour tenants work for the farm owner or tenant and are paid concerning land use (grazing, cultivation, etc.) and residential use. Unlike farm workers, they do not receive cash wages. All working tenants who meet the requirements of the definition are deemed to have the right to live and use the land on which they currently reside. It is also understood that the sharecroppers, or a member of the sharecropper's family, will continue to provide labour to the farm owner in return for these rights, as has been the case in the past (Land Reform Act 3 of 1996).

#### (5) The Extension of Society of Tenure Act 62 of 1997 (ESTA)

Many South Africans lack secure ownership rights to their homes and the lands they occupy, leaving them vulnerable to unfair evictions, leading to great hardship, conflict, and instability. It is believed that this situation is in part the result of previous discriminatory laws and practices during the apartheid era (Extension of Security of Tenure Act 62 of 1997). According to the Department of Labour (2016), the Act provides measures to facilitate long-term land security where this can be done through a concerted effort by occupiers, landowners, and government agencies. The law also regulates the conditions of residence on certain properties and the conditions and circumstances under which a person's right of residence on properties may be terminated. ESTA regulates the conditions and circumstances under which persons whose right of residence has ended can be evicted from the country. The law regulates the eviction of vulnerable landowners fairly while recognizing the right of landowners to seek an eviction order from a court

in appropriate circumstances to ensure that landowners are not further disadvantaged (Extension of Security of Tenure Act 62 of 1997).

#### (6) Employment Equity Act 55 of 1998 (EEA)

The EEA obliges employers to reduce 'disproportionate' income differentials. There is substantial income inequality between economic sectors; the lowest-paid sector is by far the agricultural sector. The EEA was created to try and decrease the inequality within the SA agricultural sector as well as between sectors. Discrimination is illegal according to section 6 of the Act. It states that no employer may discriminate against employees. DOL (2013:25) stipulated that "on one or more grounds, including race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, and birth". The law also addresses affirmative action policies and procedures that employers must follow. Affirmative Action ensures that qualified certain groups (Black people, women, and people with disabilities) have equal opportunities to find employment (Employment Equity Act 55 of 1998).

#### (7) Skills Development Levies Act 9 of 1999 (SDLA)

The goals of the SDLA are to develop the skills of the South African workforce through:

- Improving the quality of life of workers, their job prospects, and labour mobility.
- Improving workplace productivity and employer competitiveness.
- promotion of self-employment; and
- improving social service delivery.

The Act also aims to increase the level of investment in education and training in the labour market and improve the return on investment (Skills Development Levies Act of 1999). The law encourages employers to:

- use the workplace as an active learning environment.
- allow employees to acquire new skills.
- Creating opportunities for newcomers to the labour market to gain work experience.
- and to hire people who are having difficulty finding employment.

In addition, the SDLA aims to help job seekers find work, redundant workers enter the labour market, employers find qualified workers, and to provide and regulate employment services (Skills Development Leves Act 9 of 1999). These objectives will be achieved by:

(a) Establishing an institutional and financial framework consisting of:

- the National Competent Authority.
- the National Skills Fund.
- a levy grant program for skills development as contemplated in skills development tax law.
- SETAs (Sector Education and Training Authorities).
- work centres; and the Planning Unit for Skills Development

(b), which promotes partnerships between the public and private sectors of business to provide education and training at and for the workplace.

(8) The Sectoral Determination (published by the BCEA)

Under the sectoral provision contained in the Basic Conditions of Employment Act 75 of 1997, from March 2003 farmers in certain areas (B and A respectively) were required to pay mandatory minimum wages of R650 and R800 per month. In addition, the Act lays down the conditions of employment for farm worker feast.

#### *Wage rate*

Originally in 2001, the proposed monthly minimum wage ranged from R400 in the poorer areas to R700 in the more affluent regions of the country (Barker, 2016). Wages were prescribed for two areas, namely Area A (cities and larger towns) and Area B (the rest of South Africa). Municipality boundaries have been used to distinguish between the two areas (Department of Labour, 2013). South Africa Rural Development Quarterly (2015) stated that on March 1st, 2003, the Minimum Wage Act came into force, and by law, farmers were required to pay their employees a monthly minimum wage of R800 in Area A and R650 in Area B. These wages only applied to those who worked more than 27 hours per week. The law allows a maximum of 45 hours of work per week. This includes nine hours each day if the worker works five or fewer days a week; or eight hours a day if the farm worker works more than five days in a week. The law allows 15 hours of overtime per week. Those working less than 27 hours a week would be paid at least R4.10 per hour in

Section A and R3.33 in Section B. These minimum wage levels increased on 1 March 2004 to R880 in Area A and R715 in Area B (Department of Labour, 2013). As from the 1 March 2005, the wages increased to R950 per month in Area A and R786 per month in Area B or an hourly rate of R4.87 and R4.03, respectively. The wage rate increased again on 1 March 2006 to R994 per month in Area A and R885 per month in Area B or an hourly rate of R5.10 and R4.54, respectively. The minimum of 27 hours per week now only applies to domestic workers and not all farm workers, who will receive the full monthly wage in their specific regions (Department of Labour, 2016). The Act prohibits the employment of children under the age of 15 years and defines four types of leave to which the farm worker is entitled: namely, annual leave, sick leave, family responsibility leaves, and parental leave (Department of Labour, 2015).

### *Deductions*

The Sector Determination Act stipulates that a farmer may only deduct money from wages if the farm worker agrees. These deductions may include savings, retirement, and related funds, repayment of a loan to a financial institution, and union dues. The farmer may not deduct tools and equipment provided at the workplace, uniforms, meals eaten during working hours, or accidental damage (Department of Labour, 2015).

### *Payment in kind*

Newman (2016) notes that workers in commercial farming typically receive a cash wage and benefits in kind from the farmer. Employers can cut or even eliminate benefits if they are not considered part of the minimum wage. Newman (2016) found that most farmers would pay workers a cash wage and charge utilities if minimum wages exceeded their current payments. Benefits in kind usually consist of a combination of food rations, grazing rights, cultivation rights, and housing on the farm. The Department of Labour (2015) proposes that benefits in kind must be valued based on the costs incurred by the employer in supplying goods and services to employees subject to these restrictions:

- (a) The total non-cash benefits may not exceed 20% of the total salary.

- (b) No additional deduction may be made from the employee's cash wages for benefits in kind.
- (c) Housing can only be considered a benefit in kind if no rent is charged for the house in which the worker lives.
- (d) A deduction not exceeding one-tenth of the wages owed to the farmworker on the relevant payday to repay any sums loaned or advanced by the farmworker to the farmworker.

### **2.6.3 A brief history of Workers' minimum wage legislation in South Africa and Abroad**

South Africa was a founding member of the ILO in 1919 as a member of the League of Nations. It withdrew its membership effective March 11, 1966, to avoid expulsion, and re-joined the ILO on May 26, 1994. South Africa has ratified ILO conventions, twenty-three of which are currently in force. For this study, it should be noted that SA ratified ILO Convention No. 26 (Minimum Wage Fixing Machinery Convention 1928) on December 28, 1932, and that ratification is currently in force, however ILO Convention No 99 (Minimum Wage-Fixing Machinery (Agriculture) Convention 1951) and ILO Convention No. 131 (Minimum Wage-Fixing Convention 1970) (ILO, 2015).

According to the ILO (2015), each member of the ILO that ratifies ILO Convention No. 26 undertakes to establish or maintain a mechanism by which minimum wage rates can be set for workers employed in certain trades or parts of trades (in homework businesses) where there are no arrangements for effective wage regulation by collective agreement or otherwise and where wages are exceptionally low. In addition, each Member which ratifies this Convention shall be free to determine the nature and form of the minimum wage-fixing mechanism and the methods to be used in its implementation, provided that the minimum wages fixed shall be binding on the employers and workers concerned so that they shall not be reduced by these or by individual agreements or, except with the general or special approval of the competent authority, by collective agreements or other provisions.

South Africa Rural Development Quarterly (2015) stated that the SD in South Africa is a system to protect vulnerable sectors in the event of collective bargaining failure through a bargaining council setting minimum wages. It evolved from the Master and Servant Act (1896) (MSA), the Industrial Conciliation Act (1924) (ICA), the Labour Relations Act 1956 (LRA), and the Basic

Conditions of Employment Act 1997 4 (BCEA). which led to the introduction of the first national sectoral minimum wage in 1999, covering the area of contract cleaning since 2001.

Theron (2013), quoted by Visser and Ferrer (2015), points out that the LRA tries to promote sectoral collective bargaining. The negotiating council is the preferred forum for negotiations at the sectoral level. However, the LRA does not provide for bargaining rights and a bargaining council could only be set up voluntarily by representative unions and employers' organizations. There are currently no bargaining councils in South Africa's agricultural sector, and it is unlikely that one will be established soon. This can be attributed not only to the weakness of trade unions in the sector but also to strong opposition from organized agriculture and individual farmers to the concept of collective bargaining in the sector due to the diversity of the sector.

The BCEA sets the minimum working conditions that apply to all jobs, whether there is collective bargaining. South Africa Rural Development Quarterly (2015) stated that the BCEA also empowers the Secretary of Labour to create SDs through subsidiary legislation. The SDs are created on the advice of the Employment Conditions Commission (ECC), established in 1999. The ECC replaced the Wage Board, which performed a similar function under the now-repealed Wage Act (Benjamin and Pretorius, 2011, cited by Visser and Ferrer, 2015). Although not specifically mentioned in the BCEA, its role is to set minimum wages in sectors where workers are considered vulnerable and where there is little or no collective bargaining. However, the Wage Board has never set minimum wages for rural workers or the agricultural sector for the reasons already mentioned.

The function of the SD is to set minimum wages and basic employment conditions in sectors where there is little to no collective bargaining. This is an administrative finding that is preceded by an investigation by the ECC. Although members of the public are entitled to submit written comments to the ECC, it does not provide the same platform for an exchange of views as collective bargaining and the outcome does not necessarily reflect consensus between workers' and employers' organizations. There are currently eleven SDs in the South African economy, namely for agricultural workers, domestic workers, forestry, private security, contract cleaning, wholesale and retail trade, taxi, civil engineering, hospitality and minimum wages for learners and children, advertising, artistic and cultural sectors Activities. But according to Bhorat and Mayet (2019), SA



has a total of around different individual minimum wage rates across the eleven sectoral regulations.

The minimum wage policy in the agricultural sector by the SD was promulgated in December 2002 and implemented from March 1st, 2003. It was the fourth sector for which the SD set a minimum wage, after the hired cleaning sector in 2001, the private security sector in 2001, and the domestic work sector in 2002 (Department of Labour, 2015). Before the introduction of the BCEA in 1997, the agricultural sector in South Africa was treated as a unique sector deserving of preferential treatment and was consequently largely excluded from labour legislation (Visser and Ferrer, 2015). As mentioned above, it is common for agricultural sectors to receive special regulations concerning labour policies. South Africa Rural Development Quarterly (2015) nonetheless, it is evident that before 1994 the South African agricultural sector was under-regulated by global standards and that the introduction of regulations regulating employment in the sector aimed to address a perceived power imbalance between farm workers and agricultural entrepreneurs.

While many provisions of SD 13 simply recap what is contained in the BCEA and would apply in a case, the BCEA allows the Minister to go beyond what is contained in the BCEA when deciding. For example, it allows the minister to ban or regulate in-kind, piecework, and contract work. It also allows the minister to set minimum standards for housing and sanitation for workers residing on their employer's premises. Following the above provisions, the SD also limits the deductions that can be made from wages; For example, the provision of food and shelter for agricultural workers is limited to an amount not exceeding 20% in total (DOL, 2013).

In addition to the minimum wage, the SD also stipulates that farmers should have a formal employment contract detailing the labour duties of their employees and the structure of deductions from farm wages. Farmers must also ensure a safe and friendly working environment for their workers and the provision of safety training. Compliance with labour contracts and minimum wages has recently been reviewed by Bhorat et al. (2019), Stanwix (2017), and Visser and Ferrer (2015) for the South African agricultural sector and was also highlighted by Roberts and Antrobus (2013) in the Eastern Cape region. Compliance is critical to ensuring that employment law fulfils its intended purpose.

Initially, the minimum wage rate application was introduced in two tiers, formed based on relative regional economic contribution to the national gross domestic product, with area A receiving a higher minimum wage than area B (DOL, 2013; Murray and van Walbeek, 2017). The recommendations of Kassier et al. (2016) changed the application of the minimum wage from one category to a uniform structure in 2009 to reduce complexity and eliminate wage inequalities among workers in the agricultural sector. Kassier et al. (2016) were the inability to distinguish between farms that can afford the mandated minimum wage and those that cannot, for example, be economically viable. (Elsewhere in this section it has been pointed out that minimum wages set by the SD do not necessarily reflect a consensus between workers' and employers' organizations; consequently, there is more scope for setting the minimum wage for agricultural workers at a level that does not is affordable for farms). Although minimum wages in the agricultural sector were only introduced in 2003 in the wake of political change in SA in the early 1990s, the introduction of this minimum wage, as well as other changes in labour legislation governing employment on farms, was widely anticipated by industry stakeholders. It is therefore likely that employment decisions in commercial agriculture had partially adjusted to expectations of the introduction of new labour laws in this sector before they were promulgated. The following paragraph discusses international perspectives on minimum wage.

#### ***2.6.3.1 International Perspective on Minimum Wage***

In many nations, including South Africa, minimum wage laws are a frequent but contentious legislative measure intended to protect vulnerable or low-paid workers (SA). Although minimum wage laws and their effects have been extensively studied around the world, often with contradictory results, the research has concentrated on Western nations, with some concentration also on Latin American and Asian nations. Aside from some very studies by Murray and van Walbeek (2017), Bhorat et al. (2019), Bhorat and Mayet (2016), and Stanwix (2017) on minimum wages in SA, economic research on the effects of minimum wages in Africa is scarce (Wage Indicator, 2015). These studies opened the door for SA to be mentioned in other International Labour Organization (ILO) reports and studies that focused on minimum wages in developing countries, such as ILO (2016), ILO (2015), and Rani et al., given that SA is one of the continent's largest economies (2013).

New Zealand was the first country to enact minimum wage laws, followed by Australia, the United Kingdom (UK), and the United States of America (USA) in 1894. (Stanwix, 2018). In general,

nations that have sectoral or national minimum wage laws prefer to first exempt industries that employ a lot of low-skilled labour, such as agricultural and domestic work. Although domestic workers, farm workers, and other disadvantaged sectors are typically included in minimum wage coverage, these sectors typically have lower minimum salaries than other sectors. Studies by Gallach (2015) and Dickens (2016), who examined the effects of extending minimum wage legislation to the farm sectors in the United States and the United Kingdom, respectively, make this conclusion clear.

Nine of the 22 African nations whose minimum wage laws are detailed by the wage Indicator (2019) have sector-specific minimum salaries for the agricultural industry, while four of the nations have sector-specific minimum wages for the domestic worker industry. Most other nations have established national minimum salaries, some of which do not apply to sensitive industries like agriculture. The minimum wage in these industries continues to be low in comparison to other industries, even though some governments have expanded coverage to farm and domestic worker sectors. The minimum wages for Kenya's agricultural sector are differentiated by labour category, with comparatively more skilled labour getting higher minimum earnings, making it one of the twenty-two countries with the most distinctive minimum wage legislation. Stanwix (2017) stated that “SA and most other countries may have multiple minimum wages for a sector but tend not to differentiate minimum wages by skill level. Instead, a minimum wage is typically set to protect the most vulnerable workers in that sector, and then market mechanisms determine wage rates of more skilled workers.” However, minimum wages may vary depending on the type of employment, the location (e.g., a municipality), and the size of the company. For example, the first sectoral regulation for farm workers in South Africa (Sector Regulation 8) set a minimum wage of R800 per month for farm workers working more than 27 hours per week in Area A (relatively more urban community areas) and R650 per month for farm workers who work more than 27 hours per week in Area B (relatively more rural community areas). It was further stipulated that workers who work twenty-seven or fewer normal hours per week must earn at least R4.10 per hour worked in Section A and R3.33 per hour in Section B (Department of Labour (DOL), 2013).

Further history of international research shows that the practice of establishing a minimum wage is not new. Since 1928, the International Labour Organization (ILO) has developed several methodologies for determining a minimum wage (Yu and Roos, 2018). In addition, following the

global financial crisis that began in 2007, the International Labour Organization (ILO) developed a Decent Work Agenda for its member nations to execute as part of their broader economic and social objectives. The goal of the Decent Work Agenda was to avoid a recession and enhance economic recovery. The International Labour Organization (ILO) (2017) defines decent employment as productive work for people in conditions of freedom, justice, security, and human dignity, as defined by the international community. According to the International Labour Organization (ILO) (2017), decent employment necessitates the creation of productive and fair-paying jobs and job security and social protection for workers and their families. International Labour Organization (ILO) (2017:136) further stated that “It also necessitates the provision of opportunities for personal development and social integration and the freedom to express concerns, organize, and participate in decisions that affect people's lives”. This study noted that decent employment also necessitates the guarantee of equal opportunities and treatment for all. To implement the ILO's Decent Work Directive, labour market policy is critical. Furthermore, as an ILO member, South Africa is obligated to implement measures to combat poverty and inequity in the workplace. As a result, South Africa has established and implemented sectoral recommendations (also known as sectoral regulations), which must now be superseded by an NMW dispensation. This study notes that this is because the NMW cuts are cross-sectoral and are now being handled by various negotiating councils. The following section discusses the South African perspective on minimum wage.

#### ***2.6.3.2 South African Perspective on Minimum Wage***

In 2013, political and labour market actors shared their opinions on poverty, terrible working conditions, and the living wage debate, resulting in a 51 percent rise in the minimum wage (Statistics South Africa 2016). This sparked a larger debate about introducing an NMW in the broader South African discourse. However, due to South Africa's unique history, the democratic government decided to implement a minimum wage to combat social injustice, poverty, and other social problems (Statistics South Africa, 2016). The study notes that establishing a minimum wage is consistent with the International Labour Organization's (ILO) rules, of which South Africa is a member. There were individuals in business who supported and those who opposed the implementation of a minimum wage, as with every legislative change. In this context, Castel-Branco (2015:2) argued that “introducing a national minimum wage will simplify South Africa's

methods for determining minimum wages, strengthening collective bargaining, upholding the concept of equal pay for equal labour, and contributing to and improving compliance”. Branco (2015) however argued that, although an NMW would result in a more straightforward wage-setting system it cannot be assumed that farmers will follow it.

While developing countries (such as South Africa) have substantial labour regulation and social security systems, Mayet (2014) argues that these are frequently unenforced, and farmers rarely comply with minimum wage and labour rules in the agricultural sector. Farm employees are becoming increasingly dissatisfied with their working circumstances due to noncompliance and the general situation of farm employment, fuelling labour unrest. According to Davis (2018), after the labour unrest in the Western Cape Province in late 2012, the national government paid more attention to the employment and living situations of agricultural workers. Combating inequality, poverty, and unemployment was at the heart of the South African government's introduction and determination of the national minimum wage (NMW). According to the country's President, the national government's top objective is to protect the dignity of the poor, particularly the working poor (Ramaphosa, 2018). Although not all trade union federations supported the NMW, the fact that some did (for example, Cosatu, South Africa's largest trade union federation) demonstrated how important the NMW was to organized labour.

The NMW was especially significant for the agricultural industry, considering that agriculture is intricately linked to the rural economy as a primary economic activity. As a result of these labour concerns, the monthly minimum pay for rural workers was increased by 51.26 percent from R1 503.90 to R273.52 in March 2013 (Department of Labour, 2013). As per Sectoral Regulation, 13 as amended, in 2014 the monthly minimum wage was raised to R2, 420.41, followed by R2, 606.78 in 2015, R2, 778.83 in 2016, and R3, 001.13 in 2017 (Department of Labour, 2018). The minimum wage for 2018 was fixed at R3 169 per month (Department of Labour, 2018). From 2013 to 2018, these numbers indicate a cumulative wage rise of 110.8 percent. This was the biggest single growth in labour prices for any sector over six years, with an average annual increase of 18.47. Recently, Stats SA (2022) stipulated that Employment and Labour Minister TW Nxesi had announced that the National Minimum Wage (NMW) for each ordinary hour worked had been increased from R21,69 to R23,19 for the year 2022 with effect from 01 March 2022. According to Stats SA (2022),

this announcement was made in Section 6 (5) of the NMW Act (Act NO 9 of 2018), to amend the NMW contained in Schedule 1 and Schedule 2 of the National Minimum Act, published under Government Notice No.44136.

### ***2.6.3.3 Economic Arguments for and against minimum wage legislation***

The minimum wage policy is controversial and has both supporters and opponents (Donaldo et al., 2018). The rationale for setting a minimum wage is usually the provision of a living wage to a target group. Olusegun et al. (2019) suggested that minimum wages are necessary to provide wage earners with the necessary social protection. Proponents of minimum wages also argue that they reduce poverty by raising the wages of those earning less than the minimum wage and possibly some of those earning more than the minimum wage as well. According to Donaldo et al. (2018), proponents of the policy argue that it reduces severe labour exploitation in vulnerable sectors and reduces income inequality among the working class. Opponents of minimum wages, on the other hand, argue that minimum wages set at levels above the market wage rate could raise poverty levels by increasing the number of unemployed or disadvantaged workers, thereby offsetting the beneficial impact on wages of the remaining employed (Friedman, 2017).

Measuring the labour market's response to a minimum wage can vary in terms of factors such as country, region, job type or category, and industry or sector, as well as various characteristics, the level at which the minimum wage is set, and the amount of the minimum wage distinguish methodology for data analysis. Consensus on the economic implications of legislation, therefore, does not necessarily lead to full agreement on its desirability, as differences may persist over the political and social implications. However, if there is consensus on the goals, this can lead to an agreement. Therefore, consensus on precise economic policy is dependent on the progress of positive economics and less dependent on progress in producing conclusions (Friedman, 2017).

Schuh (2016), Gardner (2016), and Friedman (2017), among others, argue that unskilled workers in the labour market, like most farm workers, are more vulnerable to job loss due to imposition than nine skilled workers of minimum wages. This is particularly true for labour force categories where labour supply and demand are elastic. In general, labour demand is more elastic for categories of workers that have close substitutes and for those that account for a substantial proportion of the cost of production. When labour demand is elastic, an increase in wages leads to

a proportionately larger decrease in employment, leading to a decrease in the total wage bill (Friedman, 2017). The trade-off between providing workers with a living wage and reducing employment is therefore an important consideration for policymakers when setting a minimum wage. Various foreign and local empirical studies on the minimum wage have found that minimum wages have a positive impact on the wage rate but a negative impact on employment; For example, Fang and Lin (2015) have presented evidence of strong adverse effects of minimum wages on employment in central and east China regions, particularly for young adults, women, and unskilled workers. Nonetheless, the effects of minimum wage legislation on wages and employment are primarily determined by the wage elasticities of labour demand and labour supply as well as issues of minimum wage enforcement and compliance by employers. Another important consideration for policymakers should be the prevailing rural unemployment rate and its targets for job creation in the sector(s) affected by the minimum wage. To address these issues, government spheres must work as a collective when implementing labour legislation that deals with minimum wage. Agricultural sector workers must be involved when making labour legislation amendments. Their involvement in the decision-making process may assist the government to approve legislation that will not affect workers. The main aim of labour laws is to protect labour rights of workers, hence workers' participation in government policy-making meetings is vital. The following section reviews the literature on ways to improve the conditions of informal employment in the agricultural sector.

## **2.7 Improving the conditions in informal employment in the agricultural sector.**

### **2.7.1 Overview**

Most persons in rural areas are self-employed and have minimal or no access to social security. According to Barnet (2014), good rural employment and social protection complement and strengthen each other. They work together to address the vulnerabilities that rural workers and their families confront, which are typically caused by dangerous working conditions and the unstable nature of their jobs (South African LED Network, 2016). According to Wilson (2017:43), “Social protection programs such as cash transfers or public works programs can provide greater income security and temporary jobs to mitigate income losses during poor harvests or seasonal

unemployment.” They can also help improve nutrition, education, and health and empower households to manage risk better and invest in both on and off-farm productive activities (Viljoen, 2014). More secure and safer working conditions in rural areas, according to Wilson (2017) are mostly dependent on policymakers' strong commitment to developing inclusive social protection mechanisms.

In the informal sector, poor safety and health standards and environmental dangers are particularly prevalent. Viljoen (2014:132) argued that “A poor working environment, including inadequate premises and often very unsatisfactory social facilities, as well as virtually non-existent occupational health services, causes great human and material losses”. Viljoen (2014) went on to say that it affects economic productivity, as well as the health, general well-being, and quality of life of informal workers and their families. Protecting the health and well-being of informal sector workers, according to the researcher, is a challenge that should be met with an integrated approach to health promotion, social protection, and quality job creation, and thus as part of a strategy to improve the rural poor's basic living conditions.

There is a critical need for strategic solutions to address the challenges faced by informal workers. According to Barnett (2014), “Support for the informal sector should be seen as part of a long-term strategy aimed at increasing formal sector employment and strengthening the terms and principles governing industrial relations, working conditions, and employment opportunities to promote economic integration to enable social cohesion and democracy”. Meanwhile, informal sector actors' organizational efforts are the principal mechanism through which workers in the informal sector can improve their working and living conditions (Uys & Blaauw, 2016). Although protective techniques, according to Muller (2013), cannot dramatically alter the social context, they can significantly lessen the adverse consequences on informal sector employees by allowing them to do safer duties in healthy and protected environments. Innovative methods for preventing workplace injuries and diseases and environmental dangers must be developed through cost-effective and long-term workplace safeguards.

There have been sporadic initiatives to address the informal sector regarding health promotion and protection, but never as part of a holistic strategy. According to Muller (2013:66), “With adequate



support, informal sector workers can move from a situation of mere survival to a stronger economic position, increase their contribution to economic growth and social inclusion, and participate in improving their working and living conditions”. According to Schneider (2012), methods that effectively combine services to enable microenterprises to grow their revenue and services to help them safeguard their health and improve their working circumstances must be developed to increase workers' productivity in the informal sector. The following paragraph discusses extending legal coverage to agricultural workers as one of the ways to improve conditions of employment in the agricultural sector.

## **2.7.2 Extending legal coverage to agricultural workers.**

### ***2.7.2.1 Inclusion of agricultural workers under social security legislation***

The conditions of work in the agricultural sector, such as seasonality and the remoteness of home and workplace, should be recognized in measures to incorporate farmworkers within social security and labour regulations (ILO 2019). Some countries have enacted specific legislation or expanded their basic social security legislation to provide greater legal protection for agricultural employees. There are different approaches to addressing vulnerabilities in the agricultural sector in other countries. Tunisia, for example, merged the systems for self-employed non-agricultural employees and self-employed agricultural workers in 1995, allowing agricultural workers to be covered more widely (Yu, 2012). The Peasants' Social Insurance Scheme, which is governed by the general social security law and administered by the main social security organization, protects agricultural employees in Ecuador. South Africa still needs to restructure its policies to accommodate informal workers.

Extending legal protection to agricultural employees may need changes to the legislation and changes in the rules that follow the law (Williams & Windebank, 2014). Many agricultural labourers, for example, do not have consistent income throughout the year; their earnings fluctuate according to seasonal and productive cycles. Adapting the regulatory framework to consider those features may make it easier to cover them and give better protection. When adjusting schemes to the needs of agricultural workers, keep in mind that diverse groups of employees may be excluded for a variety of reasons, including their job status, income level, land size, ownership status, and

the type of agricultural commodity they produce. Although most agricultural employees are low-income self-employed or temporarily employed workers with no or little land, Yu (2012) asserted that some agricultural workers are employed permanently, and some are employers with vast plots of land.

Schemes should be structured to be as relevant to agricultural workers' needs and financial capacities as feasible to achieve optimal coverage (Saunders, 2015). According to Chabane (2012), this usually entails undertaking a complete study of various agricultural labourers' groups to better understand their unique circumstances, such as contribution capacity and infrastructure. If practicable, such assessments should be conducted with the participation of social partners and other stakeholders. The Conventions Gremial plan, for example, in Argentina was the product of the active participation of trade union entities. In Tunisia, part of the success of social protection implementation can be attributed to the fact that, even though the government launched the program, it always engaged representatives of the groups whose coverage was being expanded and employers' and employees' representatives (ILO, 2013).

#### *2.7.2.2 Enforcing the relationship between social protection coverage and employment patterns.*

In many places of the world, a substantial proportion of informal employment provides a unique problem for social safety (ILO, 2013). As a result, a closer examination of the link between employment and social protection is required. According to ILO (2013:86), “The strongest connection between employment and social protection exists for benefits that are tied to a contract with a specific employer, whether under national labour or social security law or provided voluntarily by employers.” Employer obligation for paid parental leave, sick leave, or workers' compensation in the event of an on-the-job injury, severance pay, or employer-provided health or pension insurance are just a few examples. Such rewards may be provided exclusively to a company's regular core employees. Because entitlements are tied to specific employment contracts, such benefits are frequently not transferrable. Due to these drawbacks, the ILO social security guidelines sometimes advocate other options, such as social insurance (Schneider, 2012)

Participation in (covered) categories of employment, not a specific employment contract, determines social insurance coverage. In most nations, salaried workers are covered by social

insurance. Furthermore, many nations use modified procedures to cover self-employed people and other non-salaried workers in their social insurance plans, extending coverage beyond employees (ILO, 2013). Extended social insurance coverage for workers in all types of jobs makes it easier to move across the labour market while still being covered. Ligthelm (2014:67) found that “Most countries use social security protection for some or all of the following risks and contingencies: maternity, sickness, disability, industrial injury, unemployment, old age, as well as for health insurance and, in some cases, family benefits”. Many countries additionally provide continuing coverage during periods of unemployment, such as when caring for family members or taking part in training programs. The following sections discuss the theoretical framework employed in this study.

## **2.8 Theoretical Framework**

### **2.8.1 Institutional theory**

This study will employ the Institutional Framework to tackle the research problem and respond to the main research question. The theory has advanced in the decades since its introduction in 1967 by Peter Berger and Thomas Luckmann. Arranz and Arroyabe (2023:132) “Institutional theory postulates that organisations are not self-contained entities, but rather are shaped by norms, constraints, shared cognitions, structures, and social expectations from relevant parties”. According to Hacker and Binz (2021), institutions survive because they are sustained by at least one of three 'pillars': the regulative pillar, the normative pillar, and the cultural-cognitive pillar. The regulative pillar is a set of formal laws and bodies with the authority to penalize noncompliance with the institution concerned (Arranz and Arroyabe, 2023). According to Ozili (2023), the normative pillar is a set of norms and informal standards that influence expectations and define what is deemed acceptable behaviour. According to Ozili (2023), the normative pillar also supports institutions that are or are based on society's (including professional) ideals or standards. The cultural-cognitive pillar, according to Hacker and Binz (2021), is a system of common understandings, beliefs, or ways of making judgments in certain contexts. This pillar supports institutions by making alternatives impossible or unsound. Institutional theory is relevant to this study because it stresses that social structures and systems play a fundamental role in shaping actions in organizations. It is likely to assist in exploring the drivers of vulnerabilities in informal employment in the agricultural sector. The first part of this section reviews the literature

on different scholars' definitions of institutions, as well as illustrates three pillars of institutions in the form of a table. The second part focuses on the institutional perspective and the nature of informal employment in the agricultural sector in South Africa.

#### ***2.8.1.1 What are institutions?***

Institutions are at the centre of the institutional theory of organizations' explanation of organizational design and behaviour. Organizations, in this view, are small manifestations of larger institutions. Kondra and Hinings (2018) stated that the creation and dissemination of organizational structures, design elements, and practices are shaped by institutions, defined as self-evident ideas, rules, and conventions. Institutional theory, according to Scott (2021), investigates how elements of the social structure are created, developed, adapted, and disused. North (2020) use institutional theory to explain how specific rules, routines, and norms influence behavior and activities within the institutional environment. Institutions have a significant impact on a country's economic growth and development. Benson, Erman, and Baulch (2019:80) "The redistributive role of institutions in the economy cannot be ignored. They are essential to ensure that available resources are allocated equally to all and provide policing and effective justice systems that adhere to established rules and regulations" Altman (2019) stated that well-functioning institutions are a sign of a well-run economy and thus create a favourable environment for business.

Institutional structures refer to established laws, customs, practices, and relationships with the government of society or a community. They are recognized as a fundamental part of the culture, business, or organization. North (2020) defines institutions as the man-made forces that make human interactions, the regulations of the game in society that provide a framework that shapes political, social, and economic institutions. Formal institutions are governed by constitutions, laws, and rules, while informal institutions are governed by norms, codes of conduct, and conventions. According to Kirsten (2019), the first party enforces the norms by self-imposed codes of behaviour, the second party through retaliation, and the third party through law enforcement.

Institutional theory is employed in this study to explore the drivers of vulnerabilities in informal employment. The institutional approach will be utilized to respond to the study's first objective. All sort of vulnerabilities in informal employment makes it difficult for the agricultural sector to grow further because the challenges of the workers affect their performance. Adebajo et al. (2013)

stated that the institutional theory provides insights into how rules and regulations set on local institutions affect and shape the experiences of informal workers in the agricultural sector from a rural context. The second objective of the study focuses on how the systems of social structures affect informal employment. This theory will help understand cultural, and social values, norms, and communication channels that keep employees informed about how management actions will affect them in various ways (Amine and Staub, 2019). Furthermore, the institutional theory will investigate how the local government supports informal employees in the agricultural sector.

Institutional scholars have identified a set of "institutional pressures" that, by defining and directing the behaviours of organizations, push them to be like one another, resulting in "institutional isomorphism" (Scott, 2018). Scott (2018) proposed three major processes for institutional isomorphism: regulatory, normative, and cognitive variables. The regulatory factors of institutional theory are concerned with the implementation of policies, oversight, and an incentive system (Lapeyre, 2020). Benson, Erman, and Baulch (2019:75) "The normative factors include values and norms. Values refer to the concepts or necessities that the different actors prefer, and the diverse criteria employed to compare and evaluate structures or behaviours". The cognitive elements emphasize the significance of culture. Informal workers are expected to adhere to and get the work done regardless of the challenges they encounter at the workplace (Gumede, 2021). According to the institutional theory, there must be social cohesion responsible and appropriate to address the issues faced by informal workers (Brammer et al., 2012). The study was guided by institutional theory to examine what could be done to enhance the success of informal workers in the agricultural sector. The subsequent section discusses the pillars of institutional theory in detail.

### ***2.8.1.2 Pillars of Institutional Theory***

The three components of institutions are represented in the columns of Table 3 below. The rows outline some of the key dimensions stressed by various institutional theorists (Scott 2018).

<b>The three pillars of institutional theory</b>			
	<b>Regulative</b>	<b>Normative</b>	<b>Cultural-cognitive</b>

<b>Basis of compliance</b>	Experience	Social obligation	Taken-for-granted. Shared understanding	
<b>Basis of order</b>	Regulative rules	Binding expectations	Constitutive schema	
<b>Mechanisms</b>	Coercive	Normative	Mimetic	
<b>Logic</b>	Instrumentality	Appropriateness	Orthodoxy	
<b>Indicators</b>	Rules Laws Sanctions	Certification Accreditation	Common beliefs shared logic of action Isomorphism	
<b>Affect</b>	Fear Guilt/Innocence	Shame/ Honour Shame/Honour	Certain/Confusion	
<b>Basis of legitimacy</b>	Legally sanctioned	Morally governed	Comprehensible Recognizable Culturally supported	

*Table 2: The three pillars of institutional theory (Scott, 2018).*

This table serves as a guide and illustration while the researcher explores each factor in the following.

(1) The regulative pillar

The regulative pillar is the most emphasized and recognized component of institutions; institutions regulate and regularize behaviour. The objective of the regulative pillar of institutions is to be able to establish norms, verify others' adherence to them, and modify consequences (rewards or punishments) to affect future behaviour. These processes can be carried out through informal mechanisms such as shame or shunning, or they can be formalized through the operations of the police and courts (Scott 2018). As seen in Table 2 institutions that adhere to the regulative pillar are founded on expediency, with rules, laws, and sanctions imposed by a forceful third party, typically the state.

(2) The normative pillar

Some theories contend that institutions are primarily supported by the normative pillar. According to Hacker and Binz (2021), the normative component of institutions encompasses both values and norms, with a focus on normative rules that add a prescriptive, evaluative, and compulsory

dimension to social life. Normative systems are often considered as imposing limits on social behaviour, and sociologists who study institutions such as familial groupings, social classes, religious systems, and so on, tend to embrace the normative perspective of institutions. As demonstrated in Table 2, common qualities for normative institutions include the fact that shared ideas and values serve as a crucial foundation for social order, and morality and binding expectations influence human behaviour (Scott, 2018).

### (3) The culture-cognitive pillar

Another group of scientists, primarily anthropologists, focuses on the cultural-cognitive aspects of organizations. This pillar asserts that institutions adapt to their surroundings by imitating or duplicating ambient behaviour. Cultural cognitive institutions, as illustrated in the table above, are founded on shared ideas and culturally endorsed logic of action. This is a common concept of how one should act and interact with others. This demonstrates the importance of culture in the functioning of institutions because culture gives patterns of thinking, feeling, and behaving - in other words, social contact guides behaviour (Scott 201).

The study expands on the characteristics of these three pillars by distinguishing between formal and informal institutions.

#### *2.8.1.3 The concept of formal and informal institutions*

Formal institutions are openly and formally codified in constitutions or laws, and governmental authorities guarantee them. As a result, formal institutions are legitimized by the state, and the character of formal institutions is typically formed and changed by actors with rulemaking authority (Lauth 2014). Formal institutions, on the other hand, correspond with the regulative pillar and consist of formal rule systems such as laws and regulations, as well as state-sanctioned enforcement mechanisms (Hacker and Binz, 2021). Formal institutions value the ability to restrain and regulate behaviour by defining rules, inspecting others' adherence to those norms, and controlling punishment and reward concerning those rules. McCarthy (2017) stated that because formal institutions had not yet matured sufficiently to guide market decisions, businesses had to rely on informal institutions for decision norms.

Informal institutions are those that are not technically codified and rely exclusively on their presence and effectiveness (Lauth 2014). While formal institutions can gain legitimacy through formal sanctioning procedures, informal institutions rely on social mechanisms such as codes of

conduct, norms of behaviour, and conventions to gain credibility. Informal institutions are formed through the social transmission of information and are a part of our culture. According to North (2019:36), “Cultural heritage supplies us with a language-based conceptual framework, and thus our perception of information is not objective, but is influenced by the conceptual framework offered by our culture”. Thus, much of the behaviour witnessed in political institutions reflects societal standards and rules of conduct.

Informal institutions should not be confused with culture, which is a much larger notion. Informal institutions are typically associated with cultural trends, although they are not synonymous with them. According to Scott (2018:69), “The term culture denotes a much broader concept that includes rules, values, traditions, and customs”. Furthermore, whereas informal institutions are associated with sanctions, cultural patterns that do not manifest themselves in institutions do not have similar power sanctions (Scott, 2018). Informal institutions differ from the broader concept of culture in that they either contend with the state's claim to binding decisions by attempting to build parallel areas of competence or, more typically, by influencing political decision-making (Lauth 2014).

Nilssen (2019:53) stated that “Informal institutions become especially important in situations characterized by uncertainty, such as in new institutional frameworks where decision-makers have no experience”. Economic actors relied on informal institutions, such as personal networks, to safeguard their business because official institutions were weak and unable to secure the rules of exchange. To summarize, formal institutions have a set of officially codified laws and regulations, whereas informal institutions contain values and behavioural patterns that contribute to the creation and interpretation of these rules and laws (Lauth 2014).

#### *2.8.1.4 Institutional Perspective and the Nature of the agricultural sector informal employment in South Africa.*

Individual informal workers operate in and respond to their surroundings, according to the institutional environment theory. North (2020), for example, defines institutions as "rules of the game" that define and limit the opportunities and choices available to individuals within a specific social context. According to Scott (2021), the surrounding culture and legal rules influence the level and modes of agricultural farm activity. The institutional environment is important in informal agricultural employment, and it could be argued that institutions determine certain



economic behavior and choices that have an impact on agricultural activities within the economy or society. Institutions serve as a collection of structures and systems that provide stability and meaning for farmworkers' informal employment choices or behavior. Using Scott's (2021) proposition that institutional environments have regulatory, cultural-normative, and cognitive aspects, these three environments are used to illustrate the nature and drivers of vulnerabilities in informal agricultural employment.

(a) Regulatory institutional environment

The formal institution, also known as the regulatory component of a country's institutional environment, is made up of laws and rules that encourage certain behaviors while constraining others (Scott, 2021). Beyond government regulation and laws, South Africa's regulatory environment includes trade policies, land allocation, taxation policies, infrastructure development, social security, business registration, licensing requirements, and other macroeconomic policies that support new agricultural businesses. Recent studies show that most developing countries lack a supportive regulatory environment for agricultural farm development and that this neglect or discrimination may be to blame for the growth of informal employment in the agricultural sector (Teshfashew, 2022).

(b) Cultural and Normative Environment

Scott (2021) refers to the informal environment as the normative and cultural cognitive pillars. The importance of culture in the development of agricultural informal employment is highlighted by the fact that cultural and normative environments play a key role in the determination of societal norms, beliefs, values, and assumptions that are shared within the society (Scott, 2021).

(c) The cognitive environment

The cognitive environment refers to cognitive structures; values, perceptions, and socialization activities that are prevalent in a particular society or among groups of people, and whose values are acquired and manifested in both conscious and unconscious behaviors (Hofstede, 2018). It also includes the mindset and social knowledge that people within a society, region, or country share. This shared perception is the nature of reality and the lenses through which meaning is interpreted (Scott, 2021; Hoffman et al., 2020). The cognitive dimension argument contends that, like culture, cognitive structures; mindset, or thought patterns can emerge from an individual's social environment and through various stages of the socialization process in the institutional

environment. According to Hoffman et al., (2020), cognitive institutions are socially constructed assumptions and interpretations of phenomena. Thus, in the context of informal employment in the agricultural sector, the cognitive component of the institutional environment relates to how potential agricultural venture opportunity is perceived, how government labour regulations are interpreted, and farmers' social status. The subsequent paragraph discusses the conceptual framework employed to further guide this study.

## **2.9 Conceptual framework**

### **2.9.1 Collective leadership**

There is no universal definition of collective leadership because it is still a new field. On the other hand, the Kellogg Foundation (2017) emphasized that it is about leveraging human, cultural, and technological resources to enable local people to work together to better their communities for the greater good. The Kellogg Leadership for Community Change initiative, founded by the W.K. Kellogg Foundation in 2001, emphasizes collective leadership. KLCC assists community-based groups in developing collective leadership that is informed by a deep awareness and love of place and committed to long-term community development. According to the Kellogg Foundation (2017), collective leadership is feasible when members of a group, inspired by a similar goal, begin to build true relationships with one another, allowing them to share their common goal and purpose to generate work together. This framework is pertinent to this research since the goal is to

investigate the drivers of vulnerability in the agriculture sector in the uPhongolo Local Municipality. Communities' socioeconomic difficulties can be identified through collective leadership, and solutions can be found through engagement. The researcher believes that agricultural sector vulnerabilities can be addressed if informal workers band together to advocate for better working conditions.

The collective leadership method brings together a diverse group of people to impact a community institution's activities and outcomes. According to Militello and Benham (2010), the process begins with a common dream that unites a group of passionate people with various skills. Hailey and James (2012:38) stated that “When relationships are built around a common goal, the group creates a shared awareness of challenges and develops ownership for creating new approaches/solutions”. Employees are involved in actions that result in long-term, systemic change under this form of leadership. It unites individuals who are frequently viewed as external institutions with those who work within them. The researcher sees this framework as useful for the study as it focuses on developing a strong relationship between informal workers to work together towards a common goal. This framework is like the study in that it allows informal workers to gain tactical leadership abilities necessary for change implementation and confrontation of work-related drivers of vulnerabilities.

Collective leadership requires informal workers who have built trust and mutual understanding. Informal workers need to know the background, culture, and ideas they have regarding changes in the workplace. This is the only way to build trust and mutual understanding between informal workers who plan to work together to improve labour conditions in their workplace. The way to do this is to open up to each other about their experiences, socio-economic problems, cultural differences, current conditions, and finally, what future they see for themselves in informal employment. The Kellogg Foundation (2017) found that when your group goes out to hear others' stories, they begin to develop social capital and identify potential allies. Informal workers must be willing to explore work history and develop listening skills. Friedrich (2019) emphasized that the group must know each other's stories and create relationships based on understanding one another as human beings to continue building trust in one another. The fact that everyone can share their strengths and talents is what makes communal leadership so strong. This framework can contribute

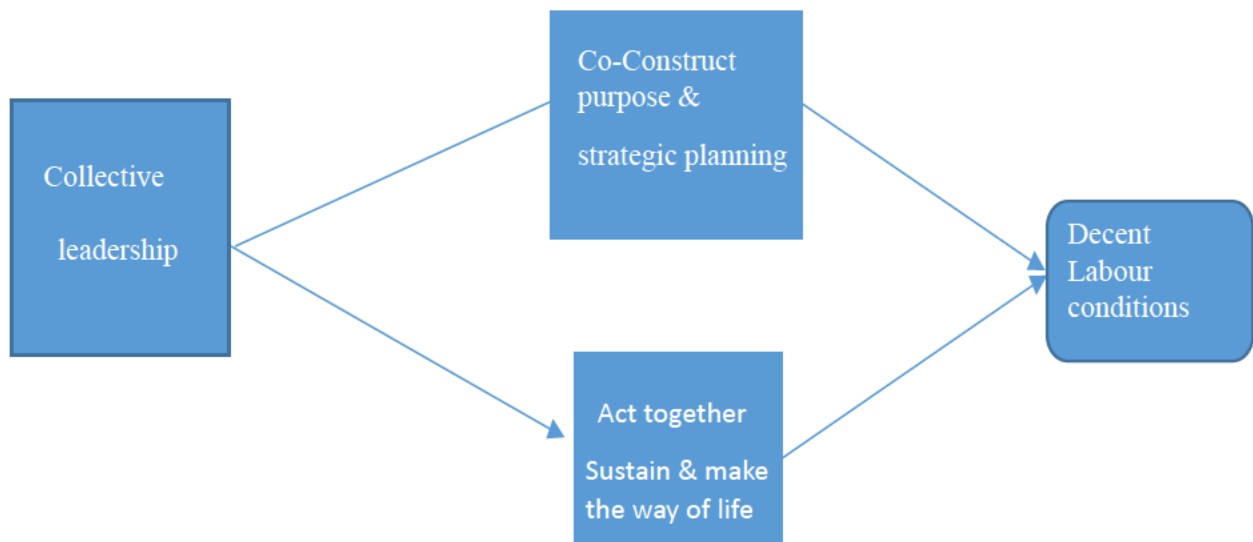
well to sustainable agricultural projects, as unity among participants in such initiatives leads to good decision-making. This framework allows informal workers working with the government and other stakeholders on agricultural projects to hear their voices in decision-making.

Learning is founded on action, which is the essential premise in establishing collective leadership. The goal is not to build leadership to an end. According to Ospina (2017), the goal is to make a difference in your workplace and build leadership as a weapon for necessary changes. It is critical to understand what kind of change workers value in agriculture to work in a safe and productive setting. It is important to know the current conditions in which the informal workers live and to work collectively to find solutions. This framework is suitable for this study because the research problem was a lack of social protection and decent working conditions for informal workers. Friedrich (2019:65) stated that “the collective leadership framework brings together a diverse group of people to influence the work and outcome of a particular community institution and enhance sustainable working environment change”. According to the Kellogg Foundation (2017), collective leadership development is a cyclical process that does not occur once and then disappears. Rather, it continues to evolve because of organizational change. As organizations develop and relocate, they continue to learn and relearn about their communities as they change. The researcher argues that even workers need to learn the importance of working collectively and addressing their working conditions.

#### ***2.9.1.1 Elements of collective leadership***

To change the world of work, collective leadership is vital. This approach is critical because local people's skills enable them to make educated judgments about the risks of informal employment. Assisting in creating and maintaining a creative environment conducive to collective leadership. This structure promotes collaboration and allows for the inclusion of diverse viewpoints. Leadership will not always come from a single source. According to Edwards (2018), the purpose is to enable people to develop creative methods to connect personal goals within the job and to allow diverse organizational members to engage in a collaborative pursuit of common goals within the role and connect system goals through their responsibilities. Most organizational change follows a three-step process. Friedrich (2019:56) stated that “These stages are co-construct purpose, and strategic plan, act together, sustain, and make work a way of life”. In these stages,

three elements are the same for each stage. Friedrich (2019) further revealed that these elements are knowing the workplace, building a strong team, developing individuals, and making changes. The subsequent paragraphs look at stages that may play a key role in addressing issues associated with the working environment in informal employment in the agricultural sector. The first part of the section provides a framework illustrating how collective leadership leads to decent working conditions at the workplace.



**Figure 1: The conceptual framework diagram.**

*Source: compiled by the researcher*

(a) Stage one (Co-Construct purpose and strategic plan).

Informal workers in the agricultural sector need to have a purpose and be strategic about organizational change. Collective leadership enhances solidarity among workers so that they work together towards a common goal. Kellogg Foundation (2017:36) “Creating a shared purpose will help keep all of you connected and supporting each other during the tough times that will eventually crop up as you get on with your work. This step of creating your shared purpose is part of what makes collective leadership different from other leadership approaches”. Friedrich (2019) stated that when people continue to share their stories so that people working together can deepen relationships and connect with the community at large, it is a great way to raise awareness. This framework stresses that people learn by doing and that learning can be enhanced by working in a group. When a team has a strong bond, it is easier for them to develop answers to the problems

that they confront. Hence, collective leadership is important in this study as it addresses the research problem. The lack of social protection and decent working conditions for informal workers can be addressed by applying a collective governance framework.

(b) Stage two (act together).

Based on strong relationships, informal workers can share their knowledge and assist one another obtain their responses. People do not merely accomplish duties in communal leadership; they also give their abilities and talents. There is a need to strengthen collective leadership by working together to move the work forward and holding each other accountable. Employees must be informed about what the group is working on and what results have been made frequently. People prefer to be a part of successful endeavours, so this can promote awareness in the workplace and assist the public support for farming projects. Friedrich (2019) stated that collective leadership stages need to be followed to accomplish strategic plans by participating informal workers in working environment change initiatives. Working with partners to implement a plan is significant since collective leadership enhances collaborative work. In this framework, every participant is important and plays a crucial role; hence needs to be involved in the implementation of a plan. The researcher perceives collective leadership as a suitable conceptual framework in this study as it stresses collective leadership and strategic ways for working environment change.

(c) Stage three (sustain and make the way of life).

The advantage of communal leadership is that it gives a structure to support people's arrivals and departures (Friedrich, 2019). It is critical to keep inviting and nurturing new members, as well as bringing back members who are ready to return. It is helpful to have a system in place for sharing what you have learned. The cyclical nature of communal leadership becomes obvious as your organization grows and evolves. The researcher emphasizes the importance of inviting fresh people to ensure long-term leadership. New individuals bring innovative ideas, new energy, and new networks, so invite them. Leadership for sustainability also engages and provides work-based leadership training to expand informal workers' opportunities further.

There is a need for informal workers in the agricultural sector to work with community partners and others to maintain a collective vision. Kellogg Foundation (2017:32) "The relationships with allies, funders, friends, and collaborators that you have cultivated throughout the work can be a

great basis for moving on to tackle other issues of concern.” Communication is an essential part of keeping your group viable over the long term. The use of participatory evaluation as a learning and feedback technique has been a crucial factor in the success of several KLCC groups. People can adjust based on what they see works and what does not in this form of evaluation. Kellogg Foundation (2017) KLCC organizations that have successfully maintained their work have learned to disseminate information and create community interest effectively. Friedrich (2019) argues that when these organizations inform others about their activity, they do more than just talk about it; they actively show people how to get engaged and encourage involvement.

#### ***2.9.1.2 The Importance of collective leadership framework in informal employment***

A collective leadership framework is utilized in this study because the main was to explore the drivers of vulnerabilities in informal employment in the agricultural sector. According to Mutongu (2018:98) “When collective leadership is happening, people are internally and externally motivated working together toward a shared vision within a group and using their unique talents and skills to contribute to success”. Collective leadership realizes that long-term success requires a variety of perspectives and contributions (Friedrich, 2019). The researcher asserts that this framework is significant. It is significant because it encourages collaborative work and leadership which involves all parties in the decision-making process. The researcher views collective leadership as creating workers who have mutual understanding and respect for one another in the working environment. This is because when they work together for a common goal, they get to understand each other’s ideas, and as a result, develop a strong relationship and can tackle working conditions issues. According to Eyzaguirre and Parés (2019), collective leadership necessitates a set of circumstances for the entire to succeed: trust, shared power, open and effective communication, accountability, and shared learning. It is founded on the understanding that lasting change is difficult to achieve without the contributions of many people's gifts, talents, views, and efforts.

One of the most important aspects of collective leadership is that success is determined by group leadership rather than individual abilities. According to Ensor et al. (2018), collective leadership involves shared responsibility and decision-making, accountability, and real engagement. According to Marta, Leritz, and Mumford (2015), all members are involved in creating the vision

and are committed to working toward its realization. Everyone can and should lead, according to collective leadership. When leadership is shared and fostered, people are more engaged, energetic, and invested in goals. This occurs because people feel a sense of ownership over their objectives: they contributed to establishing them. Thus, they are much more invested in seeing them realized. According to the researcher, collective leadership is vital since it allows for the sharing of knowledge, responsibility, and information within a group. Kellogg Foundation (2017:35) stated, "The rationale for using the collective leadership framework was that it resembles the concept of shared leadership, democratic leadership, participatory leadership, and distributed leadership". The researcher claims that this framework has a major role in addressing the vulnerabilities in informal employment. The researcher sees a major role in collective leadership in ensuring collaboration towards the common goal of decent working conditions in informal employment.

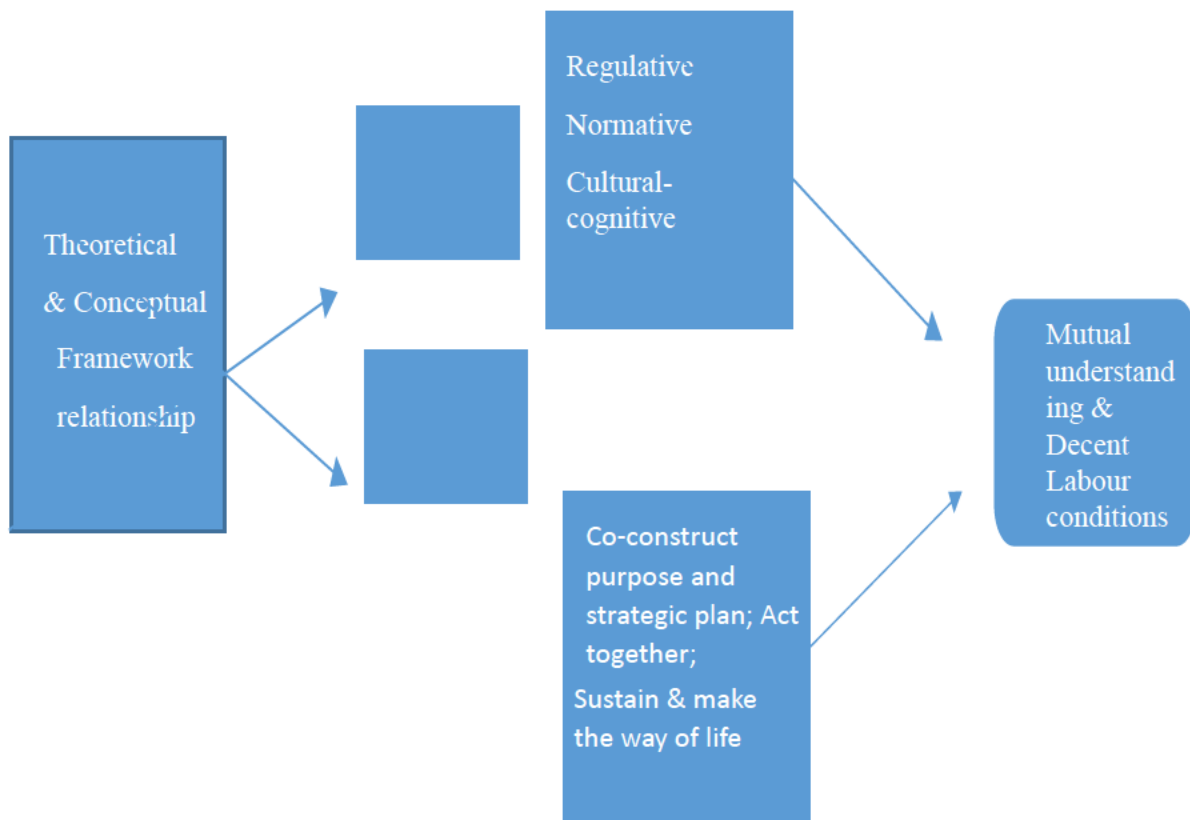
The concept of collective leadership represents a significant divergence from traditional leadership concepts. Kellogg Foundation (2017:55) stated that "the epicentre of collective leadership is not the role of a formal leader, but the interaction of team members to lead the team by sharing leadership responsibilities". According to Mutongu (2018), leadership qualities, abilities, and behaviours are still relevant for collective leadership; in fact, they are beneficial since they allow one to think like a leader and more easily participate in creating leadership. On the other hand, collective leadership is not a personal trait, but rather the interaction process of an entire team, group, or organization. Using collective leadership as a conceptual framework has proven to be beneficial. The rationale for this is that collective leadership, according to Gronn (2012), is more than the sum of individual role-taking; it is a group's holistic, tangible activity that must be judged properly.

### ***2.9.1.3 Relating the Institutional Theory to the Concept of Collective Leadership.***

The section below diagrammatically relates the theoretical framework (Institutional theory) which is the foundation of the study, to the concept of Collective leadership. This diagram demonstrates how the three pillars of institutional theory, and three elements of collective leadership could lead to mutual understanding and decent working conditions in the workplace. It shows that in institutional environments, working as a collective may lead to mutual understanding between workers, employers as well as government departments responsible for ensuring adherence to



labour conditions. According to Mutongu (2018:63), “Collective leadership describes the processes by which people come together to seek change. Within these processes, participants collectively envision how the world should be, make sense of their experiences and interactions, and shape their choices and actions to achieve desired outcomes”. Kellogg foundation (2017) stated that one of the important things about the collective leadership framework is that members feel a sense of belonging in the workplace and feel valued and motivated by contributing to a collective goal. The diagram shows how applying institutional theory and collective leadership framework guides the study to address the working environment risks experienced by informal workers in the agricultural sector.



**Figure 2: Relating the Institutional theory to the concept of Collective leadership.**

*Source: compiled by the researcher.*

### 2.9.2. Conclusion

This chapter reviewed the literature on informal employment and the experiences of informal workers in the agricultural sector. The chapter then focused on how the systems of social structures

affect informal employment. The chapter also discussed the role of local government and intergovernmental relations in informal employment. It examined the literature on improving conditions in informal employment in the agricultural sector. The last part of the chapter diagrammatically related the theoretical framework (Institutional theory) which is the foundation of the study, to the concept of Collective leadership. In the next chapter, the researcher presents the research methodology adopted in the study. The chapter discusses the methodology, research design, data collection instrument, sampling methods, data analysis, and research paradigm. Furthermore, the researcher discusses how ethical considerations were considered.

## **Chapter: Methodology**

### **3.1 Introduction**

This chapter focused on the methodology. Firstly, it discussed the research methodology, then proceed to the research paradigm, research design, sampling methods, and data collection instrument. The chapter ended with a discussion of the data analysis method used by the researcher.

Different research methodologies are used in diverse types of studies. Bryman (2018) stated that research design is the tool that has been utilized to obtain information, while the research methodologies constitute a framework that directs the investigation's execution. According to Klenke (2016), research methodologies in the social sciences are linked to many varieties of social realities that must be investigated. These models are interconnected to scientists' understanding of how viewpoints of view are interlinked as well as how these perspectives must be examined. In research methodologies, it is significant to know how they fit within the larger social scientific effort. Bryman (2018) stated that when data is gathered, it is done concerning the problem that has been recognized, which could be a major societal issue in that community. Neuman (2014:38) stated that "Exploring a new topic, describing a social phenomenon, or explaining why something is happening are three goals of research."

The data collected in this study were analysed using qualitative thematic analysis. All the interviews were tape-recorded. After all the interviews, the researcher transcribed using NVivo version 12 to code transcripts into themes. The study comprised thirty participants. The first group was the informal agricultural workers (20) in the agricultural sector in uPhongolo Local Municipality. The second group included the Department of Agriculture and Rural Development officials (5) and uPhongolo local municipality workers from the LED and IDP division (5). Interview guide questions were prepared for both groups of participants.

### **3.2 Research methodology**

Leedy (2017: 195) stated that "A framework for the collecting and analysis of data" is provided by the study designs. Selecting research design represents decisions on which aspects of the study should be prioritized". A decision on which components of the investigation should be prioritized is made when selecting a research design.

Qualitative and quantitative research techniques are the two types of research methodology. Qualitative research, according to Creswell (2019) “an approach used for researching and striving to understand individuals or groups” properly to assess whether the behavior may be attributed to societal or psychological difficulties. One may call it a practice that entails developing questions and procedures, gathering data in a specific environment, analyzing the findings, and building from specific to broad topics. Finally, the researcher deciphers the significance of the data gathered (Creswell, 2014). Quantitative research, on the other hand, typically entails "gathering and transforming data into a numerical form for statistical calculations" to come to a decision. It investigates an issue that has been recognized and is based on a theory that has been evaluated, quantified and examined utilizing statistical methods. It seeks to see if extrapolative theory generalizations are correct (Habib, Maryam & Pathik, 2014). The technique refers to how data is collected, analysed, and used to answer research questions. Katz (2015) stated that techniques have to do with tackling the research challenge systematically. It is a science that investigates how academic research has been carried out. **In this study, qualitative research was used to answer the research questions established in chapter one.**

Qualitative research is a practice that entails designing questions and procedures, collecting data in a specific environment, interpreting the data, and constructing general themes from specific themes. The researcher deciphered the significance of the data gathered. The qualitative method was used in this study, allowing the researcher to go deeper into themes with the research participants and hear them speak about concerns that were important to them. Creswell (2019:59) stated that “By not prescribing questions, researchers using qualitative methods are guided by the literature review, which stipulates that the investigation be congruent with the participants' beliefs.”

According to Frey (2012), Qualitative research is conducted in a comprehensive and person-centered manner. It promotes a better understanding of people's viewpoints on their own lives and the lives of others. It also assists the researcher in developing an in-depth narrative that offers a realistic picture of the study participants' world. According to Brink (2018), qualitative research entails a researcher engaging with participants to learn about their daily lives and then using that

knowledge in a way that improves their position. The main goal of qualitative research is to discover people's meanings and perceptions of everyday life, and then to analyse this knowledge in words so that it is obvious and valuable to anyone interested in learning about specific life experiences. Fitzsimons (2017) delivers facts in the form of words, document quotes, and transcription to make the message apparent. It is a tool that a researcher can use to get meaningful information about people's viewpoints and societal issues, and this type of research is relevant to the study's research questions.

According to Taylor (2015), qualitative data is analysed using participant descriptions and the researcher's creative abstractions to establish the meaning of human experiences. The researcher chose qualitative research because it facilitates the gathering of data and establishes a rapport between the researcher and the subjects. The fact that the researcher has a face-to-face conversation with participants when conducting interviews speaks loudly. The goal of the researcher in this study was to investigate the factors that contribute to vulnerability in the agriculture sector in the uPhongolo Local Municipality. As a result, engaging in a face-to-face interview with locals made the procedures more exciting, and participants are more inclined to contribute more information. A researcher had the chance to learn about the living situations and behaviours of participants, as well as gather relevant information regarding the research issue. While the study used qualitative research, the researcher described what quantitative research comprises in the following paragraph.

According to Mouton (2016), a typical activity in quantitative research involves gathering data and turning it into numerical form for statistical calculations to draw judgments. In quantitative research, a topic is investigated to put a theory to the test, quantifying it in numbers, and evaluating it using statistical methods. Quantitative research investigates the accuracy of a theory's predictions (Habib, Maryam & Pathik, 2014). Scholars like Hanekom, Brynard, and Brynard claim that things that can be counted are the focus of quantitative study (as stated in Mouton, 2016). It processes and explains data using statistics, which makes it simpler to analyze the outcomes. Additionally included are systematic measurements, statistical analysis, and experimentation techniques.

### **3.3 Research paradigm**

In the methodology component of research, four key research paradigms are used: positivism, positivism, critical theory, and constructivism. Constructivism was used in this research. This paradigm was chosen by the researcher because it aims to comprehend the subjects under investigation. According to Mishra (2014), there is an assumption that the researcher would establish a knowledge society because of his or her real-life experiences in the natural settings under investigation. The researcher's engagement with participants, information, and knowledge may be shared, and the study problem can be addressed more easily.

The constructivist view, according to Krauss (2015), is that knowledge is established through the meanings attached to the phenomena studied; researchers interact with the study subjects to obtain data; the inquiry changes both the researcher and the subject; and knowledge is context and time-dependent. Whatever knowledge a researcher may have gained from interaction with the subject of study, the researcher is obligated to maintain a positive relationship with participants in this research paradigm. According to Klenke (2016), qualitative research is founded on a relativistic, constructivist ontology, which holds that there is no objective reality. Rather, human beings who witness a phenomenon of interest generate many realities. According to Tamil (2012), people impose order on the world they perceive to construct meaning; meaning is found in cognition, not in external elements; information that enters our cognitive systems is screened, translated, altered, and possibly rejected by the knowledge already present in that system; the resulting knowledge is idiosyncratic and purposefully constructed. The constructivist paradigm was utilized in this research study since the primary goal was to comprehend a socially related issue, which necessitated many participants who were familiar with the phenomenon.

### **3.4 Research approach**

#### **3.4.1 Case study**

A case study, according to Dattalo (2017), is an empirical investigation into a current phenomenon that is conducted in-depth and in real-life situations - and, more significantly, when the borders between the environment and the phenomena are not well defined. Because it allowed for in-depth, close research and gave firsthand knowledge of the investigation's problem, a case study approach was chosen for this study. The uPhongolo Local Municipality was the case study for this

investigation. A case study approach, in the researcher's opinion, **was useful since it offered** a thorough contextual understanding of the problem being investigated. Yin (2019:63) stated that it "provides much more detailed information, as it allows for the use of a variety of methods of data collection (i.e., surveys, interviews, document review, and observation) and analysis in a variety of contexts, thereby providing a comprehensive view of the subject under study". This research looked at the drivers of vulnerabilities in informal employment in the agricultural sector, with a focus on informal workers who work and stay on a farm in uPhongolo Local Municipality. This study looked at the working and living conditions of rural informal workers and aimed to explore how government can intervene.

According to Yin (2019), a case study can be put into consideration when:

(a) The research aims to respond to the "how" and "why" issues. Inquiries like these generate more informative replies and have more likelihood to be applicable as the preferred asking strategy in case studies, history, or experimental investigations. Such inquiries begin with an operational link that must be followed across time (Yin, 2019). Yin (2019) goes on to say that using the words "what," "where," "how," and "why" is linked to exploratory inquiry. Such questions are intended to generate relevant assumptions and hypotheses that can be investigated further.

(b) The behaviors of participants in the research study may not be altered (Yin, 2019). Yin (2019) goes on to say that case studies are preferable when looking at current concerns. Case studies, on the other hand, should not be used to modify relevant behaviors. When dealing with the dead past, case study researchers prefer to use historical methodologies, particularly when it is difficult to observe the events under investigation or when there are no relevant witnesses to report on what occurred. To highlight the importance of data collection, the following evidence was used:

-Supporting textbooks/articles

-Documentations/

-Interviews

-Direct observation

-Participant observation

(C) The research's main aim is to explore ambient circumstances that are relevant to the phenomenon under investigation (Yin, 2019). In this case, the researcher aimed to explore the drivers of vulnerabilities in informal employment in the agricultural sector in uPhongolo Local Municipality.

(d) There are no clear distinctions between the phenomenon and the context (Baxter & Jack, 2018).

### **3.5 Sampling techniques**

According to Bryman (2015), a sample is a portion of a population that is chosen for research. Both Okyere (2013) and Bryman and Hanekom (2014) describe sampling as a method for choosing a small group to ascertain the characteristics of a larger group. According to Bryman (2018), a population is the range of units from which the same is selected. The universe has been mentioned because, depending on what the researcher is looking at, the population can represent not only cities but also nations, cities, regions, organizations, and many other things. The target audience of the study was the uPhongolo Local Municipality (Ncotshane Township), KwaZulu-Natal under the Zululand district.

#### **3.5.1 Non-Probability Sampling**

According to scholars like Gravetter and Forzano (2013), if a researcher utilizes non-probability sampling, the chances of selecting a certain person are unknown because the researcher does not know the size or composition of the population. As a result, not every member of the population under research has an equal probability of being chosen for a study. In this study, non-probability sampling was employed. From the start of the implementation phase until the occupation, members of the chosen population were free to share their perspectives. Not all sampling techniques are used in non-probability sampling in the same way that they are in probability sampling. As a result, non-probability sampling techniques include convenience sampling, purposeful sampling, snowball sampling, and quota sampling (Creswell, 2013; Neuman, 2014; Ritchie et al., 2013). While there are other sampling methods, as indicated above, this study used purposive sampling.

##### ***3.5.1.1 Purposive Sampling***

In this study, the researcher used a non-probability sampling strategy. This means that volunteers will be chosen based on the personal preferences of the researcher. Participants were chosen by



the researcher because they met the profile or had a connection to the study. The researcher did so by drawing on prior information about the study's goal. The main goal of the researcher was to recruit a small group of people (the sample) to come in for a face-to-face interview. The people in the research location who rely on informal agricultural work for a living, as well as officials from the uPhongolo Local Municipality's planning and development department (LED and IDP division), were the target participants of the study. The researcher also questioned workers in agriculture and rural development to gain important insights into intergovernmental relations. When employing a qualitative research design, non-probability sampling procedures such as purposive sampling, according to Etikan, Musa, and Alkassim (2016), can provide researchers with sound theoretical reasons for their selection of components to be included in their sample. DeFilippis (2015) argued that non-probability sampling requires researchers to make subjective judgments based on principles and application rather than using probabilistic processes (e.g., random selection) to generate a sample.

When a researcher chooses volunteers from a broad population on his own, this is known as purposeful sampling. This is because participants are picked based on the researcher's preferences, the population does not have an equal probability of being chosen using this method. A sample was selected from a population based on their prior experience and knowledge of the drivers of vulnerability in agricultural informal work. Participants were expected to submit accurate information about the research topic. In rural locations, informal employees have significantly higher general and occupational hazards than formal workers. Inadequate social protection, insufficient working conditions, gender-related risks, and insufficient access to risk-management mechanisms are all examples. According to the study, picking a small group of people was more effective because it would take less time. The primary goal of conducting in-depth interviews was to obtain answers to research questions about the vulnerabilities encountered by informal agricultural laborers, as described above.

According to Ritchie et al. (2014), purposeful sampling makes sure that participants are picked following the condition. Using a sampling strategy, ensured that all important major communities are chosen and that each sample has enough variance to maximize the influence of the relevant traits (Ritchie et al., 2013). To ensure that the entire community was represented while choosing a

sample, the researcher made it a point to interview people of various ages and colors. To better comprehend the study's research problem, the researcher carefully chose participants. According to Neuman (2014), because the researcher uses judgments of chosen instances and chooses cases with a particular objective in mind, purposeful sampling is appropriate for exploratory research. The sampling method utilized by this researcher was appropriate because the Municipality specifically identified the population in the study area.

Participants were chosen for this study based on their verbal abilities and activity level when they were initially visited. The researcher began visiting specific participants, selecting individuals with the most potential in terms of language abilities and awareness of the issue. The researcher was looking for knowledge/information as well as solutions to the above-mentioned study questions. According to Lorh & Sharon (2016), the sample used in the study is not typical of the population, although this is not a flaw for researchers using qualitative or mixed methodologies research designs. Rather, it is a decision whose aim differs based on the sort of sampling procedure employed. It is difficult to enlist the participation of the entire population in a research project, but selecting a few people is a terrific idea (sample). If the selected participants have meaningful information to supply the researcher during an interview, the sample can represent other people's opinions.

### **3.6 The sample and setting of the study.**

The researcher met with a group of volunteers (sample) from the target demographic. Separate in-depth interviews were done with each of these groups of participants by the researcher. A sample is defined as a "subset of the population elements resulting from a sampling procedure. Dattalo (2017: 3) asserted that "The population is represented by a sample". There is no predetermined number of people who must be questioned; the sample size is decided by several variables (Bryman, 2015). Bryman goes on to say that a large sample minimizes sampling errors and ensures the accuracy of the data. According to Creswell's (2015) recommendations on sample size, the sample size for qualitative research is always constrained to a small number of individuals or events. This is a result of the researcher's capacity to develop a thorough comprehension of the subject under study. This ability declines as the population increases.

Second, in certain circumstances, the research is limited to a single person or a specific location. Because qualitative research necessitates individual accounts, the larger the sample size, the more likely it is to get superficial opinions. Furthermore, gathering and interpreting data in a qualitative study takes a long time, and the addition of more people can affect the timetable of the study.

Category of participants	Number of participants
Rural informal employment workers	20
uPhongolo local municipality workers (LED and IDP division)	5
KZN Provincial Department of Agriculture and Rural Development	5

**Table 3: The study comprised thirty participants.**

The study comprised thirty participants in total. The first group comprised the rural informal workers (20) in the agricultural sector. The second group consisted of the Department of Agriculture and Rural Development officials (5), as well as uPhongolo local municipality workers (LED and IDP division) (5).

The thirty study participants agreed to participate and gave their written consent. The researcher then conducted an in-depth interview with mentioned participants with the intent to investigate the drivers of vulnerabilities in informal employment in the agricultural sector in uPhongolo Local Municipality.

### **3.7 Data-collection technique**

#### **3.7.1 Interviews (in-depth)**

This study utilized in-depth interviews as a data collection method. The interviews took place on a face-to-face basis. The researcher maintained and followed the rules and regulations of the

national lockdown to minimize the spread of the virus or getting it from the participants. The researcher observed the rules of social distancing, sanitizing, and cleanliness. The researcher asserted that in-depth interviews are the best strategy to collect information and answer the research questions mentioned above – because they allowed a dialogue between the researcher and participants. The responses of the participants were recorded and noted down. To prevent the virus from spreading or being transmitted to the participants, the researcher maintained and observed the national lockdown laws and regulations. The researcher observed the rules of social separation, sanitization, and cleanliness. In-depth interviews, according to the researcher, were the greatest method for gathering information and answering the above-mentioned research questions since they allowed a civil discussion between the researcher and the participants. The participants' responses were collected and written down.

Data was collected in Ncotshane Township, which is a rural township under uPhongolo Local Municipality using interviews. The interviews took place from the beginning of December 2021 until the end of January 2022. Each interview took forty-five maximum minutes to finish for all study participants. To gain access to the study location, the researcher first requested access from the gatekeepers (gatekeepers' letters attached as appendices). To ensure ethical principles were adhered to, the researcher requested the gatekeeper's letter from the study site's ward councillor. The participants were shown the obtained gatekeeper's letter, together with an ethical clearance approval letter from the University of KwaZulu-Natal's research office. Furthermore, the participants were given an informed consent form which outlined the goal of the study. The researcher made certain that participants could opt out of the study at any time and without penalty.

The researcher discovered via secondary data sources and was also made aware by a few farm workers that farm owners often deny access to their farms. The researcher visited five different agricultural farms in the study area. It was difficult to conduct interviews during working hours since workers were afraid their bosses would not agree to the interviews. As a result, the researcher interviewed all farmworkers in their farmhouses, where they live in the absence of their employers. The interviews were conducted on weekends and on days when farm employees were accessible. Most farmworkers lived in farmhouses near or adjacent to the farm (workplace). The researcher

noted that the living and working conditions were worse than what was depicted in secondary data sources.

In this research study, the researcher employed in-depth interviews as a data-collection tool because the study was qualitative. According to Milena (2018), most interviews consist of a set of standard questions administered one-on-one to all respondents so that accurate trends and gaps may be inferred from the data. According to Turner (2010:97) “Face-to-face interviews are the most prevalent, but for faster results, interviews can also be conducted over the phone or, as technology progresses, by video-conferencing and other means.” The consensus among study participants and the researcher resulted in the researcher acquiring concrete and accurate information regarding the issue of the study. As a result, the researcher contended that in-depth interviews were beneficial in gathering data on the subject area.

This type of data-collection tool (in-depth interviews) was important to this study since information acquired in person was more likely to be concrete and reliable. When conducting an in-depth interview, the interviewer's job was to urge the interviewee to keep talking and make sounds that indicate interest, such as nodding when the interviewee makes a key point. Typically, interviews begin with broad or broad questions that allow an interviewee to express themselves, and as time passes, the questions become more specific, requiring them to explain things in greater depth (Neale, 2016). According to Boyce and Neale (2016:68), “probes can be used to urge participants to expound further on a specific aspect of a topic of conversation.” During an in-depth interview, the interviewer was required to follow up on cues to obtain the 'real' interpretation of a phenomenon. Cook (2018) claims that allowing the participant to elaborate provides the researcher with more meaningful information, resulting in more detailed replies to the study topic. Allowing the person time to consider before responding is critical.

In this study, participants were given one-on-one interviews in which they were allowed to express their own opinions on the matter at hand. The participants were asked a series of open-ended questions. Open-ended questions, according to Ryan et al. (2019), do not need a one-word response and provide interviewees enough room to express themselves. Participants can react in their own words to open-ended questions. Furthermore, Ryan et al. (2019) noted that the researcher must

show an interest in their comments and ensure that they are not pressured to elaborate once they have finished. According to Robinson (2014), an open-ended inquiry will assist the researcher in analyzing concrete information that has been written and documented, which will aid in addressing the research questions. According to Boyce and Neale (2016), in-depth interviews are useful when you need detailed information about a person's thoughts and behaviours. Interviews are commonly used to contextualize other data (such as outcome data), offering a more complete picture of what occurred in the program and why it occurred. This data collection method was beneficial for this research study, according to the researcher, because it allowed the researcher to acquire primary information from participants.

In-depth interviews were used to acquire primary data, which was then combined with secondary data sources. These data sources combined are likely to assure study legitimacy, transferability, and reliability. Because the researcher understands the substance of a problem, telephone and in-depth interviews are appropriate data collection tools for him. A researcher can comprehend all facets of a study problem through primary data. This is because telephonic and in-depth interview questions do not limit participants' ability to elaborate. The following paragraph explains the recording and transcription process.

According to Creswell (2016), one-on-one interviews are costly and time-consuming for the researcher. The researcher asks questions and records responses from individual participants in these interviews; these interviews are ideal for those who are not afraid to speak up, can express their thoughts, and communicate freely (Creswell, 2019). According to Lofland and Lofland (as cited in Creswell, 2019), data recording is an essential component of qualitative research. The data recording process includes research methodologies, data collection administration, and ethical issues that may affect the data's validity. During one-on-one interviews with study participants, the researcher took notes. The researcher obtained permission to record the interviews before conducting them. Because some informal workers refused to be recorded for fear of their lives, not all interviews were recorded. They believed the situation was delicate and would land them in hot water. During one-on-one interviews with participants, the researcher took notes.

The researcher began transcribing the information after the interviews were recorded and noted. The researcher had to first translate all the participants' responses back to English because they

were written in IsiZulu, the study's primary language. The researcher created a folder and placed various files of each respondent after each interview transcript. Data analysis began shortly after all the interview transcripts were completed and filed.

### **3.8 Data analysis**

#### **3.8.1 Thematic analysis**

The researcher used theme analysis to make sense of the data gathered through the interviews in this study. According to Alhojailan (2012), every researcher wants their data to make sense, which necessitates analysis. The purpose of data analysis is to make sense of each data collection or to search for patterns and links within and across collections of data. According to Joyner (2018:51), “Data analysis in qualitative research using interviews, focus groups, experiments, and other methods will entail discovering common patterns within the replies and critically analysing them to meet the research goals and objectives.” The researcher conducted theme analysis using NVivo qualitative data analysis software version 12 and computer-assisted qualitative data analysis (CASQDA).

Thematic analysis, according to Boyatzis (2018), is a type of qualitative analysis. It is used to examine categories and find themes (patterns) in data. It displays data in detail and employs interpretations to cover a wide range of topics. The researcher chose this type of data analysis since it presents the obtained data clearly and understandably. This method of analysis allows the researcher to uncover themes that emerge from the acquired data, allowing the data to be simply interpreted. According to Braun and Clarke (2016), it allows the researcher to link the frequency of a topic to one of the whole contents.

According to Marks & Yardley (2014:312), “Thematic analysis allows researchers to connect the numerous thoughts and perspectives of the learners and compare them to data collected in various scenarios at various periods throughout the project.” Thematic analysis is important for this study because it gives the data obtained a clear meaning. This is because the researcher only selects themes that emerge and interprets them in a way that is concise and clear. Thematic analysis,

according to Namey et al (2018), is more concerned with identifying and describing hidden and visible themes than with counting explicit phrases or words. Thematic analysis was important in this qualitative study since it provided well-presented interpretations of the obtained data.

Qualitative research must be able to draw conclusions and be in line with the information gathered. According to Patton (2012), the interpretations of the participant are significant with regards to providing better insights into their activities, thoughts as well as behaviours. This type of data analysis is important since it makes the acquired data more logical and understandable, especially in terms of coding and categorization. According to Miles & Huberman (2014), thematic analysis allows researchers to code and categorize data into themes, such as how concerns influence participants' perspectives. Processed data can be displayed and grouped according to their similarities and contrasts in the case of a theme analysis. The procedure should comprise coding, categorization, and voting patterns to accomplish the objectives. Miles & Huberman (2014:139) stated that “collecting data with participants in various environments using a variety of instruments (e.g., observation, questionnaires, and interviews in one study) will allow thematic analysis to produce and present data more efficiently and reliably reflect the reality of the data collection.”

According to Boyce and Neale (2016), thematic analysis analyses data without relying on pre-existing themes, implying that it can be applied to any study that relies solely on participant clarifications. To put it another way, each remark or concept contributes to a better grasp of the difficulties, which leads to a greater awareness of the big picture. This is because each statement is correct in terms of comprehending a single notion or concept shared by several assertions. According to Yin (2010), ideas are formed to provide a complete picture of the learner's thoughts and behaviours. The researchers noted that thematic analysis is appropriate because the goal of the study is to investigate the drivers of vulnerabilities in informal employment in the agriculture industry. The application of this analysis allows for the understanding of themes that emerge from the data. According to Joyner (2018), each piece of data allows the researcher to better explain the data – for example, tabulated files give a relevant and convenient method for assisting and making comparisons through various theme maps. Furthermore, for some assertions, verbatim quotations lend supporting meaning to the data's interpretation.



### 3.8.2 Qualitative research process

#### Introduction

Thematic analysis which follows a predetermined and subsequent approach was used to investigate the causes of vulnerabilities in informal employment in the agricultural sector. This procedure was carefully prepared to guarantee that the findings reflected what participants said in their in-depth interviews. The technique was separated into two phases, with one research sample and qualitative analysis conducted.

#### Conducting qualitative analysis using NVivo

According to Joyner (2018), the method entails a step-by-step procedure for doing qualitative analysis utilizing the NVivo data management software application version 12. This approach contained eight parts in connection to examining the determinants the drivers of vulnerabilities in informal employment in the agriculture sector in the uPhongolo Local Municipality: Cleaning, uploading, and reorganizing are the first three steps. Exploring, Coding, Visualizing, Exporting, and Communicating Sources are all steps in the process.

*PHASE 1:* Conduct data cleaning. The data was transcribed and recorded in word documents, which were then exported into the NVivo data management software program version 12. Cleaning the data takes place before exporting the information. This entailed removing extraneous data and organizing the replies gathered from the participants. It was also about developing a unique identifying code for each focus group participant. The questions and responses of the participants were also examined.

*PHASE 2:* Upload the data into the NVivo data management software program version 12 to explore the drivers of vulnerabilities in informal employment in the agriculture sector in uPhongolo Local Municipality.

*PHASE 3:* Reorganize the information and begin categorizing it into appropriate categories. As a result of this procedure, nodes containing information contributed by participants were created. The nodes were made based on the collected responses of the participants to open-ended questions.

*PHASE 4:* Conduct data exploration before requesting information (using the 'Query' command). In other words, conducting an initial study by requesting the drivers of vulnerabilities in informal employment in the agriculture sector in the uPhongolo Local Municipality.

This was also utilized in in-depth interviews in conjunction with 'Word Frequency' to 'Finding matches' or 'Exact' to 'Similar' terms.

*PHASE 5:* Begin coding pertinent data in certain 'Nodes' in the data. The researcher chose to code with a consistency strategy to begin the coding procedure in this thesis. After the first coding process, the goal was to guarantee the consistency of the codes generated so that they could be readily categorized, and construct themes related to the drivers of vulnerabilities in informal employment in the agricultural sector in uPhongolo Local Municipality.

*PHASE 6:* After the data was coded, the researcher employed visualization to further study the data and gain a sense of the larger themes that were occurring and dive in further. Visualization aids in the discovery of new perspectives as well as the identification of new and interesting ideas. Furthermore, the researcher used visualization since it is a simple technique to disseminate findings to a wider audience.

*PHASE 7:* After completing basic coding, the researcher used an explore diagram to trace the connections and paths that were starting to form in the data. The researcher highlighted the themes that emerge from the coded data.

*PHASE 8:* Communicating Sources. The major goal of the study was to investigate the factors that contribute to vulnerability in the agriculture sector in the uPhongolo Local Municipality.

### **3.9 Conclusion**

The research design for this study was discussed in this chapter, as well as its relevance to the subject being researched. The significance of the study design, as well as its relevance to the researcher's goals, was also examined in depth. The research approach and sampling techniques used revealed the significance of choosing the appropriate demographics for the study and the impact it had on the outcome of the investigation. The researcher's handling of the data determines how the data is analyzed to reach the desired results. In this situation, data coding aided the researcher in performing the analysis, which is explained in the following chapter. The researcher analyzes the findings based on the data gathered through in-depth interviews in the following chapter. The information gathered is analyzed considering the research questions and objectives. Conclusions on the drivers of vulnerabilities in informal employment in the agriculture sector in uPhongolo Local Municipality are obtained from the research findings and relevant literature.

## **Chapter 4: Presentation of data**

### **4.1 Introduction**

This chapter presents data and discusses the findings. A discussion of the findings was based on the primary data with relevant literature (Secondary data). To provide a detailed discussion of the investigated problem, related themes were created. The seven themes below were developed for a discussion of study findings:

- Theme One: Challenges of informal workers in the agricultural sector
- Theme Two: Impact of social values and norms on informal workers in the agricultural sector
- Theme Three: The relationship between local government and informal workers in the agricultural sector
- Theme Four: The role of local governments in addressing challenges faced by informal workers in the agricultural sector.
- Theme Five: National, provincial, and local government perception of informal employment in the agricultural sector.
- Theme Six: The impact of intergovernmental relations on informal employment in the agricultural sector
- Theme Seven: Ways to hinder challenges faced by informal workers in the agricultural sector.

To ensure anonymity and confidentiality, the researcher used “ULM” for uPhongolo Local Municipality officials, “DOA” for Department of Agriculture and Rural Development officials, and “IW” for informal workers. The first part of this chapter breaks down responses from the various categories of participants, followed by a summary of the study findings, and lastly, a discussion of all the data collected infused with relevant literature review.

### **4.2 Breakdown of responses from the various categories of participants**

This section presented the summary of the findings from the various categories of participants, with the first set of findings from farm workers in the agricultural sector, followed by government officials’ results.

### **A. Farm workers in the agricultural sector**

All the interviewed farm workers perform farming activities and are Africans with the age range of 30-60 years old. With regards to gender, there were twelve male and eight female farm workers from various agricultural farms in uPhongolo Local Municipality. The highest level of education for most farm workers in this study was primary school or high school. In this study, almost 97% of farm owners were white, and close to 98% of farm workers are Black. The study found that there is the highest level of exploitation and racial discrimination in the agricultural farms in uPhongolo Local Municipality. According to Gumede (2021) when examining commercial labour in South Africa, it is critical to understand the sociohistorical elements that drive it, such as wages given according to race, which ensured that black farm labourers earned the lowest earnings in agriculture. According to Greyling (2021), agricultural workers were mistreated by their employers in part due to rules that were put in place to intentionally oppress the black population. As Pahle (2020) previously observed, government policy was aimed at increasing the profitability of White farmers for decades, notably when the National Party (NP) took control in 1948. Almost all interviewed farm workers (18 out of 20) indicated that they work under difficult conditions and that there is a lack of social protection. Most of the Farm workers (18 out of 20) cited the following issues about their experiences in the agricultural sector:

- Lack of social and medical protection schemes such as medical aid, UIF benefits, and provident funds.
- Low remunerations and unpaid overtime
- Salaries deductions without contractual or verbal agreement
- Exposure to pesticides and lack of hazardous chemical training
- Uncompensated on-duty injuries and working during terrible weather conditions without the provision of protective clothing.
- Lack of prioritization of Occupational Health and Safety for farm workers
- Lack of proper housing with lack of clean water, electricity, and proper sanitation.

The drivers of the above-mentioned socio-economic issues experienced by the informal farmworkers are highlighted in the following bullets:

- Lack of practical application of labour policies and regulations by the government

- Government's failure to include the farm workers when conducting site inspections or meeting with farm owners.
- Absence of documented labour contracts (Undeclared jobs)
- Lack of literacy programmes by the government to empower the farmworkers with labour policies knowledge and basic labour rights.
- Irregular farm inspections by the department of labour.
- Lack of farm workers' representative unions to represent workers' labour-related issues.

This study found that irregular farm inspections by the government's Department of labour make it difficult for the farmworkers to mitigate the labour and living conditions they are subjected to as the government's involvement is nonexistent. The study noted that female farm workers are exposed to possible sexual harassment, rape, physical abuse, and kidnapping since they work in male-dominated farms where there is no fencing or security in sight. The farms are not safe for women since the farmers force them to work extra hours and end up being knocked off late at night. Women face many potential crimes on farms and more especially where they live. There is a lack of security guards and as a result, they feel unsafe leaving early for work and when working overtime since they often come back when it is dark. Studies show that rural farm workers often live in substandard, overcrowded, and unsafe housing, lacking adequate sanitation and protection from various infectious elements. The study noted the above-mentioned issues require the government to conduct regular inspections and get full reports about farmworkers' labour conditions.

Agricultural workers are exposed to numerous environmental hazards, including chemical factors such as pesticides and air pollutants; physical factors such as those causing machine injuries and heat exposure; biological factors through exposure to viruses, bacteria, and parasites; and social factors such as inadequate access to sanitation services, housing and food insecurity, discrimination, and lack of social and job protection. Rural farm workers are a particularly vulnerable population group due to their limited knowledge of health risks and workers' rights at work, inadequate training to protect against environmental hazards, lack of access to medical care, documentation status, and language and/or cultural barriers. Farm workers are also vulnerable to

emerging health threats, including COVID-19 and climate change. Some of the study participants stated the following:

*Weather is a huge challenge for us. When the sun is extremely hot, we find it difficult to work, we get sick and most of us have skin problems because of this. We are not given sufficient PPE/uniforms to work, so during severe weather days, we struggle to work. For instance, when it is raining, we become wet in our clothes and when it is cold, we get the flu, cough, and can infect one another. (IW, 2021).*

*You know this thing of injury on duty payment, to them it does not apply. There are big dangerous snakes in the farmlands, which puts farm workers at elevated risk of getting injured or dying of snake bites. The farmers know these issues, but they would not do anything because there are no policies that they feel obligated to follow. (ULM, 2021).*

*Women are exposed to rape and kidnapping since they work in male-dominated farms where there is no fencing or security. The farms are not safe for women since the farmers force them to work extra hours and end up knocking off late at night. Women face many potential crimes on the farms and more especially where they live, the lack of security guards makes them feel unsafe to leave early to work and when working overtime, they often come back when it is dark. Some of them work far from home and thus end up living in farmhouses that are not looked after, moreover, they have no electricity or clean water. They live in unfenced farmhouses, so they are exposed to crime and dangerous animals like snakes. (ULM, 2021)*

All farm workers commented that most government departments are not adequately informed about the challenges faced by farm workers. The local municipality does not have an operational programme meant for supporting and empowering agricultural workers. The study found that there is minimal media coverage of rural areas' agricultural issues, and this contributes to a lack of government support for agricultural sector issues. Only the department of labour was noted as the only department that has made efforts to inspect agricultural farms, however, there are issues that farm workers highlighted regarding these inspections. The lack of coordinated farm inspections, bribing of government labour inspectors, and inaccessible agricultural farms were indicated as the challenges limiting the advancement of informal employment in the agricultural sector. This study found that even though the Department of Labour sometimes conducts farm inspections in a few

agricultural farms, there is a lack of consistency and commitment from the labour inspectors that come.

Most farm workers interviewed indicated that there is a lack of active collective-action by government departments to address vulnerabilities in informal employment in the agricultural sector. Below are some of the expressions by the interviewed farmworkers:

*Government departments have not made any effort to address the vulnerabilities of informal workers, there have been no farm visits or inspections for the past decade. Informal workers are suffering under the government's watch (IW, 2021).*

*Government departments tend to exclude us from their annual plans. They talk about the agricultural sector on Radio and in newspapers, but they do not come to check the working and living conditions of informal workers (IW, 2021).*

*There is no positive impact by any sphere of government on us. Farmers continue to exploit us as Black informal workers, we feel like we are still living during apartheid times the way they oppress us. So, intergovernmental relations have no impact because even local municipality that is much closer to us never visit farms and check working conditions (IW, 2021).*

In response to the lack of coordination planning for informal employment, the study indicated that the national, provincial, and local government must work together with ward councillors, traditional leaders, and Non-Governmental Organizations (NGOs) to address and investigate farm working conditions. There must be laws that will allow agricultural workers to have trade unions that will represent their labour issues. Most farmworkers had the following regarding one coordinated government plan.

*If government departments work together and include trade unions and other stakeholders, we can succeed as farmworkers. When the three spheres of government get involved, our issues may be addressed. It would be better to have a platform to lodge our complaints about the exploitation of agricultural farms. The municipality as part of the local government is much closer to us than other spheres, therefore, I believe it must start with them coming to the farms and inspecting our labour conditions (IW, 2021).*

*One government department is not enough to address the issues we face, I, therefore, believe that if they can work together, we can see the change we need. I do believe if the government works together, it can help us all because we are still working under difficult conditions and our places do not have toilets or clean water. It can also help in terms of getting salary increases because we get incredibly low salaries, but we work more than expected hours.*

When asked about the importance of governmental relations/coordinated governance in the agricultural sector, most farm workers cited that one of the positive impacts intergovernmental relations may bring includes a single coordinated plan to address working and living conditions of agricultural workers and inclusion of farm workers' insights when reviewing or introducing policies.

When participants of the study were asked about ways to address challenges faced by farm workers in the agricultural sector, most of them indicated a need for, increasing labour inspections, introducing labour rights and skills development training, introducing new policies through intergovernmental relations, and formation of farm workers' representative unions.

## **B. Government officials**

Government officials revealed that one of the prevalent drivers of vulnerabilities in informal employment is that; most farm workers are not registered and do not have a written contract with their employers. Richardson and Pettigrew (2022:131) argued that the "Absence of documented labour contracts makes it difficult for most farm workers fail to make ends meet, they are subjected to low remuneration and unpaid overtime". Salaries are a big challenge as they do not meet departmental standards which stipulate that each person who does labour at a certain workplace must be paid this much. This study found that farm owners often protect themselves against paying the national minimum wage by replacing workers with seasonal workers and foreign migrants, accelerating unfair dismissals, and increasing daily work targets but reducing the days and hours of employment. Government officials revealed that they are aware that in most agricultural farms, workers work till late and get home late, leaving them at considerable risk of becoming victims of



night crime. It is known to most government officials that farm owners disregard the rules and regulations stipulated by the Department of Labour regarding basic working conditions.

Farmers fail to provide their employees with information regarding the health effects of specific chemicals used at work. Moreover, farmworkers are not provided with boots, gloves, and warm clothes. Most farm workers live in crowded farmhouses making them exposed to respiratory diseases like TB and COVID-19. There are many dangerous snakes and other harmful animals on the farm, putting workers at an elevated risk since they do not have protective clothes. Farm workers operate big dangerous machines, and first aid kits are never provided. Farmhouses do not have electricity, flushing toilets, and clean water, as a result, most farm workers drink river water. There is a lack of flushing toilets this forces most farm workers to use nearby bushes even at night putting their lives at substantial risk. Informal workers are the most vulnerable workers in South Africa and there is less media coverage of the agricultural sector challenges. Comments from government workers suggest that agricultural workers must follow safety procedures when exposed to pesticides and be cautious of farm machinery, which may cause injury.

There is an element of exploitation experienced by the informal workers in the agricultural sector. Those who want to be part of unions that help fight for workers' rights are often threatened with being dismissed from work. The study found that interruptions on the uPhongolo Local Municipality's Local Economic Development (LED) Forum had an enormous impact on the agricultural sector since it targeted commercial and small-scale farmers. During the municipality's LED Forum, it was easy to engage farm workers' structures and know more about their challenges. The municipality is planning to resume its LED forum including district and local members because through this platform they can engage with community leaders who report social issues. This is a correct platform for informal workers to have their issues addressed, especially those who work on agricultural farms. Through the LED forum, the municipality focuses on commanding the farmers to register their workers for Unemployment Insurance Fund (UIF), and the importance of compliance (SARS, TAX, Bank accounts, and business cards). This forum dealt with informal employment because most workers are not registered and do not pay SARS tax. In this forum, the municipality also talks about minimum wages applicable in sectors, however, the municipality does not enforce these laws/policies. The study found that only the Department of Labour is authorized to enforce laws and to close the farm if it does not comply with the labour regulations

which aim to protect farm workers from exploitation. Some of the participants from the government's side stated provided the following verbatim:

*According to the law, employees must work 8 hours per day, but the farmers/employers end up making workers work unpaid overtime. Also, the rates when it comes to their salaries the farmers/employers would hire them and just decide to give them a small amount like R10, so this still reflects the lack of policies because when we talk about working rates, these are policies we find under the department of Labour. Within the labour department, there is a form that for instance tells you that a driver gets paid how much rate per hour, a seasonal worker in the agricultural sector is supposed to earn this much per day, and a permanent worker from agricultural farms deserves to earn this much. However, the farms that they work for belong to a white man, and the labour department cannot intervene because these are private institutes, even us as the department of agriculture even if we go there, we cannot intervene. (DOA, 2021).*

*Our employers deduct money from our salaries when we are sick and could not report to work, he requires us to produce medical certificate but still never pay us. There was a time when I was dying sick and could not work properly, I asked my employer to take me to the hospital he refused. (IF:2021)*

This study found that local government made attempts to bring agricultural development programmes, however, got interrupted in the past two years due to the COVID-19 pandemic. The funds that were allocated to fund agricultural programmes got diverted, it focused on programmes that teach agricultural workers how to protect themselves from COVID-19. This study also found that there are programmes that come from the district offices which focus on organizing and formalizing cooperatives and the agricultural sector, they include training that teaches agricultural entrepreneurs how to run and manage their agricultural farms. Furthermore, there are grant programmes that come from the provincial government to districts to support farmers who have hectares of land with developing their agricultural businesses and giving them tractors to farm. uPhongolo Local Municipality also has programme called the “ward upliftment programme” where farmers write proposals requesting assistance with fencing, goats, cattle, and crops. This study revealed that each ward within uPhongolo Local Municipality has its budget through the Local Economic Development (LED) office, together with ward councilors the LED office identifies prospective agricultural businesses and supports their work equipment. Programmes like

these are in existence, however, they are limited by budget issues, and they are not accessible to everyone. The study found that the existing programmes in uPhongolo Local Municipality are not directed at solving challenges faced by informal workers in the agricultural sector.

Most government officials from the uPhongolo Local Municipality stated that it is important that they work on the ground they work as a collective (joint farm inspection). It was stated that when the municipality organizes a business inspection it must become a joint work and the Department of Labour must be invited. In such joint farm inspections, the Department of Labour must deal with its labour-related issues on a particular agricultural farm and the municipality also must deal with its issues. It was stated that if there are health inspectors, they will deal with health-related issues. Moreover, most participants from uPhongolo Local Municipality revealed that the farmers often hire undocumented immigrants and pay them incredibly low salaries, which are below the standard minimum wage expected for any employee to earn in South Africa. Therefore, in a joint operation between various government departments, the Department of Home Affairs must deal with the identification of undocumented immigrants. The study noted that the local government's approach should be coordinated and comprehensive enough to deal with all labour challenges faced by farm workers in the agricultural sector and must be shared with all relevant departments for efficient resolutions. According to Adair and Neef (2018) the growth of the informal economy can often be traced to inappropriate, ineffective, misguided, or poorly implemented social policies often developed without tripartite consultation, the lack of conducive legal and institutional frameworks, and the lack of good governance for proper and effective implementation of policies and laws.

These are some of the drivers of vulnerabilities in informal employment in the agricultural sector. To further uncover the truth, it was critical to thoroughly explore the concept of farm employees' living standards, as it is crucial to labour dynamics in commercial farming. According to Richardson and Pettigrew (2022), workers are not provided a platform to mobilize and address specific issues such as working conditions and wages. According to Adams and Luiz (2022), there is a lack of protection by law or affiliated organizations in terms of health, occupational safety, social protection, or bias. As a result, there is no framework in place to ensure that workers' rights

are respected in a precarious situation (Adams and Luiz, 2022). The subsequent paragraph focuses on the discussion of the study's findings and engagement with the relevant literature review.

## Chapter 5 Discussion of the study results/findings

This section provides a discussion of the study findings. The discussion below is based on the seven (7) themes related to the study's objectives.

### 5.1 Challenges of informal workers in the agricultural sector.

Commercial farming's primary goal is productivity and profit. Workers' working conditions are often not prioritized despite their role in generating profit. According to Kheswa (2020), this has resulted in increased exploitation practices on farms, where workers' dependency increases productivity and profit. Fallentisch (2018) stated that in most cases, farm workers are powerless to address these exploitative practices due to fear of losing employment and eviction from the farmhouses they live in. The relationship between farmers and farm workers is difficult and needs far better improvement to achieve agricultural expansion, more employment, and better living conditions. The combination of living and working on farms endangers the normalization of labour relations. As a result of this connection, farm workers are vulnerable to evictions when they demand better wages and working conditions or seek additional part-time work off the farm. These labour challenges affect their personal lives. Most informal workers do not have spare time to spend with family since their employers force them to work extra hours, which are also unpaid. To this end, this section discussed the challenges informal workers encountered in the agricultural sector in uPhongolo Local Municipality. However, the section began with a discussion of the drivers of vulnerabilities in informal employment, prior, to discussing the challenges caused by these drivers. The section then provided a figure (*figure 1*) that illustrates the challenges of informal workers in the agricultural sector. After the Figure 1 illustration, the challenges faced by informal workers in the agricultural sector are discussed in more detail from the "drivers" point of view. As mentioned above, the discussion is based on the study's findings and infused with extensive engagement with relevant literature.

This study found that farmworkers are not protected by any active policies, and as a result, most of them are exposed to unfair dismissals and uncompensated un-duty injuries. These farmworkers are not covered by social protection benefits like medical aid, provident fund, or UIF benefits. The underlying sources of vulnerabilities in informal employment were non-declaration of jobs or employees; temporary or casual employment; and employment with hours or compensation below a predefined level (for social security contributions, for example). Furthermore, farmworkers are

vulnerable due to the lack of practical application of legislation and regulation by the government (Devereux, 2020). A lack of competent governance for the proper and effective execution of labour regulations and laws, as well as limited access to social protection and labour rights farm education, are important drivers of vulnerabilities in the agricultural sector. According to the study, the government's failure to implement strong labour norms and regulations is the cause of farm laborers' exploitation and indecent working conditions.

Bernstein (2018) considers farm workers to be the most marginalized because there is an inadequate sense of organization or mobilization among them. As a result, Devereux (2020) emphasizes that it is impossible to enforce some regulations because there are no platforms to address certain issues. According to a 2019 Human Rights Watch investigation, most farmers do not report farm accidents to the Department of Labour and do not register with the Compensation Fund. According to Human Rights Watch (2019), farmers take advantage of the fact that staff are not educated about the act. According to Kheswa (2018), a platform should be built to ensure the formalisation of the farming labor force so that rules are integrated into the agricultural sector.

Local government officials are at the coalface of regulating and managing the informal economy, however, face the challenge of balancing developmental approaches and managing its relationship to other economic activities (Skinner and Watson, 2018). There are a variety of positions and approaches by different local governments to address the informal economy. One of them can be 'inclusion' which acknowledges the informal economy as playing a significant role in economic growth, especially in rural areas. The researcher asserts that the results of adopting this strategy require concerted efforts by engaging local government, valuing, and supporting the informal economy in developmental ways. South Africa has adopted a development mandate for various sectors of government. The passing of the Business Act opened doors for the deregulation of the informal economy and for local government to proactively develop policies that would enable informal work. Alter (2019) argued that municipalities need to align their policies with national legislation and equally consciously adopt a socially just approach to deal with all forms of exclusion in their rural areas.

A local government may adopt inconsistent and contradictory approaches at various times to achieve certain goals (Alter, 2019). For instance, the government allocates trading spaces and subsequently evicts the very same traders. There could also be the support of informal activities

by one department while another department adopts a more repressive approach (Richardson and Pettigrew, 2022). In some instances, there are different views politically and administratively within one rural area where there are dissents on the approach to the informal economy. The political climate plays a significant role in determining local governments' gravitation toward repression or inclusion of the informal sector (Skinner and Watson, 2018). Pressure and multiple interests from various stakeholders also play a role in the approaches adopted by local government. Important decisions on how the informal economy should be addressed are not taken by local governments in isolation but require engagement and negotiation with multiple stakeholders such as politicians, the urban elite, residents, informal workers, and informal worker associations and associations.

In this study, the farm workers indicated that making attempts to communicate their problems with the Department of Labour often fails since they are not registered. In this study most interviewed farm workers revealed that the DOL does not consider them as legitimate workers, and this makes it difficult for them to get labour-related support. This is an indication that being an unregistered temporary worker in the agricultural sector leads to the existing vulnerabilities mentioned by the interviewed workers. The study conducted by Chirume (2019:68) revealed that “The farm workers frequently battled to claim Unemployment Insurance Fund (UIF) for their departed relatives, and that DOL officials did not attend to claims submitted by farm employees who were injured while on duty. According to Chirume (2019), the DOL’s failure to attend to farm workers’ requests make them believe that the DOL primarily listens to farmers and speaks with farmers only.

In this study, the lack of inspection and supervision by the DOL was revealed as one of the drivers of vulnerabilities in informal employment in the agricultural sector. Most agricultural labourers complained of being overlooked and mistreated by the DOL farm inspectors. Most farm workers revealed that the DOL’s inspectors often exclude farm workers’ inputs when doing site inspections, ultimately failing to report labour existing labour issues. Similarly, to Chirume (2019), whose study noted close to 80 farm workers at the Kouga Farmworkers Reunion in Port Elizabeth, EC, officials from the DOL took long periods to respond to workers' grievances such as hazardous working conditions, and unfair dismissals. Based on the study’s findings, the above-mentioned “drivers” create the following challenges in informal employment in the agricultural sector.



*Figure 3: Challenges of informal workers in the agricultural sector.*

*Source: Compiled by the researcher*

### **5.1.1 Low salaries and unpaid overtime**

Based on the findings of this study and as seen in figure 1 illustration above, it should be noted that South Africa's agricultural sector workers are among some of the least-paid workers in the country. It should be noted that employers tend to exploit these workers by paying them low salaries which are below the national minimum wage and there is a lack of labour legislation to protect them. Stats SA (2022) stipulated that Employment and Labour Minister TW Nxesi had announced that the National Minimum Wage (NMW) for each ordinary hour worked had been increased from R21, sixty-nine to R23, nineteen for the year 2022 with effect from 01 March 2022. According to Stats SA (2022), this announcement was made in Section 6 (5) of the NMW Act (Act NO 9 of 2018), to amend the NMW contained in Schedule 1 and Schedule 2 of the National Minimum Act, published under Government Notice No.44136. In the interviews, the researcher noted that most informal workers are paid low salaries and sometimes experience unpaid overtime. The researcher also found that leave is solely up to the farm owner who deems it appropriate. This



lack of autonomy directly correlates with the conclusions of Visser (2016) and Falltisch (2018), who stated that farm workers have little say in when they are allowed to take leave and that, in many cases, when they choose to do so, it is unpaid. According to the Human Rights Report (2017), the lack of say farm workers have in their leave, combined with their workload, means they are overworked.

It could be interpreted that low salaries cannot sustain farm workers for the whole month as they are still expected to send money home for their children and other family members. Furthermore, low salaries lead to food insecurity among their family members. Some of the responses below represent the challenges most farm workers face in the agricultural sector:

*I earn little money, I get R2000 per month and I cannot even afford to buy food for my kids at home. I know the government said it should be R35000 pm. We clock in early, and we work in sunny weather, and our bosses do not respect our time. When I am sick, I will have to go to the doctor for medical attention using my own money. We are getting exceptionally low salaries here and doctors are expensive for us when we must pay for medical attention. (IF:2021)*

*We do not get our salaries on time, we are supposed to be paid on the 25<sup>th</sup> of each month but we often get it on the 29<sup>th</sup>, when we complain the farmer threatens to kick us out of his place. Also not keep time, we clock in early in the morning but get released late, and there is no lunch break. Due to low salaries, most of us are unable to open savings accounts or to even have the means to rebuild our lives (IF:2021).*

*Transport is expensive, and we are paid incredibly low salaries, we cannot even afford to support our families financially. The farmer never provides us with transport at night after overtime working, we are always left stranded then we hike cars passing by. This puts women at elevated risk of rape and abuse. (IF:2021).*

The above verbatim from farmworkers demonstrates that delaying payment inconveniences workers' financial planning. This is in line with Visser & Ferrer (2019) who stated that children of farm workers are more likely to be stunted and underweight than any other children. According to Visser & Ferrer (2019), a survey of North-West province farms found that 43.6 percent of all children were underweight or stunted. It was further stated that about 6.7 percent of children under ten were wasted. Since the study's findings revealed that farm owners underpay their employees

and delay their payments without valid reasons. One is of the view that there must be strict government policies that stipulate the consequence of mistreating workers, for farm owners to rethink their ill-treatment towards workers.

It was noted that most farmers refuse to comply and rely on low levels of unionization and infrequent and inadequate labour inspections by the Department of Labour. Oosthuizen (2016, 180) found that “most low-paid workers are black Africans, female workers, the youth, the uneducated, and those with low levels of education”. Irregular farm inspection and lack of coordinated government planning lead to the above-mentioned challenges. The researcher noted that without governments’ collaborative intervention, workers are likely to continue to receive low wages, have poor housing facilities, and have poor access to education. This is in line with the views of most farm workers who stated the following:

*Farm owners can only work well and comply with labour regulations if intergovernmental relations enforce basic salaries that are regulated. The municipality and the department of Agriculture need to get together, investigate the challenges of the informal sector, and put policies/acts that will regulate the sector (IW, 2021).*

The study participants from the government’s side had a similar view on the issue of inconsistent working hours and unpaid overtime that farm workers face in the agricultural sector. The quote below demonstrates the sentiments of most interviewed government workers from uPhongolo Local Municipality:

*Most farmworkers work in the harsh working environment and paid work leave often does not apply. In agricultural farms, there is something called “no work no pay,” it is like they do not have leave days. They get paid based on how much they have worked, and sometimes they work extra hours which are mostly unpaid. Sometimes you get someone who is sick because of workplace-related sickness, when they go to the clinic, their employers still require them to report to work afterward (ULM, 2021).*

These narratives from the participants indicate that workers under challenging circumstances are characterized by physical work with long working hours in harsh weather conditions. This correlates with The Human Right Watch Report (2017), which detailed the conditions under which farm workers must work. The report highlighted workers having to work long hours (on average

9 hours per day) in harsh weather conditions, in many cases without access to water and toilets. Similarly, Atkinson (2017) stated that farm work is physically draining, exacerbated by hostile weather conditions. Wells (2017) noted that the nature of agricultural work has always been such that people have had to work in difficult and uncomfortable physical conditions, often being exposed to the weather and working long hours to maximize the value of crops. The participants from the government's side indicated that working hours that often exceed forty-five per week is a direct violation of human rights. The participants of the study from the Department of Agriculture and Rural Development stated that:

*According to the law, employees must work 8 hours per day, but the farmers/employers end up making workers work unpaid overtime. Also, the rates when it comes to their salaries the farmers/employers would hire them and just decide to give them a small amount like R10, so this still reflects the lack of policies because when we talk about working rates, these are policies we find under the department of Labour. Within the labour department, there is a form that for instance tells you that a driver gets paid how much rate per hour, a seasonal worker in the agricultural sector is supposed to earn this much per day, and a permanent worker from agricultural farms deserve to earn this much. However, the farms that they work for belong to a white men, and the labour department cannot intervene because these are private institutes, even us as the department of agriculture even if we go there, we cannot intervene (DOA, 2021).*

The researcher is of the view that exceeding 45 hours per week violates the Department of Labour's Sectoral Dimension 13 for Farm Workers, which states that workers are only allowed to work a maximum of 45 hours per week.

The researcher noted farm owners' failure to allow workers to work 8 hours per day reflects the lack of policies that regulate working rates. These policies are found under the department of Labour, however, this study revealed that farm owners often disregard these labour policies. Based on the responses provided by participants of the study, it could be argued that government policies towards hired farmworkers are not consistent. This finding is consistent with the views of Devereux (2020:386) who stipulated that "Many governments enact protective labour laws after particular incidents involving farm worker protests or injuries, but few have policies to encourage farm employers to abide by these laws and raise labour standards and productivity over time so that agriculture provides higher-wage and safer jobs for more skilled workers".

During the interviews the farm workers displayed signs of wanting to leave the agricultural farm work and get a better job, however, they are restricted by their level of education. Most of the farm workers (18 out of 20) explained that being illiterate and unskilled forces them to remain on farm jobs despite the exploitation and discrimination they encounter daily. The response below is by a female farm worker interviewed by the researcher:

*We earn an income that does not even buy one full school uniform, yet our work makes him get millions every month. This affects my personal life and my children. When I am earning a low salary even when working overtime, it causes me serious stress and depression. When I work overtime, I usually inform my children so that they know I could not come back home because I am working extra hours. When I tell my children about working overtime and on holidays, automatically they think I am going to be paid the extra money and I will be able to send them more money. So, when the farmer fails to fulfil his promise of overtime payment, I become incredibly stressed, I think about how this is going to affect my children. (IW, 2021)*

Based on the responses above, it could be noted that most farm workers in the agricultural sector are sometimes deprived of opportunities to provide for their families due to a lack of sufficient remuneration. By engaging with the literature and primary data collection, the researcher noted that within the department of labour, there is a form that stipulates workers' rates per hour and how much a seasonal or permanent worker in the agricultural sector is supposed to earn per day. Despite the policies, the study found that most of the agricultural farms are considered private institutes, making it difficult for government departments to intervene. This again proves there is a need for collaborative action plans by various government and non-governmental institutions to address the challenges faced by farm workers in the agricultural sector. Most farmworkers revealed a need for collaborative working to solve labour issues they encounter:

*Government working as a team may help in terms of getting salary increases since farm workers get incredibly low salaries, despite working more than expected hours. If provincial and local governments fail to address the work issues the national government can intervene (IW, 2021).*

### 5.1.2 Salary deductions

Most informal workers mentioned that the farmers tend to deduct a certain amount from their salaries without contractual or verbal agreement. According to the Department of Labour (2016:9), “An employer must supply a farm worker when the farm worker starts work with the particulars in writing. This includes a brief description of the farm worker's work, the farm worker's ordinary hours of work, the farm worker's wage, and any deductions to be made from the farm worker's wages.” The Republic of South Africa (2018) stipulated that an employer may not make any deductions from a farm worker's wages except for clearly prescribed items and within limits not normally exceeding 10 percent of the farm worker's wages. The researcher notes that farmers are not allowed to make salary deductions without verbally communicating with them or clearly stating reasons for deductions. The Republic of South Africa (2018:68) stated that “The Sectoral Determination for Farm Workers stated that all farm workers must have written contracts and must be paid at least the minimum wage, which is set at hourly, daily, weekly, and monthly rates, and is updated every year”. This study notes that farmers' failure to provide their workers with written contracts and to respect working hours is a reflection that labour rights of farm workers are violated in the agricultural sector.

Responses provided by farm workers reveal that employment in agriculture varies markedly from other formal sector employment. This study found that workers mostly depend on the farmer for continued access to services, and goods, especially homes and employment. Devereux (2020) stated that farm workers' dependency on farmers reflects limited access to education opportunities, most farm workers are not educated about labour rights as a result fail to challenge oppressive working conditions. Therefore, the level of illiteracy in the agricultural sector is one of the drivers of vulnerabilities that farm workers are subjected to. The interviewed government officials stated the following concerning farm workers' illiteracy:

*Most of the farm workers do not have formal education and are perceived as people who have given up looking for jobs in a formal labour setting. Due to this fact, they resort to agricultural farm jobs where labour regulations are hardly adhered to. They work for white farmers who exploit them, they remain in such jobs because they are dependent on the little salaries they get (DOA, 2021).*

Atkinson (2017) argued that the isolation of workers from sources of information and social support beyond the farm prevents workers from accessing their labour rights-even when they are informed of them. The researcher has also observed that salary deductions without verbal or written agreement with the workers by the farmers result from a lack of union membership to represent the labour rights of farm workers in the agricultural sector. This study found that isolation and low mobility levels have various effects, including their inability to mobilize farm workers. This aligns with the assertion by Devereux (2020) who stated that it is difficult for unions to access workers, and it is difficult for workers in the agricultural sector to access unions. The Human Right Watch Report (2017) stipulated that isolation and low levels of mobility are also considered as one of the causes of the cycle of debt most farm workers are caught in. Some farm workers borrow money directly from farmers or buy food from farm shops. Sometimes, the farmers force farm workers to buy farm-produced food at set prices and deduct it from their salary. Below is a response from one female farm worker interviewed:

*The farm owners have a store where farmworkers take food on credit. Their food is expensive and double the normal price. They sometimes deduct money from our salaries and claim that we owe their store money, yet we did not take any food on credit that month. If we had unions to represent our labour issues, farm owners would be held accountable for this exploitation they subject us to (IF:2021)*

### **5.1.3 Poor Occupational Health and Safety**

The research found that the provision of health services to farm workers through the country's public health system remains inadequate due to the lack of attention given to their labour challenges. According to the findings of the study, most agricultural employees are unregistered, resulting in a lack of social and medical protection systems such as medical aids, UIF benefits, and provident funds. The South African Health Review (2021) revealed that the agricultural sector is one of the largest employers in the country, with approximately 811000 workers recorded in Quarter 4 of 2020, and most of them experience harsh environmental and working conditions. All the farm workers mentioned that their health is often put at a greater risk since the farm owners often do not prioritize the health and safety of workers in the agricultural farms. Studies show that poor housing conditions are one of the main factors affecting the health of farm workers and leading to the spread of various contagious skin diseases, respiratory diseases, infectious diseases,

and injuries (Smith, 2019). Some of the comments by the interviewed farmworkers include the following:

*We live in a dangerous environment, the farmhouses we are placed in are dirty and cause various contagious diseases. Farm owners placed us in housing structures that are not safe at all, we live in fear. In the farmhouses, one of our colleagues was bitten by a snake and only got medical attention after three hours. When we informed our farmer/employer of that incident he did not bother to come and check up on the man who was bitten by the snake instead he swears at us and dropped his phone (IF, 2021)*

*We work even during heavy rain weather, sometimes it is extremely hot, but the farmer will force us to work without a resting break, and he does not provide us with water. Our farmhouses are in unbelievably bad condition we live like slaves; no toilets, windows are broken, and the roof is leaking. In the workplace, we see big snakes, and when we complain about it our employers would tell us to finish the job and swear at us. When a snake bites you, it will take time for you to get medical attention because we are far from hospitals (IF, 2021).*

The researcher notes that the challenges of farm workers interviewed in this study contrast with Para (2019:105) who stipulated that according to The Occupational Health and Safety Act (OHSA) “Every employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of his employees”. This mirrors that farm owners’ failure to follow labour regulations on occupational health and safety is a direct violation of human rights.

The researcher noted that farmworkers’ work-related issues make it difficult for them to engage in personal activities such as clinic check-ups. Some of the challenges noted by the participants of the study from the government's side include the following:

*Farm workers work on agricultural farms where social protection and safety of workers are not considered a need. The agricultural farm labour challenges do not get public attention as formal sectors. There is a lack of health protection since their employers do not provide them with employment contracts that display social protection benefits such as medical aid. Also, women carry heavy machines when working and this affects their bodies and may make it hard for them to conceive babies. Parental leave is not paid for, and the farmers only care about profit, so the*

*safety, health, and well-being of female farmworkers are not prioritized in informal employment in the agricultural sector (ULM).*

*There is a lack of health protection in this type of employment, the informal workers do not have medical aid for health care emergencies. This hurts the farmworkers' well-being and compromises their health. For instance, when farmworkers are working and get harmed by a dangerous snake, they are forced to run themselves to the nearby clinics since farm owners usually do not provide any transportation for such emergencies (ULM, 2021).*

These findings demonstrate that most farm workers cannot afford to pay for hospital bills when they get ill or injured on duty. This leads to many farm workers feeling depressed and this affects their mental health. These findings are validated by South African Health Review (2021:26) which stipulated, "Despite vast improvements in South Africa concerning access to health services, as well as arrangements for workplace health and safety, farm workers continue to face poor living and working conditions".

The law requires that employers identify the hazards and risks to the Health and Safety of employees in the workplace and establish precautionary measures to ensure such hazards are mitigated. The researcher noted ensuring that workplace hazards and risks are identified is accomplished by conducting a Health and Safety Risk Assessment. Martins (2020:94) stated that "The term "Health and Safety Risk Assessment" is used to describe the systematic process and method whereby hazards are identified, and risks assessed in the workplace". Martins (2020) further stated that the risk assessment is used to document information regarding the potential hazards and the risk level associated with the potential hazard and establish control measures that should be implemented to eliminate and mitigate the hazards. Para (2019) stated that farmworkers are essential to South African agriculture and action needs to be taken to support them through a range of policies (e.g., the Occupational Health and Safety Act [No. 85 of 1993]), training and educational programmes minimizing risks from environmental hazards and protecting them through improved access to essential goods such as health care, safe housing, water, and food.

This study found that informal workers in the agricultural sector are often forced to work even during terrible weather conditions. This can be noted as one of the reasons a few workers revealed to the researcher that they are often depressed due to work stress and others failing to be productive at work. Horrible weather conditions are also a challenge because these farm workers are expected



to work no matter how heavy the rain is. This again mirrors government's irregular farm inspections leading to farm owners disregarding labour regulations putting workers at a higher health risk. Sometimes farm owners require their employees to complete the work even when there are massive thunderstorms and extremely freezing weather. This is a challenging working environment for most farm workers as they can get the flu and infect one another. After engagements with farm workers interviewed in this study, the researcher also discovered that most of them had skin problems and damaged hands due to the working conditions to which they are exposed. Working under severe weather puts them in a vulnerable condition because they may get struck by lightning, which can lead to loss of life. Some of the farmworkers have chronic diseases and rainy and wintry weather compromise their health or make their health condition worse. The following section focuses on agricultural sector issues related to hygiene and sanitation.

#### **5.1.4 Lack of Hygiene and Sanitation**

In this study, both informal workers and government officials agreed that agricultural workers are the most vulnerable workers in South Africa, however, this is never reported on the news. The absence of documented labour contracts (Undeclared jobs) leads to socio-economic challenges like poor access to social and health protection benefits for farm workers. All the farm workers (17 out of 20) revealed that the farmers do not provide essential health and safety precautions. Numerous authors like Falletisch (2018); Kleinbooi (2019); Devereux et al (2017) shared the same perception that on-farm housing is uninhabitable in many cases, with critical structural damages and inadequate necessities such as electricity and water. Falletisch (2018) also reported that only a small number of farm workers have access to running water, flushing toilets, electricity, and telecommunication. Kleinbooi (2019) concurred with Falletisch (2018) by adding that farm workers' limited access to running water severely impacts their sanitation, leading to illnesses and infections. Devereux et al (2017) shared experiences of farm workers who have resorted to borrowing water from neighboring due to lack of water or being supplied with dirty and undrinkable water in their farms. Devereux et al (2017), Kleinbooi (2019) and Falletisch (2018) are all in agreement that overall housing conditions on agricultural farms are poor and that this severely impacts their health and safety.

Farmworkers must have access to regular water breaks with safe drinking water, basic sanitation, and hygiene (e.g., soap and water for washing hands) at the workplace and where they live.

According to the Department of Labour (2018), this is important because access to basic water, sanitation, and hygiene services prevents the spread of disease and biological hazards, particularly bacteria, viruses, and intestinal parasites. Husy and Samson (2018) stated that the poor conditions in most migrant farm worker housing contribute to various adverse health outcomes, such as dermatitis and poor skin conditions, lack of sleep, and high transmission of infectious diseases, including tuberculosis. In addition, Budlender (2016) argued that substandard housing conditions can compound the negative impacts of the various environmental and occupational threats faced by agricultural workers. These include exposure to environmental pollutants, poor working conditions due to farm practices, and the impact of heat waves and extreme working conditions associated with climate change.

In addressing the above housing issues, it can be pointed out that taking measures to improve housing conditions and reduce crowding could lead to reduced transmission of infectious diseases and improved mental health outcomes. Research on the housing conditions of rural workers also shows that a family's well-being is not only negatively affected by poor housing conditions but also by the associated negative characteristics of the neighborhood in which their home is located, such as lack of access to healthy food and long car journeys to a grocery store. Kleinbooi (2019:94) “found that the common negative effects of poor housing and neighborhood characteristics include lack of sleep, increased stress and family conflict, and social isolation (particularly in rural settings)”. This study finds that interventions to reduce social isolation are warranted as it has been associated with adverse mental health outcomes and increased domestic violence.

This study revealed that women are more vulnerable in many aspects than men in the agricultural sector. These vulnerabilities are caused by the lack of literacy programmes by the government to empower the farmworkers especially females with labour policies knowledge and basic labour rights (Bernstein, 2018). The dignity of farm workers, especially women, is adversely compromised as the lack of water forces them to use bushes to relieve themselves. This means women farm workers who use bush are at elevated risk of sexual harassment and physical abuse. The study revealed that in the cases when toilets are provided, they are usually unhygienic. When asked how they feel about this situation, most responded that it makes them feel ‘uncomfortable’ and ‘unsafe,’ while others stated it is ‘dangerous’ and ‘emulating.’ This correlates with the Department of Labour (DOL) (2018) which stipulated that a few workers enjoy full labour rights

and females enjoy fewer rights than males. The researcher noted that most women are casually employed; thus, the risks mentioned above apply. This finding is like the research conducted by the Women on Farms Project (2017) in the Northern Cape which found that farmers frequently violate the rights of farm workers, and women are usually at greater risk of unfair labour dismissal than men. Husy and Samson (2018:61) found that “More than two-thirds of women seasonal workers surveyed do not have access to toilets in vineyards where or orchards where they work, are exposed to dangerous pesticides within an hour after spraying and are not provided with protective clothes by the farmer, as required by law”.

Based on the above-mentioned labour challenges, government has failed ensure enforcement of policies on farm working and living conditions to ensure the safety of workers. For workers to be safe, these policies must be presented to all agricultural farms with both farm workers and farm owners present. The researcher is of the view that once policies are practically implemented, and farms are frequently inspected there would be minimal cases of security issues experienced by workers. Budlender (2016) noted that domestic workers in South Africa and farm workers are the lowest-paying occupations with elevated levels of vulnerability, exploitation, and precariousness. This study notes that farm owners’ failure to provide sanitizer, masks, and cleaning soaps for workers to wash their hands at work defeats the government's effort to promote a healthy and hygienic working environment (Gumede, 2021). Further, working in a dusty and unhygienic environment may lead to lung diseases, again this reflects the government’s failure to review and enforce existing policies in the agricultural sector. Data from NAWS (2019) shows that more than 90% of farmworkers surveyed have access to water for hand washing, drinking water, and toilets; Still, rural workers born outside of the United States, including Mexico and African countries like South Africa, those who were undocumented, and those who were hired on a piece-rate basis were significantly less likely to have access to water for hand washing and toilets. These findings reflect an urgent need to address the issue of hygiene and sanitation in agricultural farms in South Africa. The following paragraph focuses on the lack of compensation for work injuries in agricultural farms.

### 5. 1.5 Lack of Compensation for Work Injuries

All the interviewed (20 out of 20) farm workers are unfamiliar with the Occupational Health and Safety Act and do not know the right procedure to follow when they get injured on duty. Government officials also revealed that farm owners fail to take care of ill or injured on-duty farmworkers. One of the participants from the government stated the following:

*Since most farmworkers are not registered, you will find that one of them gets injured by some of the machines on the farm, breaks their leg or something worse happens, and they will be told to go sit at home. Farmworkers do not usually get taken care of by the employer/farm owners. The farm owners do not facilitate their employees' recovering process to ensure they heal and be fit enough to come back to work. Employers do not do check-ups or intervene; it is only the family of the injured farmworker that usually takes care. There is major exploitation and abuse experienced by informal workers, but they continue working because they must put food on the table for their families (DOA, 2021).*

Para (2019) stated that the Compensation for Occupational Injuries and Diseases Act (COIDA) stipulates those employees who suffer occupational injury or disability on duty are entitled to compensation from the Compensation Fund. In South Africa, all employers must register with the compensation commissioner and report any accident reported by employees to the commissioner, who considers the claim and determines whether compensation should be paid. The researcher has noted that many farmers take advantage of farmworkers' lack of familiarity with labour regulations, and do not report work-related injuries to the Department of Labour, nor do they register with the compensation fund. This demonstrates that farm workers' illiteracy and unfamiliarity with labour rights contribute to their labour vulnerabilities. The farmers hire seasonal workers who lack labour rights knowledge and are not part of any trade unions to represent their labour cases. Devereux (2020:387) stated that "Seasonal workers are less likely than permanent workers to be familiar with the Act or the procedure to follow in case of injury while working". Farm owners' failure to compensate for on-duty injuries may be one of the essential labour issues to be discussed by the government when amending agricultural sector policies.

The farm workers mentioned that they often see dangerous snakes in their agricultural farms, yet the farm owners tend to disregard such challenges. Workers who are injured on duty are likely to suffer severe medical conditions, and this is due to farm owners' failure to adhere to labour

regulations. This study also found that it has become a norm in the agricultural sector for farmers to disregard the prioritization of workers' healthcare and safety and this puts workers in a vulnerable position. Most farm workers disclosed that they know somebody who was injured while on duty, and such accidents are barely reported to the Department of Labour. This finding shows that most farm workers do not report on duty-injuries and continue working because they fear losing their jobs. **This mirrors that the department of labour (DOL) fails to practically implement and monitor labour policies in the agricultural sector.**

The study noted that snakes are a huge problem in most agricultural farms, and they appear anytime, especially during sunny weather. The dangerous snakes can lead to harm or death, moreover, farm workers' health is compromised by working in such a dangerous condition. The researcher perceives the issue of working in a dangerous environment as a matter that needs urgent local government attention since working in fear will eventually minimize farm workers' work ethic and commitment. Working in fear and being less productive puts farm workers in a difficult position since farm owners can dismiss them anytime. This again is an indication that the agricultural sector needs to be regulated and local government must play a leading role in facilitating collaboration with other stakeholders.

#### **5.1.6 Poor Provision of Protective Clothes**

The research found that all (16 out of 20) farm workers do not have a protective work uniform. WHO (2019) stated that workers must wear personal protective equipment (PPE) to protect against hazardous conditions and/or environments. Farmworker Justice (2017) noted that PPE is used when engineering and administrative control measures are either not possible or insufficient to reduce exposure to an acceptable level. For PPE to be effective, it must be carefully selected, fitted, used, and maintained. PPE includes respiratory protection, protective clothing, hearing protection, and eye and face protection (Ali, 2018). Participants of this study revealed that they do not have protective clothing, including safety boots, gloves, and hats. Even though most farm workers expressed their anger for not being provided with a protective uniform, a few (4 out of 20) farm workers revealed they received it. The researcher noted that there are times when farmers buy overalls and safety boots and expect the workers to pay for them. This contrasts with Paulikova, Babelova, and Ubarova (2019) who stipulated that "According to OHSA: 'No employer shall in

respect of anything which he is in terms of this Act required to provide or to do in the interest of the health or safety of an employee, make any deduction from any employee's remuneration". The researcher notes that many farmers violate this requirement by forcing workers to buy their clothes or deducting the cost from their wages.

This study revealed that some informal workers use chemicals daily without protective clothes to protect them. The Occupational Health and Safety Act instructs employers to take steps to mitigate any potential hazards to the health or safety of their employees (Paulikova, Babelova, and Ubarova, 2019). The researcher holds the view that employers must be prevented from permitting employees to work with hazardous substances unless appropriate precautionary measures have been taken. Paulikova, Babelova, and Ubarova (2019) had a similar view when stipulated that employees must always be provided with information explaining the use of substances at work and the risks to safety and health associated with such substances. Furthermore, according to the Hazardous Chemical Substances Regulations, employers must provide protective clothes to employees exposed to hazardous chemicals such as pesticides (Farmworker Justice, 2017). According to WHO (2019:31) "In developing countries, incidents involving handlers of pesticide occur more often and the health impacts may be more immediate, given a frequent lack of PPE and minimal education about the correct way to spray chemicals." Para (2019) argued that about 20 % of the approximately 800 000 people who die from suicide every year do so by ingesting pesticides. This number of people who die from pesticides proves that farm workers are at greater risk and there is a need for solutions. The study found that there is currently no comprehensive health and safety program for rural agricultural workers in South Africa. Therefore, to effectively control or eliminate hazards associated with farm work on arable farms, a comprehensive OSH program for these workers is essential (Hattingh and Acutt, 2018).

This study found that some farm workers who work on farms where pesticides are applied without their knowledge are unhappy with not being informed about the negative side effects of the substance. Some farm workers argued that they had breathing, eye, and skin problems after contacting places where pesticides had been applied. Similarly, (McCauley, 2016) noted that pesticides could lead to intense health effects ranging from diarrhoea, neurological deficits, dermatological issues, vomiting, and cancer to name a few. The number of hours farmworkers spend on the farm, in close with pesticides, puts them at a greater risk of suffering more chemical

injuries and illnesses than any other workforce in South Africa (Farmworker Justice, 2017). Larsen et al. (2017) also stated that There is evidence that farmers, their families, and those living near agricultural areas may be exposed to long-term health risks associated with pesticide use, although the effects of pesticide use often go undetected. Agricultural noise is another common farm health hazard (Toombs, 2016). The farm worker is constantly exposed to elevated levels of noise. Noise exposure can lead to noise-induced hearing loss and a permanent hearing threshold shift (Schoeman and Schrder, 2019; Hattingh and Acutt, 2018).

More than any other occupational group, agricultural workers are exposed to a variety of environmental hazards that are potentially detrimental to their health and well-being (Bradley, 2020). Agricultural situations also pose several respiratory hazards to farm workers (Bradley, 2018). Agricultural work is essentially carried out outdoors. This exposes the worker to ambient dust. With certain activities, such as plowing fields, the concentration of environmental dust increases. Therefore, there is an inhalation hazard when carrying out work that increases the concentration of dust in the area. Exposure to dust can cause respiratory problems, irritation, and dermatitis (Centre for Occupational and Environmental Health, 2017). This study revealed that agricultural workers must follow safety procedures when exposed to pesticides and be cautious of farm machinery, which may cause injury. This again mirrors the lack of workable policies to regulate working conditions in the agricultural sector, it also shows that farm owners' oppression of their farmers is due to the lack of farm inspections. Furthermore, Occupational health and safety exposures of South African farm workers have not been extensively studied. Occupational health and safety exposures have not been fully explored, although some pesticide exposure studies have been conducted (Arcury, Quandt, and Russell, 2020; Engel, 2019). Therefore, in South Africa, there is a need to quantify the health and safety risks and exposures of agricultural workers at work. It is recognized that agricultural workers worldwide are exposed to a variety of different health and safety hazards at work, including aspects that address both health and safety factors. The following paragraph discusses the lack of social protection in the agricultural sector.

### 5.1.7 Lack of Social Protection Policies

According to the South African Government (2022), “The applicable labour laws for the agriculture sector are the:

- Basic Conditions of Employment Act, 1997 (BCEA).
- Sectoral Determination 13: Farmworker Sector (SD 13).
- National Minimum Wage Act, 2018 (NMWA).
- Employment Equity Act, 1998 (EEA); Labour Relations Act, 1995 (LRA).
- Occupational Health and Safety Act, 1993 (OHSA).
- Compensation for Occupational Injuries and Diseases Act, 1993 (COIDA).
- Unemployment Insurance Act, 2001 (UIA); Unemployment Insurance Contributions Act, 2002(UICA); and Employment Services Act, 2014 (ESA)”.

Compared to workers in other sectors, many rural workers are inadequately protected by national labour laws. The researcher noted that the Department of Labour’s inspectors visited close to two thousand farms in the 2021/2022 budget year to observe if labour laws are adhered to. South African Government (2022) revealed that 23 percent of non-compliance by employers in the agricultural sector in KwaZulu-Natal had been recorded to be in contravention of the BCEA/NMWA, OHSA, UICA, COIDA, and the EEA in Quarter 1 of 2022/2023 budget year. This means there is still a considerable number of farm workers who are exposed to difficult working conditions, due to non-compliance by their employers. According to the South African Government (2022:173) “For the 2021/2022 financial year from the visited farms, 8 percent of employers are not paying the National Minimum Wage (NMW) and they are not adhering to the Sectoral Determination 13 such as the provision of written contracts, issuing payslips, attendance register, and workers are not compensated accordingly for overtime work”.

All farm workers argued that they are not registered and therefore do not qualify for the unemployment relief fund (UIF), and other social protection benefits available to workers in the formal sector. Most interviewed farm workers expressed that not being registered and having a valid South African identity document (ID) is one of the reasons it becomes difficult for them to receive social protection. Some of the following comments represent the perceptions of study participants on the challenges faced by farm workers in the agricultural sector:



*We are not registered workers, and we do not qualify for UIF. This affects us because even when we retire, we will not get anything financial benefits, consequently our children will suffer. Also, not having Identity Documents (IDs) is a challenge because we end up being manipulated by our employers. Our employers do not register us and qualify us for UIF contributions and other social benefits like medical aid (IF, 2021).*

*The biggest challenge for informal workers in the agricultural sector is that they do not have policies that cover/protect them like safety policies and things like that. Policies that protect them, for instance, as government employees, we are registered and covered, if we happen to get injured some policies protect us. So those who work in informal employment are not protected by any policies. Another thing let us say I am a mother I work in informal employment; I have children at home to feed, and I am a provider when I pass away my children will not benefit because I am not registered. Unlike us government workers we know there will be a little bread or benefits that will be left behind for the children. Whereas the informal workers will never get any compensation, everything just ends when they pass away. In each company there are working policies, informal workers are not protected by any policies, in the sense that sometimes employers/farmers misuse them (DOA, 2021).*

*Most farm workers are excluded from pension schemes, consequently, these realities affect their personal lives. The farm workers struggle to plan for future generations since their work setting does not allow them to contribute to their UIF. In the formal sector, employers get into a signed contract with an employee, and contributions to UIF are one of the most significant social benefit planning workers need to consider. This does not apply to informal workers in the agricultural sector (ULM, 2021).*

The responses of most participants are validated by assertions of Stats SA (2022) that farmers are failing in part of declaring their employees with the UIF. Since it had been noted that most informal workers remain excluded from public policy and contributory social schemes, it should be stated that this creates significant gaps in social protection for them. The researcher notes that exclusion from contributory social schemes affects the future retirement plans of farm workers. Woolard (2015) stated that these social security schemes provide compensatory support and benefits to formal sector workers, therefore informal workers' retirement plans may be affected since such schemes do not apply to them. Stats SA (2022:91) stated that the KwaZulu-Natal Department of

Labour inspectors noted, "Under the safety conditions, 58 percent of employers that inspectors visited are not adhering to the labour laws accordingly under the safety conditions. Moreover, 70 percent of employers that were visited were not adhering to the unemployment insurance act and the unemployment contributions act".

It was mentioned that since the Covid-19 era, most farm workers have been ill, but nothing has been done to help them despite farm owners being aware. This finding is consistent with the views of ILO (2016:78) where it was stipulated that "Many governments enact protective labour laws after particular incidents involving farm worker protests or injuries, but few have policies to encourage farm employers to abide by these laws and raise labour standards and productivity over time so that agriculture provides higher-wage and safer jobs for more skilled workers". It was revealed that farm workers often get threats of being replaced with new workers when they complain about work mistreatment. This study also revealed that women also carry heavy machines when working and this affects their bodies and may make it hard for them to conceive babies. Since Women who fall pregnant are not entitled to parental leave, this again is a violation of female workers' labour rights by farm owners. This finding indicates that in the agricultural sector, the farmers only prioritize generating profit over than safety, health, and wellbeing of female farm workers. This is due to the government's failure to practically enforce labour regulations in the agricultural sector.

The lack of consistent and transparent farm inspection by the DOL contributes to the indecent working and living conditions farm workers are subjected to. According to Devereux (2020), the DOL has failed to enforce labor laws on farms. For example, a study of female farm laborers in the Western Cape found that labor inspectors conducted little or no inspections on the farms (Devereux & Solomon 2019). In this context, the farmers are permitted to violate workers' rights due to a lack of monitoring and evaluation from the DOL. Similarly, Wendy Pekeur of the Ubuntu Rural Women and Youth Movement in the Western Cape noted that government departments such as the DOL and DLARD were not taking a proactive role in monitoring farm conditions Gumedé, 2021). According to sources, most agricultural employees in Franschhoek, Western Cape, are living in horrible and inhumane conditions, and the DOL is unaware of such conditions because no labor inspectors undertake farm inspections (Gumedé, 2021).

Most of the interviewed farm workers (15 out of 20) expressed that work-related problems have a major impact on their personal lives. This study found that work challenges affect farm workers significantly, especially with low earnings, they often find it difficult to buy enough food for their children. Wage workers are often poorly paid, with wages well below those of industrial workers. Farm workers and their families often live below the poverty line and are at the heart of rural poverty in many parts of the world. Millions of these workers earn the lowest wages in the rural sector, even below what is required for subsistence.

ILO (2017) stated that in many parts of the world, rural workers are denied basic human rights: the right to freedom of association, freedom of association, and the right to bargain collectively with employers. This demonstrates that agricultural workers are more affected by forced labour than other categories of workers. Nevertheless, decent working conditions and respect for the fundamental rights of agricultural workers are essential for sustainable development. Much of this literature shows that migrant agricultural workers often have limited access to health care and social services. Lyberaki (2018:39) noted that “the reasons for limited access to health care among migrants can be financial, cost of care and lost work time; some workers may not take medication and may choose home remedies or seek treatment from healers in their community; and those with illegal worker status might have a strong incentive to avoid interactions with the medical establishment”. The following paragraph discussed and analysed findings on the impact of social values and norms on informal workers in the agricultural sector.

## **5.2 Impact of social values and norms on informal workers in the agricultural sector**

This theme comes from the research objective that seeks to examine how the systems of social structures affect informal employment in the agricultural sector in uPhongolo Local Municipality. The findings of the study revealed that social values and norms have an impact on informal employment, however, it is not always a negative impact. The interviewed farm workers revealed that working on agricultural farms takes away their liberty to exercise their cultural and religious beliefs at times. The social belief that all people must avail themselves to attend religious and cultural events somehow put pressure on farm workers who are often required to work overtime. It could be noted that working on the days that they wanted to attend their religious and cultural

events affects their job performance because they constantly think about what society will think of them. It could be stated that sometimes farm workers have important funerals on weekends just to pay respect, requesting a day off often becomes a challenge and they end up getting threatened with being replaced by other workers.

This study notes that the above-mentioned situations can be viewed as a violation of the human rights of farm workers since in their culture it is particularly important to pay respect to the families who lost their loved ones. What most farm owners are subjecting their employees to is contrary to the Department of Agriculture (2020) which stated that, an employer must provide a farm worker with one additional day of paid leave if a public holiday falls on a day during a farm worker's annual leave when the farm worker would otherwise have worked. It is common for people, in general, to take a day off and attend the funeral, however in most agricultural farms visited workers are not granted that opportunity. Stats SA (2022) stated that an employer may reduce a farm worker's entitlement to annual leave by the number of days that the farm worker, at the farm worker's request, is occasionally granted at full pay in that annual leave cycle. Department of Agriculture (2020) "an employer must grant at least three weeks of full annual leave, making payment for every 12 months of employment (the annual leave cycle) no later than six months after the end of the annual leave cycle or the year in which the leave was earned". This means holidays earned over a continuous period of a year if requested by the farm worker. This demonstrates that farm workers need to be represented and government must review its labour policies since it is apparent that farm owners disregard the existing ones. The following paragraph discusses the impact of gender stereotypes in the agricultural sector due to society's expectations and beliefs.

### **5.2.1 Gender stereotypes**

Gender stereotypes affect the work performance of farm workers. The societal expectations of men and women tend to create unbearable anxiety for farm workers. Society expects a lot from men, without understanding the dynamics in their workplace. Most male participants of this study revealed that as men they are expected to be providers for their families, therefore when their employers fail to pay them for extra hours worked, they often feel like they have failed as men.

This finding indicates that men have a wide range of responsibilities that require them to be financially secure and supportive of their wives and children. Furthermore, it should be noted that since most farm workers earn little salaries, this may lead me to have an element of self-doubts and feeling of being useless to their wives. Societal expectations of men tend to make many male farm workers feel aggressive and abusive toward their wives.

In the agricultural sector, men and women are expected to do different work, however, in certain farms, this does not apply as farmers require both genders to do the same work. Interviewed female participants revealed that as women they are expected to do house chores and cook not to be working on the farm. William (2019:50) stated that “Women generally have limited access to finance and technical resources such as extension services because of preferences in most developing countries for educating male offspring as opposed to female offspring.” The in-depth interviews revealed that most women in agriculture are uneducated. According to William (2019:103), “Women tend to be more subjective being “locked” in the informal economy due to socio-cultural constraints that limit their education access, thus restricting their opportunities to organize and strengthen their bargaining position along with limiting their access to decent work conditions in the formal economy.” This study revealed that society believes the agricultural sector is for uneducated and hopeless people who have no choice but to remain farm workers. The female workers interviewed in this study are of the view that agricultural work is for both genders. Female workers may end up feeling discouraged and lacking satisfactory performance at work due to society’s comments that agricultural work is for men.

Other interviewed participants stated they do not have any issues at work that are related to social expectations and norms. They disclosed that they work well and respect each other’s cultures and beliefs. They expressed that their farmers do not have cultures that they follow, however, they allow all farm workers to attend their cultural and religious functions. This reveals that on some farms, farm workers from diverse cultural and religious backgrounds can practice what they believe in without judgments that lead others to underperform or leave their job. This means that the society where they live, and work understands the difficult working conditions on agricultural farms and therefore does not undermine farm workers who fail to be present at certain cultural or religious events. The paragraph below further discusses findings from a few participants who argued that social norms and values do not affect their agricultural workplace.

A few farm workers can attend a meeting set by the traditional leaders or local municipality without any short pay. This indicates that other farm owners are well informed about the impact of social beliefs and expectations on their workers hence they allow any worker who has an important cultural or religious event to attend. This also indicates that farm owners are aware that people have different beliefs and that there are rules and regulations that they are obliged to follow. The few farm workers stated that getting paid for days they went to attend cultures/religion events makes them feel elated. This shows farm owners are not the same, in this case, it is apparent that these types of farm owners are well taught about the effect of social norms and values in the workplace. Based on the findings above it should be noted that farm workers are from diverse cultural and religious backgrounds. While some are restricted to perform certain tasks due to their social norms and values, others are not affected at all. Society sometimes fails to understand the difficult working conditions on farms, consequently, fails to understand workers who fail to be present at certain cultural or religious events. The following paragraph discussed the impact of rules and regulations set by local institutions on informal workers in the agricultural sector.

### **5.2.2 The rules and regulations set by local institutions.**

There is a set time that farm workers are expected to be in their farmhouses. The rules of most rural areas stipulate that no residents are supposed to be outside their premises after 9 p.m. A few farm workers argued that these rules affect them because sometimes they get back home late due to transport delays or working overtime. This study revealed that farm workers get punishment when found outside their premises after the set time. The traditional leaders set these regulations in rural areas where farm workers live and expect all residents to obey these set rules. Most farm workers argued that the traditional leaders are not well informed and that it is often not farm workers' intention to break the set regulations. Although most interviewed farm workers expressed disagreement with such regulations, they disclosed that the traditional leaders set these rules to fight against crime which is believed to be prevalent during night-time in most rural areas. The farm workers stated that traditional leaders or councillors are not well informed about the living and working conditions of farm workers in the agricultural sector. The researcher was made aware that there are emergencies that sometimes require one to be outside their farmhouses at night, however, regulations set by local authorities make it difficult to address those emergencies.

The researcher found that the rules set by local institutions have a negative and positive impact. For negative impact, the researcher noted that it puts intense pressure on men to be providers even when they are struggling to make ends meet on their own. This study revealed that men are considered financial providers for women and children, even though they sometimes cannot find jobs that pay good salaries. Most farm workers stated that agricultural farm work is of the most less paying jobs in South Africa, and this makes them feel less like men since the whole society knows how much they earn. Effectively, the farm workers revealed that societal expectations may enhance certain men to be reminded of their roles in the family. Societal rules and regulations may sometimes be a constant reminder for men to not forget to take care of their homes.

The farm workers mentioned to the researcher that, women are expected to dress in a certain way when going to work and walking around outside their homes. They are expected to wear long dresses and cover their shoulders all the time, but one will find that on the farms it becomes too hard to work wearing long skirts. The participants revealed that women are more comfortable wearing pants than skirts, and they continue working although such expectations affect their work performance. With regards to covering their shoulders, it was further argued that sometimes it becomes hot on the farm while wearing a warm jersey, and female workers may end up not taking it off due to societal expectations of women. William (2016) noted that social norms and cultural perspectives have caused women to have limited access to education and heavy domestic responsibilities, and this restricts their ability to speak out in front of men or organizations and decision-making. Due to this, women's rights at work, including equal pay, decent wages, and social protection, among others are often not recognized, which undermines their socioeconomic responsibilities, and restricts their wellbeing.

A few participants stated that there are no issues when it comes to rules and regulations set by local authorities. The traditional leaders do not force them to attend any traditional events which prevent them from working. While there are not many issues, the farm workers revealed that they are aware that they are not expected to go around at night around the farm since it is not safe. They mentioned that in certain areas, there are cameras that the farmers use to check if people are moving around their farmhouses at night. The following section provides a discussion on the relationship between local government and informal workers in the agricultural sector.

### **5.3 The relationship between local government and informal workers in the agricultural sector**

The agricultural sector is governed by set government labour regulations, and the farm owners are thus expected to comply. However, this study found that most farmers fail to do so, leading farm workers to major labour challenges. The findings of this study reveal that the Departments of Labour and Home Affairs need to undertake a comprehensive audit of existing bilateral agreements to determine how to review, revise or repeal these to better align them with current labour laws. This section seeks to establish the relationship between local government and informal workers in the agricultural sector.

#### **5.3.1 Inadequate relationship Between local government with informal workers**

With regards to the relationship between local government and farm workers in the agricultural sector, this study found that building relationships often fail, since the local government does not consider farmworkers as registered workers. Some of the farmworkers had the following comments regarding the inadequate relationship between them and the local government:

*The local municipality only visit or attempt to create a relationship with us as farmworkers during their campaign for national elections and then disappear afterward. We often hear the local government making empty promises on the radio, however, building relationships with us fails. Government fails to prioritize our labour challenges and to give us directions to the relevant departments where we can report work-related challenges (IF, 2021).*

*Occasionally when it happens that the local government inspectors visit the farm, the farm owners never let us express ourselves to the sent government officials. Also, even when the local government tries to provide financial support for struggling agricultural farms, it does not adequately reach farm workers since we are not registered. In the cases when local government support arrives in the agricultural sector to provide little service, the farmers usually keep it for themselves and never share anything with the workers. This makes it difficult for us to have a relationship with the local government (IF, 2021).*



These findings demonstrate that, despite the local government being closer to most agricultural farms, it has not given adequate support to the labour-related issues experienced by the farm workers in the agricultural sector.

The study revealed that farm owners often deny access to their farms when inspectors make random visits. Due to this finding a critical question can be raised: Why is it easy for farm owners to deny government inspectors access to agricultural farms? Why is the local government not showing adequate support for farm workers? According to Stats SA (2022:64), “The national entities primarily responsible for SA’s agriculture sector and activities therein are the Department of Agriculture, Land Reform and Rural Development (DALRRD) and the Department of Forestry, Fisheries, and the Environment (DFFE).” This research found that both DALRRD and DFFE support the development of sustainable agriculture in South Africa, particularly in a manner that addresses historical inequities and drives inclusive job creation. This mirrors that no matter how much the local government can attempt to support farm workers, the provincial government has more authority to address agricultural sector challenges. This relates to William (2021) who stipulated that “district offices of DALRRD in the 44 District Municipalities are the first point of call for interventions, conduct land rights inquiries, inspections and prepare probation reports in resolving farm evictions and referrals for mediation and legal representation to defend evictions in court”.

Participants from the government’s side stated that it is difficult for farm workers to get local government attention and to become part of its planning since most of them do not possess valid work permit documentation and are not registered workers. This finding mirrors that most government officials are aware that most farmers are not complying with government regulations. One of the participants from the department of Agriculture disclosed that even if there are opportunities that the government wants to put in place for farmworkers it often fails. Most participants from the Department of Agriculture disclosed the following:

*In 2019 the Department of Agriculture was supposed to create a relationship with the agricultural sector by interviewing farm workers who were performing well at work and giving prizes, but the farm owners refused access and declined that proposal (DOA, 2021).*

This demonstrates that farmers are not willing to work together with or involve in government initiatives that seek to grow agriculture. This study found that when the local government needs to provide ideas and support for any agricultural projects, farm owners tend to decline the offer, and this makes it difficult to form relationships. This study also noted that when the government comes the farmer-owners often send their favourite workers to speak on behalf of other farm workers without their consent. The farmer then pays those workers to not disclose real labour challenges experienced by farm workers. It should be noted that such acts make it difficult for farm workers to have a relationship with the government and to report any labour issues they encounter at the agricultural farms. The researcher notes that farm workers end up having unresolved labour issues, due to a lack of government intervention. Furthermore, labour issues are difficult to resolve also due to farm workers' inability to afford lawyers that can represent them and take legal actions against their employers. This again proves there is a need for government intervention because the farmers will think twice before they exploit their workers in the agricultural sector.

#### ***5.3.1.1 Inconsistent farm inspections by the Department of Labour***

Even though most farm workers expressed that there is a poor relationship between them and the local government, only three farm workers said the opposite. These farm workers revealed to the researcher that there is nowhere they perceive the local government as not doing in terms of intervening in their work-place vulnerabilities. One of the few farmers mentioned that there has not been a solid relationship between them and the local government, however, officials from the Department of Labour sometimes visit their farm. These few farm workers stated that the Department of Labour officials come after a while just to check on farm working conditions and challenges that farm workers may be facing. This finding shows that even though the department of labour makes attempts, there is a lack of consistency in conducting farm inspections. One female farm worker stated the following:

*There is a relationship although it is not strong. We often get visited by the department of labour to check on us in our working environment. When they come, we all stop working and ask to open up about our working conditions. This happens in the presence of our bosses, the labour department gives us a platform to say what we need to say, we do not have unions, so each person speaks for themselves. This is the only government department that visits us, we have never seen others coming or having anything to say about us. (IW, 2021)*

While most interviewed government officials observed a poor relationship between local government and informal workers in the agricultural sector, the researcher noted that a few had noticed fair government intervention. The interviewed government officials stated that the Department of Agriculture and local municipality have a fair relationship, however, often fail to create one with the informal workers. One male participant from the Department of Agriculture stated that there was a time when the local municipality asked the Agriculture Department to submit names of ongoing projects which needs funding. This study found that the municipality sometimes provides funding support to commercial, subsistence farmers, and smallholder farmers in addressing labour-related issues. Furthermore, it was revealed that when the Department of Agriculture sometimes has inadequate funds to support agricultural farmers, the municipality would come on board to support the initiatives. This is an indication that local municipalities and the provincial Department of Agriculture only have programmes that focus on financial support for emerging commercial and small farmers, and not labour issues experienced by the agricultural workers. The researcher is of the view that government must try to produce more workable programmes that develop agricultural workers since agriculture includes Agri-processing and promotes food security in rural areas.

Agriculture is one of the sectors that the government has identified as a key sector and a center of economic development, especially in rural areas. Therefore, this study advocates for local governments' intervention in addressing challenges faced by farm workers. The local governments' intervention will play a significant role because if agriculture succeeds in rural areas and farm workers are fairly treated, it will mean more people will have the desire to get jobs in this sector. Government must ensure that farm owners in agricultural farms adhere to the labour regulations that exist, and if the existing labour laws now adhere to all spheres of government must produce a solid plan to ensure proper enforcement.

## **5.4 The role of local government in addressing challenges faced by informal workers in the agricultural sector.**

There had been attempts by the government to produce proper mechanisms to ensure sustainable improvement in the livelihood of poor rural farm workers and farm dwellers, especially women, however, it has not been successful. According to Smith (2019) shortly after 1994, the government introduced legislation to protect farm workers from unjustified evictions. Smith (2019) further argued that legislation has failed to slow the evictions, largely because workers have been forced to go to court to challenge them and because evictions are allowed in connection with layoffs. Farm workers did not have the resources to challenge wrongful dismissals or illegal evictions. The Presidency (2009) stated that in 2009 the Department of Rural Development and Land Reform launched a three-year program to monitor evictions, provide legal assistance to rural workers, and broker solutions. This program has not been successful as most farm workers still suffer from difficult living and working conditions in agriculture. According to Stats SA (2021) “The government, through the Department of Agriculture, Forestry and Fisheries, started with provincial Farm Worker Summits, to open the dialogue with all relevant stakeholders. These included agricultural unions, Food, and Allied Workers Union, various government departments, and non-governmental organizations (NGOs)”. The researcher notes that farm workers make a huge contribution to stimulating the economy of their municipal areas. However, the local government has not done enough to enforce compliance with the existing labour legislation and to hold farm owners accountable for mistreating their employees. This section discusses the role of local government in addressing challenges faced by informal workers in the agricultural sector.

### **5.4.1 Poor local government commitment to agricultural sector labour issues**

The study found that the relationship between the local government and informal workers in the agricultural sector is lacking. This study revealed that most farm workers feel neglected by their local municipalities, making it difficult to report labour challenges they are subjected to. The following verbatim demonstrates how most farmworkers perceive the local governments’ role in addressing labour challenges encountered in agricultural farms:

*There is poor communication and relationship between us as farmworkers and our local municipality. All spheres of government have not done enough to address the oppression and violation of rights our employers subject us to. The reason for the lack of relationship may be because the ward councilors fail to liaise with us or to report farm issues to the municipal council where they meet to discuss community issues. I believe some government departments have knowledge about agricultural sector labour issues but choose not to intervene because their ground structures fail to effectively communicate and report community issues (IW, 2021).*

*As an informal worker in the agricultural sector, I expect the municipal council to be well-informed about the challenges we encounter, because the agricultural sector contributes to economic development and livelihood within the municipality. The houses we live in are not taken care of, and there are hardly any land inspectors from the local municipality who come to inspect the housing structures. The ward councilors fail to present our issues to the relevant local government departments; therefore, we feel excluded from the municipal service delivery plans. (IW, 2021).*

*The local government is not informed that most farm owners pay us in envelopes and often do not encourage us to open bank accounts to receive salaries via bank. We end up getting paid insufficient salaries and without proof of payments making it difficult for us to report such incidences to the relevant government departments. When proof of payment is not generated it is difficult for any farmworker to complain to the relevant departments. It is hard to send money to our children at home when we do not receive our salaries via bank accounts, even though others prefer it because they do not know how to use a bank atm. Most of us struggle to send money when it is paid by hand. The local government must intervene in resolving agricultural farm challenges because most farm owners do not calculate hourly rates and end up underpaying us. We feel unimportant since our local government fails to put strict labour laws that will force our employers to stop this discrimination and exploitation (IW, 2021).*

Based on the above verbatims from the interviewed farmworkers, it is apparent that there is a poor commitment from the local government to addressing labour issues. Most interviewed government officials (7 out of 10) also revealed that the local government does not have an active solid plan to address the challenges faced by informal workers in the agricultural sector. This leaves a critical question; Does the local municipality include the agricultural sector as part of the sectors that need

government intervention in its Integrated Development Plan (IDP)? What is the role of the local government in addressing labour challenges faced by informal workers in the agricultural sector?

To address labour issues in the agricultural sector, the researcher notes that local municipalities and other stakeholders have an opportunity to engage with local communities through the IDP public participation stage, where all socio-economic issues are discussed. This is in line with Vink, Rooneyen (2019:71) who recommended that living and working conditions of the farm can be addressed when “there is mandatory inclusion of farmworker housing and services within the housing chapter of municipal integrated development plans, the piloting of public-private partnership options for the provision of off-farm worker housing with secure tenure”. Nel (2018) expressed that the information gathered by the local government sector through IDP processes (which demonstrate community development needs) makes it a coherent and equitable institution to facilitate the identification of potential development needs. The local municipality’s failure to intervene in addressing labour issues indicates that there is also a lack of commitment from the ward councilors whose role includes reporting socio-economic challenges experienced by the local people through IDP.

Highlighting some of the challenges with addressing labour issues in the agricultural sector, the participants of the study further made the following comments:

*The department of agriculture once proposed to do a ‘price giving’ project with the agricultural farms where they give recognition to the diligent farm workers. When they made proposals to the farmers, they agreed that they would do it at their agricultural farms. When the officials from the department of agriculture went to the farms to start the project, the farmers did not of them do it. They categorically refused and rejected the department of agriculture to access the farms and instructed farm workers to forget about the project and continue working despite the project’s readiness. The department aimed to engage with the farm workers and try to empower them (DOA, 2021).*

*There is not much that has been done in the last decade to address the challenges of farm workers. Before the year 2010 agricultural farms used to be easy to access at any time, however, in the present days, things have changed. Farmers tend to prevent government access to their farms or make excuses when requested to be present for farm inspections. The government used to visit farms and communicate with the farmers and workers without any issues. The government*

*sometimes tries to get involved in issues experienced by agricultural workers; however, this often fails due to farm owners' failure to cooperate.*

Governments' failure to access agricultural farms mirrors that most farm owners are aware that they often violate labour rights by mistreating their workers, and as a result avoid government engagements. Furthermore, farmer owners' decision to reject crucial government initiatives to create relations with the agricultural sector made it apparent that it is difficult to build relationships with the farm workers when their employers are present.

Based on the researcher's verbal engagement with the participants of the study, it is still unclear to a few government officials which state departments are mandated to address agricultural sector labour issues. A few participants of the study from the government's side disclosed that their heads of department (HODs) are supposed to enforce intervention in challenges experienced by farm workers. Responses given by participants validate the assertion by Vink, and Rooneyen (2019:68) who argued that "the three spheres of government are pulling in different directions on the farmworker question. Departments with responsibilities to improve conditions and protect workers' rights on farms lack agreed strategy and common programmes".

The findings prove that there is a major need for government to reintroduce labour regulations that cover informal workers for social, legal, and health protection. Most farm workers disclosed that they often hear that someone has been mistreated or attacked on farms, but they never know what actions were taken afterward. All government workers argued that there must be new policies from the national existing acts e.g. (the employment equity act/skills development act) that will ensure farm workers' labour rights are not violated. This is in line with Labour (2020) who argued that the gap between what farmers can pay and what workers require to make a basic living is large, and a creative policy framework together with extremely efficient management on farms is required to avoid the shedding of jobs in agriculture.

While most participants from the government argued the government has failed to intervene in resolving agricultural sector challenges, a few had a different view in this regard. One female participant from the Department of Agriculture argued that most of the time, the Department of Agriculture they are the one who intervenes in the challenges of informal workers in agriculture. It was further revealed that the local municipality does not go to informal workers and address challenges. National treasury (2017:68) stated that "Municipalities have two core tasks regarding

rural development: the effective provision of basic services and the associated support for local economic development (LED). Other agencies in the provincial and national government, state-owned enterprises, and the private sector must also make their contribution in their areas of responsibility”. The research found that the Department of Agriculture has a mandate to draft reports about challenges in agricultural farms, so that action can be taken by the district office by deploying labour inspectors to conduct farm inspections. Stats SA (2022) the regulations governing production and labour in the commercial agricultural sector in South Africa are governed by three departments: the Department of Agriculture, Forestry and Fishery (DAFF), the Department of Labour (DoL), and the Department of Home Affairs (DHA).

This study found that the effort in reporting about farm issues has a key role in addressing challenges experienced in the agricultural sector. The Department of Agriculture, Land Reform and Rural Development (DALRRD) announced several interventions to assist the agricultural sector during the COVID-19 pandemic. According to Stats SA, (2022:36), “DALRRD has made ZAR 1.2 billion (USD 83 million) in assistance available to address the effects of Coronavirus and ensure sustainable food production post the pandemic, mainly targeting financially distressed commercial and small-scale farmers”. The following paragraph provides different perceptions of a few farm workers on the role of local government in addressing labour challenges faced by farm workers in the agricultural sector.

While most farm workers argued that the local government is not making any efforts to address the challenges of informal employment in the agricultural sector, a few farm workers (2 out of 20) said only the Department of Labour has done farm inspections. They argued that the Department of Labour does assist by asking questions regarding the working environment and conditions of employment in the agricultural farms. These few workers revealed that farm inspectors from the Department of Labour would request all workers stop working and respond to interview questions. This demonstrates that even though not all agricultural farms are inspected, the Department of Labour is the only government department that is concerned about labour conditions in the agricultural sector. This finding also indicates that there are farmers who believe that treating workers fairly is good employment practice that could benefit their businesses. Many farmers are defensive and short-sighted, ignoring the benefits of good employment practices. The following



section provides a findings discussion on national, provincial, and local government perception of informal employment in the agricultural sector.

## **5.5. National, provincial, and local government perception of informal employment in the agricultural sector.**

Most government officials interviewed in the study noted that there is a high number of migrant workers working in the agricultural sector and most of them do not have valid documentation. Studies show that the work-related health and safety risks that all farm workers face may be greater for migrant workers because they work longer hours and often do not report illnesses/injuries to avoid deportation or lost wages. Department of Labour (2020) stipulated that social security is not always accessed because farm workers do not have valid documentation, are unaware of these rights, do not know where to go about accessing them, or do not have resources to access them. Stats SA (2021:195) stipulated that “regulations governing production and labour in the commercial agricultural sector in South Africa are governed by three departments: the Department of Forestry, Fisheries and the Environment (DFFE), the Department of Labour (DOL), and the Department of Home Affairs (DHA)”. A few participants of the study have a perception that the challenges that farm workers face are not widely reported, and there is limited research done on them specifically. This section discusses the perspectives of three spheres of government on informal employment in the agricultural sector.

### **5.5.1 Stimulates economic growth.**

While most participants from the government’s side maintained there is poor government interest in resolving agricultural sector challenges, some participants asserted there is a positive perception of the sector. This study found that informal employment in the agricultural sector has a significant contribution towards the GDP of local municipalities and it was stressed that all the labour-related issues that exist must be addressed eventually. The Quarterly Labour Force Survey Quarterly Labour Force Survey (2020) stated that commercial farms are a fundamental part of rural economic activity, where the agro-industrial sector accounts for around 12% of the national GDP and the success of this sector has a strong impact on the food sustainability, employment, and social stability of its residents. ILO (2017) stated that “Farm workers are a talented and motivated group of workers who, with appropriate support, can work alongside their unions to improve their

livelihoods and those of their communities, which can help ensure food safety and security for the wider community, and who can contribute to putting agriculture on a truly sustainable footing - economically, socially and ecologically”.

The study noted that the municipality acknowledges the role of agriculture in stimulating economic growth, but failed to intervene in labour challenges that exist there. The municipal workers interviewed in this study stated that the agricultural sector plays a significant role in promoting green lands and creating employment opportunities for local people. Despite the significant role, government officials expressed that it is difficult to intervene on labour related issues because farm owners often deny access to their agricultural farms. What can be noted from both groups of government officials interviewed is that they both perceive the agricultural sector as having the potential to lift rural communities out of poverty. This is in alignment with sentiments expressed by the World Bank (2018:95), which states that “Agricultural development is one of the most powerful tools to end extreme poverty, boost shared prosperity, and feed a projected 9.7 billion people by 2050. Growth in the agricultural sector is two to four times more effective in raising income among the poorest compared to other sectors.”

Based on the findings, it could be noted that despite little remuneration and difficult working conditions, informal employment in the agricultural sector plays a significant role in developing farm workers' lives and the local economy. The study found that some farm workers can build homes, send their kids to school, and provide their families with the little remuneration they get in the agricultural sector. The researcher argues that the only thing that is lacking is for government to intervene so that these informal workers are protected like the government workers. The study noted that, for informal workers to receive government intervention on labour issues they must be registered and have trade union representatives to fight for their labour rights.

### **5.5.2 Poor enforcement of labour regulations by government departments**

This study found that there is a crucial need for informal employment in the agricultural sector to be regulated and covered in acts/policies. There is a need for basic income laws since most farm owners mistreat and exploit workers when it comes to salaries. A few government officials from the uPhongolo Local Municipality revealed that they Farmers often assume how much each farm worker is worth to be paid without having a written basic salary on paper. Based on engagement with government officials from the Department of Agriculture, the research notes that there is a

need for the national and provincial governments to ensure that informal workers in the agricultural sector get their salary scale. The findings of this study demonstrate that most farm owners do not consider workers' cost of living when it comes to salary payments. One participant in the study indicated that:

*Sometimes farm workers miss some opportunities to grow up to a certain level because they are only working in an informal setting where they are paid in hand, not in bank accounts. Since informal employment jobs are insecure it may be difficult for farm workers to even have fixed savings accounts to save money for their children. Prevalent labour challenges faced by farm workers demonstrate that there is poor enforcement of labour regulations by government departments that deal with the agricultural sector development (DOA, 2021).*

Since the study revealed that all spheres of government have not entirely shown any kind of recognition and support for agricultural farm workers, it shows that even ward councilors are often unavailable to report farm labour issues to the local municipality offices. There is a lack of communication in addressing agricultural sector issues, and even traditional leaders who oversee most rural areas fail to intervene or communicate with relevant stakeholders. Other participants from the government's side hold a view that most informal workers are only working in the agricultural farms because they must feed their families despite labour-related issues they experience.

One of the issues that were highlighted in this study is working past agreed working hours. This act by farmers contrasts with Stats SA (2021) which stipulates that an employer may not require a farm worker to work more than 45 hours a week. Another issue that spheres of government are failing to address is the dismissal of farm workers anyhow and without a valid reason by their employers. This unfair dismissal by farm owners is not in line with Stats SA (2021) which stipulates that if a farm worker's employment terminates for any reason at a time when the farm worker has worked a great number of extended ordinary hours than reduced ordinary hours, the employer must pay the worker for the extended ordinary hours worked at the overtime rate in terms of clause 13. Stats SA (2021) stated that "Any time worked on a Sunday by a farm worker is not taken into account in calculating a farm worker's ordinary hours of work in terms of clause 11 but is taken into account in calculating the overtime worked by the farm worker in terms of clause 13". It should be noted that according to Stats SA (2021) if a farm worker worked on a public holiday

on which the farm worker would not normally work, the employer must pay that farm worker an amount equal to the farm worker's daily wage plus the farm worker's hourly wage for each hour worked on the public holiday.

### **5.5.3 Lack of government interest and accountability**

This study has found that the challenges faced by farm workers in agricultural farms are not new, they have been happening for decades, however, all spheres of government have done little to intervene. Below are some of the responses from farm workers:

*Me, all the spheres of government look down on us, they do not recognize the role we play in promoting agriculture. They only prioritize fancy workers like nurses, teachers, and lawyers when it comes to a pension fund or UIF they usually do not consider us. The government does not have relations or direct communication with us, but they only come to the office of the farmer and leave afterward without even talking to informal workers. (IW, 2021)*

*All the spheres of government combined; only focus on the sectors they consider important to them but here in the agricultural farms they never come. So, I think they do not consider us as 'real workers,' to them we are just people who are doing this kind of job because we have lost hope in life, and we do not feel recognized at all. (IW, 2021)*

The following is the perception of some participants of the study from the government's side:

*All spheres of government might be aware of unpleasant working conditions experienced by informal workers; however, it is difficult to intervene since most informal workers are not registered or under any social protection schemes (ULM, 2021)*

This above perception mirrors that spheres of government might realize the contribution of agricultural workers toward the economic development of rural areas; however, the sector's labour challenges are not part of the government's plans. One factor for the lack of government interest and accountability in the agricultural sector labour issues is that workers are not registered and do not contribute to any social protection schemes recognized by the government.

Lack of communication between spheres of government regarding the agricultural sector makes farm workers assert that money that is sent by the national government is being misused by

farmers' owners. Through the interview conducted, the researcher found that farm workers are aware of the budget allocation as often announced by the national government, however, it becomes difficult for them to understand how such a budget help address labour-related issues in agricultural farms. One of the interviewed farm workers stated:

*I think the provincial and local governments do not care about us, and they do not recognize us as workers. Our contribution is never appreciated or recognized because if they did, these spheres of government would confront the farm owners who violate our labour rights and ensure we are treated fairly. Only the national government that I feel has a good perception of us, because we often hear them mentioning budget allocation that includes us as agricultural workers, although we do not know what then happens to the funds afterward. Funds allocated to support agricultural workers only reach the farmers and they never tell us what percentage we are going to get as employees. We are the ones that work hard to make the farms look green and attractive, but I think the money that is sent by the national government is being misused by our farmers although I do not have proof, I always wonder why we never get a salary increase. (IW, 2021)*

The above-mentioned leave most farm workers demotivated to work and make them assert that the government is also oppressing and undermining the agricultural sector and its workers. One can conclude that lack of transparency and accountability by all spheres of government in communicating the progress of announced development programmes also leaves farm workers with a view that government does not realize the contribution of the agricultural sector.

Intergovernmental relations planning only happens at the national level, and as a result, fails to reach the local level where most farm workers work. This study found that the national government often makes promises of allocating a budget for the implementation of agricultural sector support programmes, however, fails to practically implement such programmes. Furthermore, the local government also fails to communicate with agricultural workers on the progress of officially announced agricultural development support programmes. Failure to ensure practically implement agricultural programmes by local government raises the question of which sphere of government is responsible for the development of the agricultural sector. The following paragraph focuses on the impact of intergovernmental relations on informal employment in the agricultural sector.

## **5.6 The impact of intergovernmental relations on informal employment in the agricultural sector**

### **5.6.1 Lack of coordination and planning for informal employment**

Most farm workers argued that they have not seen any positive impact by any sphere of government. Most of the farm workers mentioned that the farmers are failing to adhere to the rules and regulations set by the government. Currently, the three spheres of government have not done enough to indicate their interest in addressing the issues faced by informal workers. Smith (2016:95) stated that “the 2010 Vulnerable Worker Summit provided an opportunity to address many of the issues that exacerbated the protests, but many of the resolutions were not implemented by the government”. Furthermore, Smith (2016) argued that AgriSA refused to address the issues, exited the summit, and effectively distanced itself from the results of the 2010 summit. This indicates that the government barely conducts farm inspections and therefore is not informed about the essence of agricultural sector labour challenges.

The importance of cooperative governance amongst spheres of government has been highlighted in the constitution (1996) and the Intergovernmental Relations Act (IRA) of 2005. Although there is this legislative framework works in place, there is still a lack of cooperation between spheres of government. In simple terms, there are no coordination mechanisms in place that can be utilized by uPhongolo Local Municipality and the provisional Department of Agriculture to ensure that support provided to the agricultural workers is inclusive and coordinated. Furthermore, the government officials interviewed indicated that every government department formulates and implements its programmes, to support the agricultural sector without involving other stakeholders for insights. This leads to duplication of programmes and public resources wastage.

The farm workers assert that exploitation and discrimination in the agricultural farms are far from over, only when all spheres of government work together that change could be achieved. Agriculture is a simultaneous function of the national and provincial government, but it is also dependent on basic infrastructure and planning decisions, which are functions of local government. It is therefore important to improve intergovernmental coordination on these issues. Integrated development plans offer the opportunity to promote coordination in these areas on a case-by-case basis. This means that local government has a key role to play in ensuring that all farm issues are known to all sectors of government. To address the challenges faced by farmworkers, traditional

leaders must be involved along with other actors in the community. Dlamini (2012) explained that there needs to be a clear communication and decision-making process from the local government, then the reports can be forwarded to the provincial government for further review.

In rural areas, a level of complexity arises from the role attributed to traditional leadership. Smith (2019) stated that traditional leadership plays a significant role in facilitating communication with the citizens of South Africa to improve the effectiveness of development-oriented local government. However, confusion arises when traditional forms of authority are enshrined in law, as traditional governance structures can then supplant or duplicate the role of the state. This can create a discrepancy between traditional authorities' land use rights and municipalities' responsibility to provide services to that land. This means that an adequate way to address the challenges of the agricultural sector requires the involvement of traditional leadership. The local municipality has the mandate to ensure mutual relations between local government representatives.

Almost half of the interviewed farm workers argued that government departments tend to exclude them from their annual plans. This resonates with ILO (2017) which stated that agricultural workers in South Africa are typically excluded from active participation in decision-making processes with employers and the government. As mentioned before, governments tend to talk about the agricultural sector on the radio but fail to practically inspect the working and living conditions of informal workers. Some farm workers revealed that agricultural farms are not the same, some farmers treat their workers well while others are oppressing workers. Most of the farm workers in the interview argued that they are of the view that the government does not have a full picture of the poor working conditions informal workers are subjected to. This finding shows that government lacks coordination and is not consistent in conducting farm inspections.

### **5.6.2 Addressing Living Conditions and Safety of the Farm Workers**

Most participants emphasized that one coordinated government plan may enable officials to see farm workers' living conditions in farmhouses and act accordingly. This study found that farm owners' failure to comply with labour regulations shows that labour regulations on agriculture are not properly enforced. Stats SA (2022:) stated that "the Department of Labour must enforce existing laws more effectively, by increasing the number of specialized labour inspectors, increasing farm inspections, meeting separately with farm workers and informing them about the outcomes, and responding more promptly to cases of non-compliance". This study also found that

farmhouses occupied by farm workers are not in good condition. This means that intergovernmental relations planning must include strategic ways to enforce farm owners to take care of their employees and follow the labour laws which protect workers. The farmers need to prioritize the safety and protection of the workers. Intergovernmental relations may have a positive impact, because, in cases where the local government fails to address certain challenges, it can be reported to the provincial level and be escalated to the national government level.

One female farm worker stated that intergovernmental relations may assist the government to make collective decisions and act accordingly in addressing vulnerability issues in the agricultural sector. Kings (2019) stated that a solution to the plight of farm workers requires a joint approach by employers and unions; local, provincial, and national governments; the entire industry, and all other relevant stakeholders. The farm workers also mentioned that Black people may have a fair opportunity to be in partnership with white farmers on the farms. The Black farmer may learn a lot and increase opportunities for more Black people in the agricultural sector. The farmers assert government must enforce the fair distribution of farmlands; it must be balanced when it comes to races. The researcher has learned that the municipality needs to intervene and ensure it is not only white farmers that run all farms in the area. The farm workers stated that it is evident that the white farmers exploit Black workers because they do not have unions or government to speak out for them. The study reveals that government needs to deploy officials who are serious about addressing vulnerabilities in the agricultural sector, not those who easily accept bribes from the farmers to not report the ill-treatment of workers.

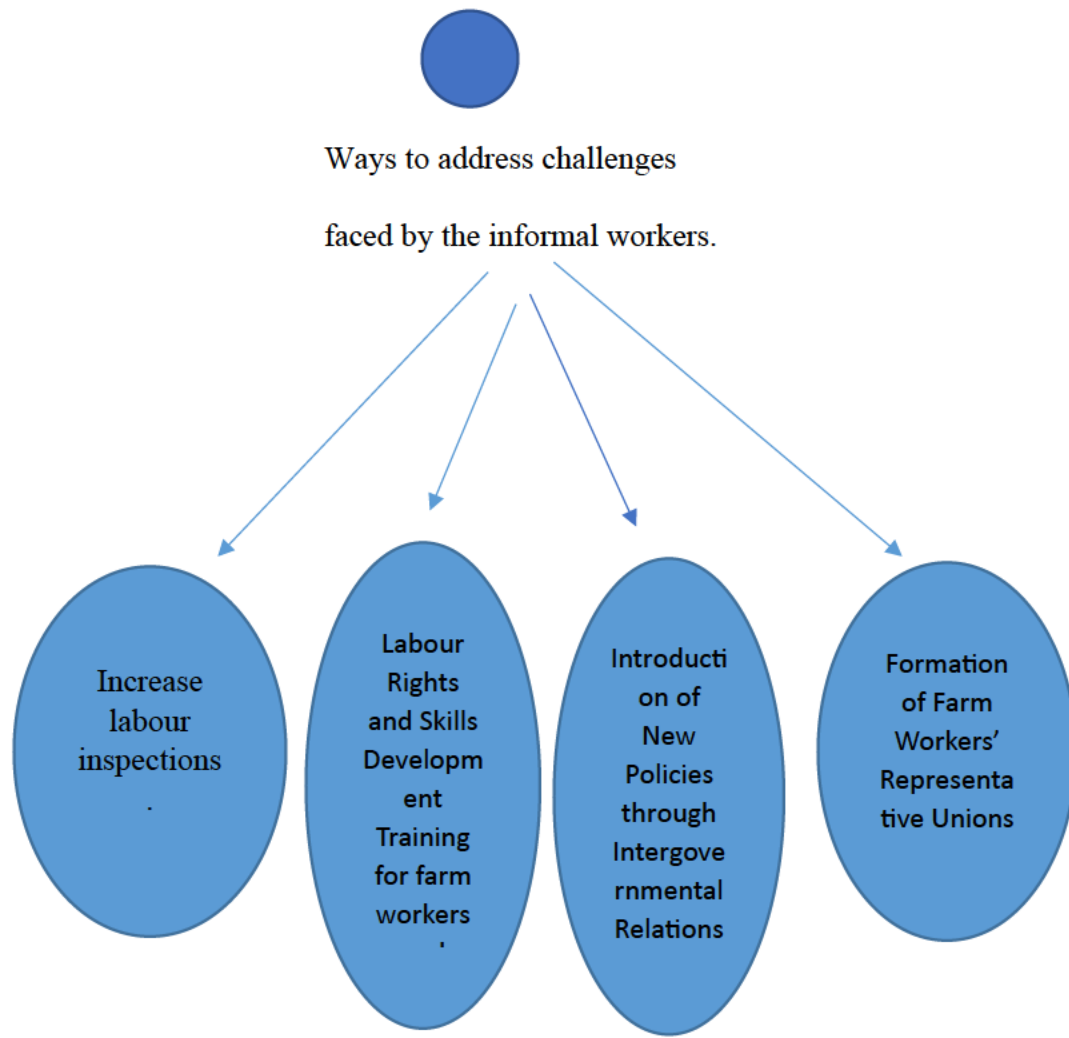
The farm workers argued that working together in all government spheres may be one solid plan to fight farm injustices. According to Stats SA (2022) “Since 1994, efforts to redress such injustices include the promulgation of a progressive constitution and specific legislation, including the Sectoral Determination for Farm Workers, aimed at ensuring the rights of farm workers”. Nonetheless, it was noted that farm workers’ rights continue to be violated daily by farmers, while the government does not effectively enforce legislation by acting against such farmers. This study has found that one government department is not enough to address vulnerability issues in the agricultural sector, hence there is a crucial need for intergovernmental relations. To ensure a properly coordinated plan, the national government must work to resolve coordination issues between districts and local communities. Problems arise when there is disagreement about which



level is responsible for the delivery of municipal services to the agricultural sector. This can result in duplication of effort or funding that does not go to the level of providing the service. In such cases, the responsible national ministry must negotiate agreements on the sharing of responsibilities and financing of the agricultural sector. It often happens that some government departments deal with issues that have already been dealt with by other departments, resulting in the misuse of public funds and neglecting other matters.

### **5.7 Ways to address challenges faced by informal workers in the agricultural sector.**

The agricultural sector is associated with vast violations of labour rights, despite several attempts made by the government in the past. William (2016:38) stated that “there is a lack of organization of workers and the Department of Labour inspectors and trade union organizers experience difficulties in accessing farms.” This study noted that despite the extension of basic labour rights protection to farm workers during the past decade, the non-compliance with labour laws and poor working conditions in the agricultural sector dominated South Africa. The farm owners tend to restrict farm workers from forming alliances with trade unions, and as a result, violations of workers’ human rights do not get public attention. This section established ways to hinder challenges faced by farm workers in the agricultural sector. The first part of the section provided a figure (*figure 4*), showing ways to address challenges faced by informal workers in the agricultural sector. *Thereafter, the researcher discussed how the illustrated strategies could be practically implemented given the challenges that have been expounded in this study.*



*Figure 4: Model showing ways to address challenges faced by informal workers in the agricultural sector.*

*Source: Compiled by the researcher*

### **5.7.1 Increase Labour Inspections**

The farm workers argued that the government must engage with the farmers to find solutions to labour issues that exist in the agricultural farms. To achieve this, most farm workers mentioned that the government must have a task team in rural areas to observe how farmers treat agricultural workers. Another finding was around occupational health and safety. The farmers revealed to the

researcher that they live in unsafe farmhouses, and criminals have access to their place, therefore they stressed that there is a need for government intervention in addressing these unsafe living conditions. Mewanu (2017) stated that after failing to grant proper safety equipment, the farmers often use other ways to mitigate the workers' exposure to pesticides, for those working directly and indirectly with pesticides.

The researcher has learned that most farmers do things that are contrary to the law in agricultural farms. Government intervention is needed, the department of labour must play a leading role in ensuring the farmers do not violate workers' labour rights. The government must ensure that farm owners grant the farm workers sick leaves and holidays and punish them for violating workers' labour rights. All the labour-related challenges faced by farm workers must be recorded and reported back to relevant government offices. The government officials who conduct farm inspections must request the farm workers to stop the work and do interviews with them one by one; each person must speak for themselves while the farm owner is also present. One farm worker claimed that the DOL informs farmers two weeks in advance that inspections will take place, but the employees are not addressed in this channel of communication. Based on the findings above, it could be suggested that the farm inspectors must not announce when they want to come and interview workers because the farmer often finds ways to block them from accessing the farm. Gumede (2021:95) "notifying farmers in advance about inspections deficits the purpose of monitoring as farmers has enough time to clean up all irregularities". To ensure effective labour inspections, there is a need to include both employers and employees.

The farm workers argued that government departments must work together and send committed officials to constantly inspect farm working conditions. Government farm inspectors must be neutral and refrain from using political power to influence decisions in the agricultural sector. A few farm workers argued that the Department of Labour needs to be vigilant when appointing officials that do farm visits, they must ensure that these officials are happy with their salaries first. This was mentioned because some officials are easily bribed with money by farmers not to report back to the office, a challenge for farm workers. This above finding shows that some government officials who are sent to conduct farm inspections are not paid well, and as a result, they do not commit to working.

## **5.7.2 Labour Rights and Skills Development Training for farm workers and farmers**

### *5.7.2.1 Skills and Development Training*

According to Van Jaarsveld (2018), the needs of farm workers in South Africa are as follows: Labour issues include a lack of inadequate skills development, a lack of vocational planning, a lack of information, and poor and inaccessible services. To address these needs, as the findings revealed, working together with different spheres of government is perceived as a solution by most of the participants. A review of the information technology literature shows that a wide range of computer software packages are available or are being developed for use by experts, consultants, private consultants, and commercial farmers (e.g., American Society of Agricultural Engineers, 2019). The study found that there is a need for introducing skills development and Information Technology (IT) workshops for farm workers to advance their knowledge and be knowledgeable about modern technology while enabling them to understand and deal with complex labour issues. According to Dlamini (2021) “Modern ICT such as mobile phones and the Internet appeal to rural youth and have high potential to facilitate access to information to increase farm productivity; enable agricultural innovation; and enable access to financial services and markets”. This study notes the importance of utilizing ICT applications for better communication and storage of critical information in the agricultural sector. The introduction of ICT applications in agricultural farms can be practically implemented through collaborations between government and private institutions that specialize in ICT.

As mentioned before in this study, low levels of education are major contributors to the inability of farm workers to break the cycle of poverty, inability, vulnerability, and dependence. This is consistent with Husty & Samson (2017:48) who stipulated that “Limiting the access to schooling and education of black people have been a key component of the apartheid strategy to reproduce a compliant working class in rural areas. The low levels of education and literacy in rural areas provide a formidable barrier for rural people in engaging with the state and with policy processes”. According to Barrett (2018), there is extraordinarily little reliable information accessible to the public about the state of South Africa's ICT sector. World Bank (2016) stated that rural women have less access to ICT than rural men due to higher illiteracy rates and a lack of financial resources to ensure ICT use. The researcher noted that the introduction of Information Communication Technology (ICTs) may lead to communication between farm workers becoming faster. It is

therefore vital for government departments to plan and practically implement such ITC educational programmes. Collaborations in ICTs applications are likely to take agriculture to the next level creating a generation of technologically advanced farm workers.

For farm workers to lodge complaints or report their vulnerabilities effectively, they must be knowledgeable about modern technology and social media platforms which they can use to communicate and send full reports of labour issues to relevant government departments. The government must introduce educational workshops that uplift and equip farm workers with Information Technology knowledge. This may have a positive impact since it is difficult for farm workers to meet up in their workplace and have a physical discussion about reporting their on-farm challenges. Berman (2018) stated that information can be electronically saved, analyzed, and disseminated using ICTs without the user having to travel long distances to the information source. This means when most farm workers are knowledgeable about ICT tools, communication about work-related issues becomes more feasible.

The provision of skills development training for farm workers is of major importance, however, to ensure the balance, it is also important for the government to involve farm owners in such training. Various South African studies have shown that commercial farmers rank their farm records/budgets as the most valuable source of information for production, marketing, and financial decisions (e.g., Bullock et al., 2018 Woodburn. 2019). Farmers, particularly those who are literate and have sufficient resources, can use ICT to access essential market data and new technological innovations that were previously difficult to access due to geographical constraints (Barrett, 2018). This is in line with Woodburn (2019:68) who noted that “In South Africa, many farmers who own computers use spreadsheets to record data and create farm budgets. Others use general accounting or fiscal management packages, or similar software designed to suit local farming conditions and needs.” Woodburn (2019) further stated that these packages are sufficient for the collection of data and for the preparation of operational and operating budgets. This is related to Singh et al (2017) who stated that modern ICTs significantly contribute to the transferring of agricultural information such as production techniques, commodity prices, and weather forecasts at a low cost to wide outreach of farmers. Barrett (2018) stated that modern ICT has played a significant role in stimulating economic growth and development in South Africa and contributed significantly to agricultural and rural development.

This study found that knowledge of IT is still lacking in the agricultural sector. One participant of the study from the government's side stated:

*If farm owners are educated about information systems and Information Technology, they will know the importance of storing their workers' information in the computer system and have all workers registered for social protection benefit schemes. ICT knowledge may be beneficial to the farmers because it becomes easy to trace registered workers when anytime goes wrong on the farm. Knowledge of IT and information systems must be prioritized by the government departments that deal with agricultural sector labour-related matters.*

The national government must introduce workshops that will help farmers get advanced with Information Systems and Technology for easy storing of information/identification of their workers and managing salaries. The farmers must have IT specialists and Human Resources (HR) officers that will assist with payroll and understanding minimum wage laws which were passed by the national government so that they do not rob workers of their salaries. Knowledge of computer systems enables farm owners to store the working hour's information of the workers. Bullock (2018) stated that computers were seen as very useful for keeping financial and physical records, for business planning (preparing budgets), and for preparing payroll, and were also highly valued for being more readily available (up-to-date, user-friendly, easy access) information and time savings compared to traditional manual recording. To ensure the effectiveness of such a programme in the agricultural sector, the government must work together with the department of science, innovation, and technology to produce digital skills and information systems strategies. Most participants stated the following concerning the introduction of workshops to tackle skills development issues in the agricultural farm:

*The national government may need to send the Department of Science, Innovation, and Technology to bring about educational workshops for farm workers. It can have a major impact on addressing existing vulnerabilities in informal employment. The same department may need to provide educational workshops for the farm owners to learn more about managing workers' information in the computer data security systems. The farm owners may need to learn about Information Systems and Technology so that they know all the registered workers have their information saved and secured in the same place. (DOA, 2021)*

The ICT applications that farm workers must be knowledgeable about include Microsoft Teams, Zoom, Skype, Outlook emails, and social networks like Twitter, Facebook, Instagram, TikTok, WhatsApp, and YouTube. Farm workers must know how to use their phones, type complaints, send emails, and do things digitally. The researcher argues that if the government formulates a task team that will bring Information Technology (IT) education to farm workers there may be a meaningful change in having labour complaints reported and eventually addressed. Most farm workers may be reluctant about coming together and lodging complaints due to fear of being misplaced by their employer. To avoid all this, IT knowledge may be a solution, they may have one person recording complaints and typing them out, and storing them on the phone. The stored information may be reported to the relevant government department to intervene. According to Jayathilake et al. (2010), information and communication technologies (ICTs) can be an answer to the problem of information distribution to farmers. In contemporary days, most labour complaints are lodged online on the department's website or email instead of all the farm workers having to walk to the relevant departments' building physically.

#### *5.7.2.2 Labour Rights*

The researcher noted that most farm workers have little knowledge about their labour rights and the importance of being registered workers. Most government officials interviewed maintained that the farm workers are unskilled workers who have little or no educational background, and as a result farm owners exploit them. Furthermore, the study found that in most cases, farm workers resort to working in a difficult working environment due to not having access to opportunities available in the formal sector. Most participants of the study commented that:

*For the longest time, farmers exploit their employees even though they see it is wrong they continue doing so. This is still prevalent because most farm workers do not know about their labour rights, and as a result, they fail to report incidents of exploitation they are subjected to on the farms. Farm workers must be taught that when required to work extra hours or during holidays there is a certain rate that must be applied. When farm owners fail to respect the labour rights of their employees, such incidents must be addressed by the Department of Labour (ULM, 2021).*

London (2019) argued that “Aside from school, there is often a lack of opportunities for farm workers to expand their minds, as they do not have easy access to libraries or other facilities which will enhance their intellectual development. The findings of the study demonstrate that due to low

skills level and lack of education, most farm workers are vulnerable and unlikely to access another job, either off-farm or on-farm.

The application of general labour laws can be problematic in rural areas, where employers and workers may be less familiar with the details of the law, and compliance may be considered impractical, particularly in commercial farms. Smith (2019) argued that even where specific legislation has been enacted to reflect the specific characteristics of farm work - for example, working time arrangements, wage structures, and the provision of housing in remote areas - inspections and enforcement tend to be weak. In response to this challenge, it can be noted that the Department of Labour must work with another relevant government department to produce programmes that also educate farm owners about the importance of respecting working hours and minimum wage. Since most informal workers expressed farmers tend to disregard the national minimum wage and underpay them, the government must play a remarkable role in teaching both farm owners and workers about labour regulations. London (2019) further argued that in 2018 a national minimum wage was introduced in South Africa, it was set at R20 per hour, but farm workers were receiving R18. The researcher noted that this is less than a living wage and much lower than what a household needs to buy a basic basket of nutritious food. To address this challenge, Smith (2019) stated that the government should examine the possibility of using the proposed wage subsidy to increase employment on farms and improve the working and living conditions of farm workers.

The researcher has noted that other government departments find it difficult to intervene in the agricultural sector labour issues, as they are not authorized to perform such tasks. The following comments represent most interviewed participants, despite their revelations that only the Department of Labour is the primary authorized state department to conduct farm inspections in agricultural farms.

*It becomes a challenge for the Department of Agriculture and rural development and the local municipality to punish farm owners who violate workers' labour rights due to the issues of authorization. There can be huge progress if the Department of Labour imposes laws and regulations that regulate the working conditions of the agricultural sector and collaborates with other government departments to ensure labour rights are not violated. The imposed laws must be*



*consistently reviewed by the farm inspectors, and the farm owners who fail to comply with these laws must be penalized.*

*The Department of Labour has policies and regulations in place; however, most farm owners tend to disregard them. If strict labour laws/policies are imposed, the government may then need to create awareness and teach farm workers about steps to take if they experience exploitation.*

The researcher notes that the above-mentioned programmes must also highlight and educate farm owners about the types of penalties that come with violating workers' labour rights. The number of hours worked must be equivalent to the monthly salaries that farm workers earn. The results of the study demonstrate that currently, the Department of Labour carries more authority to address labour issues in the agricultural sector. The findings in this section demonstrate that there is a need for all spheres of government to collaborate and develop a strategic plan to mitigate labour issues in the agricultural sector, however, the Department of Labour must play a leading role. Other government departments might have a role to play in addressing agricultural sector challenges, however, they must get approval or wait for the Department of Labour to do inspections first. The following section discusses further ways to address challenges faced by farm workers in the agricultural sector. The focus of the subsequent section is the introduction of new policies through intergovernmental relations.

### **5.7.3 Introduction of New Policies through Intergovernmental Relations**

The discussion in this section is the need for the introduction of new policies and regulations in the agricultural sector through intergovernmental relations. Moreover, the importance of interdepartmental relations in achieving effective introduction of new policies and legislation.

#### *5.7.3.1 Progressive Labour Legislation*

All the farm workers argued that government must enforce the safety and protection of farm workers so that the farmers who continue to exploit and mistreat their workers could be punished. Before this could happen, the farm workers argued that government must work together with ward councillors, traditional leaders, and Non-Governmental Organizations (NGOs) to address and investigate farm working conditions. The farm workers stressed that ward councillors are closed to the public therefore they must know the vulnerabilities of farm workers first and report to the relevant local government departments. Most participants of the study mentioned that the Labour Department must put policies in place which can cover informal workers, in terms of the rates and

the number of hours to be worked per day to mitigate exploitation. Kings (2021) argued that because of the vulnerability of those who work in informal employment, as well as the widespread failure of employers to follow national labor laws and treat their employees fairly, informal employment is a critical problem for labor administration. To ensure informal employment receive critical administration, the study noted that the Department of Labour must draft new policies and share them with the Department of Agriculture and the local municipality to discuss and have a coordinated plan to end farmworker exploitation.

This study is guided by institutional theory, it should be noted that this theory links to the findings on the importance of incorporating other stakeholders when planning and implementing public policies. The importance of institutional theory for understanding the policy process cannot be denied. The policy process will not proceed without the action of government institutions, which is what institutionalism argues for. Brandt and Otzen (2019) stated that the actors involved in institutions also play a key role in shaping the institutions since the actions of the actors reflect the outcome of the institutions. Therefore, there is a need to combine different institutionalism in the agenda-setting phase and policy implantation since each institutionalism has a different meaning of institutions and its means of solving the problems. Brandt and Otzen (2019) further stated that however, it is important to keep in mind that solving people's needs is the collective goal of institutionalism in the political process. The researcher, therefore, notes that addressing social needs should be the formal agenda of political and administrative decision-makers and implementation should follow the model reflecting actual would solve needs and not individual or political needs.

The researcher has noted that intergovernmental relations would enable effective operation for government structures that want to intervene in addressing the vulnerability issues in agricultural farms. A few participants of the study stated the following, about the importance of government collective working relationships to deal with labour issues in the agricultural sector.

*Government coordination may lead to new policies imposed and successful regulation of informal employment in the agricultural sector. The national government must give directives to the provincial and local governments to form a committee that will deal with vulnerabilities in the agricultural sector (DOA, 2021)*

*Interdepartmental collaboration is crucially important in dealing with farm-related labour issues, and the farmers who usually deny government entry into their farms do not stand a chance to defy orders from a team of different people with one coordinated plan and vision (ULM, 2021).*

The agricultural sector has been ignored for decades, and the researcher is of the view that this is because government departments work in isolation. Working in isolation leads to a lack of communication regarding farm-related issues. This study revealed that when the local municipality is conducting its operations in agricultural farms there are labour issues reported to them instead of the Department of Labour. This indicates that most farm workers are not well informed about labour regulations and laws and which government department to lodge labour complaints at. *This also mirrors the government's irregular farm inspections leading to vulnerabilities in informal employment. When workers are unable to report labour issues to the relevant government departments, it means their labour issues cannot be attended to.* When the local municipality officials are met with labour complaints from farm workers, the only thing they often do is note down their challenges and come back to the offices to request the labour office to intervene. This study found that this could take a long time, however, if all spheres of government arrive at the same time, they can address all the issues.

*A well-planned coordinated plan by interlinked government departments can help address all major labour issues in the agricultural sector. For instance, each sphere of government would note down and write its report, thereafter, combining it to make one comprehensive report and separate issues and finally fix everything that has been reported. The national government will make a final decision based on what the local and provincial government has submitted or reported (ULM, 2021).*

The above perceptions of the participants of the study demonstrate that working together in different spheres of government eases the process of addressing labour issues. When working together, government, traditional leaders, and ward councilors must also hold each other accountable for failing to address challenges in the agricultural farms. The researcher noted that intergovernmental relations must be the voice for vulnerable farm workers since the agricultural sector plays a pivotal role in stimulating economic growth.

Most participants of the study asserted that the provincial and national Departments of Human Settlement, Agriculture, Home Affairs, Labour, and Health must produce a solid plan to tackle vulnerabilities in the agricultural sector. The department of human settlement can help address the issue of difficult living conditions in the farmhouses. Most of the farm workers revealed to the researcher that they live in houses that do not have clean running water and they are overcrowded with no social distancing, moreover, the farmers do not provide them with sanitizer or face masks. This indicates that there is a need for the Department of Health must also find ways to investigate the hygiene of the farmhouses where the farm workers live and review existing policies that govern the health of agricultural workers. Based on the findings it could be highlighted that the Department of Health would not approve living conditions in most farmhouses, considering the COVID-19 era where hygiene is a major priority for all citizens. Dlamini (2021) stated that farm workers might be confronted with vulnerabilities due to their informality of employment, working conditions, poor housing, and little to no access to health care or social protection. The researcher has noted that an elevated level of informality in the seasonal agricultural labour market often results in significant worker vulnerabilities and a lack of basic protection mechanisms. The above statement is supported by Canada (2020) who stated that the inclusion of all informal workers in all aspects of the response to COVID-19, including health and social protection regardless of their status is therefore vital. The following paragraph focuses on migrant workers who work in South Africa in the agricultural sector.

The research noted that South Africa is a popular destination for migrants in search of better socio-economic opportunities, hence there is a serious need for the Department of Labour to conduct inspections to ensure compliance with labour laws. Budlender (2016:69) stated that “section 38 of the Immigration Act, 13 of 2002 provides that no person shall employ an illegal foreigner; a foreigner whose status does not authorize him or her to be employed by such person; or a foreigner on terms, conditions or in a capacity different from those contemplated in such foreigner’s status”. The researcher noted that it is therefore the farmer’s responsibility to make a good faith effort to ascertain the status of each person who is in their employment. Canada (2020) stipulated that many employment opportunities in the agricultural sector are temporary with flexible working and contractual arrangements. This study found that it will therefore be pivotal to monitor the social

and economic impacts on seasonal migrant workers to address their specific vulnerabilities and protect their rights.

To resolve the issue of farmers who hire undocumented workers and exploit them, the study noted that the Department of Home Affairs must work with relevant government departments and other stakeholders to mitigate such cases in the agricultural sector. The following quote represents the viewpoints of most participants of the study:

*The home affairs department must identify the nationality or identity of all informal workers who do not have proper documentation to work in South Africa. It is important to ensure all the workers are registered, and their working hours must be reviewed by the Department of Labour, to ensure they are in line with the national minimum wage that was passed by the government. This department must collaborate with the Department of Labour and enforce the laws and policies that make it a prerequisite to hiring people who have valid documentation (ULM, 2021).*

The above perceptions of the interviewed participants of the study resonate with Canada (2020:68) who stated that “Entry and residence regulations for migrant workers are regulated in the Immigration Act and the Refugee Act; work and entry permits are processed by the DHA. This legislation allows workers to obtain work documents through various channels, including work permits, business permits, special documentation programs, and bilateral agreements.” The department of agriculture, rural development, and land reform may need to find ways to ensure the issues of dangerous snakes in agricultural farms are addressed, for the safety of workers working during hot weather conditions. The government at the local municipality level needs to be on the ground level to ensure there is proper communication with other spheres of government. The following section focuses on the importance of enforcing employers’ compliance with labour legislation.

#### *5.7.3.2 Enforcing Employers’ Compliance with Labour Legislations*

The study found that most farm workers are not under social benefits schemes and their contracts are at risk of ending at any time. South African Government (2022:95) stated that “The compensation fund legislation discovered that 53 percent of employers that were visited in

KwaZulu-Natal agricultural farms are also having problems in terms of registering employees. Under the Employment Equity Act to promote affirmative action at work, the study discovered that 69 percent of employers that were visited are also lacking in compliance with the act". Smith (2019) stated that in some countries, the agricultural sector is specifically excluded from the scope of general labour law. Smith (2019) further indicated that where protective laws exist, they may not fully apply to the agricultural sector, are outdated, or simply not applied. It can therefore be noted that the Department of Agriculture must educate farmworkers about labour rights and suggest ways in which about relevant government departments report unfair work treatment. To ensure balance, the government must also educate the farmers about the importance of treating their employees well and adhering to labour regulations. The findings of this study demonstrate a need for workers to be taught about the importance of being a registered worker and social protection benefits.

Most respondents from the government's side stated that the Department of Labour must visit informal workers in the agricultural sector and allow them to speak out about labour challenges. It was stated that there must be a written contract that is signed by the farm worker and the farmer, this contractual agreement must be respected all the time. Canada (2020) stated that the absence of registration and written labour contracts lead to the absence of labour inspection and the absence of access to rights attached to formal employment, such as occupational safety and health (OSH) and social protection schemes. One of the female government workers from the Department of Agriculture stated the following:

*For us to protect the informal workers we need to have policies/regulations that speak to their work-related issues. We will create awareness for them since we are at the ground level, which means we can reach them and teach them about these policies, only if they have been implemented. We can make them aware that they cannot be expected to work when they have respiratory diseases, and they cannot be sprayed with chemicals when suffering from such health conditions. We cannot do anything for now until the national government like the Department of Labour produces such policies which will help us when visiting these informal workers (DOA, 2021).*

A few female respondents mentioned that women work in insecure farms where men can take advantage of them at any time since very often there is a lack of security in sight. The Department of Labour together with the South African Police Service (SAPS) must produce high-security

protection strategies to combat crime and sexual harassment in the agricultural sector. South African Police Service (SAPS) must monitor crime rates in agricultural farms and enforce laws that will make the farmers ensure the security and protection of workers.

Some of the responses from government officials included the following:

*I believe if informal workers can come to us and we are made aware of their location, we can bring relevant people who can help them, even though we as the municipality will not have all the answers if we know where they are. We can communicate with the Department of Agriculture; we bring them closer and work together with them. I believe if government departments come together and form one task team to inspect agricultural farms there can be a massive positive change. (ULM, 2021)*

*The local municipality, especially the local economic development and agriculture and labour office must do site inspections of various farms in the municipality. The farm inspections must be conducted during working hours, and the farmer and workers must be present. The farmer must stop all the work on the farm, and each farmworker must be interviewed to express their vulnerabilities one by one. Farm workers have common problems, but I believe it will help if each worker does his interview and speaks out about all the issues, he/she experiences on the farm. (ULM, 2021)*

This study found that the provincial Department of Health must research health-related challenges faced by farm workers in the agricultural sector. The Department of Health must also do physical visits to the farms so they can draft a full report for another department to make resolutions on. The study results suggested that this department needs to communicate with the Department of Labour to be authorized to do labour inspection on farm health-related issues. It was mentioned that the provincial Department of Health must find ways to force farm workers to comply with the rules and regulations of COVID-19 set by the National Department of Health. The findings of this study validate the relevance of the conceptual framework applied in this study. As discussed in the literature review chapter, this study considered collective leadership as a suitable conceptual framework to conduct this study which seeks to explore the drivers of vulnerabilities in informal workers in the agricultural sector. Based on the findings of the study and relevant literature on

ways to address challenges faced by farm workers, it was found that a collaborative style of working is likely to yield positive results.

As mentioned, in the findings, farm workers live in overcrowded farmhouses with no practice of social distancing and lack of clean running water for them to wash their hands especially during and post Covid-19 era. This resonates with Davids (2021) who mentioned that farmworkers are likely to be exposed to occupational safety and health hazards and run a notable risk of contracting COVID-19. It is therefore vital to understand their needs and ensure that they have access to accurate information that reduces risks. To ensure that farm workers are free from healthcare issues, Canada (2020) found that it is paramount that farm workers receive health insurance and have access to healthcare, should they fall ill or contract COVID-19. It was stipulated that the government should systematically include farm workers as a target population group in their COVID-19 responses. An example can be made, people who work at clinics have their equipment delivered to them by the Department of Health. Therefore, in the case of farm workers, the findings of the study demonstrate that there is a need for the Department of Agriculture and other relevant departments to sponsor agricultural workers with safety/protective clothes to protect themselves while on-farm and on-farm.

It was argued that the Department of Labour must find ways to report labour-related issues to all relevant government departments so that existing farm workers' issues are easily known and addressed. Most participants argued that without a directive from the Department of Labour, it is difficult to intervene in labour-related issues of farm workers even though they realize a need to. They argued that as the Department of Agriculture, they know their mandate, however, they are also guided by the Department of Labours' written labour policies. Findings of the research reveal that most participants from the Department of Agriculture are not familiar with any policies that support informal workers in the agricultural sector, hence they have not made adequate plans to intervene in addressing existing farm labour challenges. This shows that labour challenges experienced by agricultural workers are not a priority and are not actively communicated in most government departments. The participants from uPhongolo Local Municipality argued that there must be proper policies and regulations put in place for informal workers irrespective of the industry in which they are employed. The findings demonstrate that different spheres of government tend to overlook farm workers' labour challenges. Some government workers are not



aware of what agricultural sector policies entail, and there is a perception that only the Department of Labour has the mandate to address agricultural sector labour issues. The following paragraph focuses on the issues associated with the government's lack of knowledge about agricultural sector labour issues.

The findings of the study revealed that there is inadequate media coverage and research studies done on labour challenges farm workers are exposed to. This means labour issues that informal workers encounter in the agricultural sector will continue to get less public and government attention. Less attention given to the agricultural sector labour challenges means that farm workers are less likely to see their issues addressed, and this might lead to more workers giving up on the sector. To ensure rural agricultural sector labour challenges receive government attention, it could be argued that government must send competent researchers or officials to conduct research on various farms and report the results back to the head office.

*The national government must ensure there are researchers employed to research agricultural farm labour-related challenges. The national government then makes final effective decisions about the sector based on the study results. To ensure the accuracy and efficiency of the study results, the local and provincial governments must be given the authority to hire more expert researchers, this will help ensure all labour issues are reported. The research result should demonstrate if the farm owners still follow and respect the policies and laws that were passed a long time ago, if not, there must be a way to enforce them so that the farm workers' labour rights are protected like all other workers. Moreover, there must be a reporting mechanism in place to monitor and supervise these researchers when conducting interviews on agricultural farms. Such reporting mechanisms will assist give the government assurance that these hired researchers visit the agricultural farms to get the relevant information needed for the government to review its policies on the agricultural sector. After data collection completion in these farms, results can be interpreted, and this will lead to new policies and regulations being introduced.*

The existing policies and laws that deal with employee/worker wellness must be revisited and reviewed first before taking decisions about introducing new policies and laws that seek to address vulnerabilities in the agricultural sector. The policies must hold farmers accountable for any mistreatment of farm workers on the farms. The policies must be implemented after extensive research has been conducted in rural agricultural farms, where farm workers share their

vulnerabilities with researchers sent by the government. Based on responses provided by government officials interviewed in this study, it should be noted that the national government must be strict when it comes to protecting workers' rights, all the workers must be treated equally no matter what sector they work in.

#### **5.7.4 Formation of Farm Workers' Representative Unions**

Informal workers stated that despite farm owners' disapproval of the formation of workers' unions, there is a need for representation to fight against the violation of their labour right in the agricultural sector. According to (2018) the weak level of trade union organizations and worker representation underlies many problems in the agricultural sector, especially concerning the living and working conditions of farm workers. This study has found similar findings to that of Mewanu (2017), who stated that regarding the freedom of association and formation of a union, farmers were putting obstacles against farmworkers forming a union, persuading workers to resign from unions, and union members receiving poor treatment from the farm owner compared to non-union members. Most farm workers mentioned that having representatives may enable relevant government departments to have a full report of their labour issues. This shows that without a union it is difficult for farm workers to have their challenges resolved as many workers are scared to confront the farmers. William (2016) argued that informal workers find it difficult to reach trade unions and are therefore more vulnerable to violence and abuses since they are in an "Invisible" workforce, and they also lack collective voice and protection.

The conceptual framework applied in this study is relevant since it emphasizes the importance of collective leadership when dealing with labour-related issues. Therefore, based on the findings it could be noted that there must be a collective initiative by trade unions and farm workers so that the government realizes the need for intervention and address existing labour issues in the agricultural sector. These trade unions formed may need to work hand in hand with the Department of Labour, traditional leaders, and local municipalities. Furthermore, an impartial exploration of intra-farm relations could form the basis for common solutions between farmers, farm workers, their representatives, and the competent authorities.

This study found that even though farm workers are often unhappy about their working conditions, they are most of the time unable to challenge their employers. Having unilateral powers of hiring and firing workers at any given time without being challenged makes it difficult for the agricultural sector to grow as workers' jobs are unprotected. Zamchiya et al. (2019) stated that the situation of the farm workers is difficult because the majority are not trade union members. It should be stated that even though the constitution allowed all workers the right to freedom of association, there are challenges to strong unionization in the agricultural sector. Limited access to farms by trade union organizers makes the fight against farm work-related challenges extremely difficult. Furthermore, according to the Department of Labour (2017:17), “Organizers do not have the necessary means to access or provide effective service to farm workers. Another challenge is that access to farms is restricted by farmers and workers who wanted to join trade unions are often threatened with dismissal.” Some representatives from the government gave the following responses regarding poor labour union representation:

*They do not have labour unions on the farms, whereas formal employees do have unions; if they have problems with their farmers, they can speak to the representatives of the unions. For this reason, employers end up doing as they please in the agricultural sector. So, for informal workers, it is either they take it or leave it, they only work to escape poverty which is why they hardly leave even if they are being exploited (ULM, 2021).*

*I must mention that informal workers are not allowed to be represented by unions because they do not pay for representation by their unions. They are not covered at all, there is no representation between employees and employers by unions. There is a lack of legal and social protection for informal workers, they are exploited daily, and they are scared to confront their employers about it. (ULM, 2021)*

The responses given by study participants indicate that their inability to form trade unions makes it difficult for farm workers to confront their employers in disputes. Since farmers deprive their workers of joining unions, there are very few farm workers who are members of trade unions. There are only a few farm workers that have seen labour inspectors visit farmers where they work, to monitor labour conditions. Furthermore, Zamchiya (2015) stated that with the Department of Labour not enforcing labour legislation and low rates of unionization among farm workers, especially women seasonal workers, farmers continue to violate farm workers' rights with

impunity. Human Rights Watch (2016:135) stipulated that “Inspectors from the Department of Labour are expected to make regular visits to workplaces, including commercial farms, to monitor working conditions and employers’ compliance with labour laws and regulations, however, the Department’s capacity is severely constrained.”

Government officials had a similar point of view as farm workers interviewed concerning the importance of having trade unions in agricultural farms. London (2019:95) stated that “One of the challenges in the agricultural sector is the low level of unionization, with less than five percent of farm workers in unions. It is often NGOs working on land and agrarian questions that support farmworkers’ self-organization and awareness-raising of their rights.” Almost all government officials (8 out of 10) argued that the local government has the mandate to enforce labour regulations that enable farm workers to form trade unions in the agricultural sector. Government officials stated that farm workers’ challenges must be addressed at a local level before being escalated to the provincial level. This study noted that once farm workers’ vulnerabilities have been discussed at the provincial level, the national government must review the reports and complaints made by the farm workers and make final decisions. The researcher has noted that this must be a well-coordinated plan by all three spheres of government. Smith (2019) stated that labour laws depend primarily on unions to monitor and report violations. It, therefore, should be noted that labour inspectors cannot monitor all places of employment since some farm owners in South Africa deny them access to farms. London (2019) indicated that research shows that 13 percent of rural workers are unionized, compared to 40 percent in the rest of the formal sector. Based on this study’s findings, it can be noted that options should be explored to enable rural workers’ organizations to negotiate on an equal footing with farmers’ organizations.

Strengthening relationships among farm workers makes them one voice that will represent them by speaking out about their challenges with relevant government departments. The local municipality must allow farm workers’ representatives to participate in government structures that develop the agricultural sector. These farm workers’ representatives can be part of local economic development (LED) forums. The interviewed government officials from the uPhongolo Local Municipality indicated that the LED forum is a center of economic development, and it includes community leaders and other relevant stakeholders whose mandate is to have discussions about socio-economic development. This means when farm workers are given a workable platform to

become part of trade unions their labour issues can be presented and eventually get government attention through community development engagements like the municipal LED forum.

## 5.8 Conclusion

This chapter discussed and interpreted the results based on responses given by participants of the study. The researcher noted farm workers are subjected to difficult working conditions which are oppressive and violate workers' human rights. Difficult working included low remunerations, salary deductions, unpaid overtime, exposure to pesticides, living in overcrowded farmhouses which lack water and electricity and uncompensated on-duty injuries, and working during terrible weather conditions. It was mentioned that because most workers in the agricultural sector are unregistered, there is a shortage of social and medical protection schemes such as medical aids, UIF benefits, and provident funds. Since most farm labourers are unregistered, farm owners frequently deduct money from workers' wages without a written or verbal agreement, leaving workers in financial distress and hardship. The study further revealed that the government has not shown adequate support or willingness to address the drivers of vulnerabilities in informal employment in agriculture. It was noted that despite labour policies in place, there has been little, to no improvement in addressing challenges faced by farm workers in the agricultural sector. This study revealed that even though there are few labour inspections conducted by the Department of Labour, there are still many farm owners who disregard the labour regulations and go unpunished for that. Both groups of government officials and farm workers interviewed in this study argued that there is a need for interdepartmental collaboration where relevant government departments collectively do labour inspections and address vulnerabilities in the agricultural sector. A need for union representatives for farm workers was also noted as having the potential to resolve vulnerabilities in the agricultural sector. This study found that having trade unions may enable relevant government departments to have a full report of agricultural farm labour issues. It was noted that since the local municipality has Local Economic Development (LED) forum where they hold public engagement with municipal council and community leaders about socio-economic development, trade unions must be formed and present the labour issues faced by farm workers in the LED forums. It was noted that this will help farm workers to get the local government's attention on agricultural sector labour issues. It was also noted that there is a need for the provision of skills development training for farm workers since most of them are uneducated and unaware of their labour rights. The importance of having ICT knowledge and being able to report labour

issues using modern technology platforms was noted as of the ways to address challenges faced by farm workers in the agricultural sector. In the following chapter, the study's objectives were revisited, to assess if the study findings and discussions discussed in this chapter were able to answer the research questions. The chapter also provided recommendations for future studies and an overall summary of the study.

## Chapter 6: Conclusion and Recommendations

### 6.1 Introduction and Summary

Information employment in the agricultural sector plays a crucial role in employment creation, and poverty alleviation for lower-income groups and contributes to the Gross domestic product (GDP). In most rural communities, agriculture production serves as a source of income and contributes towards strengthening their livelihood, yet numerous constraints limit them from exercising their labour rights in the agricultural sector. This study found that a lack of good governance for proper and effective implementation of labour policies and laws, poor access to social protection, and limited education of labour right farm are significant drivers of vulnerabilities in the agricultural sector. Other drivers of vulnerabilities included the lack of farm workers' representative unions to represent workers' labour-related issues; the absence of documented labour contracts (Undeclared jobs); the lack of literacy programmes by the government to empower the farmworkers with labour policies knowledge and basic labour rights and irregular farm inspections. Furthermore, the government's failure to include the farm workers when conducting farm inspections or meeting with farm owners was noted as a prevalent challenge in most agricultural farms. The study found that it is difficult to address socio-economic issues of informal employment in the agricultural sector when the voices of farm labours are excluded.

The main aim of the study was to explore the drivers of vulnerabilities in informal employment with a focus on the agricultural sector in uPhongolo Local Municipality. The study was conducted in the uPhongolo Local Municipality under KwaZulu-Natal, South Africa. As mentioned in the methodology chapter, the study comprised two groups, the first group included informal workers (20), the second group had Agriculture and Rural Development officials (5), as well as uPhongolo local municipality workers from the LED and IDP division (5). The total number of participants in this study was thirty (30). All interviewed agricultural informal workers were purposively selected from Ncotshane Township which falls under uPhongolo Local Municipality. Moreover, all participants from the Department of Agriculture and Rural Development and uPhongolo local municipality also were purposively selected to participate in this study. The data was collected using in-depth (Face to Face) interviews, and it was coded and analyzed using qualitative thematic analysis (TA). After all the interviews, the researcher transcribed data using the NVivo data management software application version 12 for easy identification of the themes.

This chapter offers concluding remarks and recommendations for future studies. The remarks about both conclusions and recommendations are based on the literature review, research objectives of the study, qualitative research methods and approach, and a discussion of the data collected during the study. The chapter begins with conclusions presented in the format of the study's results. The subsequent part of the chapter covers recommendations, and lastly, proposed future research.

## **6.2 Conclusions**

The conclusion drawn from this section is based on the responses from the in-depth (Face to Face) interviews conducted with the participants of the study. These conclusions are in line with the specific objectives of this study, which were dealt with in the introductory chapter.

### **6.2.1 Experiences of informal workers in the agricultural sector**

The results of the study indicate that most informal workers in the agricultural sector encounter a greater number of exploitation and inhumane working and living conditions (see section 5.1). Most farm workers and government officials indicated that in the agricultural sector, workers are subjected to poor sanitation, limited provision of protective clothes, uncompensated work injuries, lack of social protection schemes, and poor labour union representations. It was revealed that, despite government labor policies in place, most farm workers are victims of salary deductions without any contractual or verbal agreement, low remuneration including unpaid overtime at times, and inconsistent working hours. The study noted that there is poor prioritization of Occupational Health and Safety for farm workers. Consequently, the study noted that farm workers are at a greater risk of suffering chemical injuries since most work close to pesticides, without proper hazardous chemical training, or without being provided protective clothes. Most of the participants stated that farmers need to prioritize the safety of all farm workers and learn to comply with government labour policies that exist. The farm workers assert that without workers the agricultural farms would not be productive, hence the safety of the workers must be prioritized. Other participants mentioned dangerous snakes in the working environment and working during heavy rain days as another huge challenge. The participants stated that to address this is of snakes, the government must send committed workers to regularly check on agricultural workers.



### **6.2.2 Systems of social structures affect informal employment in the agricultural sector.**

The study found that most rural areas are under the leadership of traditional leaders who are not well-informed about the living and working conditions of farm workers in the agricultural sector. As a result, there are societal gender expectations and social rules put in place without extensive knowledge of the labour conditions of agricultural workers. The study noted that different farm workers have an ardent desire to attend cultural, religious, and family functions, however, they are often deprived of that opportunity by their employers in the agricultural sector (see section 5.2). The study found that societal expectations of people without understanding the dynamics in their workplace tend to create unbearable anxiety for most farm workers in the agricultural sector. The study revealed that inconsistency attendance of cultural and religious events makes farm workers unproductive at the workplace since society deems it taboo to miss these events. The study also indicated that women have limited access to education and skills & development training. The educational and skills development training is provided for men than women. The study revealed that this ends up restricting women's well-being and reduces their desire for agricultural work.

### **6.2.3 Local government supporting informal employees in the agricultural sector.**

This study revealed that even though there are few labour inspections conducted by the Department of Labour, many farm owners still disregard labour regulations and go unpunished (see section 5.4). The agricultural sector in South Africa is governed by set government labour regulations, and the farm owners are thus expected to comply, however, this study found that most farmers fail to do.

According to the South African Government (2022:178), "The applicable labour laws for the agriculture sector are the:

- Basic Conditions of Employment Act, 1997 (BCEA).
- Sectoral Determination 13: Farmworker Sector (SD 13).
- National Minimum Wage Act, 2018 (NMWA).
- Employment Equity Act, 1998 (EEA); Labour Relations Act, 1995 (LRA).
- Occupational Health and Safety Act, 1993 (OHSA).
- Compensation for Occupational Injuries and Diseases Act, 1993 (COIDA).

- Unemployment Insurance Act, 2001 (UIA); Unemployment Insurance Contributions Act, 2002(UICA); and Employment Services Act, 2014 (ESA)”.

The findings of the study revealed that most farmers disregard these above-listed agricultural sector labour legislations. According to Richardson and Pettigrew (2022), South Africa has enacted legislation that oversees agricultural laborers' wages, benefits, and working and living conditions. The reality, however, is the opposite of what the law requires, owing largely to the government's lack of monitoring and control over farm employees. The study noted that since most workers are unregistered, there is poor government intervention in addressing challenges encountered by informal workers in the agricultural sector. Lack of coordinated farm inspections, bribing of government labour inspectors, and inaccessible agricultural farms are one of the challenges limiting the advancement of informal employment in the agricultural sector. This study indicates that despite little government efforts to intervene, farm owners tend to prevent access to their farms, as a result, the government fails to do labour inspections properly. Richardson and Pettigrew (2022:56) noted that “The vulnerabilities in informal employment stem from the government’s failure to enforce strict labour laws which will prevent the farm owners from denying access”. In the case where the provincial department of Labour government officials manages to invade the farm, the study revealed that most farm owners give monetary bribes to the labour inspectors who visit the farm aiming to inspect labour conditions.

Based on the findings of the study, the local government has failed to support informal workers in the agricultural sector. The study noted that when governments formulate and implement policies and laws that regulate the agricultural sector, agricultural workers’ participation is often not considered. Again, failure to include farm workers in labour inspection processes leads to farm workers’ labour issues taking time to be resolved. Therefore, for an effective formulation of policies and laws, especially for agricultural workers, these workers must be granted access to participate in the process so that their views can be incorporated. In simple terms, to ensure governance and inclusive planning strategies at all government levels, stakeholders’ involvement in the planning process is critical.

#### **6.2.4 Role of intergovernmental relations in informal employment in the agricultural sector**

The South African constitutions (1996) require all three spheres of government to consult one another on issues prevalent concern, yet the findings of this study demonstrate that there is a lack of integration or collaboration between programmes related to agriculture, especially between the local and provincial spheres of government (see section 5.6). Furthermore, the findings also indicated that neither sphere has measures in place to ensure an integrated and comprehensive support system for the agricultural sector. This means there is no active collective action by government departments to address vulnerabilities in informal employment in the agricultural sector. Lack of communication and coordination by spheres of government does not yield a positive result, it may lead repetition of some programmes. Uncoordinated similar programmes lead to resource wastage and further delays agricultural sector development. Since the study found a lack of collaborative governance, it was indicated that government must work together with ward councillors, traditional leaders, and Non-Governmental Organizations (NGOs) to address and investigate farm working conditions. It was noted that intergovernmental relations carry an enormous potential to assist the government to formulate one coordinated plan for addressing vulnerabilities in informal employment. Nzimakwe and Ntshakala (2015:830) noted that “intergovernmental planning and coordination, among the three spheres of government, are crucial for South Africa if it is to realize its objective of becoming a well-oiled developmental state that can respond to and meet the social and economic needs of its people; namely eradicating poverty.”

#### **6.2.5 Improve conditions in informal employment in the agricultural sector.**

The agricultural sector is associated with vast violations of labour rights. This study indicates that violation of workers’ human rights does not get public attention, because farm owners tend to restrict farm workers from forming alliances with trade unions. Increasing labour inspections, labour rights, and skills development training, the introduction of labour policies through interdepartmental government, educating farm workers and farmers about labour rights, and formulation of farm workers’ representative’s unions were established as ways to hinder challenges faced by farm workers in the agricultural sector (see section 5.7). *It is critical to apply institutional theory to address the primary sources of vulnerability in the agriculture sector.*

*The power imbalance between farm owners and agricultural labourers must be addressed. The government has advocated progressive labour legislation as a starting step to address the*

imbalance, but such laws must be enacted quickly (Devereux, 2020). Gumede (2021) stated that South Africa has well-drafted legislation on paper, but according to the researcher, such legislation is ineffectual since it is not realistically executed. The researcher noted that the Department of Agriculture and the local municipality should exert pressure on the Department of Labour to ensure that legislation is followed. By doing so, these two departments will ensure that the law is followed. The hardship of farm labourers will be improved if legislation is implemented correctly. This finding can be explained from the institutional theory's point of view. It is pivotal to employ the institutional theory to address the main drivers of vulnerabilities in the agricultural sector. Ozili (2023:47) stated that "the regulative pillar dictates 'what must happen', the normative pillar is about 'what should happen' and the cultural-cognitive pillar is about 'what generally happens'".

Based on the institutional theory's regulative element, the insufficiency of the regulatory environment is one of the most important factors that could affect activities in informal employment in the agricultural sector. This includes gaps in national labour laws that do not fully account for all economic activity, as well as a lack of government assistance to ensure compliance with labour regulations. The regulative pillar is the legal shape or form of institutions, and it frequently manifests itself as a type or form of regulation. It deals with the legal environment within the organizational field where the organizations are located, and the organizations have no choice; they must operate by all regulations to avoid the penalty of noncompliance (Alter, 2019). Its legitimacy is explained by implementing restrictions that govern and constrain behaviour (Scott, 2021). Regulatory institutions name the rules by which organizations and people operate ((Adams, and Luiz, 2022)

The study revealed that violations of workers' human rights go unnoticed because farm owners discourage farm labourers from forging partnerships with trade unions. Deprived partnerships with trade unions are another critical issue that led to vulnerability in the agricultural sector. The application of institutional theory could help government departments responsible for labour conditions in the agricultural sector to gain a comprehensive understanding of the nature of labour difficulties. Based on institutional theory, these findings demonstrate that the agriculture sector's labour difficulties originate from an institutional environment in which informal work occurs. The farm owners prevent farm workers from making partnerships with trade unions due to poor enforcement labour legislation in these institutional environments. Government is the major actor

in enforcing the law, and it must perform a neutral role to balance the relationship between all environmental actors (Adams, and Luiz, 2022). Furthermore, the government can utilize power in two ways: to induce or force agents to comply. Inducements are determined by motivations, whereas forcing is accomplished using fear (Scott, 2021). Other scholars define regulatory institutions as “pressures to make organizational procedures and/or structure conform to best practices, arising from the demands of actors on whom the organization is dependent for resources or even with outright regulation and mandates” (Devereux, 2020:395).

The government must ensure a conducive environment to support the representational rights of informal employment workers. Boeri (2018:159) states that “Public authorities should include agricultural labourers in the public policy debates. Provide them access to the services and infrastructure they need to operate effectively, and efficiently and protect them from harassment or unjustified or discriminatory eviction.” All three spheres of government have the primary responsibility to enforce labour regulations to mitigate vulnerabilities that informal farm workers are subjected to. Boeri (2018) argued that the enforcement of policies and laws must involve informal workers to ensure coordinated planning and implementation. According to Masutha and Rogerson (2018), local government is a sphere of government that conducts functions differently from the national and provincial governments; thus, it has a responsibility to commence reporting agricultural farm labour issues to other spheres of government.

### **6.3 Recommendations**

In the literature review chapter, it was discussed that there is a lack of inclusion of informal agricultural workers under social security legislation. The findings of the study demonstrated that there is an apparent need for government departments to re-evaluate existing labour policies and use integrated mechanisms to improve the labour conditions of informal workers in the agricultural sector. This study indicated that exploitation and depressing working and living conditions in agricultural farms are far from being over, only when all spheres of government work together that there could be an improvement. This section provides recommendations based on the study’s findings and discussions as well as relevant literature. To improve labour working conditions in the agricultural sector, the following recommendations should be considered by the government as well as informal workers in the agricultural sector.

### **6.3.1 Increasing digital communication mechanisms and media coverage on labour issues in the agricultural sector.**

This study indicated that the government has not made adequate efforts to attend to vulnerabilities in agricultural farms due to a lack of reports about labour issues. It is therefore recommended that the agricultural sector needs more media reporting and research studies conducted, so all the spheres of government and other civil society organizations can be knowledgeable about the conditions of employment. The challenges that farm workers face are not widely reported, there has not been much research done on them specifically. This study has found that the challenges faced by farm workers in agricultural farms are not new, they have been happening for decades, however, spheres of government have failed to intervene. As mentioned in the discussion chapter, the existing labour laws for the agricultural sector tend to be disregarded by farm owners. The study indicated that the local municipalities function without programmes aimed at addressing farm workers' labour conditions and ward councillors are often unavailable to report farm labour issues to the local municipality offices. This study recommends that state departments interested in labour issues in the formal sector must also consider the agricultural sector in rural areas. It could also be recommended that conducting and publishing more research studies, focusing on labour issues in the agricultural sector by various state researchers is likely to uncover the depressing working and living conditions farm workers are subjected to. This may lead to more government agencies and civil society organizations developing an interest to intervene and protect the rights of vulnerable farm workers in the agricultural sector.

There is a need for farm workers to be educated about technology advancement for better digital communication about labour-related issues in the agricultural sector. This study found that most farm workers are illiterate and unskilled, and they lack knowledge of using mobile phones, typing complaints, and sending emails. It is thus recommended that government must formulate a task team that will bring Information Technology (IT) training for farm workers to be knowledgeable about digital communication for better reporting of their labour issues. IT knowledge is crucial for farm workers since they are deprived of forming trade unions by their farmers. According to Ajani (2018), ICT refers to technology that enables users to receive, process, transmit, or send information which may be in the form of voice, picture, or text. ICT can play a crucial role in maximizing efficiency and communication between farm workers and relevant stakeholders they intend to report their labour issues. Numerous authors such as Aker (2016), Freeman and Mubichi

(2017), Marcel (2017), and Masutha and Rogerson (2018) noted that technologies such as TV, cell phones, and radio can democratize information access, for instance, technology can empower farm workers, provide them learning opportunities and give allow them to establish networkers with other farm workers in the agricultural sector. The study noted that farmers do not approve of farm workers forming part of a trade union or holding physical meetings on-farm and off-farm. IT knowledge is therefore vital for farm workers. These workers can hold online meetings and complaints get stored on the phone; the stored information may be reported to the relevant state departments to intervene without the farmers' knowledge. Since there is less media coverage of farm labour issues, digital communication may assist relevant state departments to receive valid reports and ultimately intervene.

### **6.3.2 Amendment and enforcement of the Labour Relations Act of 1995; and the Basic Conditions of Employment Act of 1997 (Sectoral Determination 13: Farmworker Sector).**

The constitution provides that everyone has a right to fair labour practices, this extends to all informal workers employed in the agricultural sector, whether they are seasonal or permanent workers. This study indicated that despite the government's efforts to pass laws governing the relationships between employers as producers and farm workers as the labour force, there has not been efficient enforcement of these laws in most agricultural farms. Based on the study results, it could be recommended that government need review current labour legislation in the agricultural sector. There is a need for amendment and enforcement of the Labour Relations Act of 1995; and the Basic Conditions of Employment Act of 1997 (Sectoral Determination 13: Farmworker Sector). The government has the mandate to ensure that Determination 13 for Agriculture is practically applied in the agricultural farm, this can be done by maximizing the number of professional labour inspectors. These farm inspectors must conduct farm inspections more frequently and ensure non-compliant farmers are reported and punished.

The labour legislation must not only be available on paper but must also be put into practice and enforced by the government labour inspectors. The Enforcement of the Labour relations Act of 1995 will lead to a conducive working environment where farm workers are provided compensation for on-duty injuries, minimum wages, employment equity, and unemployment insurance fund. Amendment of and enforcement of policies will have a valuable impact on the agricultural sector. Some government workers are not aware of what agricultural sector policies

entail, moreover, there is a perception that only the Department of Labour has the mandate to address agricultural sector labour issues. Therefore, in the amendment of agricultural sector policies, insights from farm workers must be considered since these policies aim to protect their labour rights. The following paragraph recommends ways to ensure the valuable contribution of farm workers in policy amendment processes.

There is a need for farm workers to be approved to have labour representatives that will represent their on-farm and off-farm conditions in the agricultural sector. When farm workers are granted an opportunity to express themselves or to be part of trade unions, the government will have a clear picture of the labour conditions these workers are subjected to. If this happens, the local municipality must allow farm workers' representatives to participate in local government structures that deal with local economic development (LED) including the agricultural sector. The interviewed government officials from the uPhongolo Local Municipality indicated that the LED forum is a center of economic development, and it includes community leaders and other relevant stakeholders whose mandate is to have discussions about socio-economic development. The formed farm workers' representatives can be part of local economic development (LED) forums. This study noted that participation in LED forums would also be a valuable platform for farm workers' trade unions to present agricultural sector labour issues and it can eventually help the sector to get government attention.

### **6.3.3 Creating a single joint interdepartmental collaboration structure.**

The results of this study revealed that without a directive from the Department of Labour, it is difficult for other state departments to intervene in labour-related issues encountered by farm workers despite realizing a need to do so. This study further indicated that the provincial Department of Agriculture and uPhongolo Local Municipality is aware of their mandate, however, they are also guided by the Department of Labour's written labour policies and laws. It was found that other state departments are not familiar with any practically implemented policies that support informal workers in the agricultural sector. This makes it difficult for these other state departments to adequately intervene in addressing ongoing farm labour issues. Based on the responses from farm workers and officials from the Department of Agriculture and Rural Development and uPhongolo Local Municipality, one can recommend that policies and regulations must be reviewed and practically practiced. The Department of Labour and Employment's plans to create conducive



working and living environment for informal in the agricultural sector needs support from other state departments. The possible joint interdepartmental collaboration structure may include the Department of Home Affairs, Department of Agriculture and Rural Development, Department of Human Settlement, Department of Health as well as the South Africa Police department.

This study found that the government has failed to enforce the safety and protection of farm workers, consequently, the on-farm crimes and injuries go unnoticed and employers unpunished. This study also indicated that female workers who work in insecure agricultural farms and farmhouses are often unfenced and without security on site, hence there are highly reported cases of men who take advantage of them. It can therefore be recommended that the Department of Labour together with the South African Police Service (SAPS) must produce high-security protection strategies to combat crime and sexual harassment in the agricultural sector. South African Police Service (SAPS) must monitor crime rates in agricultural farms and work collaboratively with the Department of Labour to implement and enforce laws that will ensure the security and protection of workers.

Since the Department of Labour has the authority to conduct labour inspections, together with the Department of Health, these departments may form one strategic team to do inspections on health-related issues in agricultural farms. One coordinated plan may lead to a comprehensive report on farm health-related issues, which can be shared with other relevant state departments to also make resolutions. Since the study indicated that most farmhouses have poor infrastructure and roofs are often leaking, leaving farm workers at high life-threatening risks. It is therefore recommended that the Department of Human Settlement could assist address the issue of poor infrastructure and building inspections for the proper development of farmhouses and infrastructure.

Based on the findings of the study, the departments that deal directly with agricultural activities from all spheres of government must create a single joint planning and coordination structure to discuss development priorities and planned projects for farm workers. The planning system that the government is currently utilizing remains unsuitable for the task of long-term planning for the development of agricultural workers. To improve the conditions mentioned in this study, all spheres of government should incorporate stakeholder insights, lay a policy foundation for a whole-of-government approach to planning, and set the direction for agricultural workers planned future. Creating a coherent planning and coordinated system could assist government institutions

in ensuring that better outcomes are achieved from the delivery of support services to agricultural workers. When a team has a strong bond, it is easier for them to develop answers to the problems that they confront. The researcher applied the collective leadership conceptual framework since it promotes the collaborative working of different people to achieve a common goal. In this case, this conceptual framework is relevant for all spheres of government to have a strategic planning and collective decision-making process when dealing with vulnerabilities in informal employment.

#### **6.3.4 The Department of Labour and Employment needs to maximize labour inspections in agricultural farms.**

The Department of Labour is the key state department with the responsibility to regulate the South African labour market, enhance enforcement and monitor compliance with policies, laws, and regulations. This study found that this department has not managed to reach out to most agricultural farms in the country, and there has not been adequate improvement in the conditions of employment where labour inspections were conducted. This study further revealed that farm workers are often not granted an opportunity to fully express their labour challenges in case of labour inspectors visit the farms. It can therefore be recommended that government must find mechanisms to deploy well-trained and professional labour inspectors to invade agricultural farms. These well-trained labour inspectors must come unannounced since it was noted that most farm owners tend to deny government workers access to their farms. They must enforce compliance and provide all the workers and farm owners an opportunity to express conditions of employment. Proper labour inspections will assist all state departments responsible for the development and improvement of the agricultural sector to make effective and efficient decisions in the future for the agricultural sector. The Department of Labour must ensure that farmers and farm workers are educated about the national minimum wage which was passed by the national government.

The Department of Labour must also formulate reporting mechanisms that will ensure the labour inspectors' accountability and visibility to the agricultural farms. Furthermore, this department should create a database of agricultural workers who have been interviewed and assisted by labour inspectors so that follow-ups can be done by other officials within the department to validate the authenticity of reports produced by labour inspectors. The farm workers in this study indicated that the labour inspectors typically come to the farms to get signatures to prove they visited them

without providing useful information. The department must thus find ways to improve the reporting mechanisms of the labour inspectors. One of these could be a detailed day-to-day plan of action that will engage the farm workers before labour inspectors visit them. This could assist with the labour inspectors' visibility and result in a comprehensive report that could be presented to the department for each farm worker.

### **6.3.5 Establishment of workplace forum to represent farm workers' labour rights.**

This study indicated that farm owners tend to disapprove of farm workers forming or being part of trade unions that seek to represent and fight against the violation of workers' labour right in the agricultural sector. It was also revealed that most farm workers are scared to confront their employers due to fear of possible unfair dismissal and replacement from work anytime. Due to this reason, it was noted that the lack of trade unions in the agricultural sector made it difficult for agricultural sector labour issues to be addressed. According to Gumede (2021: 225) “a trade union is an ongoing organization formed by employees to protect themselves at work, to advance their working conditions through collective bargaining, to improve their living conditions, and to provide a forum for farm workers to express their concerns”. Devereux (2020) noted that a trade union's primary goal is to advocate the interests of its members in the workplace.

The Department of Labour together with the Department of Agriculture and rural development must educate farmworkers about their labour rights and direct them to relevant state departments in which they can lodge complaints or report unfair working conditions. More, to ensure balance, the government must also educate the farmers about the importance of treating their employees well, adhering to labour regulations, and allowing the formation of trade unions. This study recommends that government must amend the labour relations policies in the agricultural sector, which will enable coordinated platforms for farm workers to speak out about labour challenges. In achieving this goal, the local, provincial, and national governments must work together with ward councillors, traditional leaders, and Non-Governmental Organizations (NGOs) to investigate factors that contribute to difficult working conditions in the agricultural sector. This study indicated that ward councillors work closely with the public, therefore, the vulnerabilities of farm workers are most likely to be reported to them first, and their mandate could be to escalate reports to relevant local government departments.

## **6.4 Proposed future research.**

The responses provided in this study were only based on informal workers in the agricultural sector, Department of Agriculture and Rural Development officials, and as well uPhongolo local municipality officials. Other stakeholders like the Department of Labour and Employment, Traditional Leaders, Agricultural Non-Profit Organizations, and retired agricultural workers were not included in this study. Thus, for future studies, a broader investigation into the drivers of vulnerabilities in informal employment in the agricultural sector with the above-mentioned stakeholders is required. The researcher is of the view that the involvement of the above-mentioned stakeholders could have uncovered and provided more complex labour issues that exist in the agricultural sector. Since the study found that labour inspectors from the Department of Labour often fail to do inspections and uncover the truth about agricultural sector labour issues, involving this department could have provided more answers to the claims made by farm workers. Investigation into the perspectives of these stakeholders is required, as they have broad historical knowledge of what informal employment labour conditions in the agricultural sector were like before democratic South Africa. Future studies could investigate current labour conditions of employment in rural agriculture and make a comparison with the ones before 1994, to assess progress made thus far.

## **6.5 Contribution of the Study to the Body of Knowledge in the public administration discipline**

This study contributes to the body of knowledge in the public administration field of study. The findings of the study provided perceptions from the local government and provincial Department of Agriculture as well as farm workers who are exposed to depressing working and living conditions in the agricultural sector. This study employed institutional theory to explore the labour conditions of farm workers in the agricultural sector. Institutions, according to Scott (2018), are multidimensional, long-lasting social structures made up of symbolic elements, social activity, and material resources. Their distinctive features include their remarkable resistance to change and the fact that they are passed down through generations and hence maintained and reproduced. According to Nilssen (2019), the development of the institutional theory was characterized by a fractured meaning, both across and within disciplines, until the late 1980s. Scott (2018), on the

other hand, sees some parallels in the paradigm's fundamental purpose, which is to explain social behavior at many levels. Scott (2018) underlines those institutions “are made up of regulative, normative, and cultural-cognitive elements that, when combined with associated activities and resources, provide stability and meaning to social life” (Scott 2018:49). Each of these institutional features, or "pillars," represents a distinct variable from a range of different schools of thought dating back to the early phases of the institutional paradigm's formation. Nilssen (2019) states that all these characteristics have been highlighted by social theorists as significant factors in institutions, and so contribute to the explanation of social choice and behavior.

The vulnerabilities encountered in the agricultural sector stem from an institutional environment where informal work takes place. The researcher is of the view that a holistic examination of the normative, regulatory, and cultural cognitive environments provides a better understanding of the drivers of vulnerabilities in informal agricultural employment. This study contends that the prevalence of informal employment in South Africa's agricultural sector should be attributed not only to an inadequate regulatory structure but also to the normative and values-driven socio-cultural dimension of the institutional environment in which it exists. According to Gerxhani (2014), many rural people prefer informal employment in the agricultural sector because it provides them with greater flexibility and freedom than formal employment. The application of institutional theory could assist government departments responsible for labour conditions in the agricultural sector to have a holistic view of the essence of labour challenges. The labour challenges encountered in the agricultural sector stem from an institutional environment where informal work takes place. Most farm workers prefer informal employment because of their level of education, even though there is a lack of better-paying opportunities provided in their institutional environment.

The study highlighted the importance of intergovernmental collaboration when addressing vulnerabilities in the agricultural sector. Collaboration from different government departments and the inclusion of farm workers' representatives and community role players to deal with agricultural sector labour issues were discussed in this study. The findings from both government officials and farm workers themselves revealed the importance of this collaboration. The theoretical framework employed in this study will assist institutions to consider the importance of social cohesion and understanding that each person's thinking and decision-making abilities are guided by norms and

beliefs. Institutional theory is about a particular set of ideas, rules, or beliefs that each person uses to deal with problems or to make decisions. Therefore, during the government policy-making process it is essential to consider farm workers' insights as they can contribute to the amendment of labour policies. Since the farm workers experience depressing working conditions daily when amending the existing policies, the study revealed that it is important to consider inputs from these workers. Since primary data collection revealed the importance of working as a collective and understanding each person's decisions. This might assist uPhongolo Local Municipality and other relevant provincial and national government departments to consider creating a platform for farm workers to express themselves and amendment of labour policies would cover all issues raised by these farm workers.

According to the theoretical framework of this study, the institutional context influences economic behavior and the mode of informal employment activities in the agricultural sector through its regulatory, normative, and cultural cognitive aspects. Nilssen (2019) stated that the regulatory environment's inadequacy is one of the most essential elements that could affect activities in informal agriculture employment. This includes gaps in national labour policy that do not adequately account for all economic activities and the absence of government support for agricultural businesses in terms of registration and labour regulation adherence. For example, institutional difficulties in the process of registering agricultural farm businesses lead to poor adherence to labour regulations (Nilssen, 2019). In this study, it was discussed that most farm workers are not registered and do not make any contribution to social protection benefit schemes. This can be regarded as a regulatory issue that needs government intervention to be adequately resolved. Most farm workers are subjected to severe exploitation since their employers fail to adhere to the labour regulations stipulated by the Department of Labour. Institutional theory's regulatory aspect is important in this regard since it reflects a holistic view of the causes of the lack of adherence to labour regulations. An inadequate supportive regulatory environment for informal workers in the agricultural sector makes farm owners constantly exploit the workers.

The study findings may assist private and government institutions that intend to learn about agricultural sector labour challenges. Private institutions that plan to support the agricultural sector would know about challenges that exist and the existing government policies in the agricultural sector. Government institutions may also benefit by having a clear picture of existing labour

policies and working and living conditions that farm workers are subjected to in the agricultural sector. The study also highlighted the importance of educating farm workers and farm owners about existing labour regulations to ensure there is compliance and workers' labour rights are protected. The researchers in public administration will be able to learn from this study's findings and elements of the employed theoretical framework. Ultimately these researchers will have a better understanding of vulnerabilities that exist in the agricultural sector. The researchers who intend to conduct research focusing on the agricultural sector may compare these results, with theirs, to see if there has been improvement in the agricultural sector of uPhongolo Local Municipality since this study was completed.

This study's findings also indicated that most labour inspectors fail to report labour issues to the Department of labour. These labour inspectors are often given bribery money by farmers to not report back the disregarded labour regulations in the agricultural farms. Therefore, the study highlighted the importance of ICT knowledge to report labour-related issues by both farm workers and labour inspectors that conduct farm inspections in agricultural farms. This ICT knowledge will assist the Department of Labour to monitor how the sent to labour inspectors do their job in the agricultural farms. Furthermore, this will also help the Department of Labour to learn if the farm workers are granted enough opportunities to report labour issues.

The study discussed that institutional environments have regulatory, cultural-normative, and cognitive aspects. According to Jentoft (2014), these three pillars demonstrate the breadth of the concept of institutions and the various directions institutional theory has taken within academic circles. To obtain answers to the main research question, the researcher approved these three environments to be used to illustrate the nature and drivers of vulnerabilities in informal agricultural employment. However, the researcher is still concerned about the cognitive element of institutional environments. The cognitive environment in which most farm workers work causes them to have a mindset and social knowledge that people within a society share about the agricultural sector challenges. In the case of this study, the researcher found that most people in the uPhongolo Local Municipality area have given up on almost all spheres of government, due to different perceptions they have, when it comes to the agricultural sector and social issues in general. This shared perception is the nature of reality and the lenses through which meaning is interpreted in agricultural farms. Therefore, even if the farm workers make attempts to find ways

to fight for their labour rights, the social knowledge makes them believe triumph is impossible if the government is involved. Since the study found that the government's Department of Labour's intervention might be a solution to addressing challenges faced by the farm workers; it could be noted that society's perception of the government might prevent farm workers from wanting the government to support them.

The researcher is concerned that the cognitive element may not always be beneficial to addressing labour issues experienced by farmworkers since social perception or knowledge is the determining factor whether the government is included or not. Since it was revealed that interdepartmental collaboration and working with the farmworkers to review labour challenges might be a solution, this only element might not be applicable in all aspects despite the role it plays in shaping the agricultural sector. Jentoft (2014:147) suggests that the weakening of these three pillars is frequently a cause of institutional failure:

*“The rules that regulate behaviour may be underdeveloped or poorly enforced. The normative standards may provide few incentives and little guidance. The knowledge that could inform decision-making may be inadequate or insufficient. Thus, governments should improve if these pillars are strengthened.”*

## **6.6 Areas for further research**

According to the study's findings, several intriguing topics have surfaced that demand further research. The Department of Labour's inconsistent approach to performing farm inspections in the agricultural sector is one perplexing feature.

Another notable observation is the Department of Labour's failure to consistently enforce labour policies and penalise non-compliant agricultural farm owners. This raises concerns about the effectiveness of labour regulations and the protection of workers' rights.

The study also revealed a surprising lack of awareness among other state department workers, such as those in the provincial Department of Agriculture and Rural Development, regarding certain labour regulations specific to the agricultural sector.

Furthermore, it has been noted that there is a discrepancy between the national government's prioritisation and promotion of the development of the agricultural sector and its practical collaborations with province and local governments in addressing labour-related issues.



In conclusion, the study's results have raised significant concerns about the consistency of farm inspections, the application of labour laws, the knowledge of labour laws among various state departments, and the cooperation between federal, provincial, and local governments in addressing labour-related issues in the agricultural sector. To gain a deeper knowledge and set the road for prospective advancements in labour governance and agriculture sector development, further investigation of these issues is required.

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## **8. Appendices**

Supervisors Permission to Submit Form.....	(Attachment)
Ethical clearance.....	(Attachment)
Turnitin report.....	(Attachment)
Interview guide.....	(Attachment)
Informed consent form.....	(Attachment)
Gatekeeper letters .....	(Attachment)
Map of uPhongolo Local Municipality and study site.....	(Attachment)

02 July 2021

Mr Wiseman Siboniso Ndlangamandla (214512449)  
School Of Man Info Tech & Gov  
Westville Campus

Dear Mr Ndlangamandla,

**Protocol reference number:** HSSREC/00002698/2021

**Project title:** An Exploration of the Drivers of Vulnerabilities in Informal Employment: A case study of the Agricultural Sector in uPhongolo local municipality.

**Degree:** PhD

### Approval Notification – Expedited Application

This letter serves to notify you that your application received on 25 March 2021 in connection with the above, was reviewed by the Humanities and Social Sciences Research Ethics Committee (HSSREC) and the protocol has been granted **FULL APPROVAL**.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number. **PLEASE NOTE:** Research data should be securely stored in the discipline/department for a period of 5 years.

This approval is valid until 02 July 2022.

To ensure uninterrupted approval of this study beyond the approval expiry date, a progress report must be submitted to the Research Office on the appropriate form 2 - 3 months before the expiry date. A close-out report to be submitted when study is finished.

All research conducted during the COVID-19 period must adhere to the national and UKZN guidelines.

HSSREC is registered with the South African National Research Ethics Council (REC-040414-040).

Yours sincerely,



Professor Dipane Hlalele (Chair)

/dd

#### Humanities and Social Sciences Research Ethics Committee

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Founding Campuses:  Edgewood  Howard College  Medical School  Pietermaritzburg  Westville

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