

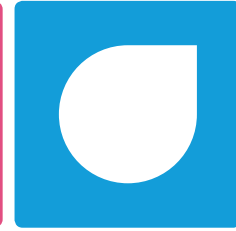


Improving social protection for sanitation workers in Nepal



WaterAid

Introduction



Sanitation workers play a key role in keeping the environment clean and protecting human health. They empty septic tanks and pits, unblock clogged sewer lines and maintenance holes, clean dry latrines and drains, and perform various operations at the treatment plants. The safety and wellbeing of sanitation workers is paramount to achieve safely managed sanitation by 2030, under the Sustainable Development Goal (SDG) 6 on clean water and sanitation, and specifically target 6.2, which requires faecal waste to be safely managed along the entire sanitation chain. In some South Asian countries including Nepal, there is a social stigma attached to their profession. Sanitation workers face poor working conditions and social exclusion, stand on the lowest ladder of the social hierarchy and are paid poorly for their services. Traditionally, Nepalese sanitation services were provided by the so-called untouchable castes 'Kuchikars' (Podey, Chyame and Deula etc.), also known as Dalits. Sanitation workers in Nepal suffer from frequent occupational health hazards that negatively impact their income and health, such as sometimes fatal injuries, without significant compensatory support. There is a high level of informality in their work, including short-term contracts and daily wages, which increases their precarious situation, with unstable income levels and limited legal and social protection. Poor social protection is not well understood, despite the fact that strong social protection schemes, including health insurance, can minimise and compensate for the impacts faced by workers in the high-risk situations in which they work. Well-designed and accessible social security

schemes can help to build their resilience, enhance productivity and ensure decent jobs, ending intergenerational poverty and deeply entrenched social exclusion.

In this context, WaterAid Nepal commissioned a study to understand the current landscape in which sanitation workers operate and the main challenges they face. This policy brief is based on the findings pertaining to the situation of sanitation workers, the challenges they face terms of occupational health and safety, finances and access to social protection measures. It provides practical recommendations to guide national and sub-national governments.



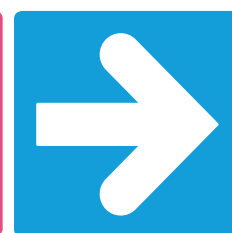
Methodology



The research was carried out in four locations in Nepal: Kathmandu Metropolitan City, Lalitpur Metropolitan City, Bhaktapur Metropolitan City, and Lahan Municipality. The study employed mixed methods and the collection of primary and secondary data applying both qualitative and quantitative tools. These were a questionnaire survey of sanitation workers (both formal and informal), six focus group discussions with 50

sanitation workers (eight to ten participants per group) in target locations and key informant interviews with 16 respondents (i.e. sanitation workers, key ministry and municipality officials) were carried out. A stakeholder consultation was also organised to get their feedback and input into the inception report and the incorporated recommendations.

Findings on access to social protection schemes



The Constitution of Nepal, 2015 ensures social protection as a fundamental right for vulnerable and poor groups. Social protection schemes exist for the general population that are applicable also to sanitation workers, however, there is no specific targeted scheme for sanitation workers or their families. The existing schemes include non-contributory social assistance (mostly linked with direct cash transfer or food coupons/rations) and contributory social protection schemes (health and life insurance, retirement benefits, pensions etc.) for those formally employed.

Non-contributory schemes

Nepal endorsed the Non-Contributory Social Protection Act in 2018, an umbrella act, which provides the right to social protection for Nepali citizens belonging to the specific categories of: (a) senior citizens; (b) indigent people; (c) incapacitated and helpless persons; (d) helpless single women; (e) citizens with disabilities; (f) children; and (g) citizens unable to take care of themselves. There are also targeted schemes for

endangered indigenous groups. The child protection allowance (f) is applicable to all children in 25 districts with marginalised populations (these are different to the districts included in the study) and to Dalit children throughout the country.

Sanitation workers interviewed both in Kathmandu Valley and Lahan said that all eligible family members in their household receive senior citizen's allowance, single women's allowance and disability allowance. However, sanitation workers belonging to the Dalit community (in Lahan) were unaware of their eligibility to access the child protection allowance. Sanitation workers in the study area do not belong to endangered ethnic groups and so the related allowance does not apply to them.

Contributory schemes

Health and life insurance, as well as retirement benefits such as pensions, provident funds and gratuities, are linked to formal employment in the

public or private sectors. However, many sanitation workers engaged by private operators have ad hoc contractual arrangements and are not entitled to such schemes. Increasingly, waste management services are outsourced, with private operators subcontracted by the municipality, rather than recruiting new permanent sanitation workers. This is reflected in the finding that only 35% of sanitation workers (those with permanent contracts) interviewed in Kathmandu were contributing to a provident fund.

Formal sanitation workers within Kathmandu Valley have access to the life insurance scheme, the same as municipal officials. However, this represents only 29% of sanitation workers interviewed. A small percentage of informal

sanitation workers have medical insurance at their own cost (i.e. 25% of informal sanitation workers in Kathmandu and 11% in Lahan).

With the transition to the Contribution-Based Social Security Act (2017), a social security fund was established. Government institutions including municipalities need to register any permanent staff recruited after 2018 in this new contribution-based fund and associated schemes in lieu of earlier provident fund schemes. The government has plans to open this to the informal sector, but this has not yet been enforced. Even in the formal sector, there seems to be a very slow uptake as sanitation workers expressed their lack of awareness about the fund and the associated social security schemes.

Findings on key barriers to accessing social protection



Increasing Informality

Except for some permanent municipality staff, sanitation workers largely work informally, without any contractual or legal arrangements in place. Recently, municipalities have been recruiting workers on a contractual or daily wage basis. For instance, Kathmandu Upatyaka Khanepani Limited (KUKL), a public company responsible for drinking water and wastewater in Kathmandu Valley, does not employ sanitation workers directly but outsources these services to private companies through a bidding process. There are no formal agreements between these companies and the sanitation workers they employ. Wages, for instance, may be determined on a daily or monthly basis. This represents a key barrier to accessing financial and social services. The fact that these workers are not registered

with the authorities also create a barrier to them engaging with authorities in order to claim their rights and for authorities to regulate and monitor these.

Poor identification and selection of beneficiaries and the exclusion of sanitation workers

For targeted schemes, the reason cited for exclusion was the narrow eligibility criteria and limited coverage. A key barrier is the fact that only those with Nepali citizenship are eligible. As highlighted by a municipal officer in Lahan, most sanitation workers do not possess citizenship certificates, which makes it impossible to enrol them in government insurance schemes.

Lack of awareness of schemes

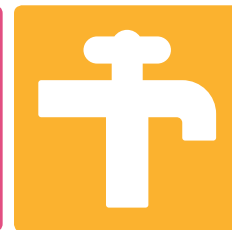
Lack of awareness is identified as the primary reason for the exclusion of eligible households from the receipt of social security. This includes both total unawareness of the scheme and a poor understanding of the eligibility criteria or how to apply to individual circumstances. For example, both formal and informal sanitation workers said they were not aware of the social security fund and associated schemes. Sanitation workers within Kathmandu Valley did not know whether they were eligible (in the same way as municipal officials) for the life insurance scheme. Sanitation workers in Lahan from the Dalit community, were not accessing the child protection scheme as they did not know about it.

Unclear government roles and responsibilities

The Local Government Operation Act (2017), assigns exclusive powers for 'basic health and sanitation' to the municipalities and extends these to local government for implementation, monitoring, and formulation of policies, strategies and standards. In Kathmandu and Lahan, Kathmandu Upatyaka Khanepani Limited (KUKL) and Nepal Water Supply and Sewerage Corporation (NWSSC) respectively, have taken on these activities resulting in an overlap of responsibility between the local municipality and the water service providers. Moreover, municipalities have not taken up their accountability and governance role related to sanitation workers, including to ensure occupational health and safety (OHS) measures (training, developing standard operating procedures or providing PPE), which would mitigate occupational hazards and consequently, reduce the need for social protection especially related to health and life insurance.



Recommendations



1. Improve employment security and the formalisation of sanitation workers

- National government, specifically ministries dealing with labour, employment and social justice, should reform and enforce labour regulations to provide support for the formalisation of informal sanitation workers, so that municipal authorities and companies employ sanitation workers on a long-term basis and ensure access to social protection benefits by the sanitation workers related to pension, maternity leave, insurance etc.
- Municipalities should enumerate and register all sanitation workers including formal and informal workers; keep an up-to-date database and include them in social security schemes and occupation safety training.

2. Maximize access to existing schemes

- The national government and the respective department and authorities responsible for managing various schemes should identify appropriate eligibility criteria that facilitate inclusion of the sanitation workers for the existing targeted schemes. For example eligibility criteria need to broaden to include the child grant for the children of all the sanitation workers working anywhere and from any ethnic group.
- National and provincial governments need to widely disseminate information on social protection and simplify the application procedures, so that low-income groups including sanitation workers are encouraged

to apply. With support from municipal governments, and civil society organizations, they should also build the capacity of sanitation workers to apply for relevant schemes and to use grievance redressal mechanisms.

3. Initiate new schemes to strengthen safety and compensate for work related risks

- Insurance regulatory bodies and ministries dealing with social justice, labour and employment should expand or complement contributory schemes - medical assistance, life insurance and pension - to cover both formal and informal workers. They should develop mechanisms of financing these schemes that relieve some of the burden of the sanitation workers, for instance by ensuring partial payment of premium by respective Municipalities, Boards, and Companies or through the national or provincial government.
- Municipal Corporations, Urban bodies and Private Sector engaging the Sanitation workers should allocate resources for specific grants for all formal and informal registered sanitation workers, such as "Risk and hardship allowance" or and "PPE allowance".

It is important that these recommendations to strengthen social protection are not implemented in isolation, but as part of a wider set of measures to protect the rights of sanitation workers, and in particular with measures aimed at ensuring their health and safety (indirectly reducing their need to use social security schemes): promoting OHS training, creating Emergency Response Unit (ERU) at local level to rapidly assist them in times of physical or social crisis. As a sector ministry's responsibility, the existing coordination mechanism from the Ministry of Water Supply to local levels, should also need to take on board sanitation workers' occupational health, safety and access to social protection, and measures to improve both for formal and informal workers especially women sanitation workers. It is also important to try to break intergenerational exclusion and stigma. This includes providing children of sanitation workers, especially girls, with educational stipends and scholarships for seeking post-graduate or higher degree courses; reserving public and private jobs for the discriminated castes engaged in the sanitation profession; and educating people against discrimination due to caste, ethnicity, profession or religion.



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