

Early Childhood Education and Care for Informal Workers: Developing an Emancipatory Framework for Better Working Futures

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Abstract

Women workers in emerging economies are concentrated in informal employment where work tends to be insecure, poorly remunerated and unprotected by labour law. Vulnerability to informal employment and associated economic insecurity is driven, in large part, by the prevailing gender division of labour that positions women as primary carers and homemakers. Policy interventions for a better future for women in the informal economy must therefore address women's vulnerability as informal workers with limited protection, poor working conditions and low wages, *and* as workers who have care responsibilities. Disappointingly, work/care reconciliation policies for informal workers has been largely ignored. This article considers the role that centre-based Early Childhood Education and Care services play in facilitating a more secure economic future for informal working women in the global south. An analysis of four ECEC services in Mexico, Chile and India demonstrates that while challenging, it is possible to design emancipatory ECEC services that promote economic security and well-being for informal women workers, their children, and the care workforce. Public

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action, regulation and dialogue between government and civil society operators are some of the essential principles of an emancipatory approach.

Keywords: Early Childhood Education and Care, Informal Workers, Care Workforce, Public Action

1. Introduction

Women workers in emerging economies are concentrated in informal employment where work tends to be insecure, poorly remunerated and unprotected by labour law.¹ Women's exposure to informal employment and associated economic insecurity is driven, in large part, by the prevailing gender division of labour that positions women as primary carers and homemakers.² Unpaid family and community care responsibilities limit women's economic opportunities as they seek employment that best accommodates their unpaid care responsibilities. The need for some measure of work/care reconciliation often limits women's economic opportunities to the most flexible, marginal, least dynamic and low paid forms of work. Policy interventions for a better future for women in the informal economy must therefore address women's vulnerability as informal workers with limited protection, poor working conditions and low wages, *and* as workers who have care responsibilities.

Policy research and practice in the global north has identified a range of interventions to reduce the unpaid care burden on women and its negative impact on participation in paid employment. These include national paid parental leave schemes, flexible employment arrangements and the provision of publicly subsidised childcare services. In the global south there has been much less policy debate on work/care reconciliation, even as pressing demographic and economic challenges

¹ Martha Chen, 'The informal economy: definitions, theories and policies' (2012) WIEGO Working Paper No. 1
<http://wiego.org/sites/wiego.org/files/publications/files/Chen_WIEGO_WP1.pdf> accessed 17 April 2018; UN Women, 'Progress of the World's Women 2015-2016: Transforming Economies, Realising Rights' (2015)
<http://progress.unwomen.org/en/2015/pdf/UNW_progressreport.pdf> accessed 17 April 2018.

² Naomi Cassirer and Laura Addati, 'Expanding Women's Employment Opportunities: Informal Economy Workers and the Need for Childcare' (2007)
<<http://www.cpahq.org/cpahq/cpadocs/wcms125991.pdf>> accessed 17 April 2018.

are beginning to force these issues onto the public and political agenda.³ Where progress has been made policy has focused primarily on women employed in the public and corporate sectors of the formal economy. Policy initiatives designed to meet the needs of the hundreds of millions of women working in informal employment, in most cases, has been ignored.

This article shifts the focus of work/care policy toward the specific needs of informal working women in the global south and, in particular, the potential for centre-based early childhood education and care (ECEC)⁴ to support women's improved economic opportunity and security. The article begins with a short analysis of the interface between young children's needs, the specificities of women's informal employment and the institutional context that shape the rewards for informal work. This discussion highlights the way in which women's child care responsibilities in a context of inadequate social care infrastructure underwrite women's concentration in informal work and economic insecurity. Section 3 of the article outlines four models of ECEC services designed to meet the employment needs of informal women workers. Two of the models are large public ECEC programs operating in Mexico and Chile. The others are small civil society providing ECEC programs in India. In Section 4, the article deploys Nancy Fraser's notion of an 'emancipatory' worker experience to evaluate the capacity of these models to deliver emancipatory outcomes for informal working women, their children and the (mostly) women who work in ECEC services.⁵ The final section evaluates the role of public action in the funding, design and implementation of centre-based ECEC systems.

³ Marian Baird, Michele Ford and Elizabeth Hill (eds) *Women, Work and Care in the Asia-Pacific* (Routledge, 2017).

⁴ The term ECEC is adopted from the Dakar Framework for Action and refers to a comprehensive range of services encompassing health, nutrition and hygiene as well as cognitive and psycho-social development, pre-primary education and other forms of care. UNESCO, 'Dakar Framework for Action, Education for All: Meeting our Collective Commitments' (2000) Goal 1, s. 30-31 <<http://unesdoc.unesco.org/images/0012/001211/121147e.pdf>> accessed 17 April 2018.

⁵ Nancy Fraser, 'Marketization, Social Protection, Emancipation: Toward a Neo-Polanyian Conception of Capitalist Crisis' in Craig Calhoun and Georgi Drluguian (eds) *Business as Usual: The Roots of the Global Financial Meltdown* (NYUP, 2011) 137.

2. Informal Work in the Absence of ECEC

The growing literature on women's workforce participation in emerging economies demonstrates that family responsibilities constrain women's participation in the paid workforce. Gendered expectations about women's role as primary carers are ubiquitous, but national approaches to ECEC provision also have a significant impact on women's opportunities for paid employment and access to alternative forms of care. For poor women in emerging economies the interface between cultures of gendered familialism⁶ and a lack of appropriate ECEC services, pose severe limitations on women's opportunities for paid employment and economic security.

A. Limits to Women's Economic Security

Inadequate provision and problems with accessibility, cost and quality of ECEC services are significant barriers for women wanting to access and retain formal employment opportunities. The contingent relationship between ECEC services and women's employment prospects is highlighted as a global phenomenon in Jody Heymann's Global Working Families project⁷ and more recently in the Overseas Development Institute's report on Women's Work.⁸ Heymann's study found that in the absence of adequate ECEC services many women were unable to consider formal employment. Instead they took up informal employment where they could care for children alongside their paid work.⁹ These findings are reflected in other smaller studies. In Guatemala City, 40 per cent of mothers working informally cited the lack of access to childcare services as the main reason why they were not able to consider looking for better paying formal employment.¹⁰ In India, 87 per cent of women working in informal employment reported that they find it difficult to work and take care of children due to a lack of time, inability to work

⁶ Rajni Palriwala and N Neetha, 'Stratified Familialism: The Care Regime in India through the Lens of Childcare' (2011) 42(4) *Development and Change* 1049.

⁷ Jody Heymann, *Forgotten Families: Ending the Growing Crisis Confronting Children and Working Parents in the Global Economy* (OUP, 2006).

⁸ Overseas Development Institute (ODI), 'Women's Work: Mothers, Children and the Global Childcare Crisis' (2016) <<https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/10333.pdf>> accessed 17 April 2018.

⁹ Heymann (n 7) 19.

¹⁰ Agnes Quisumbing, Kelly Hallman and Marie T. Ruel, 'Maquiladoras and Market Mamas: Women's Work and Childcare in Guatemala City and Accra' (2003) Food Consumption and Nutrition Division, Discussion Paper No. 153, International Food Policy Research Institute.

properly, and concerns about the safety and neglect of young children.¹¹ The flexible working times, worker autonomy, opportunity for home-based work, and generally low barriers to entry that are common in the informal economy mean that, in the absence of ECEC services, informal employment is often the only type of work that allows women to combine paid work with care duties.¹²

Informal employment poses a number of significant costs to women's productivity, economic security and children's well-being. Informal home-based, own account or daily/casual employment is typically less productive and lower paid than most formal employment opportunities. Informal relations of employment often embed women in dependent relationships with contractors, suppliers and customers in which asymmetric power relations position women as 'price-takers' with little control over their working day, work conditions or income earned.¹³ In addition, informal employment is not covered by protective labour laws and does not provide workers with even basic social security measures. Together these attributes of informal work underwrite women's socio-economic vulnerability, insecurity and often poverty.

B. Costs to Children's Well-Being

Informal work also has a negative impact on the well being of worker's children. In the absence of ECEC services, informal working women have very few choices about how to organise care for their children. They may take their child with them to the workplace; leave them with an adult relative or a neighbour; leave them to be cared for at home by older siblings; pay a nanny; or organize for their husband to provide care. In a recent survey of 31 developing economies, 44 per cent of poor working women with a child under the age of 6 reported that when they are at work they remain responsible for the care of their child.¹⁴ Where care was provided by someone other than the mother, then it was her relatives (22 per cent) or her other children (23 per cent) who provided care for young children, with girl children more than three times more likely to provide care than boy children (see Figure 1). Only one per cent of the poorest women surveyed reported using organised childcare or nursery

¹¹ Forum for Creches and Childcare Services (FORCES) and Centre for Women's Development Studies (CWDS), 'Need Assessment for Crèches and Child care Services' (2013) 6 <<http://www.forces.org.in/publications/ChildCareReport.pdf>> accessed 17 April 2018.

¹² Cassier and Addati (n 2) 1.

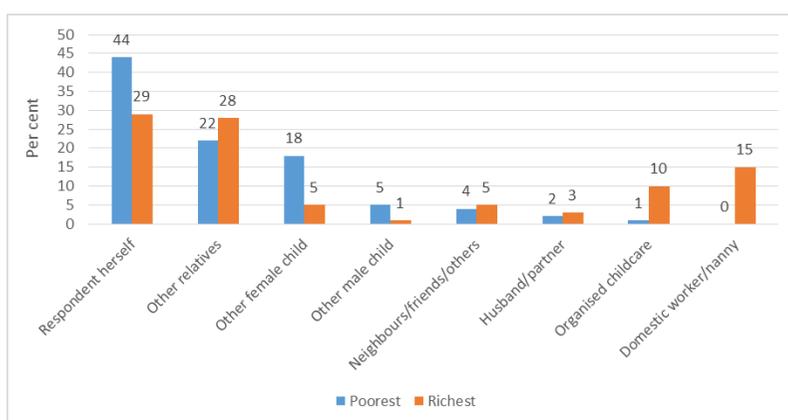
¹³ Elizabeth Hill, *Worker Identity, Agency and Economic Development: Women's Empowerment in the Indian Informal Economy* (Routledge, 2010).

¹⁴ UN Women (n 1) 86.

Early Childhood Education

arrangements and none hired a nanny. With few alternatives, the majority of the poorest women care for their children at their workplace.¹⁵ This may be on construction sites, in the fields where they work as daily labourers, on city pavements where they work as small scale vendors, or at home where they perform home-based work, sometimes contributing to global supply chains and sometimes as local producers of food, clothing and other consumer products. In India, an estimated 7-8 million children of building labourers accompany their parents to the construction site.¹⁶

Figure One: Typical childcare arrangements for employed women with a child under age six in developing countries¹⁷



Source: UN Women (n 1) 86.

The practice of taking children to the workplace poses enormous challenges to women's productivity and child welfare. In the workplace, children are often exposed to dangerous conditions such as heavy

¹⁵ Other surveys report similar findings. The Global Working Families' Project found 51 per cent of informal workers who were parents brought their children to work regularly (See Heymann (n 7) 22). In Indonesia, 40 per cent of working women are reported to care for their children while working (See Cassirer & Addati (n 2)).

¹⁶ Bureau for Employers' Activities (ACT/EMP) and TRAVAIL, 'Managing Diversity in the Workplace: Training Package on Work and Family' (2008) ILO <http://www.ilo.org/travail/whatwedo/instructionmaterials/WCMS_TRAVAIL_PUB_58/lang-en/index.htm> accessed 28 April 2018.

¹⁷ UN Women (n 1) 86. Un-weighted averages calculated by UN Women using data from ICF International 2015. Note: N=31 developing countries. Surveys were conducted between 1995 and 2002. This indicator corresponds to the percentage of respondents answering the questions – 'who looks after your children while you are at work?'

machinery or toxic fumes. These not only pose the risk of physical injury, but can also trigger a cycle of ill-health and vulnerability.¹⁸ The demands of the working day also mean mothers struggle to take breaks when young children need feeding or sleep. This can compromise a child's overall wellbeing putting further pressure on women who may eventually have to take time off work to care for the sick child. Where children are present in the workplace women are unable to focus exclusively on their work and report feeling stressed and worried about the need to also care for their child. This compromises women's productivity and consolidates low wages.¹⁹

Where women do not take their children with them to the workplace, they leave them in the care of other relatives, older children, neighbours or even alone. In many cases, the care that is provided by others is not adequate and is a source of stress for women. In many cases, women have no option but to leave young children at home in the care of older children – often older girl children (See Figure One). In Mexico, 27 per cent of poor working parents surveyed as part of the Global Working Families project reported they left their young children in the care of another unpaid child, and in Botswana, 48 per cent of parents relied on older children as carers.²⁰ In parts of Ethiopia, 52 per cent of young rural girls aged 5-8 years old are reportedly responsible for childcare, often for three or more hours per day.²¹ In India, the most common practice for domestic workers is to leave children to their own 'self-care' or sibling care, typically a daughter.²²

Where children are left alone, or with those who are unable to provide appropriate care, the risks to children's wellbeing are high. Heymann's study reports that in two thirds of families where young children were left alone at home or in the care of an older child, accidents or other emergencies such as injury, fire or assault were common.²³ Poor child nutrition, ill health and delayed attainment of child development milestones are also associated with inadequate care. These have a

¹⁸ Heymann (n 7) 21.

¹⁹ Dipa Sinha and Vanessa Bhatia, 'Learning from Models of ECCD Provision in India' (2009) Presented to Kusuma Foundation 66
<http://www.forces.org.in/publications/documentsforwebsite/Dipa_Sinha_ECCD_in_India.pdf> accessed 17 April 2018; M Chatterjee, 'Decentralised Childcare Services' (2006) 41(34) Economic and Political Weekly 3660.

²⁰ Heymann (n 7) 24.

²¹ ODI (n 8) 39-40.

²² Rajni Paliwala, and N Neetha, 'Care Practices and Care Bargains: Paid Domestic Workers and Anganwadi Workers in India' (2010) 149(4) International Labour Review 511, 521.

²³ Heymann (n 7) 27.

compounding impact on child well-being and deepen patterns of intergenerational inequality.

Informal employment may be a short-term solution to the work/care nexus that confronts most poor working women, but it has long term costs: for households on account of the vicious cycle of low earnings, poverty and vulnerability; for children whose health and development is compromised by inadequate care; and for society at large on account of women's low workforce attachment, child underdevelopment and sustained patterns of inequality. Policy initiatives that support better reconciliation of work and care, such as organised ECEC services, are therefore critical to disrupting the cycle of economic insecurity and poor well-being that is so prevalent among informal working women. The remainder of this article analyses four models of centre-based ECEC services for informal working women in Mexico, Chile and India, and the policy design that best meets the needs of women workers, their children, and the workers who provide ECEC services.

3. Building Women's Economic Security Through ECEC for Informal Workers

The importance of providing ECEC services to workers with family responsibilities is recognised by the International Labour Organization's (ILO) Workers with Family Responsibilities Convention No.156 and Recommendation No. 165. These call upon all member states – developed and emerging – to take up measures 'to develop or promote community services, public or private, such as child-care and family services and facilities' (Article 5). While only 44 countries have ratified the Convention, UNESCO reports that the level of national commitment to the provision of ECEC services is growing, with data from 2014 showing 40 countries have instituted compulsory pre-primary education.²⁴ This steady improvement is a global phenomenon (although off a very low base), and has been particularly strong in parts of Latin America and the Asia Pacific.²⁵ Programs for 3-4 year olds are rapidly expanding across the global south, although uneven in their coverage and skewed towards those from more wealthy urban households. Services for 0-3 year olds are

²⁴ UNESCO, 'Education for All 2000-2015: Achievement and Challenges: Global Monitoring Report' (2015) 60-1
<<http://unesdoc.unesco.org/images/0023/002322/232205e.pdf>> accessed 27 April 2018.

²⁵ *ibid.*

less common and rarely meet the needs of working parents due to very short operating hours.²⁶

Global efforts to extend ECEC services to all children will need to address the specific requirements of informal workers. Research on ECEC for informal working women has been limited, but interest is growing,²⁷ and in recent years publications compiling data on the global experience have begun to emerge.²⁸ While the data is not comprehensive, a clear finding of the existing literature is that the majority of ECEC services designed explicitly for informal working women are small in scale and limited in reach. Most services are run by small non-government and civil society organisations, or women's trade unions, and focus on women employed in a particular location or industry. Financial viability and

²⁶ *ibid.*

²⁷ See 'Innovative Pedagogical Approaches in Early Childhood Care and Education (ECCE) in the Asia-Pacific Region: A resource pack' (UNESCO, 2016) <<http://unesdoc.unesco.org/images/0024/002460/246050e.pdf>> accessed 17 April 2018; Shradddha Chigateri, 'Quality Day Care Services for the Young Child: Case Studies Synthesis Report' (2013) Institute of Social Studies Trust and UNICEF <https://www.researchgate.net/publication/303880574_Quality_Day_Care_Services_for_the_Young_Child_in_India_Case_Studies_Synthesis_Report> accessed 17 April 2018; FORCES and CWDS (n 10); ILO, 'Brief 8.4: Childcare: An Essential Support for Better Incomes' in *The Informal Economy and Decent Work: A Policy Resource Guide Supporting Transitions to Formality* (ILO, 2013); Silke Staab and Roberto Gerhard, 'Putting Two and Two Together? Early Childhood Education, Mother's Employment and Care Service Expansion in Chile and Mexico' (2011) 42(4) *Development and Change* 1079; P Pereznieto and M Campos, 'Gendered Risks, Poverty and Vulnerability in Mexico: Contributions of the Estancias Infantiles para Apoyar a Madres Tradbajadoas Programme' (2010) ODI <<https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/6248.pdf>> accessed 27 April 2018; Rajni Palriwala and N Neetha, 'Paid Care Workers: Domestic Workers and Anganwadi Workers' (2010) 149(4) *International Labour Review* 511; Chaterjee (n 19); Quisumbing et al (n 10); M T B Ruel et al, 'The Guatemala Community Day Care Program. An Example of Effective Urban Programming: Research Report 144' (2006) International Food Policy Research Institute; P Hernandez et al, 'Childcare Need of Female Street Vendors in Mexico City' (1996) 11(2) *Health Policy and Planning* 169.

²⁸ Rachel Moussie, 'Childcare from the Perspective of Women in the Informal Economy' (2016) Policy Brief for the UN Secretary-General's High-Level Panel on Women's Economic Empowerment <http://www.wiego.org/sites/default/files/resources/files/WIEGO_childcare-informal-economy.pdf> accessed 17 April 2018; Laura Alferts, 'WIEGO Child Care Initiative Literature Review' (2015) WIEGO <<http://www.wiego.org/sites/default/files/resources/files/Alfers-Child-Care-Policy-Employment-Lit-Review.pdf>> accessed 17 April 2018; Laura Alferts, 'Our Children Do Not Get What They Deserve: WIEGO Child Care Initiative Report' (2016) WIEGO <<http://www.wiego.org/sites/default/files/publications/files/Alfers-Child-Care-Initiative-Full-Report.pdf>> accessed 17 April 2018; Debbie Budlender, 'WIEGO Child Care Initiative Institutional Mapping of Child Care Actors' (2015) WIEGO <<http://www.wiego.org/sites/default/files/resources/files/Budlender-Child-Care-Policy-Employment-Mapping.pdf>> accessed 17 April 2018; Cassirer & Addati (n 2).

sustainability is frequently a problem. However, in recent years, concerns about women's low workforce participation and social inequality have seen some governments begin to implement national ECEC programs that are orientated to informal working women.

This section provides a description and evaluation of four ECEC programs that have been designed for informal working women in the emerging economies of Mexico, Chile and India. Programa Guarderías y Estancias Infantiles (Federal Day Care Program for Working Mothers) in Mexico, and Chile Crece Contigo (Chile Grows with You) in Chile are both national public systems of ECEC intended to address the needs of poor working women – most of whom are informally employed. In India, Mobile Crèches and The Self Employed Women's Association (SEWA) childcare cooperatives are examples of ECEC services for informal working women that have been developed and implemented by civil society organisations. These four models of ECEC for informal working women have been selected because they reflect national and local approaches to ECEC provision for informal workers. In addition, all four programs are well-established and have been in operation for a decade or longer. Together they allow for a comparative analysis of existing approaches to the provision of ECEC for informal women workers.

A. Mexico: Programa Guarderías y Estancias Infantiles (Federal Day Care Program for Working Mothers)

The Federal Day Care Program for working mothers in Mexico, or Estancias, is a national ECEC program designed to increase women's workforce participation. The program provides government subsidies for home and community-based ECEC services for low income working women. Mexico has a reasonable history of ECEC provision compared with many countries in the global south. From the mid-1970s, the Mexican Institute for Social Security (IMSS) has provided ECEC for the children of formally employed women, although there has been ongoing concern about inadequate coverage and quality. In 2002, the Ministry of Public Education extended pre-school education to all 3-5 year olds. This half-day program of publicly provided ECEC was child focused and not contingent on parent's work status.²⁹ In 2007, the Ministry for Social Development (Sedesol) introduced a new national program of publicly subsidised child care, called Estancias, for children aged between 1 - 4 years old whose mothers are engaged in informal employment.

The Estancias program provides community-based ECEC services through a combination of publicly funded supply-side incentives for

²⁹ Staab and Gerhard (n 27) 1085.

providers and demand-side subsidies for ECEC users. Potential providers of child care services (individuals or civil society organisations) apply to Sedesol for a cash grant to establish an ECEC centre.³⁰ Providers are not required to have any formal training or previous experience in ECEC to be eligible for the grant, but they must have completed high school, passed a psychological test and attended a simple training program on the basic principles of childcare. ECEC providers must enroll a minimum of 10 children (maximum of 60) and run the service for at least one year, 8 hours per day, 5 days per week. The required staff-to-child ratio is 1:8. Setting-up costs of the ECEC centers are in part covered by the Sedesol grant, but all outstanding operational costs are covered by parent fees. Estancias provides fee relief for parents through a means-tested subsidy on the out-of-pocket cost to parents, up to a maximum of 90 per cent of the total cost. To receive the public subsidy parents must meet a work activity test (be working, looking for work or studying), an income test, and not be eligible for the formal IMSS ECEC program. Single fathers are also eligible for the payment. The subsidy is paid directly to the ECEC provider. National data shows that on average 65 per cent of operational costs of Estancias are met by the government and 35 per cent by parents. So while Estancias is low cost, it is not free for parents. And even with the parent co-payment, not all centers are sustainable.³¹

This public-private partnership funding model was effective in stimulating the establishment of 5000 new centers serving 200,000 children of informal women workers within the first year of the Estancias program. In the second year, 3000 more centers opened, providing ECEC services to 244,000 children. By the end of 2010, there were 9000 centers registered.³² This has now plateaued, with 9201 centers registered on the government website as operating in April 2018.³³ Alongside the rapid deployment of ECEC services for children, the Mexican government also claimed that by 2008 the new centers had provided employment for 46,000 women.³⁴ While these are impressive figures, questions remain about the quality of ECEC services provided to children and their parents, and the quality of employment provided to women working in the new centers.³⁵

³⁰ *ibid* 1086; the cash payment was 35,000 Mexican Pesos in 2011.

³¹ *ibid*.

³² Pereznieto and Campos (n 27).

³³ Programa de Estancias Infantiles para Apoyar a Madres Trabajadoras abril 2018 Dirección General de Políticas Sociales <https://www.gob.mx/cms/uploads/attachment/file/315512/resumen_ei_operacion_abril2018.pdf> accessed 22 April 2018.

³⁴ Staab and Gerhard (n 27) 1087.

³⁵ Pereznieto and Campos (n 27).

B. Chile Crece Contigo (Chile Grows with You)

In 2006, President Michelle Bachelet launched Chile Crece Contigo, a national scheme providing comprehensive social services to vulnerable children 0 to 6 years old. Alongside maternal health and child nutrition, the program provides free access to professional publicly provided ECEC services for all children from the poorest 40 per cent of households.³⁶ Free pre-school education is also available for all 4-5 year olds, not just those from the poorest households. The program aims to promote social inclusion by equalising opportunities for children from low-income households through the right to ECEC.

The Chile Crece Contigo program is based in the Ministry of Education and delivered through two main institutions: the National Board of Kindergartens (JUNJI) and Fundacion Integra, a private not for profit foundation that is part of the President's network of foundations. In the first two years of operation, the program saw a large increase in the number of public centers available and the number of children enrolled, especially children from the two lowest quintile groups. This provided thousands of new jobs for childcare workers in the centers – 16,000 in 2006-07 alone.³⁷ The program aims to provide professional ECEC services delivered by educators, who are required to have a five year university degree in ECEC, and support staff who must hold a technical degree in ECEC from a recognised institution. JUNJI workers are public sector employees, although only 25 per cent of workers are employed as permanent employees – the majority are employed on a fixed term basis.³⁸ Quality ECEC services are supported via ongoing input from professional organisations and associations who advise on nutrition, education and child development.³⁹

Embedded within the national approach, are partnerships with smaller programs that have an explicit aim to support the ECEC needs of particular groups of informal working women. The Childcare Centers for Seasonal Working Mothers (Cuidado a Hijos de Mujeres Temporeras, CAHMT) was operating prior to the establishment of Chile Crece Contigo, and now sits within the broader program providing temporary childcare for women working in seasonal agriculture. Local women's trade unions such as the Association of Seasonal Women

³⁶ This extended to the 60 per cent poorest household in 2011.

³⁷ Staab and Gerhard (n 27) 1091.

³⁸ *ibid.*

³⁹ Marco Kremerman Strajilevich, 'Chile' in Catherine Hein and Naomi Cassirer (eds) *Workplace Solutions for Childcare* (ILO, 2010) 173

<http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_110397.pdf> accessed 27 April 2018.

Workers of Melipilla Province (Agrupación de Mujeres Temporeras de la Provincia de Melipilla) motivated local employers to establish the original ECEC services.⁴⁰ CAHMT centers are run in partnership with local government, business and professional associations with different groups responsible for staffing, food, resources and extra-curricular activities and professional oversight. Centers often use existing government resources such as government school premises that are vacant during the summer holiday months. Centers run full day, 12 hour programs, educator to child ratios are around 1:17, workers are considered public sector workers and their salary is typically 1.25 times the national minimum wage.⁴¹ Educational quality is supported through resources provided by JUNJI. The CAHMT program has run for two decades and women who use the ECEC report they are satisfied with the service.⁴²

C. India: Mobile Crèches & SEWA

India has a number of public programs that deliver care for the children of poor working women.⁴³ The most significant of these is the national Integrated Child Development Scheme (ICDS).⁴⁴ The ICDS provides nutrition, non-formal pre-school education, and primary healthcare to children under 6 years of age and their mothers. Many ICDS clients are women who are informally employed. However, the ICDS program is commonly considered inadequate and unable to meet the needs of informal working women on account of short opening hours, lack of funding for professional staff, poor services, and insufficient services for children under 3 years old.⁴⁵ Dedicated ECEC services for informal working women have instead been provided by a number of civil society groups. Small and limited in scope these organisations have experimented and designed models of centre-based ECEC services that support the specific needs of women engaged in a variety of forms of

⁴⁰ *ibid* 192.

⁴¹ *ibid*.

⁴² *ibid* 196.

⁴³ The Mahatma Ghandi National Rural Employment Guarantee Act 2005 (MNREGA) provides for childcare for women workers employed in the MNREGA, and the Rajiv Ghandi National Crèche scheme for children of low income mothers has a focus on below poverty line households. There are also statutory provisions for employer provided childcare for low-income women employed in a number of organised sectors covered by The Factories Act, 1948/1987; The Plantation Labour Act, 1951; The Mines Act 1952.

⁴⁴ The ICDS is one of the largest integrated family and community welfare schemes in the world.

⁴⁵ Palriwala and Neetha, 'Stratified Familialism' (n 6).

Early Childhood Education

informal employment. Two of the most well-known models are Mobile Crèches and the Self-Employed Women's Association (SEWA) childcare co-operatives.

Mobile Crèches (MC) began in 1969, delivering childcare to migrant women who were employed informally on construction sites in Delhi. After almost fifty years of operation MC has developed a holistic approach to ECEC, that includes shelter, nutrition, health services, and early childhood education. MC operate primarily in Delhi, Mumbai and Pune and since inception has delivered ECEC services to approximately 750,000 children at 650 construction sites and trained approximately 6500 childcare workers.⁴⁶ MC is a non-government organisation (NGO) that relies primarily on private donations (both individual and corporate) from domestic and international sources.⁴⁷

A typical MC at a construction site has three sections: a crèche for children under 3 years of age, a pre-school for the 3 to 6 year olds, and a non-formal education centre for 6-12 year olds. MC centres open 9-5pm, six days a week and do not charge a parent fee. Crèche services are located close to construction sites so that women with very young children are able to continue breastfeeding or check on their young children during work breaks. Space for the MC is normally provided by the building company or developer and must meet minimum requirement including three rooms, a compound wall, tin roof, water and electricity. The company is also asked to contribute to the running of the crèche through the provision of essential inputs and salaries of some of the ECEC staff. Since 1996, The Building and Other Construction Workers Act, 1996 has made the provision of crèches at worksites where 50 women or more are employed mandatory. MC works with construction companies to fulfill their legal obligations.

MC has developed a number of operating models. Some MC centers are fully operated and managed by MC with varying levels of support from builders. Some operate on a tripartite model in which MC negotiates with construction companies for space, infrastructure and finance, and trains another NGO to run the ECEC service with MC providing monitoring, technical and financial reporting support. Other services are fully run by the construction company with MC providing a

⁴⁶Mobile Creches, 'MC Impact' <<http://www.mobilecreches.org/impact>> accessed 17 April 2018.

⁴⁷ In 2015-16, foreign donations provided 55 per cent of MC income and domestic donations 45 per cent. Government aid is negligible. Only 10 per cent of total funds are derived from contractor/building contributions in keeping with The Building and Other Construction Workers Act, 1996. See Mobile Crèches, 'Annual Report: 2015-16' 47-8 <http://media.wix.com/ugd/57f05d_9fadffd08f6f4eb0acd601a9e5bf9cad.pdf> accessed April 22, 2018.

consulting role.⁴⁸ All centers supported by MC provide children with a safe environment, nutritious meals, health care services and age appropriate play and educational activities. MC also works in urban slums where many construction and other informal workers live, providing similar services to those at the construction sites but with all interventions managed by the community.⁴⁹ MC has protocols that support their child-centered approach to ECEC, including a robust supervision regime; low teacher-to-child ratios; monitoring of child development milestones; hygiene, nutrition and immunisation targets; and, parent education and teacher training.⁵⁰

The Self Employed Women's Association (SEWA) is an all-women trade union for informal workers. Established in Ahmedabad 1972, the union has more than two million members spread across India and is one of only 12 Indian Central Trade Unions.⁵¹ From its inception, SEWA has defined childcare as a working woman's right, essential to the economic security of informal women workers.⁵² This led the union to organise workers to provide their own ECEC services through a number of childcare cooperatives.⁵³ The cooperative model of service provision and the inclusion of children from all caste and religious communities reflects the solidarity model of SEWA's approach to ECEC. In 1999, SEWA had 117 centers providing ECEC services for 6000 children and employing 295 teachers.⁵⁴ A smaller number of centers are currently in operation.

The centers run all-day programs for working women from a variety of occupations, with start and finishing times determined by women's working hours: ECEC centers that serve women working as vegetable vendors or agricultural labourers open as early as 6am so women can travel to the fields or wholesale markets, other centers open at 9 am. Each center accommodates between 25-30 children and has 2-3 teachers who

⁴⁸ FORCES and CWDS (n 11) 78.

⁴⁹ *ibid* 79.

⁵⁰ Teacher training includes 35 workshops delivered over 6 months plus a 12 day orientation program focused on the principles, pedagogy and skills of effective child-centred ECEC delivery; see FORCES and CWDS (n 11) 81.

⁵¹ Elizabeth Hill, 'India: The Self Employed Women's Association and Autonomous Organizing' in Kaye Broadbent and Michele Ford (eds) *Women and Labour Organizing in Asia: Diversity, Autonomy and Activism* (Routledge, 2008) 115.

⁵² Chatterjee (n 19).

⁵³ The Shaishav childcare coop in Anand and Kheda districts, Gujarat, was established in 1989 for women working as tobacco and agricultural workers. The Sangini childcare co-op was established in Ahmedabad city in 1992. The Balvikas Mandal provides childcare services for women salt workers in Surendranagar, and in Banaskantha District the Banaskantha DWCRA Mahil Sewa Association runs the centers for rural workers employed in agriculture, dairying and forestry.

⁵⁴ See SEWA, 'Child Care' <http://www.sewa.org/services_child_care.asp> accessed 17 April 2018.

provide education and care services. Children's meals are provided along with developmentally appropriate play-based learning activities, health services and monthly support meetings for parents. Parents are required to pay a small fee for the service they receive.⁵⁵ ECEC workers employed in the cooperatives are from the community, trained by SEWA and are shareholders in the cooperative.⁵⁶ These staff are supported by a cadre of leaders and supervisors who oversee the cooperatives and are responsible for maintaining quality service delivery and community relationships. SEWA has found the cost of running the childcare cooperatives expensive. Parent fees cover approximately 25 per cent of running costs with the remainder coming from partnerships with existing central and local government programs, employers and private donors.⁵⁷

4. Learning from Public and Civil Society Models of ECEC for Informal Workers

There are a number of practical policy orientated lessons we can draw from these four models. The first is that center-based ECEC services for informal working women are being delivered in emerging economies. Secondly, there are a variety of models available: publicly funded systems (Chile); public-private partnership models (Mexico); civil society service models that partner with employers (MC, India); and union cooperative services that partner with government (SEWA, India). Variations in the models suggest there is plenty of scope for innovation in the delivery of center-based ECEC services for informal working women. But all models are not equal. They are motivated by different aims and prioritise different outcomes, such as women's workforce participation or child welfare. Program aims and outcomes shape funding and service delivery design, which in turn has a significant impact on the accessibility, affordability and quality of the ECEC services available to informal working women and their children, and the quality of employment enjoyed by the (mostly) women employed in center-based ECEC. The relationship between the overarching aims of ECEC services for informal working women and the quality of the care and jobs delivered by ECEC services is developed below.

⁵⁵ Chaterjee (n 19).

⁵⁶ *ibid.*

⁵⁷ Sinha and Bhatia (n 19) 65.

A. National Public Systems of ECEC

In Mexico and Chile, a national approach to center-based ECEC services for informal working women was the product of significant political leadership complemented by local level engagement.⁵⁸ However, the rationale and aim of the two programs differ. The Mexican program, Estancias, was designed with the aim of increasing women's workforce participation. In Chile, state provision of ECEC services was driven by a national commitment to social inclusion and poverty alleviation through the provision of 'equal opportunities from the cradle' for children from low-income families.⁵⁹ These different policy aims have shaped the design and quality of the ECEC services provided.

In Mexico, the need to deliver new ECEC services that support women's workforce participation saw the immediate physical care of children prioritised over the development of an early childhood education curriculum, or the employment of well-trained ECEC teachers. A mix of government incentives for service providers and subsidies for 'clients' (parents) created a public-private model of ECEC that is demand driven and able to be rapidly implemented. Women's workforce participation is maximised in policy design as they are positioned as both clients of, and workers in, the new ECEC centers. As clients of Estancias some women have been able to engage in paid employment for the first time, while others have extended the total hours they work.⁶⁰ Estancias also required a new care workforce to be employed in the centers. Within a year of implementation the Mexican government reported 46,000 jobs had been created for women as paid care workers.⁶¹ But these new care workers are employed under informal conditions as self-employed 'care entrepreneurs'.⁶² The conditions of informal employment in the new ECEC services created through Estancias does not provide teachers with formal social security protection, legal protection or the other benefits of formal employment. There has also been a concern that the level of government subsidy to 'care-entrepreneurs' is too low to deliver a decent wage⁶³ and delivers too small a surplus for ECEC service providers to invest in quality inputs.⁶⁴ Unless

⁵⁸ Perezniето and Campos (n 27) 45; Strajilevich (n 39).

⁵⁹ Staab and Gerhard (n 27) 1096.

⁶⁰ Gustavo Angeles et al, 'The Impact of Daycare on Maternal Labour Supply and Child Development in Mexico' (2014) International Initiative for Impact Evaluation (3ie) <http://www.3ieimpact.org/media/filer_public/2014/04/02/ic_6-gustavo-mexico_daycare-top.pdf> accessed April 22, 2018.

⁶¹ Staab and Gerhard (n 27) 1087.

⁶² *ibid.*

⁶³ *ibid* 1086.

⁶⁴ Angeles (n 60) 46.

Early Childhood Education

government subsidies to ECEC providers and parents increase over time there is concern that the reach and sustainability of the program will come under pressure.

The priority given to women's work participation in the design of the Estancias model appears to have compromised the quality of ECEC provided to children and the quality of employment for the new care workforce. Lack of explicit attention to essential quality inputs in the Mexican model has also given rise to concerns about the development of a two-tiered public system that provides a lower quality ECEC service for the children of informal workers in the Estancias program compared to that provided through the social security linked IMSS program available to the children of formal workers.⁶⁵ Concerns have also been raised about the reach of the program, with only 14 per cent of eligible children covered.⁶⁶ This links to the question of planning. While the incentive-based 'quasi-market' funding model has been effective in delivering rapid expansion of ECEC it does not promote a planned approach to service provision. Instead services open wherever a willing care-entrepreneur is located. And the required one year contract of service attached to the government subsidy means ECEC centers can be disbanded almost as quickly as they emerge. Strong uptake of the program does, however, suggest that there has been a good fit between the program design and the needs of women in informal employment. It is also reported that over time concerns about ongoing quality issues and funding issues have been partly dispelled⁶⁷ and that Estancias does deliver improved child development outcomes for children from poor and vulnerable households, particularly for children of single mothers who face additional struggles raising children while meeting the need for paid employment.⁶⁸

In contrast to the Mexican experience, the primary aim of Chile Crece Contigo is to support social inclusion and poverty alleviation through children's education and development. In this model, high quality inputs are prioritised over rapid rollout. Services are provided by public or semi-public institutions, staff is professionally trained and a robust approach to regulation and compliance is supported by government agencies and professional educational and child development authorities.⁶⁹ Teachers are required to hold five year degrees in the education of young children and assistant staff must have

⁶⁵ Staab and Gerhard (n 27) 1087.

⁶⁶ R Mahon, 'Work-Family Tensions and Childcare. Reflections on Latin American Experiences' (2011) 1 *Sociologica* 1, 8.

⁶⁷ Strajilevich (n 39) 197.

⁶⁸ Pereznieta and Campos (n 27); Angeles (n 60).

⁶⁹ Strajilevich (n 39).

technical level certification. Staff-to-child ratios are relatively low.⁷⁰ Differences in the professional training requirements of ECEC staff in the Mexican and Chilean programs are mirrored in their comparative employment status. ECEC teachers in the Chilean program are formally employed as public sector workers with access to associated work conditions, protections and social security measures.⁷¹ While formal employment in the public sector is advantageous for workers, paid care work remains undervalued with public sector ECEC educational staff wages lower than similarly trained teachers employed in schools and similarly trained nurses.⁷²

B. Civil Society ECEC Systems

ECEC services that are delivered by civil society organisations provide a very different lens with which to evaluate ECEC, its design and impact. Both the MC and SEWA models began as grassroots experiments in direct response to the childcare needs of informally employed women. The genesis of both MC and SEWA demonstrate deep understanding of the imperative for poor women to work and the limited childcare options available. Nevertheless, there are significant differences in the aims, funding and design of the MC and SEWA models and the implications for the quality and sustainability of the services provided.

MC was established as a philanthropic response to the dangers faced by young children who accompanied their mothers to construction worksites. The primary aim was to protect the welfare of children which, in turn, would support the well-being of working woman. By the 1980s, MC had developed ECEC services that relied on partnering with the building and construction companies that employed the women. Since then MC has developed a range of service models that rely on varying levels of financial and in-kind support from building companies.⁷³ In recent years, the employer partnership model has been bolstered by two key pieces of legislation. First, The Building and Other Construction Workers' Act, 1996 mandates for the provision of crèche services at sites that employ 50 or more women workers. This has a positive influence on

⁷⁰ Staab and Gerhard (n 27) 1093.

⁷¹ In practice only 25 per cent of ECEC workers are reported to be employed as permanent employees with the majority of workers employed on a fixed term basis. See Staab and Gerhard (n 27) 1091.

⁷² *ibid.*

⁷³ Mobile Crèches, 'Process Documentation on Mobile Crèches' Efforts with Builder Partners' (2017) Submitted to Grand Challenges Canada <<https://www.slideshare.net/RavisaKalsi/processdocumentationofmcseffortswithbuilder-s06122016>> accessed 17 April 2018.

Early Childhood Education

builder's willingness to engage MC in ECEC provision at their work sites. Second is the introduction of the corporate social responsibility (CSR) mandate under Section 135 and Schedule VII of The Companies Act, 2013 as well as the provisions of The Companies (Corporate Social Responsibility Policy) Rules, 2014. Under the new rules, all very large companies are required to spend between 1 and 2 per cent of their average net profit on CSR activities. This legislation provides a new pool of funds for MC to access.

MC's focus on the welfare needs of highly vulnerable children has supported the development of high quality ECEC services delivered by well trained teachers. MC is a leading trainer of ECEC teachers providing expertise for a large number of non-government organisations involved in children's rights and care.⁷⁴ MC policy is to provide decent wages and conditions to their ECEC workers even though they are informally employed.

SEWA cooperative childcare centers aim to promote a rights-based approach to the needs of working women that is worker-centered and membership-based. This has led to the development of a model of ECEC that advocates an integrated concern for the employment and economic security of the working woman, alongside children's welfare. The solidarity model is run by and for informal working women whether they are employed as home-based workers, daily labourers or small scale vendors, in both urban and rural locations.⁷⁵ While union cooperatives own and run the ECEC centers, the day to day delivery of services is often developed in partnership with existing government programs. Advocating for the delivery of already existing and legislated services to informal workers as citizens with a right to public support has been an important part of SEWA's approach. At times, this has been a successful model of service delivery. However, it has also exposed SEWA to changing government policy and broader political dynamics. Since 1999, the number of SEWA childcare services has declined to only 48 (2012-13), largely on account of the withdrawal of government funding.⁷⁶ But even when SEWA childcare co-ops were at their high point, they were relatively constrained in their reach. As a union SEWA pays its ECEC workers the minimum wage and is able to provide ECEC workers with social security as part of their union membership. Nevertheless, workers

⁷⁴ Mridula Bajaj and Sonia Sharma, 'Scaling-up Early Childhood Centres for Migrant Construction Workers' Children in India' in *Early Childhood Matters: Advances in Early Childhood Development* (Bernard van Leer Foundation, 2016) 74 <<https://bernardvanleer.org/app/uploads/2016/06/Early-Childhood-Matters-2016.pdf>> accessed 17 April 2018.

⁷⁵ Chaterjee (n 19).

⁷⁶ FORCES and CWDS (n 10) 76.

in SEWA childcare cooperatives, like many civil society employees, are informally employed and remain unprotected by formal labour law with limited access to social security.

5. Towards and Emancipatory Approach to ECEC for Informal Workers, Children and the Care Workforce

The provision of ECEC services for informal women workers pose a number of critical questions for feminist law and policy making, one of which focuses on the competing rights of workers with children, children, and the care workforce. The four models discussed above demonstrate that ECEC services must be carefully designed to meet informal worker's needs, and the needs of their children. But women working in the care workforce also have a need for decent work. Efforts to promote better working futures for women in informal employment must attend to the needs and rights of all three groups and transformation for one group should not come at the expense of another. In this complex domain what does feminist law and policy making look like?

In her writing on employment and social justice, Nancy Fraser talks about the challenge to promote a worker experience that is 'emancipatory', that delivers worker recognition, respect and the capacity for 'active citizenship'.⁷⁷ Fraser's idea of emancipation turns on the removal of obstacles 'that prevent some people from participating fully, on par with others, in social life'.⁷⁸ It is this principle of participatory parity that defines Fraser's notion of 'active citizenship'. In this respect, access to ECEC is an essential input for working women's emancipation and active citizenship. But only high quality ECEC services that recognise and respect the value of children and properly reward the work performed by ECEC teachers can simultaneously support the emancipation and active citizenship of informal working women, their children and the (mostly) women who are employed in ECEC services. Policies to extend ECEC services to mothers engaged in informal employment must therefore pay close attention to the quality of ECEC services and the formation of 'care chains'⁷⁹ that can limit the economic

⁷⁷ Fraser (n 5).

⁷⁸ *ibid* 149.

⁷⁹ A Hochschild, 'Global Care Chains and Emotional Surplus Value' in Will Hutton and Anthony Giddens (eds) *On the Edge: Living with Global Capitalism* (Jonathan Cape, 2000) 130.

Early Childhood Education

security and active citizenship of the care workforce. In this section, I extend the preliminary analysis of the Mexican, Chilean and Indian models of ECEC for informal working women to evaluate their capacity to promote active citizenship through service design that supports women's economic productivity, security and well-being; the provision of high quality ECEC that meets the needs of children; and the provision of decent jobs for ECEC workers.

Each of the ECEC models discussed above are reported to support improved economic opportunities, productivity and security for informal working women. Access to dedicated ECEC services in a safe and secure location by trained staff are reported to provide women with the peace of mind that enables them to freely commit their full attention to paid work,⁸⁰ extend their hours of work,⁸¹ and in some cases seek employment that is more secure.⁸² Ameliorating women's concerns about children's safety and well-being allows women to work more productively and increase their earnings.⁸³ Each of the four models also aim to deliver ECEC services in a location that suits women worker's needs – either close to their workplace in the case of MC and CAHMT, or near their home in the case of some SEWA centers and Estancias.

⁸⁰ Forces and CWDS (n 10).

⁸¹ Chaterjee (n 19).

⁸² Pereznieta and Campos (n 27).

⁸³ *ibid*; Cassirer & Addati (n 2).

Table One: ECEC and ‘Active Citizenship’ for Informal Women Workers and Children

Emancipatory Criteria	Estancias, Mexico	Chile Crece Contigo (CAHMT)	Mobile Creches, India	SEWA Childcare Co-ops, India
Meets the practical needs of informal workers and supports women’s increased productivity, security and well-being	Strong	Strong	Strong	Strong
Provision of high quality ECEC that meet the needs of children	Medium	Strong	Strong	Medium
Provision of decent jobs for the care workforce	Informal Employment: self-employed care entrepreneurs	Formal Employment: public sector employees	Informal Employment: wage workers	Informal Employment: wage workers

However, the quality of the care delivered by the four models is mixed (See Table One). The international literature on ECEC shows that high quality ECEC services have the strongest positive impact on children’s wellbeing and development where quality is determined by key inputs such as trained staff and low staff-to-child ratios.⁸⁴ Nutrition and other health services are critical additional inputs for very poor children. The demand-driven ‘quasi-market’ design of the Estancias program in Mexico creates structural limits on the quality of care provided. This has meant that levels of staff training and professional accreditation are lower than those required by Chile Crece Contigo where professional education and technical training are mandatory for all staff. In the MC and SEWA cases, significant attention is paid to quality control and teacher training which is provided by the organisations themselves. As MC has matured, the attention to training and high quality service

⁸⁴James Heckman and Dimitriy Masterov, ‘The Productivity Argument for Investing in Young Children’ (2007) 29(3) *Review of Agricultural Economics* 446.

Early Childhood Education

provision has increased and is probably stronger than that provided by SEWA coops.⁸⁵

A challenge faced by all models is the quality of employment in ECEC jobs. Work opportunities for women in the newly created ECEC services that are developed as part of each model do not, on the whole, deliver the conditions of decent work.⁸⁶ In the Mexican case, workers are engaged under highly precarious terms as self-employed, own account workers, or 'care entrepreneurs'. In the SEWA and MC cases, ECEC workers are informally employed, although the worker-centered values that inform these organisations mean that working conditions are often better than those experienced by the majority of informal workers in India. The exception is the Chilean program in which women employed in the new ECEC centers are engaged as public sector employees with formal access to associated entitlements, conditions and security. Although even here the evidence is that the majority of employees are engaged on fixed-term contracts rather than as permanent employees. Improved employment status for ECEC workers remains the main challenge for the provision of 'emancipatory' center-based ECEC services for informal working women.

A. Public Action for ECEC: The Funding Challenge

Global advocacy to extend the reach of ECEC services to all children has been growing and is part of Sustainable Development Goals (SDG) Goal-4.⁸⁷ If the SDG target on ECEC is to be met in a way that meets the needs of women employed in the informal economy, their children and the care workforce, then public action, particularly in the form of funding, will be required.⁸⁸ All four models discussed here highlight the importance of public action in the delivery of ECEC (Table Two).

⁸⁵ Bajaj and Sharma (n 74).

⁸⁶ ILO, 'Decent Work and the Informal Economy: Report VI' (2002) International Labour Conference, 90th Session.

⁸⁷ Sustainable Development Goals

<<http://www.un.org/sustainabledevelopment/education/>> accessed 17 April 2018.

⁸⁸ Mouisse (n 28) 9.

Table Two: Models of Public Action to Deliver ECEC for Informal Women Workers

	Estancias, Mexico	Chile Crece Contingo (CAHMT)	Mobile Creches, India	SEWA Childcare Co-ops, India
Public Action	Government funding via demand— driven public subsidies	Government funding from general revenue	Legislative frameworks supporting funding from building companies and other public companies fulfilling their CSR responsibilities Private philanthropy— domestic and international	Government programs and funding to complement union funding
Coverage	Targeted income and work tests applied	Targeted— 40% poorest household (until 2010) then 60%	Constructive industry workers and urban slum dwellers	Union Members
Parent Fees	Yes—income tested	No	No	Yes—small
Sustainability (to date)	Medium	Strong	Strong	Weak

In Chile and Mexico, ECEC programs for informal working women are funded primarily out of general state revenue. This requires significant political will and leadership by presidents and parliaments. Parents in the Mexican scheme are also expected to make a contribution, although this is income tested. In Chile, ECEC is provided free of charge for the poorest households. In the SEWA model, opportunities to link into specific government programs has been an essential way of funding the extension of ECEC services to union members, although as a matter of

principle SEWA charges parents a small fee. Reliance on government for substantive resourcing has left SEWA vulnerable to the transient nature of specific government programs and political will. Government funding for MC services is negligible and most parents do not pay for ECEC services. But this is not to suggest that the MC model does not rely on public action. Instead of government funding, it has been the legislative environment that has provided institutional support for the MC model.⁸⁹ In addition to complementary labour laws, the MC model benefit from corporate laws that require mandatory funding of corporate social responsibility activities. This provides a pool of funds that can be harnessed by MC to extend ECEC services to informal working women. MC also partners with international corporations, philanthropic and development organisations for additional funding support.

The scale of the demand for ECEC services for informal working women is so great that in most cases national governments need to partner in various ways with provincial and local government, employers, trade unions, civil society and community organisations to implement their programs.⁹⁰ These partnerships can help to tailor national programs to the specificities of local contexts.⁹¹ In the Chilean and Mexican models, government is not the sole provider and funder of ECEC services for informal working women. Partnerships with civil society, non-government, and private partners are central to policy design. However, the structure of the partnerships varies and produces different outcomes. In Chile, the government maintains formal control over the ECEC program, partnering with a variety of Ministries, government departments and professional associations to deliver and monitor a high quality service and professional care workforce.⁹² In Mexico, the government partners with individual private ECEC service providers who are incentivized, via public subsidies, to deliver ECEC services that meet only minimal levels of quality control.⁹³

Partnerships are effective in mobilising resources. In many emerging economies there is increasing interest by business and corporate philanthropy in ECEC.⁹⁴ But if private sector involvement is to support emancipatory ECEC services then national legal and policy settings will need to include mandatory regulatory provisions that protect access to

⁸⁹ Mobile Creche, 'Process Documentation' (n 72).

⁹⁰ Cassirer and Addati (n 2)10; Alfors, 'Literature Review' (n 28).

⁹¹ Cassirer and Addati (n 2).

⁹² *ibid* 9.

⁹³ Staab and Gerhard (n 27).

⁹⁴ Sarah Blake et al, 'Starting Strong, Early Childhood Development in India' (2009) New Philanthropy Capital <<http://www.thinknpc.org/publications/starting-strong/>> accessed 17 April 2018.

affordable and high quality ECEC services for informal workers and their children, as well as decent employment conditions for the care workforce. The risk is that ECEC becomes the next market opportunity for profiteering as it has become in a number of developed countries.⁹⁵

Finally, there is the question of sustainability. Each of the models discussed are dependent on government and/or private funding. Public funding for the Chilean model will be sustained as long as the program continues to enjoy political support. The Mexican model has proven relatively sustainable, although the demand-driven model is vulnerable to rapid withdrawal of services by providers who are unable or unwilling to continue to provide services at a low level of government subsidy. SEWA's model has been vulnerable to the withdrawal of state government support which saw the number of centers more than halve.⁹⁶ The MC model has proven sustainable to date, largely because of its single industry focus, the supportive legislative environment, and their ability to attract ongoing funding from international and domestic donors. However, structural shifts in the Indian economy and the declining number of women working on construction sites may challenge the sustainability of the MC model in the longer term.⁹⁷ The funding commitments of private donors are also contingent on broader economic and political factors that can shift quickly.

While public action and especially government funding is essential for the delivery of ECEC services for informal working women at the scale required, civil society organisations have a lot to contribute to the legal and policy debate. In spite of their small scale, civil society organisations, such as SEWA and MC, along with other similar organisations around the world, have established an evidence base for how ECEC services for informal working women operate best.⁹⁸ In India, the contrast between the design of ECEC services embedded in the ICDS, SEWA and MC shows the advantage that civil society organisations have in developing

⁹⁵ Deborah Brennan, 'Home and Away: the Policy Context in Australia' in Alison Elliot, Elizabeth Hill and Barbara Pocock (eds) *Kids Count: Better Early Childhood Education and Care in Australia* (University of Sydney Press, 2007) 57; Deborah Brennan, 'The Business of Care: Australia's Experiment with the Marketization of Childcare' in Lionel Orchard and Chris Miller (eds) *Australian Public Policy: Progressive Ideas in the Neo-Liberal Ascendancy* (Policy Press, 2014) 151; Shahra Razavi, 'Addressing/Reforming Care, But on Whose Terms?' in Shirin Rai and Georgina Waylen (eds) *New Frontiers in Feminist Political Economy* (Routledge, 2014).

⁹⁶ FORCES and CWDS (n 10).

⁹⁷ Mobile Creches, 'Process Documentation' (n 72).

⁹⁸ Alfes, 'What They Deserve' (n 28) 19-21. This includes evidence on operating hours, location (see FORCES and CWDS (n 10)), affordability, education and care inputs – informal workers are aspirational and see education as a key to improved wellbeing for children, nutrition and health inputs, staff: child ratios, governance structures (see Chatterjee (n 19)) and teacher training strategies.

innovative service models that can, in part, be duplicated by larger publicly funded programs. Small civil society programs can also amplify their expertise through public advocacy. SEWA and MC are examples of how grassroots knowledge and innovative practice can be deployed to build public awareness and generate broad-based community-led advocacy for ECEC. SEWA initially advocated for ECEC for informal working women in the groundbreaking 1988 *Shramshakti: Report of the National Commission on Self-Employed Women and Women in the Informal Sector*.⁹⁹ Mobile Creches built upon this legacy and in 1989 was a co-convenor of the Forum for Creches and Childcare Services (FORCES). Through this national coalition MC has played an important role in the formulation of the National Early Childhood Care and Education Policy, 2013 and is currently working to strengthen the Indian government's Integrated Child Development Scheme.¹⁰⁰ Advocacy has an important role to play in building public awareness, interest and commitment for a better future for informal working women through ECEC services, but mainstream provision is ultimately a state responsibility.

6. Conclusions—Policy Principals for Emancipatory ECEC Services for Informal Women Workers

This article began by asking: what contributes to a better working future for women employed in the informal economy? This is not a niche policy question. The large and increasing proportion of informal employment in emerging (and wealthy) economies, and women's disproportionate representation in this type of work means the question is fundamental to global prosperity, equality and sustainability. The conditions of informal employment limit women's economic security and well-being, making policy interventions to promote formalisation of women's employment essential.¹⁰¹ But policy also needs to address the way in which women's

⁹⁹ (Delhi Commission, 1988).

¹⁰⁰ A Mandhani, 'Law Commission of India suggests to make "Right to Childhood Care" a fundamental Right [Read the 259th Report]' LiveLaw.in (Delhi 27, August 2017), <<http://www.livelaw.in/law-commission-of-india-suggest-to-make-right-to-childhood-care-a-fundamental-right/>> accessed 17 April 2018.

¹⁰¹ WIEGO, 'WIEGO Network Platform: Transitioning from the Informal to the Formal Economy in the Interests of Workers in the Informal Economy' (2014) <<http://www.wiego.org/sites/default/files/resources/files/WIEGO-Platform-ILO-2014.pdf>> accessed 17 April 2018; International Labour Conference, 'Recommendation 204 concerning the transition from the informal economy' (2014)

unpaid care responsibilities shape their vulnerability to informal work. Recognition of the interface between women's unpaid care and informal employment makes the provision of high quality ECEC services an important policy intervention that will change women's employment opportunities and improve their working lives. This is not, however a simple proposition. ECEC services revolve around multiple stakeholders including: the worker 'client', their children, and the care workforce. A better future for informal working women must not come at the expense of children's well-being or decent work for ECEC workers. Nancy Fraser's concept of an 'emancipatory' worker experience helps to clarify how we might assess the way in which the aims, policy design, delivery and funding arrangements of centre-based ECEC services for informal workers shape the active citizenship of all stakeholders. Analysis of the four models included in this article suggests three high level policy principles for the development of emancipatory center-based ECEC services for informal working women.

First, public action is essential. Delivery of high quality ECEC that matches the working times of informal workers, the needs of their children, and promotes decent work for the care workforce is costly. Informal working women can often make some financial contribution (eg. SEWA, Mexico's Estancias program), but they cannot pay the full cost. Public action will provide the most sustainable form of funding and is the most efficient means to achieve scale and equity in service provision. The risk is that expanded ECEC services are designed as low-cost community-based models that entrench low-paid, informal, feminised labour.¹⁰² As the four models demonstrate, program design matters. Better working futures for women in the informal economy require funding and delivery mechanisms to be designed in a way that achieves emancipatory outcomes for all stakeholders. The provision of an enabling institutional environment via supportive legislation is also a potentially important role for public action.

Second, public action is often delivered in partnership with private, professional and corporate organisations, as well as civil society organisations such as trade unions and community-based philanthropic organisations. This is the case in all four models. This makes the issue of government regulation – of ECEC quality, access and affordability, and care workforce conditions – an urgent and necessary part of the delivery of emancipatory ECEC. In Chile, the formal link between professional

<http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_377774.pdf> accessed 17 April 2018; ILO, 'Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204): Workers' Guide' (ILO, 2017).

¹⁰² Razavi (n 94) 126.

Early Childhood Education

support, compliance, and government funding stands in contrast to the more limited regulatory requirements of the Mexican program and demonstrates how important it is to embed quality control and other regulatory requirements within the public funding model. Robust regulatory mechanisms will be required to maintain quality care and employment in the ECEC sector.

Third, public action can benefit from the innovative practices and learning embedded in small civil society organisations. Dialogue between civil society and government on ECEC program design has the potential to deliver more appropriately designed services that meet informal working women's needs. SEWA and MC's experience running ECEC programs for informal working women in India over several decades has created an evidence base for enhanced public action that is now gaining traction in public debate and the legislative agenda.

The models of center-based ECEC for informal working women highlighted in this article demonstrate that it is possible to deliver ECEC to informal working women. However, if governments of emerging economies with high levels of informal employment are to meet the global goal to extend the reach of ECEC services to all children, they will need to strengthen efforts to extend services to informal workers. And if these services are to be emancipatory for all stakeholders then they will require substantive forms of public action, backed by robust regulatory and compliance mechanisms, designed in dialogue with grassroots organisations. Good design and adequate funding are essential to the delivery of emancipatory ECEC services for informal working women, their children and the care workforce.