



**Ethical  
Trading  
Initiative**

For workers' rights. For better business.

# Safe Spaces

Creating the enabling environment to progress women workers' representation and to support women workers to organise collectively and access their rights



**Report prepared for ETI**

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March 2020**

# Contents

<b>Contents</b> .....	1
<b>Acknowledgements</b> .....	4
<b>Background</b> .....	5
<b>Executive summary</b> .....	6
<i>Creating the enabling environment</i> .....	6
<i>Freedom of association - the “enabling right”</i> .....	6
<i>Base Code intersection</i> .....	6
<i>Key insight</i> .....	6
<b>Recommendations</b> .....	6
<b>Methodology</b> .....	7
<b>Case studies</b> .....	9
1: <i>Mass protest and strike, garment workers, Bengaluru, India, 2016</i> .....	9
2: <i>Women-led protest by tea workers, India</i> .....	10
3: <i>Community-based, women-led trade union, India</i> .....	12
4: <i>Women-only trade union, Tamil Nadu spinning mills, India</i> .....	14
5: <i>Kenya Union of Hair and Beauty Workers (KUHABWO, with SACCO), Nairobi, Mombasa, Nakuru - Kenya</i> .....	16
6: <i>International Transport Workers’ Federation (ITF), global road transport union federation</i> .....	18
7: <i>Gender committees, Kenya</i> .....	19
8: <i>Multi-stakeholder coalition, El Salvador</i> .....	21
9: <i>Informal sector; women workers, India</i> .....	23
10: <i>Union Unity and Cooperation, Bangladesh</i> .....	25
11: <i>The importance of networks, regional &amp; global</i> .....	26
12: <i>Cooperatives increasing women’s participation, Nicaragua</i> .....	28
<b>Insights</b> .....	30
<b>Recommendations</b> .....	34
<i>Creating the safe space recommendations – companies</i> .....	34
<i>Creating the safe space recommendations – trade unions</i> .....	37
<i>Creating the safe space recommendations – NGOs</i> .....	39
<b>Safe space mapping checklist – all sectors</b> .....	41
<b>Additional and supporting documents</b> .....	43



## Acknowledgements

- Dr Alice Evans, Lecturer in Human Geography, Kings College, London, UK
- Beverley Hall, Senior Industrial Relations Advisor, Ethical Trading Initiative, London, UK
- Betty Masila, National Treasurer, KUHABWO, SACCO, Nairobi, Kenya
- Cecily Mwangi, General Secretary, Kenya Union of Hair and Beauty Workers (KUHABWO), Nairobi, Kenya
- Sujata Mody, President, Penn Thozhilalargal Sangam and Garment and Fashion Workers Union, Chennai, India
- Dr Fenella Porter, Gender Policy Advisor, Campaigns Policy and Influencing Team, Oxfam GB, UK
- Towhidur Rahman, President, Bangladesh Apparels Workers Federation, Bangladesh
- Mr Ranganathan President, Indian National Textile Workers Federation, India
- Rukmini VP, President, Garment Labour Union, India
- Dr Linda Shaw, Co-operative College Associate, Manchester, UK
- Stirling Smith, Researcher and Trainer, Just Solutions, Bolton, UK
- S Thirya, President, Tamil Nadu Textile and Common Labour Union (TTCU), India.

## Background

Women and girls comprise half the world's population. Their empowerment is essential in redistributing the benefits of economic growth and promoting social development in a sustainable way. The empowerment of women is essential for achieving gender equality, fulfilment of human rights and meeting the UN Sustainable Development Goals, including Goal 8: which promotes sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

Evidence has shown that female equality advancements have a ripple effect on all areas of sustainable development, from reducing poverty and hunger to decreasing carbon emissions.

Women and girls face the most widespread and visible discrimination, and gender inequality remains an everyday reality for the world's female population. Despite advances in recent years women in all countries and from all socioeconomic backgrounds still face institutional barriers and unfair treatment. These might include all or some of the following; sexual harassment, discrimination, gender-based violence, and in some countries forced marriages and honour killings, as well as lack of access to education, health facilities and decent work.

As employees, women continue to experience a range of human and labour rights abuses including discrimination in recruitment opportunities, lack of training, discrimination in promotion, lack of contracts, lack of rights in homeworking, a gender pay gap, sexual harassment in the workplace, and being denied maternity rights or dismissal due to pregnancy.

Outside the workplace, as well as facing cultural constraints, women are vulnerable to the wider social and environmental impacts of company policies and activities. Company policies and activities can negatively impact on women and the achievement of gender

equality. For example, if companies demand excessive overtime women are often forced to leave their children unsupervised at home or travel late at night in unsafe conditions. Companies with a negative impact on local environments, such as forests and rivers, place an additional burden on women and children who may have to walk further to get firewood or water.

Women have for too long been ignored and subjected to discrimination in the workplace. The case studies in this report show how women are organising to challenge this. Platforms such as women's groups, cooperatives, unions and women-only unions give women the unity and solidarity they require. Collective bargaining is a particularly effective mechanism for closing the pay gap between men and women and achieving gender equality

Companies are beginning to recognise the important role they play in supporting this move to equality and to understand how gender equality can improve profitability, sustainability and ethical impact.

This report is a call for all sectors to work together to champion gender equality, support women to access the right to freedom of association and improve women workers' rights through the effective recognition of the right to collective bargaining.

**Disregard for worker's rights is often difficult to find and buried deep in supply chains, and often rooted in unequal societies with gender and power imbalances.**

## Executive summary

The issues women workers face are intersectional and, for them to enjoy their full labour rights and protections, the political, legal, social and employment policies and frameworks must all be in place and implemented.

This study was commissioned by the Ethical Trading Initiative (ETI), a leading alliance of companies, trade unions and NGOs that promote respect for workers' rights around the globe. ETI members commit to the ETI Base Code, an internationally recognised code of good labour practice founded on the conventions of the International Labour Organisation.

### Creating the enabling environment

Under the ETI Base Code, responsible businesses and labour rights organisations are expected to commit to creating an environment which enables workers to organise themselves, raise collective concerns without fear or intimidation, and make informed decisions on forming or joining a trade union of their choosing. Where trade unions are restricted under law and cannot operate, workers should have the freedom (and encouragement/support) to pursue the next best available form of independent worker organisation.

### Freedom of association - the “enabling right”

ETI Base Code 2 (the right to freedom of association and the right to collective bargaining are respected) stipulates that this right applies to all workers, without distinction. This is irrespective of race, religion, gender, occupation, nationality or political opinion. This also applies to workers in the informal sector, who are working without contracts of employment. It is known as the 'enabling right' - as all other workplace rights flow from this.

### Base Code intersection

This report considers the intersectionality of Base Code Clause 2 and Clause 7 (no

discrimination is practised) with a focus on how women workers access their rights to organise within workplaces. The project looked holistically at the two clauses to identify concrete steps that can be taken by companies, trade unions and NGOs to create the conditions where women and girls\* are fully included and engaged in the implementation of these clauses.

\* child labour encompasses various exceptions and clarifications allowed for by ILO Conventions

### Key insight

**The first step to progressing the right to freely associate and organise is to provide an enabling and safe space for women to share their collective concerns. A place where they are able to speak out about issues that matter to them.**

The research and case studies that follow reveal that these “safe spaces” exist in various locations, including women's own homes and in local communities, supported by community organisations and NGOs and, in a small number of cases, within factories and farms.

## Recommendations

The recommendations section of the report provides detailed advice for companies, trade unions and NGOs. These have been shaped from the research and through the lens of creating safe spaces and an enabling environment, both inside and outside of the workplace, but are intrinsically linked to both the knowledge and legal spaces. For women workers in supply chains to flourish and realise their working rights and protections, the following three safe space recommendations are key:

- 1. Creating or supporting the knowledge and legal space:** includes access to education and skills including financial literacy, leadership and entrepreneurial skills; access to finance and land; workers' rights including return to work, maternity rights and violence and harassment protections; and recognising unpaid care responsibilities and homeworkers rights
- 2. Creating or supporting the inside space (the work environment):** Women workers are informed about their rights and all the policies and practices that affect them including, Gender specific Occupational Safety and Health (G)OSH, collective representation, grievance mechanisms, pay scales, maternity rights, skills development, lighting, ablutions, childcare provision, sexual harassment and access to remediation. Where there is a recognised trade union, these policies and practices ideally will have been negotiated and agreed on.
- 3. Creating or supporting the safe outside space:** could include community groups, schools, skills training facilities, housing, transportation to and from work and streets outside the workplace.

Whilst this report aims to give guidance on the creation of safe spaces it must be remembered that women do not comprise a homogeneous group. Every situation needs to be approached with sensitivity and with due regard to the complexity of the countries, the different industries, various ethnicities and cultures. All platforms must work to ensure that women are an integral part of the defining of the problems and the development of solutions.

*“First we used to be responsive – but now we are more strategic with a new boldness to make change”*

Female trade union leader, India

## Methodology

**Literature review:** A comprehensive literature review was carried out of relevant journals, reports and websites to investigate why women organise, what motivates and galvanises them, how they come together, who gets involved and where this action is taking place.

**Case studies:** From this initial review a series of interviews were held with practitioners in the field and used to draw up a list of 30 initial possible case studies, then scoped down to 15.

These were intended to give a range of geographical coverage and types of industries and to highlight different organising structures and platforms.

**Questionnaires:** Questionnaires were sent or used as a framework for research on all 15 possible case studies. Two versions of the questionnaire were developed, with one specifically for unions. Two possible case studies did not respond to the questionnaire and one

research case study was not used as information on the organisation is already widely available. 12 case studies were completed.

**Interviews:** Additional in-depth interviews were carried out with 6 members of the organisations or committees featured in the case studies, to gain further insight into the way women organise and to identify what companies, unions and NGOs can do to tackle inequalities, support women in organising and ensure their voices are heard.

**Analysis:** The completed questionnaires, the interviews, the case studies and the research were all reviewed and analysed to answer the research questions detailed above.

**Recommendations:** From this analysis a series of recommendations were compiled to enable companies, unions and NGOs to create enabling safe spaces for women workers, followed by a mapping checklist to aid all sectors in ensuring the main points are covered.

## Case studies

### 1: Mass protest and strike, garment workers, Bengaluru, India, 2016

The normal working relations and communications broke down when the government announced plans to place restrictions on the Employer Provident Fund for garment workers in India.

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The government announced plans to place restrictions on the Employee Provident Fund (EPF), a savings scheme that comprises a contribution (12% of an employee's basic salary) made by the employer and employee every month.

If a worker was unemployed for 2 months, they could withdraw all the savings. The government wanted to change this so they could only withdraw their own contribution, with the employer's contribution only accessible at retirement age (58). The employer's contribution is split; 8.33% goes into a pension fund and 3.67% into the Provident Fund. The proposed changes applied only to the 3.67%<sup>1</sup>. The protest was not union initiated. It was started by factory workers who thought they

would be stopped from accessing any of the contributions. The protests spread to nearby factories and throughout the area. Many workers were low paid migrant workers with no social security, and fiercely resisted the loss of such a safety net.

Over 50,000 workers (mainly women who make up over 80% of garment workers) took to the streets over 2 days. Workers were attacked and beaten by police and security guards and 20 were detained. On the second day the government backed down and dropped the changes to the EPF.

Similar protests against government policies affecting income have taken place in Vietnam and Bangladesh

#### **Challenges faced:**

- There are many enterprise level unions that collective action is difficult to organise and sometimes weakened
- Women are prevented from joining unions by factory owners and community pressure
- Traditional unions not seen to be addressing women's concerns
- No women in leadership positions in communities, factories or unions.

#### **Actions taken:**

- Setting up women-led unions
- Setting up women-led community groups
- Leadership and legal training programmes for women who joined the union

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<sup>1</sup> <https://scroll.in/article/806968/bengaluru-protests-represent-a-new-wave-of-militant-worker-expression-say-union-leaders>

## 2: Women-led protest by tea workers, India

**Protest and strike in 2 phases (two dates in September 2015 for 9 days, and then a further 13 days) at the Kanan Devan Hills Plantation (KDHP) company, Kerala, where the concerns of plantation women workers were not represented by the established union**

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The daily wage of plantation workers was at Rs 234 (£2.50) for a 12-hour day and the workers wanted Rs 500 (£5.17) giving them a basic minimum wage on a par with other manual labourers in Kerala.

The salary of plantation workers is decided by the Plantation Labour Committee (PLC). This is a tripartite collective bargaining forum which is made up of representatives from government, plantation management and trade unions. Negotiations must be initiated by government.

Many of the workers live in one bed huts and are malnourished and susceptible to illness. They also wanted welfare measures to be reinstated and the annual bonus to be returned to 20%<sup>2</sup>.

KDHP used to be owned by Tata Tea but in 2005, after 70% was sold to shareholders including the plantation workforce, it became the largest employee-owned company in India. This appeared to work well for a number of years, however, the company suspended and diluted some of the welfare benefits such as hospital treatments. Then in 2015 the plantation management also tried to reduce the bonus from the 20% paid in the previous year down to 10% due to a fall in profits.

The workers on the plantations are predominantly Tamils, brought over from Tamil Nadu as indentured labour back in the 1950s. Most of the workers are also Dalits, who are considered low- caste in Indian society, and are

frequently discriminated against. 70% of plantation workers are women.

The women accused the established trade union of a corrupt alliance with the tea plantation companies and who together didn't protect the women's rights.

The women called themselves Pempila Orumai – Women's Unity and organised a women-led strike that excluded men.

In total over 12,000 people came out on strike. During the first strike the women staged a sit-down protest outside the KDHP head office, effectively closing off the main thoroughfare of Munnar.

The women protestors were intimidated and even physically attacked by some trade union members. But, despite being excluded from wage negotiations because they were not, at that stage a formal trade union, their success in mobilizing thousands of workers, and gaining the support of Ministers, helped to ensure the full bonus was reinstated and a commitment to reviewing wages and poor working conditions was made.

A second strike was organised by trade unions and protests spread to other plantations in the area and across Kerala.

A wage rise to Rs 301 was eventually agreed, however, KDHP, like many other tea plantations, is struggling to balance rising labour and production costs with reductions in the price for tea. Ensuring its workers are paid a decent

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<https://www.opendemocracy.net/bevondslavery/iav>

[aseelan-raj/women-strike-back-protest-of-pembillai-orumai-tea-workers.](https://www.opendemocracy.net/bevondslavery/iav)

wage and are well provided for, as required under the Plantation Labour Act, is a difficult balance and needs to be tackled by fair prices being paid for the tea.

The Pempila Orumai movement galvanised and gave hope to tea plantation workers in neighbouring districts as well as women workers in other industries. Whilst not on their agenda their actions not only challenged the tea companies, but also the trade unions, the caste system (which keeps Dalit people at the bottom of the ladder) and the overall position of women in Indian society.

Women-led trade unions in India can help to raise awareness of these issues, challenge the status quo, and need to be supported as they give women a voice in a male dominated sector.

### ***Challenges faced:***

- Plantation workers were excluded from other progressive pro-poor Kerala economic developments
- Poor working and living conditions and lack of welfare support on plantations
- Some members believed the trade union officials appeared to benefit from a

“relationship” with plantations – for example by securing school places for their children, bungalows, good jobs, etc.

- Bonus used by women to pay off loans and plan for year – losing half was untenable.
- The triple challenge of discrimination: workers are Tamil, Dalit and female.
- Pempila Orumai still have no direct communication with management.

### ***Actions taken:***

- Establishment of Pempila Orumai (as an official trade union in 2019 with 240 members across KDHP estates)
- Candidates fielded in local elections and places won.
- Refusal to allow male trade union representatives to organise or lead the strike
- Identification of a bottom line – the reinstatement of the 20% bonus
- Wage negotiation: rise to Rs 301 agreed with promise to renegotiate for Rs 500 after elections.
- For additional support connections made with and INGO called THIRST. <sup>3</sup>

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<sup>3</sup> THIRST The International Roundtable for Sustainable Tea

### 3: Community-based, women-led trade union, India

The Garment Labour Union (GLU) formed from pre-existing community organisation to address the issues workers faced by 5,000 workers in the garment trade.



In 2002, the Indian labour rights organisation, Cividep, helped workers organise and set up a community organisation

“Munnade” (“march forward”) to address the issues workers faced in the garment trade, including verbal, sexual and mental harassment, punishments, and the denial of legitimate benefits, contracts and job security. Members felt that Munnade could not effectively tackle the issues so in 2006 a trade union was formed. The union was dominated by men and focused on macro level interventions<sup>4</sup>. The women felt unable to participate due to issues, for example, the time of meetings conflicting with care responsibilities and that their specific issues were not being addressed. So, in 2012 the women-led union of GLU was set up.

GLU continues to support Munnade and the self-help groups operating within this “family” offer advice on domestic and labour issues and savings, and a safe space to discuss issues of concern. GLU also continues to work with Cividep, which supports them with advice and strategic planning. It has affiliated with Hind Mazdoor Sabha (HMS), a national trade union centre, and through HMS negotiates with national government on behalf of its members. GLU works with international brands and organisations such as ETI on global framework agreements and the protection of workers’ rights.

#### **Challenges faced:**

- Women find it difficult to pay union fees
- Factory owners try to prevent people from joining or forming trade unions

- Women bear the burden of work in the factory and in the household
- No social security, so women who are unable to work receive no wages
- Women have no knowledge of the importance of trade unions and fear losing their jobs
- Very few recognition agreements exist at factory level due to resistance from factory owners
- Training and meetings take place at weekends as union members are not allowed time off
- Limited day care facilities for the most vulnerable women such as single mothers or widows, many of whom have caring responsibilities.

“Having an experience of 17 years working in garment factory, I have seen and faced a lot of harassment myself, I believe only a union can reduce or stop all these harassments. This made me to choose the Trade Union as form of organisation.”

*Interview/Questionnaire: Rukmini VP President  
GLU, November 2018*

#### **Actions taken:**

- GLU members were trained in addressing mental health issues and the trade union now caters for range of workers’ needs including savings and domestic issues
- A trade union day-care facility was set up for GLU members’ children
- Lawyers provide legal training to trade union officers
- Factory-level representation established, reporting to the main committee

<sup>4</sup> Organising ‘Spaces of Hope’: Union Formation by Indian Garment Workers, British Journal of Industrial Relations. Sept 2013. Jean Jenkins.

- Maintain working relationship with elected representatives and government
- Communication via WhatsApp and mobiles, in addition to factory gate and weekend meetings
- Newsletter with information for and articles written by workers
- Annual handbook produced with contact details, basic rights and spaces for notes
- Street theatre used to explore conflicts, explain issues and engage workers
- Internal complaint committees set up in factories – with formal elections held to elect members.
- Negotiated compensation for workers affected by Illegal factory closures and lock outs.

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<sup>5</sup> Interview: Indian National Textile Workers' Federation (INTWF), General Secretary Mr V.R.Jaganathan

#### 4: Women-only trade union, Tamil Nadu spinning mills, India

Sexual harassment and the rape of women in the textile and spinning mills of Tamil Nadu galvanised the women workers to develop their community organisation into a women-only trade union.



Tamil Nadu Textile and Common Labour Union (TTCU) operating regionally in 12 districts in Tamil Nadu with strong trade union

member membership in 4 of those districts. Set up in 2012 as a community development organisation, TTCU became a trade union in 2013 and now has over 6,000 members.

TTCU was originally set up as a community organisation to tackle child labour and to give women a space in which to raise issues of importance to them. Although some women were already members of a trade union many felt that “the traditional unions were not helpful”<sup>6</sup>, as they were not allowed into the factories and women’s issues were constantly overlooked by the mainly male officials.

There are over 3,500 spinning mills in Tamil Nadu, employing 500,000 workers of which over 200,000 are adolescent girls. Women and girls make up 80% of the workforce as they are “seen as more likely to work in poor conditions for low pay without causing trouble by resisting management control or joining trade unions”<sup>7</sup>.

Workers in the factories work 10-14 hours a day with no overtime. Wages are below the government stipulated wage and lower for women and girls. Some girls are there under ‘Sumangali Thittam’, where girls, some as young as 12 or 14, are (illegally) sent to the mills for a period of 3-6 years<sup>8</sup>. They are promised food and accommodation and a small wage, and in return their families receive a lump sum for a dowry at the end of their contract.

For many the only break each day is 30 minutes at lunch time and toilet breaks are frowned upon. Medical leave is allowed only in extreme situations. Working conditions can be dangerous and long working hours and lack of sleep contribute to accidents. The majority of the female employees in textile mills are from Dalit, minority, illiterate rural populations and lack social, political or economic power.

The sexual harassment and rape of women workers galvanised the members of the community organisation to set themselves up as a women-only union. They felt this was the only way they could ensure women’s issues were addressed, stand against factory managers and obtain support at the industry level. Elections are held every 3 years and there are committees of 15-20 members in 458 villages, with representation on 12 District Committees and representation on the State Committee. TTCU focused on training local committees at village level to take up cases of wage discrepancies or overtime payments as well as training women in the community to be paralegals.

#### **Challenges faced:**

- Family barriers at the village level – women who join a trade union are considered “troublemakers”
- High cost of the hiring advocates for High Court, which drains trade union reserves
- Continued harassment of women workers in factories
- Women’s issues are seen as unimportant.

<sup>6</sup> Questionnaire: S.Thivya President TTCU November 2018

<sup>7</sup> Ghosh. J. (2009) Never done and poorly paid. Women Unlimited.

<sup>8</sup> <http://ttcuintia.org/>

***Actions taken:***

- Online complaints committee set up, using mobiles and text messages. Information is sent to relevant partners and grievances sent to TTCU allowing for rapid response. Data is also used for quarterly meetings with industry association TASMA<sup>9</sup>
- Drama and music are used to reach women and spread the message of workers' rights
- A weekly text message is sent to all registered members
- Women-only trade union allowed women to create a safe space to be heard and have their concerns addressed.

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<sup>9</sup> Interview with TTCU November 2018

## 5: Kenya Union of Hair and Beauty Workers (KUHABWO, with SACCO), Nairobi, Mombasa, Nakuru - Kenya

Financial security and chemical safety for women working in an unregulated industry prompted the set up in 2009 by workers from the hair and beauty industry to secure their rights and protections. KUHABWO now has 8,000 members



KUHABWO's members consist of hair and beauty manufacturing workers, self-employed women in salons, employees in salons and barber shops, workers in hair and beauty wholesalers, retailers and distributors.

There is a Savings and Credit Cooperative Organization (SACCO) linked to KUHABWO which is owned, governed and managed by its members. SACCO (established in 2015) has proved to be a useful path to bring more people into an organised structure and then the trade union, as it answers an expressed need of the workers and the loans are used to support education, salon materials, etc. In 2018 over 1,000 workers were accessing loans.<sup>10</sup>

The freelance salon workers often hire space in a salon but because some are not always able to bring in enough hair and beauty clients, they turn to sex work to cover their costs. Some don't earn enough to cover childcare costs, so the babies are brought into work.

Those in the wig-making factories often work long hours with no formal contracts; without a formal contract, workers have no maternity rights. The main wig making companies employ between 6,000-10,000 workers in each company, spread across their factories. The chemicals used in the wig-making process are hazardous to health and have caused asthma and sore eyes. The health impacts from long-term exposure are still unknown<sup>11</sup>.

Those working in the hair and beauty industry face endemic sexual harassment for jobs, promotions and salon space. Workers are not encouraged to join trade unions. If they do, there are job losses. The industry is unregulated and even where the trade union has effectively negotiated a Collective Bargaining Agreement the factories refuse to implement it. The trade union has defended workers and factories have been taken to court and fined, but have then appealed, so the cases go on for years and the workers become disillusioned. KUHABWO has set up training programmes for members on leadership and confidence to raise issues and is actively developing funding bids with NGOs for further leadership and negotiation training.

### **Challenges faced:**

- Cases take a long time in court
- Workers are harassed by employers with police sometimes involved in the harassment
- Trade union leaders are harassed and arrested and employers unwilling to let workers join the union.

### **Actions taken:**

- Links and affiliation to Central Organization of Trade Unions (Kenya) and signing a collective bargaining agreement on wages and contracts.
- Successful defence of workers' rights in labour courts
- Training on leadership and workers' rights and collaboration with NGOs
- KUHABWO set up the SACCO and members have access to loans.

<sup>10</sup> Interview with Betty Masila, National Treasurer, SACCO, July 2018.

<sup>11</sup> Interview with Cecily Mwangi, General Secretary, KUHABWO, July 2018

Additional information from Questionnaire: KUHABWO, October 2018



## 6: International Transport Workers' Federation (ITF), global road transport union federation

Trade union organising across borders in multiple countries demonstrates how an entire industry can change

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In 2009, a committee made up of women members of the ITF road transport workers' section was set up to look at issues for women road transport workers, and to develop strategies to support, develop and build activities for women. ITF is a global union federation with trade unions operating in Australia, Barbados, Bermuda, Canada, Ghana, Great Britain, India, Lithuania, the Netherlands, Sweden, Thailand and the US.

The overall number of women employed in the bus industry is still relatively low especially for bus drivers. For example, in 2010, 10% of bus drivers in Australia and 4% in Barbados were women. ITF felt that improving women's access to all jobs in the bus industry was important to challenge the male image of the sector and for gender equality.

The ITF through its affiliates promoted positive strategies such as mentors and women-only recruitment days, and these made some impact on numbers. But it was recognised that there was a need to address a range of other workplace issues which were holding women back from applying for these jobs such as shift patterns, sexual harassment, toilet breaks and bathroom facilities. Trade unions also recognised that sometimes they needed to look to informal activities to engage with women such as approaching them outside their workplaces, at festivals or community events.

Ensuring all workers were connected, especially with bus drivers and conductors being predominantly on the move, was important. It

was difficult to gather women for physical trade union activities, as they have caring and domestic duties as well, so social media and networks were important to ensure good communications and to draw workers together when required.

The ITF report "Women bus workers – driving to equality – a best practice guide for road transport unions" made the learning from the campaign available to a wider audience and is a valuable resource for all those seeking to improve women's representation and gender equality<sup>12</sup>.

### **Challenges faced:**

- Bus driving is not regarded as a valued career within many societies
- Working times and shift work impact more on women with family responsibilities
- Sexual harassment and violence is endemic
- Lack of women in leadership roles within the trade union
- Women are not involved in bargaining and decision-making.

### **Actions taken:**

- Women-only recruitment open days and taster events before committing to the job
- Partnerships with education and employment agencies
- Vouchers to help with childcare costs
- Female mentors/buddies in the depots
- Women's officers/committees in trade unions
- Detailed analysis of situation, GOHS, international sharing and producing a best practice guide.

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<sup>12</sup>

[www.itfglobal.org/media/210759/women\\_bus\\_workers\\_2013\\_eng.pdf](http://www.itfglobal.org/media/210759/women_bus_workers_2013_eng.pdf)

## 7: Gender committees, Kenya

### A long running campaign with multiple actors to gain improvements for women workers in the Kenyan tea and flower industries



There were very few gender committees (GCs) on flower farms or tea plantations before the year 2000 and nowhere for women workers' voices to be heard within the horticultural industry.

After the labour rights campaigns of 2002-3 highlighted the poor working conditions of horticultural workers, especially women, in the flower farms, the Kenya Flower Council (KFC) began to promote the use of gender committees on flower farms.

*All committees and their members need to be distinct from the company and should provide a neutral space where workers are independent of management*

The short lived Horticulture Ethical Business initiative (HEBI) developed a code with a very strong gender dimension, which the KFC reused in its "Silver Standard" and which explicitly referred to the setting up of GCs "to enable the voice of women to be heard in the auditing of the KFC code" and, by default, all other audits, codes or certification schemes.

GCs provided a space where female workers could speak with auditors and raise issues of concern and a route through which the gender related recommendations from audits could be implemented and monitored. However, GCs and their reliance on audit and labour codes of conduct have been accused of doing "little to challenge existing commercial practices or

embedded social relations that underpin poor labour standards in global production systems". However, other research identified three areas crucial to women's empowerment through these industry/company bodies; 1) the gender composition of the gender committee, 2) implementation of actual projects and 3) training and education <sup>13</sup>.

In some farms and plantations, the companies have set up welfare committees, these are totally separate from gender committees, and are often seen by the workers as being on the side of the company and not a place where workers can exert their voice. All committees and their members need to be seen as distinct from the company and should provide a neutral space where workers are independent of management.

During a research visit to Kenya in July 2018 the make-up of GCs on four flower farms and tea plantations was studied. In some the GCs are made up entirely of women, in others there is a mix but with predominantly female members.

Feedback from women on mixed GCs was that they felt that the committee represented them well as long as there was a gender balance. Although some said that they would quite like an all women committee as well for when they needed to discuss 'private' issues. Where GCs were made up of all women the men interviewed from the farms/plantations felt that they were 'missing out' and that they should have a men's committee to balance this out<sup>14</sup>.

<sup>13</sup> Barrientos, Stephanie and Sally Smith. 2007. Do Workers Benefit from Ethical Trade? Assessing Codes of Labour Practice in Global Production Systems. *Third World Quarterly* 28 (4): 713-729.

<sup>14</sup> Women Working Worldwide, *Comparative Analysis of Flowers, Tea and Bananas*. ETI. 2018

***Challenges faced:***

- Gender committees do not always offer a place for issues women consider to be private to be discussed
- They need to be gender balanced and men need to be included
- All committees need to be seen as independent of management.

***Actions taken:***

- Ensured men were involved in the setting up of the committees and understand why they are being set up.
- Encouraged the co-creation of solutions to problems identified by the women's (or men's) committees through the gender committees, so that both women and men are made aware of the issues and are involved in the solutions.

## 8: Multi-stakeholder coalition, El Salvador

### Coalition for Decent Work for Women, maquila garment factories, El Salvador export processing zone



The Coalition for Decent Work for Women (CEDM) brings together women's and trade union organizations to achieve decent working conditions and wages for women workers in El Salvador. CEDM member organizations are Movement of Women – Melida Anaya Montes (Las Melidas), Organization of Salvadoran Women for Peace (ORMUSA), Women Transforming (MT), Federation of Associations and Independent Unions of El Salvador (FEASIES), and the Coordination of Women Unionists of El Salvador (CMSES).

Organising workers directly in maquila factories is extremely difficult. As soon as workers start to get organised the factory is closed down and production shifted elsewhere. As a result, fewer than 4% of women workers are union members (10% of men) and there are no collective bargaining agreements in the maquila factories (2016).

Most recently CEDM has focused on the issue of childcare. Young women workers of childbearing age make up the majority of the workforce in the maquila export factories and around 30% are single parents. They face many problems related to being a women, including discrimination against pregnant women (including firing) and inability to return to work after maternity leave due to lack of provision. For those who do return to work, problems with the lack of decent childcare cause further stress and are linked to absenteeism and high turnover rates. Instead of working to resolve the situation many employers have just made it impossible for many working mothers to continue in their jobs. Although mentioned in the 1983 Constitution, the legislative assembly had yet to

approve a law to regulate the setting up of workplace nurseries.

CEDM has been researching the childcare needs of women workers and holding multi-stakeholder events bringing together brands, local companies, industry associations, unions and NGOs to discuss the findings and look at different options for childcare provision<sup>15</sup>. They worked closely with the Manquila Solidarity Network (MSN) a labour and women's rights organisation based in Toronto, Canada that supports the efforts of workers in global supply chains. At least partially as a result of CEDM's work, on 31 May 2018, the Salvadorian legislative assembly passed legislation defining employers' responsibilities to provide childcare services for their employees.

#### **Challenges faced:**

- Women workers' reproductive and labour rights are not respected
- Childcare is expensive and hard to come by
- High labour turnover and absenteeism
- Employers' lack of understanding of benefits to providing childcare
- Systematic sector wide denial of rights.

#### **Actions taken:**

- Set up an NGO-trade union network to promote women worker's rights through home visits/training
- Developed the evidence base by researching the childcare needs of women workers in El Salvador and looking at models of good practice elsewhere
- Developed multi-stakeholder partnerships to raise and address the issues

<sup>15</sup> Seeking solutions to childcare needs of maquila workers in El Salvador, May 2018, MSN.

Additional information <http://www.manquillasolidarity.org> And Edmé Domínguez Reyes & Cirila Quintero Ramírez (2019): The fight for improved labour standards: women

labour organising on the Northern Mexican border and El Salvador, *Third World Thematics: A TWQ Journal*, DOI: 10.1080/23802014.2019.1560230



## 9: Informal sector; women workers, India

### Partnership working between two unions (Penn Thozhilalargal Sangam (PTS) and Garment and Fashion Workers Union (GAFWU) Chennai) to address informal and formal working conditions for women homeworkers and those working in the Special Economic Zone (SEZ)



PTS was formed in 2000 as a separate organisation for informal women workers as they lacked representation and “issues specific to women workers do not get equal attention in unions with both men and women members, where men typically dominated the leadership”.<sup>16</sup>

Prior to this engagement with informal workers had been through NGOs and church-based groups. The women setting up PTS drew on the learning from those setting up the Tamil Manila Kattida Thozhilalar Sangam (TMKTS) in the 1980s. This was a state-wide trade union of construction workers which helped to bring about a welfare board to regulate social security for construction workers, and became the model for welfare boards for many other industries.

Setting up PTS was not easy. Violence against workers increased, two workers were suspended, false sexual harassment charges were made against men who helped PTS, and one of the inspiring leaders died within a year of the union setting up from respiratory failure, allegedly brought on by poor working conditions.

PTS engages in a range of issues important to women such as domestic violence, poor pay and sexual harassment, and lobbies the Government to provide proper housing, sanitation and access to drinking water in the communities. Realising the growing importance of the garment industry

to the city and to women workers, PTS set up GAFWU in 2009 and registered it as a union in 2010. It has strengthened its reach by becoming part of the New Trade Union Initiative (NTUI), which is characterised by its independence from political parties, alliance building with NGOs and focus on organising the informal sector.

The majority of GAFWU members are directly employed by the manufacturers as “GAFWU finds it difficult enough to organise ‘permanent’ workers who in practice hardly have any employment security; for contract workers, the risk of being fired for any unionization attempt is even higher”.<sup>17</sup>

PTS and GAFWU work hand in hand (Sujata Mody, the president of GAFWU is also the head of PTS) and workers share offices in Chennai. They run training programmes on what it means to be a worker and what their rights are. PTS takes up issues of non-payment of wages, working conditions, safety and accidents at the workplace along with meetings to discuss the laws relating to marriage, divorce, and health impacts of early marriage. Its focus is on legislative protection and social security for all workers.

GAFWU also works to strengthen community structures and has set up crèches and thrift groups and also runs a support group for women on issues of family violence and crisis. PTS plays a pivotal role in building trust with local communities and garment workers and encouraging them to attend GAFWU meetings.

<sup>16</sup> Page 6

<https://amrc.org.hk/sites/default/files/Domestic%20workers%20in%20Chennai%20India%20-%20CWM.pdf>

<sup>17</sup> Page 20

<https://indianet.nl/pdf/RaisingTheVoiceOfWorkersInGlobalSupplyChains.pdf>

Additional information from questionnaire completed by Sujata Mody, President GAFWU and PTS

***Challenges faced:***

- Patriarchal family structures still prevent women from joining unions or attending meetings
- Manufactures still penalise workers who join a union.

***Actions taken:***

- Integrate factory and community organising and training
- PTS and GATWU working together to address social and work-related issues.

## 10: Union Unity and Cooperation, Bangladesh

### Bangladesh Apparels Workers Federation (BAWF), National Garment Workers Federation (NGWF), IndustriALL, International Labour Organisation (ILO), ready-made garments sector



Bangladesh is home to the second largest garment industry in the world after China and has a predominantly female workforce. It is ranked 10<sup>th</sup> worst of all countries for worker's rights by the ITUC, and there are still ongoing protests over workers' pay and conditions. On the 30 November 2019 the independent Bangladesh Accord, which was set up after the Rana Plaza disaster where over 1,000 workers lost their lives, will leave the country and will be succeeded by the RMG Sustainability Council.

There are over 4,500 unions in Bangladesh and there has been international pressure to simplify membership and consolidate unions in order to improve workers rights. BAWF has been campaigning for better rights for RMG workers for many years and has over 9,000 members. It does not have a specific women's committee, but women make up one third of the executive committee (10 out of the 30). They state that previously women were not interested in the union but that now they are standing for election<sup>18</sup>. This might be connected to the call from IndustriALL that there should be 40% women leaders at all levels of unions.

Like many other unions BAWF has organised training on protection from sexual harassment (but only for women members) and for all members on the role of women in the workplace and society. BAWF has also highlighted the continuing battle it faces in terms of getting workers to understand the importance of unions. There are also family and social barriers, and time constraints for both men and women to attend union meetings.

BAWF is a member of the National Garment Workers Federation which is the biggest and strongest federation in Bangladesh. Founded in 1984, NGWF has 61 registered factory unions and 78,000 members. Women make up the largest number of members at 44,750 and men 33,250. Of the 30 members of the central executive 17 are women, including the General Secretary, two of the Vice Presidents, and the Treasurer<sup>19</sup>. All are members of global union IndustriALL, which was formed in 2012 from the merger of three global union federations and which now covers 140 countries and represents over 5 million workers.<sup>20</sup> Unions also draw heavily on the weight of the ILO, which is the only tripartite UN body, made up of governments, employers and workers. The ILO sets labour standards, develops policies and devises programmes to promote decent work for all men and women.

#### **Challenges faced:**

- Unions are regarded as troublemakers by most factory owners and by some members of the community
- There are social and family barriers to women joining unions.

#### **Actions taken:**

- More women are being encouraged into the unions by the unions addressing women's issues
- Women are being trained and encouraged into positions of leadership within trade unions
- Increased strength and unity through joining up and consolidating of unions at all levels.

<sup>18</sup> Questionnaire: Towidur Rahman, President, BAWF, November 2018

<sup>19</sup> <https://ngwfbd.com/>

<sup>20</sup> <http://www.industrialall-union.org/>

## 11: The importance of networks, regional & global

### The strength in connectivity and networks - all sectors, women worker's groups, operating regionally and globally

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Networks play a crucial role in supporting women workers. They cover a wide range of remits, from protecting and lobbying for workers' rights, to personal development opportunities, organisational development, strengthening women's negotiating powers and challenging discriminatory practices.

However, they operate at different levels, it takes a lot of work to interconnect them and they are difficult to fund and maintain. Where they are successful is when they serve as a connection between local activist groups and wider regional national and international networks and where they build unity and strength through membership.

The networks highlighted here showcase a specific regional network, the Committee for Asian Women (CAW), and Women in Informal Employment Globalizing and Organizing (WIEGO) which is a global, action-research-policy network, focused on women in the informal economy.

CAW was set up in 1981 as a result of the first wave of industrial development across Asia. It grew from a "women worker desk" set up in the late 1970s by the Catholic Church to raise awareness of the poor working conditions in the electronics and garment and textile industries.

Despite threats and intimidation, CAW began to establish programmes and links with other organisations working on workers' rights across Asia. The recession of the mid- 80s brought women's rights to the fore and it was felt that in order to better focus on women's rights the "desk" would need to be independent from the Catholic Church, so CAW was set up as a separate organisation. By the 1990s it had 46

network members in 14 countries across most of East, South and South East Asia.<sup>21</sup>

As well as regional and cross-regional meetings to share learning and cultivate understanding, CAW introduced programmes to improve women's leadership skills and training for members to help them set up and run groups. They also conducted research, especially around transparency in supply chains, as more factories sub-contacted as demand for products increased.

CAW was one of the first organisations to extend its reach from the formal sector to highlight the poor working conditions of informal workers. Exchanges and information sharing were also set up with established organisations such as Self Employed Workers Association (SEWA) in India. In 2000 CAW moved its HQ from Hong Kong to Bangkok and was also active in Malaysia. Work continued and various campaigns, books and research projects were delivered, and the network grew to 46 groups spread across 14 Asian countries.

In 2014 CAW's library and documentation were deposited in the International Institute of Social History in Amsterdam. Sadly, after 40 years of excellent, high profile, networking, CAW is currently dormant and awaiting funding. However, until it becomes active again the legacy of its work continues through the many other networks set up for Asia and Asian women workers.

Many of these groups are members of WIEGO, a global action-research-policy network which produces reports and studies to improve the rights of informal workers. Of particular relevance for this report is their 2011 study "Trading our way up: women organising for fair

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<sup>21</sup> <https://cleanclothes.org/resources/publications/made-by-women.pdf>

trade” (December 2011 <sup>22</sup>). Whilst focused on fair trade groups some of the key requirements for successful group functioning are relevant to networks: a strong leader, clear vision and mission with social as well as economic goals, good governance with commitment to democratic principles, commitment of group members and formalisation of groups.

Networks form and fade away for many reasons, however, there are still many other networks active in Asia including the Asia Foundation, The Women’s Foundation, Sahabat Wanita, SEWA and HomeNet South Asia, and are all working to ensure groups are connected and women represented.

## 12: Cooperatives increasing women's participation, Nicaragua

### Bringing together coffee cooperatives Cafenica and Las Flores de Café (The Coffee Flowers) to engage in leadership and skills development

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Cafenica is a national non-profit civil association co-operative federation made up of 10 cooperatives, representing a quarter of all smallholder coffee growers in Nicaragua.

Established in 2003, its primary role is to promote the development of its member co-operatives, by strengthening their organisational capacity, supporting them to position themselves successfully in the international market and representing their interests in policy discussions at a national level. Coffee is the main cash crop of its member organisations, but some also produce other agricultural crops, such as honey and handicrafts.

From the start, Cafenica aimed to integrate gender equality into all of its programmes but it became clear that a dedicated space or mechanism was needed to create significant change. In 2006, Cafenica established an alliance for women in coffee in Nicaragua: Las Flores de Café (The Coffee Flowers), dedicated to promoting the participation and development of women in their member organisations. Membership includes all the women's groups in Cafenica 10 member organisations. The Coffee Flowers defines itself as a "movement" of women, whose mission is to lead a process of empowerment of women producers, co-producers (women who are not members but who farm alongside their husbands or parents) and female technical, administrative and managerial staff.

At the annual meeting of members, all women associated with Cafenica's member co-

operatives are invited. The Coffee Flowers movement has carried out many activities including creating a database to record information about the situation of women in the primary societies. It also works with Cafenica to increase women's participation in their co-operatives by organising sensitisation and training events including leadership training for women. Coffee Flowers also helps to develop better policies and to make the contribution of women in the coffee value chain more evident.

Flores del Café provides a space for women to exchange experiences, share learning, advocate internally in their cooperatives and improve their socio-economic conditions. Women build their capacity, strengthen their leadership, develop their abilities and skills, fill directive, managerial and administrative positions in the organisations they are part of and encourage other women to join and participate<sup>23</sup>.

#### **Challenges faced:**

- Women's lack of participation in their co-operatives and at the national level
- Local culture inhibiting women's involvement.

#### **Actions taken:**

- Setting up the network – Las Flores de Café
- Providing space and dedicated spaces for women to come together
- Offering appropriate training on leadership
- Through collective action improving the price paid for coffee
- Improving women's representation within co-operatives.

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<sup>23</sup> Information from Coops Europe *Building People Centred Co-operatives in Latin America and Caribbean* published 2015 Cooperative College



## Insights

The 12 case studies, questionnaires, research and expert interviews were reviewed and cross referenced to identify patterns of organising and drivers of these behaviours. This revealed that the vital first step to organising is to provide an enabling and “safe space” for women to share their concerns; where they are able to speak out about issues that are important to them.

**In much of the research, and in some of the case studies these “spaces” have been shown to exist in various locations, including women’s own homes or in local communities, and have been supported by community organisations or NGOs. There have been a small number of cases where factories or farms provide these spaces.**

Women especially need a safe space in which to articulate and express their concerns, as their position in society and in the workplace puts them at a disadvantage.

The study reflects an inconsistent approach from established trade unions to providing and supporting space for women to meet or have women fully represented within the unions, hence the importance for NGOs and community-based organisations working to support women to articulate their concerns and for unions to address providing this ‘space’.

**Women workers are dealing with a multitude of issues both in the workplace and in the wider community which, if not addressed, can over time reach a tipping point and suddenly erupt into spontaneous protests and actions.**

These tipping points and protests provide a good starting point for review. Almost all the examples of organising we studied originated away from the gaze of managers or factory or farm owners because of perceived or actual retaliation. Many of the research articles and interviews flagged

up the reports of workers being attacked and beaten as in **Case study 1: mass protest.**

Here the normal working relations and communications broke down when the government announced plans to place restrictions on the Employer Provident Fund for garment workers in India. This perceived threat to the workers’ safety net saw over 50,000 workers, mainly women, take to the streets. With their demands being met with violence and no support from the factory owners, the unrest rapidly spread to other industries and areas.

**Preventing people reaching these tipping points is a fundamental requisite of human rights due diligence.**

Exploitation of vulnerable and disadvantaged communities lies at the heart of **Case study 2: women-led protest**, where the concerns of the women working on the Tea Plantation in Kerala, India, were not represented by the union.

In addition, the women were also considered to be low-caste as the workers on the plantations were predominantly Tamils and were excluded from other pro-poor economic developments. Social norms and individual perceptions of the position of women conspire to keep them as second-class citizens and hidden, but the tipping points are being reached with greater frequency both in the work environment and in wider society as norms are challenged.

**Women expect to be treated fairly, to have a voice and to be fully represented and where this is absent, they will protest, and women-only movements and women-only unions are emerging to fight their cause.**

Unless and until it can be guaranteed that there will be no retaliation from managers or workplaces towards workers meeting to discuss their rights, it needs to be the aim of

community groups, NGOs and unions to ensure these safe spaces are set up. Where unions cannot operate or where they have proven to be ineffective in giving women a voice, NGOs and labour rights organisations have stepped into the breach.

An example of this sequence of activity is given in **Case study 3: community based, traditional union, women-led**, where the Indian Labour Rights organisation, Cividep, supported the garment workers in Bangalore and helped them set up the women-led Garment Labour Union (GLU). Cividep still provides support to the GLU and organises training and advice. GLU recognises the extent

Where women have started to organise, especially in South Asia, the impetus has tended to come from community-based organisations, churches and groups who develop programmes to support women living and working in those communities. Gradually there is often a realisation that effective improvements in working conditions will inevitably require workplace-based forms of organisation and unions.

of the challenge and its President stated: “many women who work in the sector have no understanding of their rights, no knowledge of the importance of unions and a fear of losing their jobs”.

An interesting area for further research surfaced from an interview with GLU and Mr V R Jaganathan, General Secretary of the Indian National Textile Workers' Federation (INTWF), who outlined how the organisation's approach, which involves open dialogue with both men and women about workplace sexual harassment, differs from that of most internal complain committees (ICC) which tend to try and “educate” women about the risks they face, rather than engaging with both women and men.

INTWF hopes to establish ICCs in workplaces where there is trade union recognition and for

women to become ICC members once the committees are established.

Sexual harassment and the rape of women in the textile and garment factories of Tamil Nadu, India galvanised the women workers to develop their community organisation into a women-only union as detailed in **Case study 4: women only union**.

There was a genuine feeling from the interviews and questionnaires carried out with the Tamil Nadu Textile and Common Labour Union (TTCU) that setting up a formal, women-only union was the only way they could ensure women's issues were addressed and that they had the strength and legal right to be able to stand up to the factory owners.

Trade union organising and recognition was severely contested in the spinning mills so TTCU trained local village-level committees to take up cases on behalf of workers on issues such as wage discrepancies or overtime payments. They too have come up against the barriers that women face and noted that a “woman who takes up a committee role is often scolded by family and friends for being a troublemaker – especially if she is outspoken”.

In Kenya, the women who work in the hair and beauty industry find it a precarious way to earn a living. The industry is totally unregulated, and women frequently struggle to pay rents or work in highly toxic wig-making factories. **Case study 5: union (with SACCO)** shows how the trade union recognised the importance of financial security for its members and set up a SACCO.

Other forms of payments and individual savings like MPESA and Mshwari are beginning to have a positive impact on women workers in Kenya. They can be paid, have their own savings accounts and control their finances, independent of men.

An example of how women can be represented and supported across all industries by trade unions is highlighted by **Case study 6: a guide for women's**

**engagement.** This is a case study from the International Transport Workers Federation and shows how trade unions working together can affect change across an entire industry.

The guide promotes positive strategies to engage women, become more aware of what issues are important to women and ensures these issues are included in collective bargaining agreements. Many of these strategies can be transposed to other industries. Another trade union actively involved in tackling issues of gender equality across agricultural and food sectors is the International Union of Food, and references for articles and reports from them and used in this research can be found at the end of this report.

Sometimes internal gender/women's committees set up as a result of external requirements such as certification schemes can act as an effective vehicle for women to voice some of their concerns and have them addressed. **Case study 7: gender committees** gives an example of a long-running campaign, by a variety of players, to gain improvements for women workers in the Kenyan tea and flower industries.

**Some of our research expressed concerns that issues specific to women were being played down or ignored due to a focus on gender and gender committees. In order to achieve equity there are times when there needs to be a women-only space, and companies and those working in global value chains need to be mindful of this requirement.**

Another important feature seems to be the benefits for women workers' organisations, whether workplace- or community-based, to be part of a wider union and/or NGO network. **Case study 8: multi-stakeholder coalition** shows the benefits of this approach in the improvement to childcare provision and the changing of legislation for garment workers in El Salvador.

As well as working with national and international NGOs and unions they also widened the partnership to include brands and suppliers, creating an effective multi-stakeholder coalition. This coalition eventually brought about changes to the law on the provision of childcare, an issue that impacts on so many women (and children) and their ability to work.

The manner in which women are often forced to come together because of intimidation and rights violations, and how women's groups evolve to be mutually supportive and all-encompassing, is highlighted by **Case study 9: informal sector; women workers.**

Here women initially came together to form the women-only trade union Penn Thozhilalargal Sangam (PTS) to protect the rights of unregulated homeworkers. When garment workers in factories in the Special Economic Zone were subjected to violence, intimidation and rights violations, PTS stepped in to raise awareness and from this intervention set up the Garment And Fashion Workers Union (GAFWU). The two work closely together across informal and formal workers and within the factory and community spheres. They also campaign for recognition of workers' rights within global supply chains through consumer and NGO action. There is a real recognition within these organisations of how all of these issues are interlinked and impact on women.

The potential ability of unions to drive forward change for women is covered in **Case study 10: union unity and cooperation.** The changes gradually occurring in trade unions in Bangladesh, and their connection to national and global unions, is a slight beacon of hope for women workers.

More women are being encouraged into trade unions and into positions of leadership and power. Some of these changes are being driven by the requirements of the global trade unions. Many factory-level trade unions are affiliated to global unions and one can only hope that as more women become involved in

trade unions and are placed in leadership positions that this will drive forward change at an increased rate.

Women's groups and community organisations can learn from the unity and connectivity of trade unions. We have seen that as well as support at the local level groups need to be connected to a wider network to share learnings and increase effectiveness and impact. In **Case study 11: the importance of networks**, we see how important these wider networks are for raising and addressing the issues women workers face.

Whilst it might seem odd to highlight a network that is dormant, it is the way Committee for Asian Women (CAW) developed from a church group to an independent group and then to a cross-regional network that is interesting. The impact and legacy of CAWs work across Asia should not be underestimated, and other groups who have formed have done so on the back of their pioneering work.

However, as a general observation it would appear that networks are weakened when there are too many similar networks operating at the same level. There are also issues of competition, confusion and difficulties in connecting up to the next level or geographical range. Impact is diluted, and then securing funding to keep the network functional becomes even harder.

**Sometimes consolidation and mergers might be the most efficient way to keep networks functioning effectively.**

Trade unions, women's groups and networks are not the only way women have come together. Other forms of organising and governance are highlighted by **Case study 12: cooperatives increasing women's participation**, where Cafenica in Nicaragua brings together 10 coffee cooperatives. At the heart of their work is gender equality but even within this enlightened cooperative movement there was a recognition that a dedicated space was required to empower women and they set up a group called The Coffee Flowers. Here women receive support and training and engage in leadership and skills development.

In order to achieve their rights and no matter what type of organising platform is chosen, women need to have ' safe spaces where they can flourish. From these safe spaces, and in partnership with men, women can address the issues that affect them both within the work environment and externally.

**Companies need to ensure FOA is both permitted and encouraged and work collaboratively with representative bodies to encourage due diligence from a human rights perspective.**

From the questionnaires, case studies, research and interviews we developed a full set of recommendations building on the insights gained.

# Recommendations

The following section provides recommendations for companies, unions and NGOs.

These have been shaped from the research and through the lens of creating safe spaces and an enabling environment, both inside and outside of the working environment, but intrinsically linked to both the knowledge and legal spaces.

The recommendations are designed to help ensure all organisations, and the supply chains or people they work with are creating safe spaces and an enabling environment for women workers to access their right to organise and collectively raise concerns important to them and to bargain collectively. This will ensure that issues specifically faced by women are highlighted and addressed. Many of the recommendations are relevant for all sectors but we have highlighted some that are specific to the relevant sectors.

We encourage the reading of all recommendations and to take from them any that you feel are the most relevant to your situation.

Where FOA and collective bargaining is restricted in law, where trade unions cannot operate or don't have the capacity to deliver, the next best available form of independent worker representation should be pursued. In countries and/or export trade zones where trade unions are not present or not allowed **then steps should be taken to help build dialogue and develop worker and employer industrial relations skills.**

Companies should also support engagement with trade unions, take steps to improve industrial relations and build the foundations that will enable full and independent representation in the medium term.

The recommendations have been developed from this research on how women workers organise collectively and access their rights at work. This is based on the enabling right in ETI Base Code Clauses 2 (freedom of association, collective bargaining and worker representation) and 7 (no discrimination is practised.) It is shaped by extensive research on good practice in trade unions, NGOs and companies.

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## Creating the safe space recommendations – companies

1. Aim to promote an inclusive environment through policy, codes of conduct, business relationships, awareness-raising and education initiatives, whereby women are free to:
  - Raise collective concerns without fear of reprisal
  - Gather freely in workplaces to discuss collective concerns and ideas
  - Contribute collectively to workplace industrial relations arrangements, agreements and workplace improvements
  - Join or form an independent, democratic trade union and negotiate for pay, labour conditions and terms of employment.
2. Express policy commitment to freedom of association, collective bargaining and elected representation and reflect and integrate a gender specific approach into all operations
3. Create and support an actual enabling environment and safe spaces for women supply chain workers to work in freedom, freely associate and be able to collectively raise concerns without fear or intimidation.

***Creating or supporting the knowledge and legal space includes:***

access to education and skills including financial literacy, leadership and entrepreneurial skills; access to finance and land; workers' rights including return to work, maternity rights and violence and harassment protections; and recognising unpaid care responsibilities and homeworkers rights:

1. Promoting and communicating to suppliers and producers your commitment to respecting FOA, collective bargaining and worker representation – including women's representation.
2. Set up and/or invest in awareness and education programmes for workers, workers' organisations, suppliers, agents, producers and auditors.
3. Acknowledge and implement; living wages, pay equity and protections including Gender Occupational Safety and Health (GOSH), collective representation, grievance mechanisms and access to remedy.

***Creating or supporting the inside space (the work environment):***

Women workers are informed about their rights and all the policies and practices that affect them including (G)OSH, collective representation, grievance mechanisms, pay scales, skills development, lighting, ablutions, childcare provision, sexual harassment and access to remediation:

1. Ensure all races, creeds and genders have equal standing and treatment in the place of work
2. Ensure all workers have the right to association and independent elected collective representation to raise collective concerns in an environment that is free from fear and intimidation
3. Identify how women can be better supported to participate in elections and to stand for election in their trade union through a variety of interventions e.g. training, peer to peer mentoring, responsive working practices, etc
4. Support specific gender-based collective bargaining

5. Ensure women's groups, either informal or formal, wanting to form or join a trade union are supported and not interfered with
6. Build internal processes that ensure a continued internal dialogue on gender equality and women's rights such as joint gender equality committees and union equality representatives
7. Develop suitable response for potential industrial disputes related to equality, for example; equal pay, sexual harassment, safety related issues or unfair treatment at work because of gender.
8. Ensure there are women-specific grievance mechanisms for remediation and resolution
9. Review sourcing and purchasing strategies and ensure these are in line with ethical and gender inclusive policies
10. Ensure working practices are adapted and updated to protect women's rights to organise collectively and access their rights at work
11. Work with elected representatives to establish or adapt grievance procedures, ensuring it is confidential and independent of line management. Senior women in the company should be trained to listen to and investigate sensitive grievances.

Through a continuous improvement process of managing the supply chain ensure that women workers and their elected representatives are included in the design and monitoring of workplace interventions, on-boarding inspections, audit interviews and indeed, verification of audit reports:

1. Consult with elected women's representatives, who may be part of an internal committee such as anti-sexual harassment or participation committee, to validate collective matters raised, or
2. Where there is an elected trade union representative work with them to determine improvements to recognition or bargaining agreements. For example, equal pay, terms and conditions of employment
3. Review how women's collective representation has improved or raised standards in workplaces

4. Identify additional support to embed workplace rights and protections

***Creating or supporting the safe outside***

***space:*** could include community groups, schools, skills training facilities, housing, transportation to and from work and streets outside the workplace:

1. As part of your due diligence approach consider whether the local trade union or NGO has the capacity to progress women's rights and their ability/willingness to work with the company
2. Identify a set of key partners (trade unions, NGOs, government agencies etc) with whom you can work on how to support women workers to organise either in the community or in the workplace
3. Promote an inclusive environment through policy, codes of conduct, business relationships, awareness-raising and education initiatives
4. Identify Unions and labour NGOs to support the development of women worker groups through skills and knowledge
5. Invest in organisations who build the capacity of women's worker organisations or represent women in the workplace, to develop their skills and knowledge to effectively raise collective concerns
6. Ensure women have the same opportunities as men to form or join a trade union
7. Support the trade union or NGO activity and approach to women's rights at work through investing in progressing women's elected representation
8. Engage in national events and multi-stakeholder initiatives as this will help to ensure that women's rights are protected and respected
9. Insist that supplier and producer audits and/or factory visits include a specific gender audit and/or a gender lens and that women are represented equally in the visits or audits
10. Assess if there is scope for collaboration with other brands to increase leverage and impact.

## Creating the safe space recommendations – trade unions

Throughout the world trade unions have recognised the challenges they face in bringing more women into the structures of trade unions. In certain areas of the world trade union membership has declined and the rise of the gig economy has encouraged unions to reassess how they operate.

Globally trade unions are also tackling the rise in casual workers, as companies hire workers on temporary contracts, many of whom are women, and who are not covered by union agreements. In some industries many women work outside the formal labour structures, for example as homeworkers or smallholders, and are not covered by local laws and policies. These too are frequently overlooked in negotiations and determining rights.

Where union financial or staff capacity is limited or restricted by law:

- working in partnership with community-based women's movements or NGOs would enable progression of rights for women workers.
- established, non-unionised women's workplace committees can be supported to become truly democratic and independent in the short term with plans to unionise in the long term.

Finally, in working to create a fair, safe, productive and gender-sensitive working environment, unions should consider working collaboratively with other trade unions, global union federations (GUFs), NGOs and companies to create a fair, safe, productive and gender-sensitive working environment.

**Creating or supporting the knowledge and legal space:** this includes knowledge of and access to workers' rights education, in particular in relation to women, including national legislation, recruitment, maternity rights, return to work, gender-based violence, sexual harassment and discrimination. Increasing union understanding of unpaid care responsibilities,

the impact of short-term contracts and homeworking rights:

1. Map your own trade union to see how many and where women are situated – including committee membership and positions of leadership
2. Where possible work with companies to find out how many women are employed and how many potential women members there are in the workplace
3. Offer training in knowledge (labour law) and skills including organising and negotiating to all union staff, elected representatives and ensure fair representation of women on the courses and delivering.

**Creating or supporting the inside space (the work environment):** trade unions need to look internally at their own operations, externally at how they negotiate with companies, and how they recruit and support members in the workplace. They need to ensure that women workers are adequately represented in all arenas, know their rights and can exercise those rights freely and without discrimination:

### Internal

1. Establish policy through democratic processes as to how women workers will be represented in the trade union – for example:
  - Dedicated seat on the executive committee
  - Integrated into all levels of the union – proportionate to the number of women workers
  - Separate women's committee (in addition to other measures, not in place of)
2. Drawing on trade union network and affiliation examples, develop a women worker education programme.
3. Identify and train women representatives
4. In consultation with women workers and/or a representative committee, develop targeted campaigns for sectors and ensure that women's issues are specifically included

- by the trade union in the bargaining agenda and bargaining rounds
5. Ensure adequate measures are taken to ensure women can attend meetings (consider timings, locations, etc).

#### **External**

1. Consider community-based organising and plan how to reach women who supply the company but who are on short-term contracts or working in the informal economy
2. Identify women's community groups or social movements which can be supported through education and campaigning to organise and transition to a trade union
3. Work with the wider trade union network, local or sector federations, global union federations, the company and labour NGOs to establish what is important to women workers in a workplace
4. Lobby to ensure that women are included as members in negotiating and bargaining teams
5. Ensure that women's issues are included in the collective bargaining process
6. Check to ensure that women get equal pay and conditions to their male counterparts
7. Check to see if flexible work options, such as shift work and part time work, are offered to all workers

8. Ensure that there are specific washroom hygiene provisions for women in your collective bargaining such as separate washrooms, sanitary facilities and adequate toilet breaks.

#### ***Creating or supporting the safe outside***

***space:*** could include other trade unions, groups or NGOs, and working collaboratively with them to ensure consistency of message and activities:

1. Where there is no recognised trade union, restricted by law or the local workplace union lacks capacity to bring about sectoral change, campaign on workplace issues that impact on women such as working time, childcare, sexual harassment, violence against women, hazardous chemicals, sector pay and terms and conditions. Do this in partnership with other trade unions, NGOs etc
2. Ensure that trade union campaigns and members are aligned to and fully involved in the preparation and implementation of such campaigns at a sector level
3. Advocate and work towards joint approaches with government, educational establishments and industrial bodies to promote jobs for women.

## Creating the safe space recommendations – NGOs

NGOs have long been active in the field of human rights and women's rights and bring an added dimension to the rights of workers in global supply chains. They can often be a welcome addition to a partnership with trade unions and/or companies working to create better working conditions for all workers. In particular, they have expertise in identifying and tackling the many issues that women and girls face, both in the workplace and in the wider community.

Where this is no recognised trade union or the local workplace union lacks capacity to bring about sectoral change, include other trade union leaders and members in formulating plans and activity related to working conditions. Agree boundaries or areas of activity with a local trade union or federation to ensure the trade union is not undermined in the workplace.

Women working in NGOs are not immune to the same sort of challenges that women face in many other workplaces. Improving the working environment of NGOs for women and ensuring the work they carry out in the wider community is developed and delivered through a gender lens is essential in order to tackle the longstanding disadvantages that women still endure.

**Creating or supporting the knowledge and legal space:** this includes understanding the legal rights of workers in all countries in which the NGO works. Ensuring all staff are aware of and have access to worker's rights education, in particular in relation to women, including recruitment, maternity rights, return to work, gender-based violence, sexual harassment and discrimination. Building on NGO awareness of the impact on women and girls of unpaid care responsibilities and improving NGO understanding of the impact of short-term contracts and lack of homeworking rights:

- Comprehensively map all country specific information, including position of women and labour rights in the workplace

- Build up a picture of the workplace/company (if your community works or supplies goods/services) through gathering gender disaggregated data and metrics
- Ensure all staff are aware of and are familiar with participative action tools such as social dialogue and gender action learning systems
- Offer training in labour law to key staff.

**Creating or supporting the inside space (the work environment):** NGOs also need to adopt a gender lens to look internally at their own operations and externally at how they engage with companies and trade unions in the workplace and wider community. In this way they will be able to ensure that women workers are adequately represented in all arenas and that the women know their rights and can exercise those rights without fear of harassment and/or discrimination:

### Internal

1. Collect gender disaggregated data - note how many and where women are situated in your own organisation
2. Apply a gender lens to all policies and procedures and update them regularly
3. Work with other labour NGOs to pool data on gender and women's rights.

### External

1. Where there is no union on a work site invest in key skills training, especially for women workers, for example:
  - a. education on core labour rights
  - b. skills on how to represent collective needs
  - c. participatory research in the workplace
  - d. election processes
  - e. life skills such as leadership, influencing and problem solving.
2. Offer leadership and soft skill programmes that help improve self-confidence and financial management as well as specific employment training for women – whether they are in formal or informal employment.

***Creating or supporting the safe outside space:*** could include working with other NGOs and/or trade unions and companies to develop joint initiatives to ensure consistency of message and activities. Whilst working in the wider community ensure that these programmes are supporting and building on the workplace initiatives:

- Where there is a social movement or women's community group focused on working conditions, develop relationships with the local trade union to explore how they may access full labour rights and protections.
- Enter into dialogue with trade unions, companies and/or trade bodies to address

and tackle areas of inequality, such as harassment, access to education, sanitation and hygiene and gender-based violence.

- Where there is a social movement or women's community group focused on working conditions, develop relationships with the local trade union to explore how they may access full labour rights and protections
- Consider supporting other forms of organisation for workers such as cooperatives and social enterprises.
- Work to create safe spaces where issues of importance to women and the wider community can be raised and tackled without fear of reprisals or discrimination.

## Safe space mapping checklist – all sectors

Inside safe space		Notes
1	Are there workplace training and skills development specifically designed to attract, promote and retain women workers?	
2	Is there a plan in place for women to progress in the workplace, including promotion opportunities?	
3	Are procedures in place to ensure life-work balance or flexible working (child and family care)?	
4	Are there safe transport facilities for women workers – including night-time provision for shift workers?	
5	Is there pay transparency and no pay gap (between men and women doing the same work)?	
6	Are there policies, procedures and training in place to tackle sexual harassment, tackle violence, harassment and bullying (including arrangements for those affected by domestic violence)?	
7	Is specific Gender Occupational Safety and Health (GOSH) carried out and measures put in place such as providing personal protective equipment?	
8	Is there adequate maternity leave provision? For example: <ul style="list-style-type: none"> <li>• Are there modifications to workplace/conditions for expectant mothers?</li> <li>• Is there education on maternal health?</li> <li>• Does the workplace provide adequate breastfeeding and weaning provision?</li> <li>• Are there return to work policies?</li> </ul>	
9	Is there an elected women's committee or form of representation?	
10	Are women's elected representatives included in the design, development and monitoring of grievance mechanisms, audit interviews and non-compliance action plans? For example, are women included in: <ul style="list-style-type: none"> <li>• Negotiating and bargaining groups?</li> <li>• Workplace committee structures?</li> <li>• Design of company grievance mechanisms?</li> <li>• Changes to shift patterns or production targets?</li> </ul>	
12	Are women able to raise concerns safely without fear of reprisal?	
13	Are women able to gather freely to discuss collective concerns and ideas?	
14	Are women able to develop and participate in their own programmes?	
15	Is there an actual physical 'safe space' where women can meet on site without being overseen or overheard by men and managers?	
16	Are women able to negotiate for pay, labour conditions and terms of employment and meet their needs?	
17	Are women adequately represented in supervisor/leadership positions?	

18	Have the HR manager/department/senior management had gender specific training in areas such as recruitment, conscious/unconscious bias etc. ?	
19	Is gender disaggregated data collected and used strategically to set baselines and develop a gender equality strategy?	
20	Are all of these measures and actions incorporated into a gender equality policy and strategy, approved and endorsed by senior management?	
<b>Outside safe space</b>		<b>Notes</b>
1	Are there trade unions organising women's groups associated with an industry or sector?	
2	Are there community or civil society organisations involved in delivering labour rights outreach to women workers?	
3	Are there local women collectives who have organised themselves to progress and/or campaign locally for their rights and protections?	
4	Is there collaborative working between companies, unions and NGOs on gender equality issues?	
5	Has there been dialogue with women workers? In a 'safe' confidential space ask women workers themselves on what they experience in terms of safe and unsafe spaces inside and outside the workplace. Review and report on this at regular intervals to senior management and back to workers. Use this information to inform policy, develop a gender equality strategy, and set up actions to tackle 'problem' areas.	
6	Is there community provision for girls and women's education that is rights based?	
7	Are public transport facilities safe for women workers – including night-time provision for shift workers?	
8	Are suppliers and agents aware of or have policy commitments on the safety and empowerment of women?	
9	Is there a gender-neutral external recruitment process?	
10	Is there a history of women worker-based campaigns against a particular workplace?	

## Additional and supporting documents

Auret, Diana, and Stephanie Barrientos. 2004. Participatory social auditing: A practical guide to developing a gender-sensitive approach, IDS Working Paper 237, Institute of Development Studies, University of Sussex.  
<https://www.ids.ac.uk/files/dmfile/Wp237.pdf>

Freedom of Association, collective bargaining and worker representation:  
<https://www.ethicaltrade.org/eti-base-code/2-freedom-association-and-right-to-collective-bargaining-are-respected>

Gender Occupational Safety and Health:  
<https://www.tuc.org.uk/resource/gender-occupational-safety-and-health>

Gender equality, Part A - Gender and the Base Code  
[https://www.ethicaltrade.org/sites/default/files/shared\\_resources/Base%20code%20guidance%2C%20gender%20equality%2C%20Part%20A.pdf](https://www.ethicaltrade.org/sites/default/files/shared_resources/Base%20code%20guidance%2C%20gender%20equality%2C%20Part%20A.pdf)

Gender equality, Part B - Gender and human rights due diligence  
[https://www.ethicaltrade.org/sites/default/files/shared\\_resources/Base%20code%20guidance%2C%20gender%20equality%2C%20Part%20B.pdf](https://www.ethicaltrade.org/sites/default/files/shared_resources/Base%20code%20guidance%2C%20gender%20equality%2C%20Part%20B.pdf)

Grievance mechanisms & remedy:  
<https://www.ethicaltrade.org/issues/grievance-mechanisms-remedy>

Hossain, N. (2012) Women's empowerment revisited: From individual to collective power among the export sector workers of Bangladesh, IDS Working Paper, Volume 2012 No 389, Institute of Development Studies, University of Sussex.  
<https://opendocs.ids.ac.uk/opendocs/handle/123456789/4246>

Risk assessment for workers' rights and protections:  
<https://www.ethicaltrade.org/resources/foa-worker-representation/step-2-identify-risk>

Tallontire A; Dolan C; Smith S; Barrientos S (2007) Reaching the Marginalised? Gender, Value Chains and Ethical Trade in African Horticulture, Development in Practice, 15, pp.559-571.  
<https://www.tandfonline.com/doi/abs/10.1080/09614520500075771?mobileUi=0&journalCode=cdip20>

Women's elected representatives:  
<https://www.ethicaltrade.org/resources/foa-worker-representation/step-3-develop-strategy/womens-representation>

Ethical Trading Initiative, 8 Coldbath Square, London EC1R 5HL [www.ethicaltrade.org](http://www.ethicaltrade.org)

Women Working Worldwide, 546-547 Royal Exchange, Old Bank Street, Manchester, M2  
7EN [www.women-ww.org](http://www.women-ww.org)