

Equal treatment of workers South Africa



This is an ongoing series of briefing notes about the lessons we are learning from our supply chain programme work. It is aimed at practitioners who are doing or planning to do ethical trade or labour rights related work in global supply chains and is designed to share and stimulate learning.

In this series, we give a brief description of the programme in question and then focus on the lessons learned at critical points of the programme or after they are complete.

For more detailed information on the relevant programme, including outcomes and case studies, please visit the ETI website ethicaltrade.org

Also see links to further information at the end of this briefing.

Background

In 2006–7, some of ETI’s company members sourcing from South Africa expressed concerns that ethical audits they had commissioned revealed that discrimination and sexual harassment were occurring in their supply chains. In the ETI impact report of 2006, sexual harassment and discrimination emerged among key issues for agricultural workers and thus became the main themes of ETI’s new Equal Treatment of Workers programme (formerly known as the Supervisor Training Programme).

The programme consists of;

- two days training for supervisors, a half day training for managers and one day training for workers on workers’ rights, what constitutes discrimination and how to tackle it
- The courses use interactive techniques, which involve active participation, drawing out learning from participants’ own experiences and encouraging participants to learn from one another
- They are accompanied by support and advice to employers about developing anti-discrimination policies and procedures and grievance mechanisms
- The programme monitored the existence of such policies, workers’ awareness of them, their confidence in reporting incidents of sexual harassment and other forms of discrimination, and whether workers felt that complaints were dealt with better than before.

The three year programme (2011–13) was funded by Comic Relief and adapted (from a pilot in Kenya) and delivered on the ground by our partner organisation, WIETA. By November 2013 it had trained a total of 4,567 people¹ on 69 agricultural sites predominantly in the Western Cape area of South Africa. These were some of the key lessons we drew from the programme, from discussions with our partners, WIETA, from the course facilitators and from workers, supervisors, managers and farm owners who had taken part in the programme.

¹ Women: 1,508 permanent workers, 950 seasonal workers, 206 supervisors, 73 managers
Men: 1,400 permanent workers, 704 seasonal workers, 230 supervisors, 176 managers



1,508

Permanent workers

950

Seasonal workers

206

Supervisors

73

Managers



1,400

Permanent workers

704

Seasonal workers

230

Supervisors

176

Managers

What we learned

BUILDING TRUST THROUGH RESPECT IS AN ESSENTIAL PREREQUISITE TO EFFECTING CHANGE

The role of the programme manager in first gaining the trust of the employers and then providing continuity, technical advice on labour law and other support to the facilitators was seen by participants as crucial to the success of the programme.

Farm owners and managers fed back that while the content of the training was not entirely unique, the way it had been delivered was. The facilitators did not simply lecture from the front, but ran very participatory sessions, including role plays, to help bring out participants’ personal experience of sexual harassment and discrimination. The facilitators for workers and supervisors were Afrikaans or Isixhosa speakers, and the materials were also translated into these languages. For Isixhosa speaking workers in particular, this was new (training was previously mainly done in Afrikaans) and very much appreciated both for practical reasons and because it demonstrated respect for them.

The facilitators and the programme manager also provided technical information on the legal framework and history of South Africa’s respected constitution. When individual participants approached them with their own issues, they took the time to advise them about how to address them or who they should contact.

SENSITIVE, PARTICIPATORY TRAINING FOR WORKERS, SUPERVISORS AND MANAGERS IS UNIQUE AND HIGHLY VALUED

One worker voiced what many participants fed back, that the training was unique because “it was with workers *and* supervisors *and* managers”. After separate training sessions, the three groups are brought together to discuss issues arising and agree an action plan. In many cases it was unprecedented for these three groups to even gather in one room, let alone discuss such sensitive issues as labour rights, discrimination and sexual harassment.

One of the facilitators told us “I have worked in agriculture and on labour issues my whole life, and this is the first time I have ever seen this happen”. She also confirmed what many workers told us; that this was the first time they had had any kind of training at all. Many had been completely unaware of their constitutional rights with regard to working conditions, discrimination and sexual harassment until the training. For example, one supervisor told us:

“I didn’t know about my rights before the training but since that day I know my rights. I know that I have the right to join a union. I have a right to say how I feel.”

CHANGE HAPPENS AT A PERSONAL LEVEL BEFORE IT CAN HAPPEN AT ENTERPRISE LEVEL

Many participants, including the facilitators themselves, reported that they had been personally affected to a greater or lesser extent by the programme. One manager told us:

"The training was like a wake-up call. It was very important because you can't keep doing everything the same as you have done all the years. There was a lot of things I learned in the training that I needed to work on, like communication."

Some of the issues raised by workers – particularly accounts of racist abuse – were upsetting to those who heard them, including the facilitators themselves.

Workers and supervisors seemed to have experienced the most profound change as a result of the training. They spoke of changes in their self-awareness, in their behaviour towards one another and in their expectations of how they should be treated. The other phrase that was often repeated when talking about the impact of the programme was 'respect'. People talked about realising that how they had been treated or had treated others in the past was not respectful, and in many cases said that this had now largely changed. One worker told us that after the training he realised:

"You can't be rude, you must be respectful. In the past we would call a black man 'Hey, k****r, come here'. You can't do that. Now we work nicely together and we do not call each other names." He also said "you can't touch a woman – I am careful these days, I keep in my place".

Several workers told us they felt more confident to confront supervisors about their behaviour, for example:

"There was one particular supervisor who was always screaming at us. We are not children. After the [WIETA] training a group of workers went to her and complained. Now her behaviour has changed."

Supervisors are predominantly from the largest racial group in the Western Cape, Afrikaans speaking coloured people. Issues that emerged for this group included a tendency to give preferential jobs to coloured workers over black workers and not addressing black workers respectfully – for example, one black worker told us "Sometimes when [coloured] people are talking to a black woman they say 'sisi'. In our language this is what you call your older sister, but we came to understand that here it is not respectful. Now [after WIETA training] they know our names."

Several mentioned that after the training, realising the effect their behaviour was having on people, they apologised to them. For example one supervisor told us:

"Sometimes when there was a lot of work pressure I would swear at the workers. At the training I learned that it was not right to swear at people, so I went to the workers and apologised to them for my behaviour. Now there is more respect between me and the workers."

Some had also received apologies, but there were fewer, if any, reports of managers apologising to supervisors or workers. Managers seemed to be the least likely to have changed the way they behave towards their employees



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Now that I am on a permanent contract I can pay for school fees for my three kids, transport and food.



(and since managers are predominantly white and their employees predominantly coloured or black, this was often perceived as racism).

WORKER COMMITTEES AND TRADE UNIONS ARE A GOOD IDEA – BUT ONLY IF THEY ARE EFFECTIVE

We heard a number of times that unions had increased their membership or become more active after the training, like the supervisor quoted above who told us that she now knew she had the right to join a union, and another who said:

"The union became more active after the WIETA training. It could be that the training was the reason for this, because people now know about their rights."

Some workers tried to resign from unions after the training because they realised that their rights were not being protected by them. Many workplaces had established or revitalised worker committees after the training.

But in some cases we heard from workers that these were not effective, either because no action was taken on issues discussed, or because worker committee members were not invited to participate in management meetings to discuss these issues. As one worker put it to us "the workers' committee meets weekly with the manager and owner, and things get written down, but there is little action". Another described how their supervisor, a union representative: "Took all our measurements [for protective clothing] and wrote them down on a piece of paper. He showed this to the manager and asked for new clothes. The manager just said 'Are you mad?!'."

But others reported many improvements in the workplace as a result of a functioning workers committee or union and management readiness to listen and respond. For example, during the training at one workplace, one of the issues raised with managers and pursued through the union, was the fact that many workers and supervisors were on seasonal contracts even though they worked almost as many hours as those on permanent contracts. 88 such staff were subsequently onto permanent contracts. One of those who benefited told us "now that I am on a permanent contract I can pay for school fees for my three kids, transport and food."

THE BUSINESS BENEFITS OF THE PROGRAMME – BETTER COMMUNICATION, LESS CONFLICT – MAY TAKE TIME TO EMERGE BUT SHOULD NOT BE UNDERESTIMATED

The business benefits of equal treatment of workers may not be easy to measure in the short term, but are more evident in the medium and longer term. For example, the programme provides managers with a tool that can help them to prepare for social audits, pre-empting problems that could emerge as non-compliances, which can also bring business benefits in the longer term.

Managers also felt that the programme helped to develop life skills, particularly for workers and supervisors, which could have a knock-on benefit for the business,

through improved relationships and behaviour. Some managers said that they were already experiencing increased productivity due to the reduction of conflict between different segments of the workforce and between workers, supervisors and managers.

Managers cited improvements in communication up and down the management line and across the workforce after the training programme. Often this was couched in terms of giving clearer instructions to workers about their tasks, but it also touched on how to deal less confrontationally with misunderstandings. For example, one manager told us:

"If you just give warnings, workers can become negative. As leaders we have to set an example for others. If you are wrong, you have to apologise. When there were problems before we would just tell them and think that's over. But it's never over until you talk and discuss and find a solution. It doesn't matter who it is – the manager, the big manager – we have to apologise. Then we don't have grudges."

Managers reported that one of the benefits of the training was that it provided a platform for them to discuss important issues, such as discrimination, that had not been considered before. Some of the most vocal praise for the project and its impacts came from the owner of a farm that had had a particularly difficult joint session with workers, supervisors and managers. Six months after the training, monitoring indicated that not much had changed. But now, 18 months later, changes have clearly started to take root; he said that conflict between workers had been 'eliminated' and that this had improved morale and productivity. Several of the other managers and owners present echoed his views, citing similar experiences in their workplaces.

But some managers felt that their senior managers had not understood the business benefits of equal treatment of workers and would only be persuaded to support the continuation of the work by legislation or enforcement by the retailers that they supply.

SOME GROUPS ARE HARDER TO CHANGE THAN OTHERS – TRAINING MAY NEED TO BE ADAPTED FOR THESE GROUPS

While much of the positive impressions reported from the perspective of the managers may be true for them, and perhaps supervisors and workers too in some workplaces, our interviews revealed that for workers and supervisors there are still many challenges; eg managers continuing to shout rudely at staff, worker committees being unrepresentative or ineffective due to lack of response from management. Some of the most negative feedback from workers came from a farm where the manager had made the most positive comments about the training and the impact it had apparently had on him. One worker put it succinctly: "the training was right for us, but I don't know about the farmer".

One worker told us: "What hasn't changed is how the manager speaks. He knows it is wrong but when he is under



As leaders we have to set an example for others. If you are wrong, you have to apologise.



pressure he speaks harshly. He will come in and shout across the room 'Hey, come here!', but we would never be able to do that to him!". Another was that managers were still not listening to – and acting on – their concerns: "there are monthly meetings – the farmer insists on them – and we try to raise these issues there, but they are squashed".

The project team felt that the training for this group should have been longer than half a day because they needed more time just to understand why these were important issues to tackle. Several workplaces had had the training imposed on them by suppliers and were therefore not necessarily ready to hear its messages. The agricultural sector in the area, particularly in the more remote parts of the Cape, is very conservative and in many cases owners have been running farms in a paternalistic way for generations. To change such entrenched attitudes and behaviours will take careful, sensitive preparation for a long time before the training and sustained engagement for a long time after it.

Nevertheless, we heard of many changes, small and large are already being put into place by managers including; providing worker committee chairs and representatives with training in how to run formal meetings; incorporating discrimination and sexual harassment awareness raising into new staff inductions; creating policy committees – including shop stewards and workers – to review sexual harassment and discrimination policies; managers ensuring that they communicate through supervisors rather than sidelining them and talking to workers directly; providing feedback to workers committees, including explanations when it is not possible to fulfil demands; reinforcing messages about acceptable and unacceptable behaviour at work by disciplining workers on Monday if they have behaved inappropriately at the weekend (e.g. beating their wives); introducing an anonymous on-line grievance reporting system and providing computer training so that all staff are able to use it; and providing the majority Afrikaans speaking workers with training in basic Isixhosa so they can greet their minority Isixhosa speaking colleagues.

DEEPLY ENTRENCHED CULTURAL ATTITUDES ON GENDER AND RACE CAN BE EXPOSED BY TRAINING, BUT WILL TAKE LONGER AND MORE WORK TO CHANGE

In the ETI impact report of 2006, sexual harassment emerged, with discrimination, as a key issue for agricultural workers and thus became one of the main themes of training programme. However, as Comic Relief reported in March 2013: "it was not obvious... that sexual harassment is a significant issue in this region and these sectors". The women we interviewed in November 2013 also said that this was not an issue for them, and that there had not been any sexual harassment cases that they knew of.

Two incidents we encountered, however, indicate that there may be more to this than meets the eye. In one, I was photographing three of the women workers we had interviewed on the work site when a truck full of men

drove past and started whistling and shouting at them. Two of the women looked extremely uncomfortable and one said "this is not right", but the third lady laughed and said she didn't mind it.

Another incident was reported by one of the producers at the reflection session. He said that workers from some communities would comply with rules against sexual harassment or abuse on the farm but would behave differently at home. One worker reportedly said of his wife, "I own her, I bought her, so I can give her a good hiding if I want to." These incidents indicate that although, as reported in the impact assessment, "a significant proportion of women is able to correctly define sexual harassment and is therefore more aware of what it is", gender relations are still heavily male dominated – so much so that women and men, while able to repeat what they have learned on the course, have still not internalised what sexual abuse and harassment really mean nor that it is not acceptable.

Racially based discrimination was much more openly talked about both in terms of increased awareness of what it is and changes in behaviour since the training. One black worker told us "Since the WIETA training, I feel that in particular the relationship between black, white and coloured has improved. The attitude of 'I don't want to sit with you or talk to you because of your colour' has gone. This is something WIETA has brought."

There is a very realistic acknowledgement from those responsible for the programme that the changes it is seeking to bring about are long term changes which cannot be achieved in full by a three year programme. The behaviours it is seeking to change are deeply rooted in the region's complex social and cultural history. This was illustrated by one woman who told us:

"I have risen from a sorter to a supervisor, and I would like to be promoted to a higher position. But it will never happen in this company – because of colour. When you see who works here [in the offices] you can understand."

At another workplace, the gap between raised awareness of rights through the training and the cultural reality was evident when one worker told us: "I know the benefits of joining a union, but looking around at the white people here, they haven't said anything, but I think they wouldn't be happy if we joined a union".

The fact that the phrase 'white people' is used synonymously with management is telling in itself.



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Further information

ETI Training course: Equal treatment of workers

Our two-day training programme for supervisors on the equal treatment of workers is geared to giving you the information and support you need to address discrimination and harassment, so you can create a place where people want to work. It is complemented by a half-day course for managers.

ethicaltrade.org/training/equal-treatment-of-workers

Training their way towards equal treatment on the Western Cape

Blog written after an end-of-programme reflection visit in 2013.

ethicaltrade.org/news-and-events/blog/sabita-banerji/equal-treatment-worker-training-on-the-western-cape

Respecting Mandela's legacy for South Africa's agricultural workers

Blog written on the death of Nelson Mandela.

ethicaltrade.org/mandela-legacy

WIETA: Agricultural ethical trade initiative (South Africa)

ETI's partner organisation and implementer of the Equal Treatment of Workers programme.

wieta.org.za/wieta_training.php

The Ethical Trading Initiative (ETI) is a leading alliance of companies, trade unions and NGOs that promotes respect for workers' rights around the globe. Our vision is a world where all workers are free from exploitation and discrimination, and enjoy conditions of freedom, security and equity.

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