

Case Study 2.2

Forced pregnancy testing in maquiladoras in Central and South America

This case study shows an example of violations of women's rights and forced pregnancy testing. Maquiladoras are factories that import materials on a duty-free basis and then export the finished product back to the originating country. They are located throughout Central and South America. It has been reported that women working in maquiladoras are subjected to gender discrimination, as they are required to undergo pregnancy testing when applying for work and forced to endure further discrimination if they become pregnant after they have been hired. Employers discriminate in order to avoid paying maternity benefits.

There have been reports of pregnant women being dismissed or mistreated in an effort to bring about their resignation. In some instances, employers reassigned pregnant women to positions that required strenuous physical activity or exposed them to hazardous conditions to make them leave. Other employers used short-term contracts of thirty to ninety days so as not to be required to offer permanent positions to pregnant workers.

Verité is an independent non-profit organization which monitors international labour rights abuses in overseas production sites. Its recent audits in Mexico found that pregnancy-related discrimination in factories is common. Its findings included women often being asked about their pregnancy status or being asked to take a pregnancy test when applying for a job. Women returning from maternity leave are also often given lower-paid jobs.

Verité also identified sexual harassment, including sexual assault, as a problem in Mexico. Its auditors have found many cases of unwanted touching, threats and sexual assault. Verité states that the National Institute for Women (INMUJERES) has reported that 46 per cent (15 million) of women employed in the formal economy suffer from some type of sexual harassment and that approximately 25 per cent of these women are subsequently dismissed from their jobs and 40 per cent are forced to leave. (Verité, 2009)