

## Briefing 3.2 – Gender-based violence in global supply chains

### 1. Introduction

This briefing looks in more depth at the extent of gender-based violence in global supply chains and the reasons why women and men working at the bottom of global supply chains may be vulnerable to violence and sexual harassment.

#### Summary of key points

- Global supply chains may present characteristics that put workers in situations of particular vulnerability.
- Certain organizational and workplace characteristics have been demonstrated to contribute to the prevalence of violence and sexual harassment in global supply chains.
- The issue is rarely reported and is often invisible; and there is an absence of human resources policies to address sexual harassment.
- Risks are reinforced by the fact that many workers are often young migrant/indigenous workers, who work in precarious and casual work and in workplaces with low unionization.
- Occupational segregation, where women predominate in lower-skilled jobs and men in supervisory and managerial positions, further reinforces a culture where women workers have low value and status.

### 2. Gender-based violence in global supply chains

Despite an increase in international attention to working conditions in the lower tiers of global supply chains, sexual harassment is largely invisible and unreported. It is rarely included in the policies and codes of conduct of lead companies, or at the level of the factory or farm. National legislation on gender-based violence exists in most global production countries. However, laws are weakly implemented in the workplace.



#### Examples of sexual harassment in the world of work

Indonesian women employees report that: *“girls in the factory are harassed by male managers. They come on to the girls, call them into their offices, whisper into their ears, touch them, bribe them with money and threaten them with firing if they don’t have sex with them.”* (Clean Clothes Campaign: <http://www.cleanclothes.org/issues/gender>)

Men’s behaviour in Bangladesh garment industry: *“Offensive and sexually explicit language, hitting, suggestions to become a prostitute, slapping on heads, pulling of hair; these are examples of abusive behaviour reported by garment workers. Millions of women have experienced this type of treatment because they made a mistake, failed to meet a production target, asked for leave, worked slower because of illness, or arrived late. Many women have also experienced unwanted sexual advances in the workplace, stalking, or worse, from male colleagues or supervisors.”* (Fair Wear Foundation 2013, cited in DFID 2015a)

#### Gender-based violence in global supply chains: some evidence

- A baseline survey by Better Work Indonesia found that 85 percent of female employees reported that they were concerned with sexual harassment. Better Work argues that this “...may be due to a variety of reasons, such as the presence of large numbers of young, inexperienced, rural migrant female workers under the supervision of few men, high levels of production pressure and abusive disciplinary practices.” (Better Work Indonesia)
- In Ecuador’s export-oriented floriculture industry, over 55 per cent of flower workers have been victims of sexual harassment – rising to 70 per cent of 20-24 year olds. Nearly one-fifth of flower workers had been forced to have sex with a coworker or superior and ten per cent



had been sexually attacked. Women working in low-skilled jobs, such as cultivation and post-harvest work, were the most common victims of sexual harassment. Women in higher-skilled jobs (supervisors, administrators) experienced very little harassment. Adolescents of 14-15 years of age were the most common victims of sexual harassment. (Mena and Proaño, 2005)

- According to Banana Link sexual harassment is commonplace and justified by some banana producers as ‘part of their culture’. The Latin American Banana Workers’ Unions (COLSIBA) has campaigned to end sexual harassment and calls on all fruit companies to accept their responsibility to challenge discrimination and sexual harassment.
- Fair Wear Foundation found that at least 60 per cent of Indian and Bangladeshi garment factory workers report harassment at work; anecdotal evidence and worker group discussions suggest the real proportion is much higher and that for most female workers verbal or physical abuse is a ‘daily experience’ on the production line. (FWF, unpublished)
- In Kenya, sexual harassment is widespread in the horticulture industry. It takes the form of sexist jokes, bullying (reported by 60 per cent of women) and sex which is demanded for a job or other favours, such as allocation of housing. There are also some cases of male harassment. The research was carried out in 2012 in 15 flower farms. Source: YouTube: Sexual harassment rife in the horticulture industry NTV television station. <https://www.youtube.com/watch?v=Tpxuoy3JwDk>
- Women Working Worldwide (2014) research found that the vast majority of the women interviewed (86 per cent) in 20 farms in the Kenyan horticultural sector had witnessed one or more incidents of sexual harassment and violence. These involved offensive jokes and/or comments on physical appearance (verbally, by email or text message); unwelcome touching; being pestered for dates; threats of reprisal for refusal to comply with a sexual request – including refusal of promotion, non-renewal of contract, non-issuance of permanent contract; and sexual assault. Men were also targeted and affected by sexually harassing behaviour. Sexual harassment occurred in both working and living spaces – in the greenhouses and fields, housing areas, eating areas, on transport to the farms and in surrounding town areas.

### 3. Characteristics of global supply chains and causes of gender-based violence in global supply chains

Certain organizational and workplace characteristics contribute to the prevalence of violence and sexual harassment in global supply chains. These characteristics have been uncovered in research by Better Work in garment factories in several countries. This provides important insights into the characteristics of all global supply chains that predispose them to a culture of sexual harassment and violence.

#### Better Work: Relationship between factory characteristics and the incidence of sexual harassment

Baseline worker surveys carried out by Better Work country programmes show that workers in garment factories are often vulnerable to threats of abuse and sexual harassment. Better Work has identified some factory characteristics that lead to a lower or higher incidence of sexual harassment.

- Sexual harassment is less likely to be a concern in factories where managers recognize the challenges facing supervisors. In factories in Jordan where managers acknowledge concern with the stress and lack of labour-management skills of supervisors, workers are up to 5 per cent less likely to be concerned with sexual harassment.
- Haitian workers who report they must meet a daily production target are 50 per cent more likely to be concerned with sexual harassment. Where garment workers are paid “by the piece,” and supervisors receive a fixed salary, there can be an environment conducive to supervisors extorting sexual favours from workers.
- Perceptions of trust, fairness and pay transparency can predict the rate of concern with sexual harassment in a factory. Haitian workers who do not trust they will be paid on time are up to 36 per cent more likely to be concerned with sexual harassment.

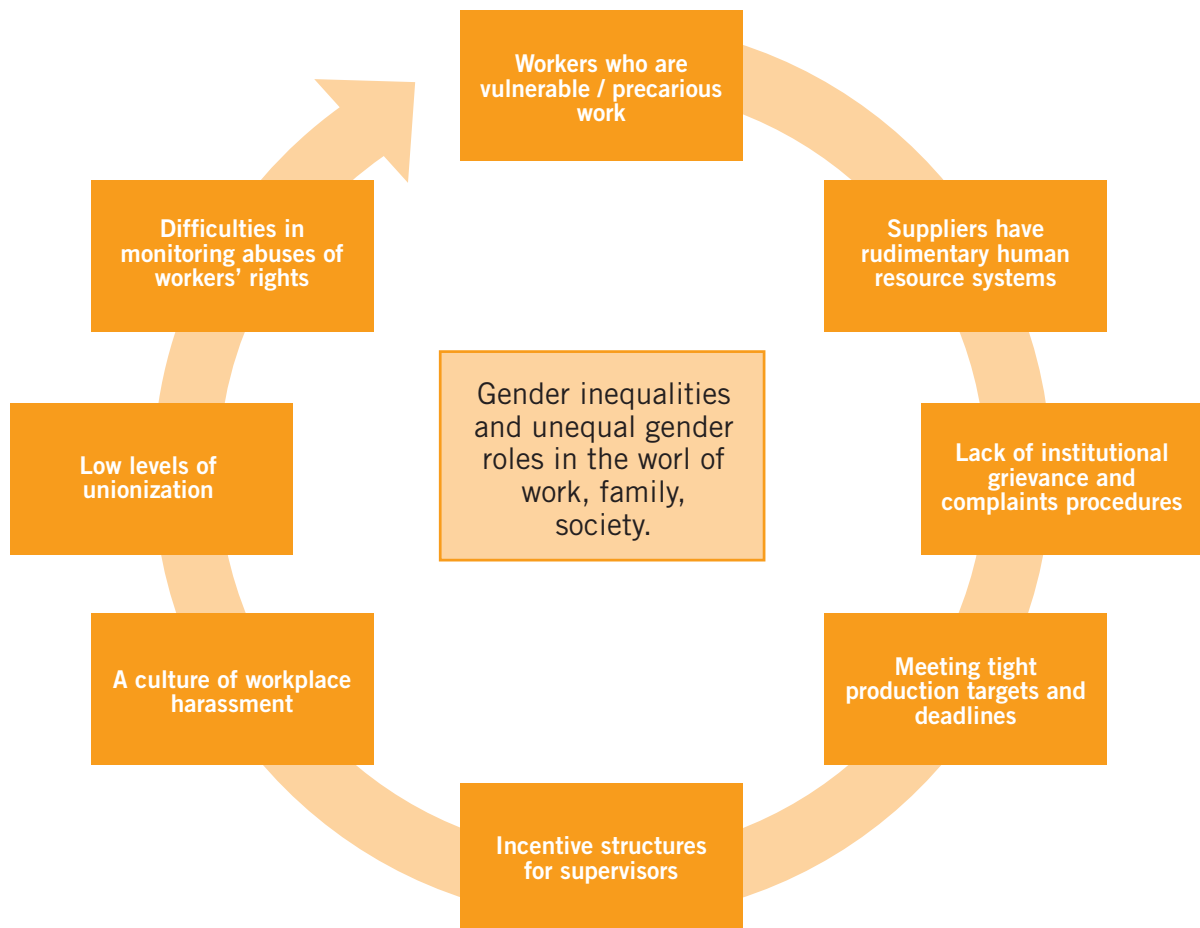
- Factories with nearby competitors have fewer reported concerns with sexual harassment. In Haiti, sexual harassment is 5.5 per cent less likely to be a concern among workers in factories with nearby competitors.
- Workers who are isolated or cannot move around freely are more likely to encounter sexual harassment. For example, workers in Jordan without access to a phone are 35 per cent more likely to express concern with sexual harassment.

**Source:** Better Work Research Brief: Garment Factory Characteristics and Workplace Sexual Harassment.

Understanding that there are specific reasons why gender-based violence is pervasive in global supply chains is an important starting point for building strategies and practical initiatives to address such practices.

It is important to note that sexual harassment is not specific to global supply chains. It arises in all sectors of the economy because of unequal power relations at work and in the wider society. Unequal gender roles, the under-valuing of women’s work and skills, women’s burden of care work and harmful gender stereotypes are among some of the inequalities faced by women. In addition, Module 2 discussed some of the specific forms of workplace gender inequality in global supply chains, which are relevant to understanding the reasons why sexual harassment and violence are pervasive in global supply chains. For women working at the bottom of global supply chains, gender inequalities and unequal gender roles in work, family and society are further reinforced by issues that are unique to global supply chains. **Chart 3** summarizes the complex inter-related factors, which contribute to sexual harassment and violence.

**Chart 3: The specific factors contributing to sexual harassment and violence in global supply chains**



### a) Workers in global supply chains who are vulnerable and in precarious work are more at risk

As discussed in Module 2 workers are exposed to risks when they work in insecure and precarious forms of employment, work alone or work outside of standard working hours. Where there is limited protection against discrimination and little bargaining power, the risk of violence and sexual harassment in the workplace increases. Women in precarious work and on short-term contracts are the least likely to report violence due to their vulnerability. Women in precarious work often include migrant workers, indigenous people, young workers and unskilled workers.

 **Case Study 3.1 looks in more detail at the vulnerability of immigrant farmworkers in the US.**

In agriculture and horticulture many workers are employed for long periods on a casual basis, often on temporary or seasonal contracts that are renewed monthly. A general lack of rights, including rights to paid maternity leave, a living wage or reasonable working hours increases women's vulnerability to sexual harassment. For example in Kenya insecure temporary horticultural workers were granted permanent status if they agreed to have sex with supervisors or managers. (Cited by Ethical Trading Initiative, 2005)

Women working in factories or on agricultural plantations who live in company accommodation can be further exposed to gender-based violence. Many are young migrant women who cannot change jobs because their accommodation is tied to their work. The accommodation may be some distance from the factory/plantation along an unlit path, which poses dangers for workers walking back after late night shifts. Home-based workers, such as women and children carrying out piece-work in the garment sector, experience isolation and risk of sexual violence from supervisors or agents.

*“Sexual harassment against women in the workplace serves to reinforce or maintain existing hierarchies and gender power relations. For example, women may be reluctant to take up a job in a male-dominated occupation or apply for a promotion because of a real or perceived threat of harassment or violence, thereby perpetuating segregation.” (UN Women 2015, p.92)*

### b) Suppliers often have rudimentary human resources systems

For many suppliers putting in place policies and procedures to tackle sexual harassment is a relatively new issue, particularly where human resources systems are rudimentary. Good procedures ensure all employees are informed of what is acceptable workplace behaviour, which may, in some countries, conflict with locally accepted social norms. Human resources policies and procedures, if they exist, are rarely suitable for dealing with highly sensitive and personal issues such as sexual harassment or violence.

Workers in factories and farms where there is no union have little chance of independent support or representation. Worker elected committees, such as those required in Indian legislation, are unlikely to be independent of management pressure and young and inexperienced workers may not appreciate the need for absolute confidentiality about the names of complainants and the nature of complaints.

### c) Lack of institutional grievance and complaints procedures

If there are no or limited grievance and complaints procedures, women will often remain silent to avoid the risk of losing their livelihood and exposure to further violence. (DFID, 2015a) In addition, issues of a sexual nature have the potential to cause lasting reputational damage to both women and their families, sometimes fatally damaging young women's marriage chances.

A report by the Bangladesh AWAJ Foundation and AMRF Society (2013) found that in the ready-made garment industry women rarely reported sexual harassment because of a lack of formal grievance and complaints mechanisms. The survey highlighted some of the problems in gaining accurate information on gender-based violence and led to discussion about how to avoid under-reporting of gender-based violence in future research.

*“There is no way for affected workers to convey complaints. In this context the response of “doing nothing” in the face of abuse might be a “strategic indifference” and a rational way to react. Without any system in place that could provide sufficient bargaining power to break through the oppressive*

*structures of social and sexual hierarchy, what could the complaint of the worker possibly lead to, if not to more harassment?” (AWAJ Foundation and AMRF Society, 2013, p. 50)*


#### d) Meeting tight production targets and deadlines

Women workers may be at greater risk where tight production deadlines require workers to carry out long hours and overtime. (Better Work, undated) As well as impacting on their health and wellbeing, women have an added risk of sexual harassment and violence getting to and from work in the dark. (Action Aid International, 2013) Long working hours and overtime are commonplace in many production workplaces. In Bangladesh, for example, many garment workers have to work 14-16 hours shifts each day (often six days per week). In Pakistan workers have to work ten or more hours a day. Excessive (often compulsory) overtime can be the result of late production changes from brands and supermarkets or factory owners who are reluctant or are unable to hire additional workers. If workers refuse to carry out overtime they often face penalties, harassment, verbal abuse and dismissal. (Institute of Development Studies, 2006; FWF, 2014; Better Work, undated)

Research by Better Work (Truskinovsky, Rubin & Brown, 2013) shows that the structure of the supply chain, resulting in buyer pressure or payment systems, can exacerbate the incidence of sexual harassment. As production pressure builds, managers become more abusive in an effort to speed production, and as an outlet for the stress of meeting demanding targets. Lead companies that demand large production targets at short notice or negotiate very low prices contribute to the risk of workers being exposed to long working hours and workplace harassment and violence. High level of competition places additional pressure on managers to satisfy buyers, and ‘Fast Fashion’ can put intense seasonal pressure on factories to produce unexpectedly large quantities of a popular item.

In India, Viet Nam and Costa Rica workers were forced to work overtime and managers reported that they struggled to meet the provisions on workers’ rights due to the need to meet tight production deadlines. In Costa Rica workers commonly work a 60-hour week with no premium on overtime hours, as they are paid by piece/task. In Viet Nam factory

workers complained of not being given notice when overtime would be required and in India factories had increased working hours because of shortened production deadlines. Some workers reported they were not paid a premium for all overtime hours worked, and that breaks were no longer counted as working hours. (Institute of Development Studies, 2006)

 **Two Case Studies deal with the problem of production pressures from the garment and horticulture sectors. Case Study 3.2: Protecting pregnant workers’ rights in Lesotho – the impact of long working hours and Case Study 3.3: Dealing with production pressures in the horticulture industry in Ethiopia.**

#### e) Incentive structures for supervisors

Incentives for supervisors may play a role in increasing risks of sexual harassment. Better Work research (see box below) found that supervisors’ incentive pay systems, were based either on the performance of the workers they supervise or on the basis of production line incentives or bonuses. If these incentives are very demanding or if production targets are difficult to achieve, this can result in a culture of sexual harassment. Because the majority of supervisors and managers are male, there is a hierarchical structure in which supervisors have considerable power relative to the workers, who are predominantly women.

*“If a salaried line supervisor, who is predisposed to harass, is given the power to certify whether a worker has met a production quota that affects the worker’s pay, the supervisor may use this power to demand sexual favours in exchange for approving the production bonus.” (Better Work Briefing. Garment Factory Characteristics and Workplace Sexual Harassment, p.2)*



### The impact of sexual harassment on performance and profits

Research carried out by Lin et al. (2014) of apparel factories in Haiti, Jordan, Viet Nam and Nicaragua participating in the Better Work programmes found that sexual harassment is pervasive in garment factories and has a negative impact on performance and profits. These findings suggest that the structure of incentives is important in creating vulnerability to sexual harassment. This can be overcome with objective criteria of work effort as a basis for performance-related pay, thus reducing the level of discretionary power that a supervisor has over a worker. In addition, creating an understanding of sexual harassment and changing organizational norms is also important in reducing levels of sexual harassment.

Sexual harassment was shown to have a negative impact on job outcomes, such as work satisfaction, individual psychological outcomes, such as distress and trauma, and indirectly on health. In Jordan, for example, where hierarchical structures led supervisors to have significant power over workers, supervisor training was seen as having a potential to change organizational norms and culture. In Haiti and Viet Nam, sexual harassment was closely related to supervisors' incentives for achieving production quotas. Sexual harassment was also found to increase workforce turnover.

It is worth noting that in Nicaragua, in those factories where human resources managers reported awareness of sexual harassment there was a change in organizational norms, with lower reports of sexual harassment in the factories.

Overall, the study found that there are strong incentives for firms to control the incidence of sexual harassment in their factories, particularly as this will have a positive impact on retaining workers and enhancing productivity.

### f) A culture of workplace harassment

Women's lack of power in the workplace and an accepted culture of workplace harassment mean that sexual harassment is often invisible. Power imbalances mean that factory managers and supervisors often deny that sexual harassment exists, and many are not aware of how sexual harassment can have a negative impact on performance. Fair Wear Foundation (2015) found that most factory managers initially denied that there was sexual harassment in garment factories in Bangladesh and India. Managers said no one reported, therefore it was not an issue. Although supervisors reported their knowledge levels had increased significantly after attending FWF training, they said they found it very difficult to implement changes at work. One supervisor said that yelling at workers is expected 'performance' of a supervisor.

#### Quotes from supervisors attending Fair Wear Foundation training

*"It is good that we know now what is right and wrong according to harassment definition, also good to know that such acts of harassment are forbidden and punishable in law, but who applies law in factories? If our management does not understand it, our knowledge will create further frustration." (Supervisor attending FWF training)*

*"We are also exposed to harassment from our superior line management. If all staff are not educated and if top management does not integrate the practice willfully and hardily, anything will change. We do not want to scold workers, we are forced to do so, since it is taken as our performance."*

Many supervisors might not be violent themselves, but they considered they need to be abusive to show they have power over production workers who are mainly women. Some supervisors felt that harassment is 'unfair for women', but they enjoyed the privilege of being the 'boss' on the production floor. Some supervisors felt powerless themselves, because of the patriarchy system in society and in the factory. Peer pressure is also a factor that contributes to verbal and

physical harassment. Breaking a culture of workplace harassment is vital: workers are under pressure from supervisors, supervisors are under pressure from senior managers, who in turn are under pressure from global buyers.

### g) Low levels of unionization

Risks of sexual harassment and violence are highest if women and men do not have the opportunity to collectively organize to address violence. In many of the factories and farms at the bottom of supply chains unionization is very low. In the garment sector there is often intense hostility to unions. (ITUC, 2015) Participatory approaches to involve workers in discussion and dialogue, including collective bargaining and human resources policies, are crucial in addressing workplace gender-based violence. As the ILO argues: “the strong commitment of both trade unions and management is instrumental in progressively reducing the incidence of workplace violence.” (Cruz & Klinger, 2011, p. 14)

*“It is in the farms we find the most vulnerable women workers. They have many problems; they get violated in so many ways on the farms. Many are migrant workers; they came to look for better opportunities. They work because they have to, they often don’t have much education and poverty is rife in the farm areas. The trade unions bring a collective power for women workers. When you organize the women together and mobilize them you can find out their needs and get issues like sexual harassment addressed. Women don’t know that what they experience is sexual harassment, we need to ensure that women know what is going on and then we can advocate in the workplace to make sure women are safe at work. We can deal with sexual harassment when we hold each other’s hands – unions give us the space to do this. (Nolukho Matanzima, South Africa National Council of Trade Unions. Participant in the Global Gender Academy workshop on gender-based violence in global supply chains,” November 2015)*

Where unions do exist, they may not include sexual harassment in bargaining agendas. Factories and farms at the bottom of global supply chains often recruit young migrant women with low levels of education, who are not an easy target group for union membership campaigns. There is a very high turnover of workers, making union organizing and

retaining members even more challenging. (See Module 8 for examples of union action at local levels and collective bargaining).

### h) Difficulties in monitoring abuses of workers’ rights

Because many lead companies and brands source suppliers from multiple companies, it is difficult to monitor working conditions and build long-term relationships with factory or farm owners to improve working conditions. Workers’ rights are also affected by labour laws and industrial relations systems, which vary from one country to another, for example, on the right for workers to organize and to be represented by trade unions (freedom of association and collective bargaining).

## 4. Addressing the challenges – creating workplaces free from gender-based violence

*“Gender-based violence in the workplace should be prohibited; policies, programmes, legislation and other measures, as appropriate, should be implemented to prevent it. The workplace is a suitable location for prevention through educating women and men about both the discriminatory nature and the productivity and health impacts of harassment. It should be addressed through social dialogue, including collective bargaining where applicable at the enterprise, sectoral or national level.” (International Labour Organization, 2009)*

## Tool 1: Tips for employers in preventing sexual harassment:

### **Identify the problem**

- ✓ Establish systems for identifying sexual harassment and violence.
- ✓ Be aware that sexual harassment is often a hidden issue. Don't assume that because there have been no complaints from workers the problem does not exist.

### **Define and publicize**

- ✓ Agree a clear definition of sexual harassment and ensure everyone understands what acceptable workplace behaviour is.
- ✓ Ensure men understand what behaviour is sexual harassment, such as making lewd remarks about women or touching them inappropriately.
- ✓ Adopt a 'zero tolerance' approach to verbal and physical abuse or sexual harassment in the workplace.

### **Adopt clear policy and procedures**

- ✓ Agree a company sexual harassment policy.
- ✓ Establish fair and confidential complaints procedures.
- ✓ Inform all employees that sexual harassment will not be tolerated and is a disciplinary matter.
- ✓ Encourage managers to promote prevention initiatives.
- ✓ Ensure the workplace and the places associated with the factory, such as dormitories and company transport, are safe and free from violence, with policies and procedures in place to prevent a culture of harassment.

### **Negotiate clauses in collective bargaining agreements**

- ✓ Work with trade unions to develop clauses in a collective bargaining agreement (CBA) on sexual harassment and gender equality.
- ✓ Draw on trade union experience of running workshops for women and men – and jointly develop fair policies and procedures.

### **Train managers, supervisors and workers**

- ✓ Raise workplace awareness of sexual harassment – what it is and the forms it takes.
- ✓ Raise awareness of the negative consequences of sexual harassment on employees and the company.
- ✓ Train managers, supervisors and workers on the new policies and procedures.

### **Support for those who are sexually harassed**

- ✓ Change the culture of the workplace so that women feel comfortable and valued.
- ✓ Set up a confidential help-line.
- ✓ Support women workers to make a complaint.
- ✓ Adopt an approach that empowers workers to ensure that they know, and can access, their rights.
- ✓ Promote training for both female and male supervisors.
- ✓ Implement responses to sexual harassment in the workplace that are seen in the broad context of wider gender inequalities, such as women's low pay and precarious working conditions.

### **Develop social dialogue**

- ✓ Take note of workers' views and comments.
- ✓ Encourage managers, supervisors and workers to suggest solutions to workplace issues (e.g. location of toilets or work areas that are a focus of sexual harassment or sexism).
- ✓ Find practical solutions to problems.



Better Work suggests that managers can reduce violence and sexual harassment in global production through a number of actions:

- Aligning the incentives determining pay for workers and supervisors. Workers and their line supervisors should have the same pay structure and production target linked to a wage bonus, to minimize opportunities for supervisors to abuse their power in determining the pay workers receive.
- Address challenges facing line supervisors. Sexual harassment is less likely to occur where managers acknowledge the stress and low labour-management skills of supervisors. Supervisory skills training can serve to improve workplace relations.
- Promote greater communication among managers, supervisors and workers. More communication across all levels of the factory can foster greater trust and awareness of workers' concerns.
- In addition to these actions, factories should establish clear policies against sexual harassment; train managers, supervisors and workers on the policies; and ensure implementation and enforcement. These steps have the potential to create conditions in factories that reduce the likelihood of sexual harassment.

**Source:** Better Work. Research Brief: Garment Factory Characteristics and Workplace Sexual Harassment. <http://betterwork.org/global/wp-content/uploads/Research-Brief-Sexual-Harassment-LR-Rnd5-4.pdf>