PART A: GENDER-BASED VIOLENCE IN GLOBAL SUPPLY CHAINS
Module 1: Introduction to global supply chains

Learning objective

At the end of the module, participants will be able to:

- Appreciate the complexities of global supply chains.
- Consider how these can offer both opportunities for and challenges to the creation of decent work for women and men.
- Visualize the different stages and players involved in one supply chain.

Module contents

One briefing:

- Briefing 1 – Global supply chains

Two case studies:

- Case Study 1.1: Global garment industry
- Case Study 1.2: The horticulture and cut flower global supply chain

Two learning activities (in Part C, electronic version):

- Learning Activity 1.1: Following the dress
- Learning Activity 1.2: Following the flower

Target audiences

This module will particularly interest representatives from:

- Lead global companies (e.g. brands and supermarkets)
- Multi-stakeholder initiatives and CSR stakeholders
- Multi-lateral organizations
- Employers’ organizations and trade unions at local, national and international level
- Global and national NGOs
- International development planners
- National institutions responsible for employment, economic and trade policies
- National institutions responsible for gender equality and women’s issues
Briefing 1 – Global supply chains

The briefing describes global supply chains and presents how they offer both opportunities for and challenges to the creation of decent work for women and men.

Summary of key points about global supply chains and decent work

- The global trend to outsource production has led to the fragmentation of responsibility for worker welfare; increasingly, brands and supermarkets no longer have a clear employment relationship with the people who make their goods.
- While a factory is the legal employer of workers, the decision-making power and most of the wealth in a supply chain often lie with the brands at the head of the supply chain.
- Retailers and brands may use multiple suppliers, making it difficult for buyers and suppliers to work together to improve factory or farm production processes.
- Many supply chains have short production cycles and exert strong downward pressure on pay and conditions because lead companies have demanding price targets and delivery times.
- The garment sector has an especially complex supply chain and is made up of thousands of brands, retailers and suppliers around the world.
- Workers on the lowest rungs of global supply chains have little ability to negotiate their conditions of employment – there are low levels of union organization in many industries, such as in apparel.¹

1 Apparel refers to the production of clothing, footwear and accessories for consumers. Production involves a variety of tasks including cutting and stitching textiles, where workers often perform only one task in the production process. Producing one garment, for example, can involve several factories, often resulting in each factory taking one separate task to produce the finished garment.

1. Introduction

“One of the key characteristics of the global economy is the increasing fragmentation of production into different activities and tasks along global supply chains, with profound socio-economic impacts.”

(OECD et al., 2014)

Today many large retail and brand companies – in sectors such as garments, footwear, agriculture, food and electronics – produce their goods through a business model of global outsourcing to factories and farms worldwide. Increasingly goods are produced through global supply chain networks spanning different continents. Companies, suppliers and workers are an integral part of globalized trade, production and employment. Global supply chains depend upon new technology, trade liberalization and capital mobility, and are facilitated through cheaper trade and transport costs and improved global communications networks.

There is a trend towards market power forcing down prices and demanding flexibility. Tight margins mean costs and risks often are passed onto the workers. Workers hired on short-term or seasonal contracts are expected to meet excessively tight targets and work very long hours. Production pressures contribute to the prevalence of poor working conditions that do not meet international labour standards or national laws.

2. Understanding global supply chains

A supply chain is made up of all the stages involved in the production and sale of a specific product. (Christian, Evers and Barrientos, 2013) The chain follows the product from its source as raw material to its final destination in a shop or warehouse. Global supply chains have become commonplace in many industries over the past 30 years. Under such systems the design, marketing and sales work is generally carried out in the wealthy economies of Europe, North America and Asia, while the manufacturing of goods is largely carried out in ‘developing’ countries in Asia, Africa and the Americas. The links in the
supply ‘chain’ are all the steps that begin with growing or extracting raw materials (cotton, iron, oil, etc.) and end with the sale of the finished products to end users by the company at the top of the supply chain – often called the ‘lead’ company. Regional value chains are also gaining growing importance, particularly in South America and in Africa – e.g. Chile or Brazil exporting agricultural products to neighbouring countries.

In some industries, the lead company (or a subsidiary) owns some or all of the links in the supply chain. This often happens when quality control is very important, or the lead company has developed special manufacturing processes that they do not want competitors to access. In these kinds of supply chains, it is easier to identify the lead company as ultimately responsible for the welfare and rights of workers.

What is a supply chain?
The term “global supply chains” refers to the cross-border organization of the activities required to produce goods or services and bring them to consumers through inputs and various phases of development, production and delivery. This definition includes foreign direct investment (FDI) by multinational enterprises (MNEs) in wholly owned subsidiaries or in joint ventures in which the MNE has direct responsibility for the employment relationship. It also includes the increasingly predominant model of international sourcing where the engagement of lead firms is defined by the terms and conditions of contractual or sometimes tacit arrangements with their suppliers and sub-contracted firms for specific goods, inputs and services. (ILO 2016, p.1)

But many supply chains can be very complex. A typical global supply chain is complex, multi-layered and involves a wide range of organizations, suppliers and stakeholders.

For example, garment supply chains are often seen as being simple, although in practice they are not. In industries, such as garments, the lead companies – sometimes referred to as ‘brands’ – do not own any factories. The lead companies ‘outsource’ all production to independent factories. They may change suppliers from factory to factory each season, looking for lower prices or special skills. If lace shirts are in fashion one season and denim the next, brands source from a lace factory one season and a denim factory the next.

Lead companies engage in global supply chains in both direct and indirect ways, which often results in complex relationships or ‘arm’s length’ relations with the suppliers. (Meixell and Gargeya, 2005) Direct relations are formed through foreign direct investment, purchase of a specialist supplier or by establishing a new production facility in another country, where the task that is performed abroad remains within the ownership of the lead firm. However, increasingly, these tasks are carried out through outsourcing. This creates a contract relationship with an independent supplier, which can also occur indirectly, through the purchase of a production input from a domestic supplier that, in turn, receives some of its inputs from abroad.

This complexity of the global supply chain in garments is shown in Chart 2.

Chart 1 presents a simple supply chain model where the lead company either owns each stage of the supply chain or they know who the suppliers are.
Chart 1: A simple supply chain

It is very tempting to seek out one single approach to fix the problems facing garment and textile workers worldwide.

Just get the company to tell its factory to shape up, is a common response from consumers and businesses alike.

Fair enough. In garment supply chains of the past, that might work. The company would likely own the factory or be one of a handful of its customers; and the terms of the business relationship would be clear and direct.

But today it’s quite different...
Chart 2: The garment global supply chain

A MORE REPRESENTATIVE VIEW OF THE CONTEXT

local governments

labour inspectorate

factory owner

sowing; cutting; trim-work; screening; washing; finishing; sequining; embroidery; packaging; etc.

factory

age

workers

homeworkers

global unions & campaigns

international NGOs

raw materials

fibre-yarn-fabric

business associations

trade unions

subcontractors

producer countries

© FAIR WEAR FOUNDATION · WWW.FAIRWEAR.ORG

Today's global garment and textile industry spans six continents. The particularities of a country's labour law and its industrial relations greatly impact workplace conditions, wages received, and workers' ability to exercise their freedom of association.

Many workers are engaged in producing a single t-shirt or pair of trousers. Increasingly, these workers are found in different factories (some are subcontractors), each with different management and workplace conditions.

companies struggle to monitor every workplace where each product is made (garment;�� factory; companies produce dozens or hundreds of styles each season)
It is common for large garment and textile companies to source from dozens – even hundreds – of factories. In this context, it is difficult to build long-term, trusting relationships between factories and companies, and orders are often placed with different expectations and requirements with regard to CSR.

And, most factories receive orders from many companies, without collaboration, it is not likely that any single company possesses the leverage to effect real changes in the workplace.

It certainly is complex. But it is not unsolvable.
In these kinds of supply chains – which are very common in apparel and many other consumer goods – the responsibility to comply with legislation related to worker welfare and rights lies with the employing factories. However, the power to set prices, and to ensure they are high enough to allow decent working conditions, lies in part with the clothing brands. All factories have to comply with national labour laws and standards. Lead factories, however, have the power to influence labour conditions throughout their supply chains, by among others, through changes in price settings, corporate social responsibility (CSR) practices and adherence to ethical codes of conduct.

From the factory side, there are also forces that encourage fragmentation, especially in apparel. Many factories will choose to produce goods for many different brands. This reduces their risk of becoming too reliant on any one customer. For example, clothing factories do not have just one lead company – they may have 20 or 50 or 100. These buyers have significant power to influence a supplier’s capacity to respect workers’ rights, particularly as the large numbers of factories making nearly identical products (for example, t-shirts or trousers) means that competition – and pressure for low prices and fast production – can be very great.

Many low-income countries in the global South have promoted export-led growth and have become an increasingly important part of the global economy through their integration into supply chains. For example, agriculture-based economies in sub-Saharan Africa see horticulture as a key sector for economic growth, exports and employment for women. The growth of global supply chains (GSCs) in developing economies has been boosted by Export Processing Zones (EPZs) or Special Economic Zones (SEZs) offering a favourable business environment, including tax exemptions and free provision of infrastructure. EPZs have been set up in 130 economies for the processing of imported materials that are then re-exported to other countries. As a means to promote the export sector, in some cases, factories are specifically excluded from national labour and tax regulations, including the freedom to form and join a trade union.

According to Oxfam International (2004) globalization has resulted in trade policies that reinforce insecurity and vulnerability for millions of women workers. Oxfam’s research was carried out with partners in 12 countries, involved interviews with hundreds of workers (mostly women) and many farm and factory managers, supply chain agents, retail and brand company staff, unions and government officials. It revealed how retailers (supermarkets and department stores) and clothing brands are using their power in supply chains systematically to push many costs and risks of business on to producers, who in turn pass them on to workers, often women. In developed economies, women are also employed in precarious jobs in global supply chains, for example, in supermarkets and sports retailers.

**Example: Peru and Colombia**

The growing non-traditional agricultural export (NTAE) industries in Peru and Colombia – namely asparagus and cut flowers, respectively – are providing increased employment opportunities for women, particularly in rural areas, where other salaried jobs are scarce. However, recent research shows that the Andean governments’ numerous policies to promote the growth of the NTAE sector have not been matched with efforts to guarantee safety and quality of employment. It appears that recent labour reforms in Peru and Colombia have actually served to worsen working conditions and wages, while ensuring lower costs and increased flexibility for employers. (Ferm, 2008).

Relationships between buying and producing countries are often complex. In 1991, the US lifted the tariff on asparagus imports, opening an enormous new market for the premium vegetable, which the huge agro-exporters dominate. In 2000, legislation was passed in Peru to further encourage the growth of the asparagus industry. Tax on profits was reduced to half the national average, the minimum wage modified and an “accumulated workday” formula was introduced to allow employers to require a 20-hour workday. The law applied only to the female-dominated agro-industry sector. (Solidar, 2012)
The benefits of flexibility for companies at the top of global supply chains have come at the cost of precarious employment for those at the bottom. (Oxfam, 2004, p. 3)

Example: Electronics sector

The electronics sector is characterized by fluctuating orders, due to the short product cycles for electronic products and rapid obsolescence. This results in a high level of temporary and agency workers in some countries and high levels of overtime in others. In countries with a strong supplier base in electronics, domestic regulations have played a key role in determining how supply chain supplier firms react to production flexibility. In Mexico and Thailand there are large numbers of temporary workers; while in Malaysia and China there are high levels of overtime work. Chinese factories face a legal limit (since March 2014) restricting the number of temporary workers to no more than 10 per cent of the workforce. In India, the proportion of temporary, contractual and indirect wage employment accounted for just over 40 per cent in the industry. An estimated two-thirds of female workers in the electronics industry are in temporary, contractual or indirect wage employment. (ILO, 2015)

What is decent work?

Decent work gives people opportunities for:

- Work that is productive and delivers a fair income.
- Guaranteeing rights at work: so that workers have well-being and security in the workplace.
- Social protection: to enjoy working conditions that are safe, allow adequate free time and rest, take into account family and social values, provide for adequate compensation in case of lost or reduced income and permit access to adequate healthcare.

- Social dialogue: freedom for people to express their concerns, organize in trade unions and participate in the decisions that affect their lives.
- Equality of opportunity and treatment for all women and men: including non-discrimination, equal pay for work of equal value, and maternity protection.

The ILO’s fundamental Conventions are:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

For further information on the ILO’s Decent Work agenda see: http://www.ilo.org/
Case Study 1.1
Global garment industry

Background

There has been a period of significant change in the main producing and export countries of the garment market since the 1970s. OECD countries are no longer significant exporters. The largest supplier bases can now be found in China, Bangladesh, Viet Nam, India, Turkey, Indonesia, Mexico, Thailand, Pakistan, Tunisia, Cambodia, Sri Lanka, Morocco, Romania and Poland.

The garment industry is a global one: supply and value chains are spread across many countries and continents. According to Better Work about 60 million people were employed in the textile, clothing and footwear sector worldwide in 2014, compared to 20 million people in 2000. About three-quarters of garment workers worldwide are female. The industry is seen as ‘a stepping stone to development’ in many countries. The garment industry operates in many least developed and developing countries.

Globalization of the garment sector has created a rapid increase in employment opportunities in developing economies, particularly for unskilled women, young people and migrants. However, much of this employment takes place under poor working conditions. Lead firms in the garment supply chain tend to be large retailers or design houses that are concentrated in the United States, the EU and Japan. (ILO 2015) Lead companies source from supplier firms, which are concentrated in emerging and developing economies. Working conditions of garment workers, many of whom are young female migrants from rural areas, are frequently what the ILO describes as ‘unacceptable forms of work’ and fail to meet international labour standards. The Rana Plaza tragedy, in which 1,129 workers were killed when a building collapsed, illustrates the type of problems that exist in the garment sector in some countries.

Structure of sector

In the past a company would most likely have owned its own factory. Today global production does not follow a simple chain. For example, the production of a dress for a global brand may involve many factories and sub-contractors, who in turn produce dresses for many companies. Many supplier firms compete for orders from retailers, which reduces suppliers’ bargaining power. (ILO 2015)

The garment sector is typified by a high share of short-term contracts and highly variable working hours, because garment suppliers need to respond quickly to volatile ordering demands. In some cases production is sub-contracted from a large factory to several smaller factories, which in turn sub-contract to homeworkers. Each factory may produce for a number of different brands, making it difficult to establish strategies to improve conditions in the factory. While some buyers may encourage improved standards for workers, others may be driving prices down, making it challenging to introduce higher wages, training or regular hours. In global supply chains tight production deadlines and changing fashion products puts pressure on suppliers for fast turnaround.
The gender dimensions of garment global supply chains

Women’s opportunities for formal employment have grown considerably with the expansion of the garment sector in developing countries. (Kabeer, 2004; Heath and Mobarak, 2011) Women represent over three-quarters of workers in the garment sector (more than 70 per cent of garment workers in China are women, in Bangladesh the share is 85 per cent, and in Cambodia as high as 90 per cent). Despite this huge growth of formal employment for women, the majority carry out 'low-skilled' tasks such as sewing, embroidery, cutting and finishing of garments. Many women garment workers experience poor working conditions, poor maternity protection and insecure employment. The sector has a very low rate of unionization, making it more difficult for women to be protected against unsafe or exploitative working conditions.

Case Study 1.2
The horticulture and cut flower global supply chain

Background

The horticulture and cut flower industry is seen as beneficial to developing countries, particularly in Africa, because of its higher returns and employment. Cultivation of fruits, flowers and vegetables is substantially more labour intensive than cereal crops and offers significantly more post-harvest opportunities for the global chain to add value. There is a rise of regional supply chains within the global South. (Evers et al. 2014) Several developing countries have successfully upgraded into packing and processing, and the number of women employed in the sector has increased significantly. (Staritz and Guilherme Reis 2013)

Over half of the flowers bought in Europe are produced in Africa. According to Women Working Worldwide, pressures to produce a supply of fresh and high-quality flowers, often under very tight deadlines, impacts on the health, well-being and rights of workers.

In Kenya, for example, the cut flower industry has grown rapidly. It provides employment for more than two million people. However, many of the jobs are extremely low paid and are unskilled. Jobs grading, packing, harvesting, tending beds and watering are low skilled. Many workers are very poor and vulnerable to exploitation. (FAO, IFAD & ILO 2010)
“The flower industry promises to make important contributions to Kenya’s economic development by providing rural employment, attracting foreign investment, and improving domestic technology and infrastructure. However, for this development to be sustainable, environmental impacts and social abuses must be addressed effectively in order for the industry to fulfill its potential positive effects.”
(Leipold & Morgante, 2013, p.2)

Structure of the sector

The horticultural value chain includes several stages: inputs (such as seeds, fertilizers, agrochemicals, and farm and irrigation equipment), production, packing and storage, processing, and distribution and marketing. The chain is buyer-driven and the lead firms are large supermarkets in key markets. (Staritz and Guilherme Reis 2013) Supermarkets may have very tight deadlines resulting in production pressures on workers, especially at peak times such as Valentine’s Day.

Gender dimensions of the horticulture value chain

There is a marked gender bias in roles. Men are favoured for positions that require physical strength. Women are preferred for jobs that depend on finesse, dexterity, and attention to detail. There is also gender bias with respect to crop types. Women participate in all stages of the value chain but are concentrated in the packing segment. Women are likely to have different wages and contractual conditions from men, flexible employment that heightens uncertainty, limited access to training and they experience sexual harassment.

Low wages and flexible employment of predominantly female workers help reduce employers’ costs – at women workers’ expense. But the lack of training can limit productivity and prevent upgrading into more sophisticated segments of the chain—particularly those that depend on women. (Staritz and Guilherme Reis 2013) While union activity is discouraged on the farms, the principal drivers to improve working conditions and the rights of women workers in Uganda have been promoted through collective bargaining and advocacy by Ugandan trade unions and non-governmental organizations, backed by European NGOs. (Evers et al., 2014)

A case study of the collective bargaining agreement in the cut flower sector in Uganda can be found in Module 8: Case Study 8.3: Challenging sexual harassment in horticulture through social dialogue in Uganda.
References and further resources

a) References


b) Additional resources and reading


Module 2: Global supply chains: where do women work and under what conditions?

Learning objective
At the end of the module, participants will be able to:

- Appreciate the existence of different employment patterns for men and women in global production.
- Examine issues related to employment and working conditions in global supply chains using a gender perspective.

Module contents
One briefing:

- Briefing 2 – Global supply chains: where do women work and under what conditions?

Three case studies:

- Case Study 2.1: Child labour and young women garment workers in Tamil Nadu, India
- Case Study 2.2: Forced pregnancy testing in maquiladoras in Central and South America
- Case Study 2.3: Mining for use in mobile phones – gender-based violence in the Democratic Republic of Congo

Two learning activities (in Part C, electronic format):

- Learning Activity 2.1: Where do you stand on gender equality?
- Learning Activity 2.2: Exploring gender-specific elements of women’s employment in global supply chains

Target audiences
This module will particularly interest representatives of:

- Lead companies (brands, supermarkets and company CSR)
- Multi-stakeholder initiatives and CSR stakeholders
- Multi-lateral organizations
- Employers’ organizations and trade unions at local, national and international level
- Workplace safety and health officers, including factory and farm inspectors
- Global and national NGOs
- International and local development programme planners
1. Introduction

The briefing looks at women’s employment in global supply chains, the main sectors where they work and their conditions of work. (For definitions of gender-based violence please refer to Module 3).

Summary of key points about women’s and men’s work in global supply chains

- Global supply chains provide women with opportunities for paid work – but many women do not have decent working conditions.
- Women predominate in lower-skilled production jobs, whereas men predominate in higher-level jobs, managerial and supervisory positions.
- Women’s jobs are often concentrated in the lowest paid and most insecure parts of global supply chains, often working as temporary or seasonal workers.
- There is a heavy reliance on migrant, young, female labour – these are workers with the lowest bargaining power and little union representation.
- The precarious nature of women’s work in global supply chains makes them especially vulnerable to sexual harassment and violence.

“We now live in a fast-moving global world, linking large numbers of workers and consumers across developed and developing countries, which has important implications for the ways in which women and men organize their work and lives. This transformation has affected women and men in contradictory ways. It has opened up opportunities for women to enter new areas of paid employment, earn an income, gain independence and participate more actively in social life. But it has also created new challenges, as much of this employment is informal, with poor working conditions and a lack of labour rights, and has to be carried out in addition to household and family responsibilities.” (Barrientos, Kabeer & Hossain, 2004, p. 1)

The ILO’s World Employment and Social Outlook 2015 found that more than one in five jobs today are linked to global supply chains. Global supply chain-related jobs represent 20.6 per cent of total employment, up from 16.4 per cent in 1995. Taiwan and China have the largest share of jobs associated with GSCs, with more than half of the workforce involved in global supply chain jobs, followed by the Republic of Korea and the European Union, where around one third of workers hold a job related to GSCs. (ILO, 2015)

Approximately 190 million women work in global supply chain-related jobs in the 40 countries for which estimates were available. In emerging economies, women’s share of supply chain-related employment is higher than their share in total employment. In 2013 women made up 41.9 per cent of total employment in global supply chains, although proportions are higher in developing countries. (ILO, 2015)

Many of the women working in factories and farms producing goods for global production work in countries where labour laws and international labour standards are poorly implemented, and where there are significant gender inequalities. As IMF (2013) research has found, some countries miss out on up to 27 per cent growth per capita due to gender inequalities in the labour market. In addition, women workers in global supply chains have also been affected by widening gender inequalities as a result of the recent global economic crisis, which fell disproportionately on poor women and girls, exacerbating pre-existing inequalities and women’s over-representation in informal, vulnerable, and casual employment. (ILO, 2011) According to UN Women (2015) the combination of the economic crisis and austerity measures further jeopardized women’s economic and social rights. Women in Asia, for example, have been more affected than men by job losses due to their concentration in the export-oriented manufacturing sector. (UN Women, 2015)
2. Women’s employment in global supply chains: positive and negative perspectives

This section discusses two different perspectives about the impact of women’s employment in global supply chains on economic and social development. Despite different perspectives, it is evident that wages and quality of employment are poorest in the lower levels of global supply chains and in firms that are on the periphery of production systems, for example, where there is no direct employment relationship, where production is sub-contracted to local factories or to home workers. (Dejardin, 2008)

2.1 The positive impact of women’s access to employment on gender equality and economic and social development

The UN Sustainable Development Goals state that gender equality is crucial for economic and social development: “Providing women and girls with equal access to education, healthcare, decent work and representation in political and economic decision-making processes will fuel sustainable economies and benefit societies and humanity at large.”

According to assessments of women’s economic empowerment there is strong evidence that gender equality can promote economic and social development. Household poverty is reduced when women have access to employment and education opportunities, and when women have access to resources, the education and skills of other household members also improve. (DFID/IDRC 2012; UN Women, 2015) Women’s higher labour force participation and employment rates have been associated with better educational achievements and improvements in women’s pay. (Barrientos, Kabeer & Hossain, 2004) This has increased women’s autonomy and bargaining position at home, given them greater influence over the distribution of household resources and enhanced their ability to act and defend their interests and those of their family and community. (Kabeer, 2000) In addition, the integration into global production through multinational enterprises (MNEs) and foreign investment has given access to new technologies and skills that are valuable for future economic growth and employment. (Dejardin, 2008) In particular, women’s employment conditions in MNEs are often better than in domestic enterprises. An OECD (2008) study indicates that MNEs promote higher pay in the countries in which they operate, although these positive effects are largely concentrated among workers that are directly employed by MNEs, compared to domestic companies that supply MNEs through a global supply chain.

The following examples show how women’s employment in global supply chains can have a positive impact on expanding economic and social opportunities for women, and in changing social norms about women’s economic participation:

- Call centres in India, which employ large numbers of young women, have influenced large numbers of young women, have influenced social norms through expanded economic opportunities for women. An increase in the recruitment of young women to work in call centres over a three-year period in randomly chosen villages led to significant gains in schooling and nutritional levels of girls between the ages of 5 and 15 years. Young women’s call centre employment raised the value of girls in villages, changing traditional gender norms and reshaping family spending on both female and male children. (Jensen, 2010)

- Improving girls’ access to education is important to their later economic empowerment. Girls’ school enrollment rose faster in Bangladeshi villages that were within commuting distance of garment factories, where the majority of workers are female. No such effect was observed among boys. (Heath and Mobarak, 2011)

- In Guangdong province, where nearly 30 per cent of China’s exports are made, women far outnumber men on labour intensive production lines, such as those at the toy factory in the city of Shenzhen. Rural women are hired for their supposed docility, nimble fingers and attention to detail. But in recent years Guangdong’s workforce has changed. The supply of cheap unskilled labour has started to dry up. According to the Economist ‘factory bosses are now all but begging their female workers to remain’. The women who have migrated to the factory towns have become better educated and more aware of their rights. In labour intensive factories, stereotypes of female passivity are beginning to break down. (The Economist, 2013)
In Viet Nam, Jordan, Indonesia, Nicaragua, Haiti and Lesotho, the Better Work programmes have helped to create better conditions of employment for women. Business benefits include greater resilience, profitability, recruitment and retention. There are promising developments in the area of paid maternity leave, transport for women working at night, safety and health in the workplace and equal pay.

2.2 The not so positive impact...

Despite these promising stories, some commentators, development organizations and trade unions argue workers in global supply chains continue to face many problems of low pay and poor conditions of work, especially in 'low-skill' sectors such as agriculture and textiles. Some of the fastest growing developing countries show the least signs of progress on basic gender equality outcomes: “Formal regular waged work has the greatest transformative potential for women, but this potential has remained limited because of the lack of creation of decent jobs, and because of segmentation of labour markets.” (DFID/IDRC 2012, p.3)

In the context of global supply chains, MNEs rely on a largely flexible and mobile workforce. There is a heavy reliance on female, casual, migrant and contract labour in order to meet seasonal fluctuations in demand, or sudden changes in orders. (Dejardin, 2008; Staritz and Reis, 2013) Women are largely concentrated in lower segments of global supply chains, often beyond the reach of MNE corporate practices that provide legal and social protection for workers. In practice, where there is sub-contracting, jobs are insecure, wages are low, and working conditions are poor. (Barrientos, 2007)

Work in global production systems also replicates and reinforces gender inequalities, where women are segregated into stereotypical “feminine occupations” and lower-skilled jobs, where a low value is associated with women’s work and skills.

Better Work argues that while a garment job for a woman is a positive development by virtue of its existence, it does not necessarily result in empowerment or even equality. Dan Rees, Director of ILO Better Work believes these (mainly female) jobs are important: “paid factory work can provide a better alternative to workers than other options available, such as unpaid family agriculture or domestic work.” Improved working conditions for women can have a domino effect, leading to greater investment by women in children’s health and education and household income. In Viet Nam, family remittances from workers in the factories where Better Work operate are increasing over time: 70 per cent of workers send money to family members, and women send home 24 per cent more than men. For further information see: Better Work: http://www.ilo.org/global/about-the-ilo/newsroom/comment-analysis/WCMS_237435/lang--en/

Providing good conditions for women workers has an impact that stretches significantly beyond the factory floor. Ultimately, factory work will not be empowering for women workers unless the disadvantages they often face are tackled head on. Paid work can and should create opportunities for women to realize their rights, express their voice and develop their skills.

3. Where do women work in global supply chains?

Below there is a snapshot of global supply chains and sectors where women work, with examples from different countries. All of these sectors are characterized by occupational segregation, where women are primarily low-skilled workers at the bottom of global supply chains, often with few opportunities to work in higher paid jobs.

3.1 Women’s employment in the lower tiers of global supply chains: examples from different sectors

**Textiles and garments**

- Women represent over three-quarters of workers in the garment sector, with higher levels in developing countries. Women represent 90 per cent of garment workers in Cambodia, 85 per cent in Bangladesh, 70 per cent in China and 63 per cent in Jordan.
- In Jordan, for example, approximately 65 per cent of women working in the garment industry are migrant women.

**Agriculture and horticulture**

- Gender discrimination plays a central role in reinforcing the genderbias in the assignment of
jobs and often prevents women from accessing higher-paying, more specialized jobs in the agricultural sector. This can have a significant impact on productivity, which in turn reduces the competitiveness of producers on the global market. (Bamber and Fernandez-Stark, 2013)

- Women represent around 45 per cent of workers in horticulture, mainly as lower-skilled workers in farms and plantations in global supply chain networks across Africa, Asia, East and Central Europe and South America. (Christian, Evers and Barrientos, 2013)
- Women predominate in floriculture, where they are an estimated 75-80 per cent of the workforce. (Christian, Evers and Barrientos, 2013)
- In banana plantations and agro-industrial farms throughout Latin America and West Africa women represent up to a third of the workforce. (Banana Link)

Electronics

- In mobile phone production women represent 50 per cent of the workforce. (Christian, Evers and Barrientos, 2013)

Tourism

- In tourism women represent an estimated 70 per cent of the workforce, mainly in lower-level positions. (Christian, Evers and Barrientos, 2013)

3.2 Gender inequalities in global supply chains

Women experience a range of gender-related issues that affect their employment and working conditions in global supply chains. Women’s working conditions, including precarious work and low union representation, make them particularly vulnerable to violence and sexual harassment.

These issues are affected by cultural attitudes where women hold less power than men at work, in the home and across societies. In particular, women carry out a higher share of unpaid work in the home and as primary carers for children, the sick and older relatives. Lack of access to maternity protection and childcare further push women into lower-level jobs, with few opportunities for progression into better jobs. Below are some of the features of women’s employment and working conditions in global supply chains.

32

a) Occupational segregation

“Women tend to be more concentrated in low-status work and men in higher-status jobs. In horticulture, women dominate in poorly paid/insecure casual work. In apparel, they make up the majority of lower-status assembly workers and seldom rise above supervisor level into management; the vast majority of line, production and senior managers are men. In tourism men, or women from the global North, typically carry out the higher-status jobs of tour operator, excursion worker and manager. However, women are making inroads into low-level management, for example as supervisors in apparel and team leaders in horticulture and in pack houses, which are higher-pay/status jobs.” (Christian, Evers and Barrientos, 2013)

In horticulture supply chains, women are concentrated in the production and packing segments. In both segments, women are preferred because of their perceived dexterity and attention to detail. Female participation ranges from 50 per cent in production, 70 per cent in packing and storage, and 50 per cent in processing. (Bamber and Fernandez-Stark 2013) In the fruit and vegetable export sector in Honduras some jobs are dominated by women (nursery work, transplanting, quality control, washing, grading and packing), which require skills of attention to detail, careful handling of the product and the ability to identify defects. Jobs that are dominated by men involve operating machinery, such as transportation and logistics. (Bamber and Fernandez-Stark, 2013) In addition, many women work as unpaid family labour in small-holder operations. In some parts of Africa women spend 60-80 percent of their time devoted to agricultural activities. Smallholder farmers play an increasingly important role in global supply chains, particularly in the production of coffee, cocoa, tea, bananas, and sugar. (BSR Herproject, 2015)

In tourism women’s related activities are generally in lower-level positions than men – for example in Africa women are not usually tour guides, missing out on higher tips and training opportunities. (Christian, Evers and Barrientos, 2013) In developing-country destinations women are overrepresented in the accommodation and excursion segments, mainly in low- to mid-skill work in hotels (for example, housekeeping, laundry, food and beverage, and clerical work). Women are more likely to be used as flexible labour; as casual workers they are vulnerable to poor working conditions and sexual harassment. (Christian, 2013)
b) Workers who are vulnerable

**Young migrant workers and indigenous people**

Many workers in factories and farms are young first generation migrant workers and indigenous people from rural areas who seek a route out of poverty. Their youth and migrant status means they are at risk of exploitation in the workplace, particularly if their accommodation is tied to employment. In the export-oriented garment industry in South India young migrant women from other Indian states live in dormitories owned or leased by the employer. Some are vulnerable to sexual harassment and are unable to complain because they fear they will be punished or will lose their job. Immigrant female farmworkers also experience discrimination and poor working conditions, and do not complain for fear of losing their jobs and immigration status (See Case Study 3.1 on the vulnerability of female farmworkers.

In Turkey, migrants from Eastern Europe and Central Asia have been working in the textile and garment industry for many years. They are a source of cheap, unregistered and therefore extremely vulnerable labour. However, the arrival of 1.6 million Syrian refugees in Turkey has created a new wave of unregistered employment, including Syrian refugee children. These Syrian refugees are particularly vulnerable to various forms of labour exploitation. They are often paid far below the minimum wage, do not receive social security and other legally mandated benefits and work in unhealthy and dangerous conditions. SOMO Fact Sheet on migrant labour in the textile and garment industry provides recommendations for buying companies to minimize the risk of exploiting migrant workers in their supply chain. See: [http://www.somo.nl/news-en/migrant-labour-in-the-textile-and-garment-industry](http://www.somo.nl/news-en/migrant-labour-in-the-textile-and-garment-industry)

**Trafficking for forced labour**

In addition, trafficking for forced labour is still found in some of the labour intensive parts of global supply chains, for example, in the cotton picking and spinning and weaving stages of the supply chain. Globally, agriculture is one of the high-risk sectors into which workers are trafficked for the purpose of forced labour.


Children labour

Despite a reduction in child labour globally, child labour can still be found in the lower tiers of the supply chain. Child labourers, both boys and girls, experience poor working conditions and are particularly vulnerable to physical and sexual violence due to their dependence on adults. In Turkey and other countries bordering Syria there are increasing numbers of young refugees working as child labourers in factories. According to UNICEF UK, child labour is a huge problem in India, for example, in the embroidery industry. (UNICEF 2005) Homeworking is another way in which child labour is present at the bottom of global supply chains. (Buttle, 2008)


See Case Study 2.1 on child labour and young women garment workers in Tamil Nadu, India.

Child labour in the garment sector

According to the ILO around 260 million children are in employment across the world. Of these it is estimated that 170 million are engaged in child labour. Although there has been a reduction in child labour in recent years, today 11 per cent of children are deprived of the right to attend school without interference from work.

Many child labourers are working in the garment supply chain. Research by SOMO found that recruiters in southern India convince parents in impoverished rural areas to send their daughters to spinning mills with promises of a well-paid job, comfortable accommodation, three nutritious meals a day and opportunities for training and schooling, as well as a lump sum payment at the end of three years. The research shows that “in reality, they are working under appalling conditions that amount to modern day slavery and the worst forms of child labour.”

For further information see the infographic produced by the Guardian (UK) which presents information about why child labour exists in the garment sector and what businesses can do to stop it. [https://labs.theguardian.com/unicef-child-labour/](https://labs.theguardian.com/unicef-child-labour/)
c) Precarious work

Women predominate in work that is casual, temporary and insecure, often in small workplaces that are invisible in the supply chain. The majority of women do not earn a living wage or even have equal pay for equal work with men. (ITUC 2011a) In certain industries, like the sugar cane industry in South America, women clean the sugar cane, cut by their husbands, without receiving any salary. Their work is included in the salaries (based upon piece work) that their husbands receive. Globally, 53 per cent of women work in vulnerable jobs, which can increase the risk of experiencing violence. According to the United Nations: “In sub-Saharan Africa and South Asia, the problem is even greater where more than 80 per cent of women work in vulnerable jobs.” (United Nations, 2014, p. 10)

d) Poor access to maternity rights and childcare

Women also face different challenges at work to men, including discrimination and failure to protect their maternity rights. This can result in maternity leave not being granted, the termination of a contract for pregnant women or even forced abortions. An example is the notorious practice of pregnancy testing women applicants in maquila factories in Central America and dismissing women when pregnant.

See Case Study 2.2: Forced pregnancy testing in maquiladoras in Central and South America.

An additional barrier to women’s full economic participation is their domestic responsibilities and childcare responsibilities. (Barrientos, Kabeer & Hossain, 2004; UN Women, 2015) Addressing these gender divisions requires greater attention to be paid to how women can combine paid and unpaid work through childcare provisions, health care provisions, maternity and paternity leave, and transport to and from work. (Staritz and Reis, 2013)

e) Working hours

Long working hours and overtime exist because of the need to meet production deadlines and to cope with last-minute changes to orders. (Institute of Development Studies, 2006; FWF 2014; Better Work, undated) Workers tolerate such long hours because the payment they receive for a regular working week does not amount to a living wage. The effects of long and unreasonable hours of work on women workers, who are often also responsible for household tasks and raising children, can be extreme. Working late into the night also poses safety risks, particularly if women have to take public transport or walk in unlit areas. This issue of long working hours to meet tight deadlines is explored in more detail in Module 3.

f) Unsafe Working Conditions

Unsafe working conditions continue to be a problem in many production countries. Workers face unsafe, cramped and hazardous conditions at work which can lead to health problems for the workers and to factory hazards such as fires and building collapses. Women’s occupational safety and health is discussed further in Module 3 and Module 8.

g) Lack of freedom of association

Many workers have difficulties to exercise the right to freedom of association because of hostility to trade unions and where the right is respected, workers often do not join unions because they fear dismissal. Because women workers predominate in factories and farms producing goods at the bottom of global supply chains, they are particularly affected by a lack of freedom of association. (Staritz and Reis, 2013; Barrientos, Kabeer & Hossain, 2004)

This issue is discussed in more detail in Modules 4 and 8, with examples of how social dialogue and sound industrial relations can benefit business competitiveness as well as improve the rights and protection of workers in global supply chains.

“The International Trade Union Confederation (ITUC) has documented an alarming increase in gender inequality, precarious work and gender-based violence in the workplace, mobilization for which has taken place through the ITUC-led annual World Day for Decent Work. (ITUC, 2014) In addition, the ITUC has documented widespread abuses of freedom of association. (ITUC, 2015).”
h) Limited access to education and skills development

Many women working in factories and farms have low levels of education and have poor access to skills development, which further reduces their opportunities to progress into better-skilled and higher-paid jobs. Therefore women predominate in lower-skilled jobs in global supply chains, whereas men predominate in higher-value segments and business operations. Overcoming this requires sustained efforts to ensure that women can participate equally in vocational training to improve their skills and to access decent jobs (Barrientos, Kabeer & Hossain, 2004). In case studies from horticulture, tourism and call centre industries, an increase in women’s access to training was identified as a key priority to enable women to access the education, skills development and training required to participate in higher segments in global production processes. (Staritz and Reis, 2013)

i) Sexual harassment and violence

Sexual harassment, including name-calling, verbal abuse and hair pulling, among other forms of gender-based violence, are likely to be more pronounced when women have few rights and bargaining power, and when there are unreasonable pressures to meet production targets. (Fair Wear Foundation, 2013; Better Work, 2015) Gender inequalities are perpetuated by traditional gender roles and norms that are embedded in a culture that tolerates sexual harassment in the workplace and across society. (Cruz and Klinger, 2011)

Case Study 2.3 gives an example of extensive gender-based violence in mining communities in the Democratic Republic of Congo.

A more detailed discussion of gender-based violence in the workplace can be found in Module 3.

Việt Nam: garment export industry brings differing economic gains for women and men

There has been significant and sustained improvements in conditions in Việt Nam’s garment export industry but improvements for women are lagging behind – around 80 per cent of Việt Nam’s 700,000 factory workers are women. Women tend to be sewers and helpers, while men are usually in higher-paid occupations such as cutters and mechanics, and men are three times more likely than women to be supervisors. Women tend to work longer hours than men and are less likely to be promoted or receive training (even when they have been working at the factory longer than men). Women are also in poorer health and women’s hourly wages (excluding bonuses) are, on average, about 85 per cent of men’s wages. Female Vietnamese garment workers also report less leisure time than men, because gender dynamics at home remain the same and they end up working full-time while keeping up their responsibilities in the home. A considerable share of the female garment workforce has young children and appropriate childcare and health facilities can provide them with essential support and makes business sense. A good example comes from a factory in Việt Nam, which established a kindergarten and health clinic for workers, and found that this investment reduced staff turnover and absenteeism, contributed to a fall in industrial disputes, saved costs and sustained productivity over several years. (Better Work, 2013)

3.3 Working conditions in global supply chains: examples from different sectors

Textiles and garments

Workers in Cambodia’s garment factories experience discriminatory and poor labour conditions. Short-term contracts make it easier to dismiss and control workers, poor government labour inspection and enforcement, and aggressive tactics against independent unions make it difficult for workers, the vast majority of whom are young women, to assert their rights. (Human Rights Watch, 2015)
Research on labour conditions in the garment sector in the greater Delhi area found evidence of high turnover, long working hours and low unionization. (Centre for Development, Policy and Research, SOAS, 2014)

**Agriculture and horticulture**
- Women waged workers have different wages and employment conditions to men, flexible employment heightens uncertainty, there is limited access to training and sexual harassment by male supervisors is common. (Bamber and Fernandez-Stark, 2013)
- Vulnerable women may be subject to significant levels of sexual harassment, while discrimination against women often prevents promotion to better positions. Given the scarcity of job opportunities and limited labour mobility in some countries, sexual harassment often goes unreported. (Tanzania Plantation and Agricultural Workers Union, 2011)
- In banana plantations and agro-industrial farms in Latin America and West Africa, women struggle against instability, inequality and discrimination in the workplace. Women working in banana plantations often work 14 hours a day without overtime pay, without the freedom to organize and without their rights being respected. Women are dismissed for being pregnant, have no ante- or post-natal maternity rights and many suffer sexual harassment in the workplace. According to Banana Link an exceptionally high level of toxic agrochemicals are used in the banana industry, placing pregnant women and nursing mothers at risk.

**Electronics**
- In China’s Guangdong province, one of the world’s fastest growing industrial areas, young women endure 150 hours of overtime each month in the garment factories – but 60 per cent have no written contract and 90 per cent have no access to social insurance. (Oxfam, 2004)
- In India, where women are employed in lower-level jobs in the electronics sector, women received lower wages and social security benefits than men; union representation is also at a lower level for women than for men. (Shree, 2015)
Case Study 2.1
Child labour and young women garment workers in Tamil Nadu, India

This case study illustrates how a desire to escape rural poverty combined with poorly regulated industries can lead to labour abuses and even trafficking for sexual exploitation. Adolescent girls from poor rural families are particularly vulnerable to the practice known as ‘sumangali’, a form of forced labour. Parents, believing their daughters will be safe in a factory environment, send their daughters to work in factories in the cities.

Tirupur, in Tamil Nadu in South India, is the centre of a textile and garment industry that supplies many big international clothing retailers. Hundreds of thousands of workers have been drawn to the city. Exact figures are difficult to obtain, but Indian NGO SAVE estimates that at least half of the 400,000 garment workers in Tirupur are migrants.

“Employers adopt diverse strategies with the single objective of creating textile mills and garment factories without trade unions.” (A. Aloysius, convener of the Tirupur People’s Forum for Protection of Environment and Labour Rights)

Under the sumangali scheme, brokers promise a girl’s parents an attractive sum of money after completion of a three-year contract working in the factory. The money is often seen as a way for poor families to save for their daughters’ dowries. Parents assume that factories and dormitories are safe.

“The agents make many promises. They make the schemes sound attractive. They use different strategies including advertising on wedding invitations.” (Vijaya, a senior field worker for Read Foundation)

Once the contract is signed, the adolescent girls are transported from their rural homes to garment factories to work for the first time in urban areas. They are under the control of the factory or the broker, living in dormitories, where they sleep in shifts. They often work up to 12 hours a day. Many sumangali workers are migrants who do not speak the local language, which exacerbates their isolation and dependency. Wages are only paid at the end of the contract, which can be for as long as three or five years. This gives employers a great deal of power over the young women. The combination of their youth and inexperience, with the power the factories have over them through withholding their pay, makes it almost impossible for workers to complain or join a union.

“Collective bargaining and freedom of association is completely nil among this group of workers.” (SAVE, a local NGO working with FWF in Bangladesh)

Local IndustriALL trade union affiliates report that 90-hour working weeks are common, especially during the peak seasons. Some major exporters will pay overtime wages but many factories do not.

“The tailor would slap them, prick them with his needle and even kick them, for no reason at all.” (Ramya, a ‘helper’ in garment factory, Tirupur, FWF)

The pressure on workers has resulted in widespread reports of worryingly large numbers of garment workers committing suicide in Tamil Nadu – many of them young women. In September 2010 the national Indian journal Frontline quoted police and ‘informed’ sources who stated that over 20 suicide attempts are made every day in the district. Frontline reported that ‘trade unions and labour rights activists blame the high suicide rate in Tirupur on the practices of the garment industry’. Anecdotal reports suggest that sexual harassment played a part in some suicide attempts.
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)
Case Study 2.3
Mining for use in mobile phones – gender-based violence in the Democratic Republic of Congo

This case study shows how scarce and valuable mineral resources necessary for the production of mobile phones can fuel conflict and widespread, extreme gender-based violence. Companies have been under pressure to rid their supply chains of conflict minerals, specifically tin, tungsten, tantalum and gold.

Under the 2010 Dodd-Frank financial reform law, publicly traded US companies must disclose whether they use minerals that originate from central Africa, and what steps they have taken to determine the source of those minerals.

A certification framework developed by a group of African nations has enabled companies to make steps to eliminate conflict minerals from their supply chain. The Regional Certification Mechanism, developed by the International Conference on the Great Lakes Region (ICGLR), is an intergovernmental organization of 12 African countries, established in 2011.

The certification framework has led to a growing list of validated conflict-free mines, which makes it easier for companies to clean up their supply chains.

For further information see: Guardian (UK) “African nations work together to rid supply chains of conflict materials.” Available at: http://www.theguardian.com/sustainable-business/2015/sep/14/conflict-minerals-africa-dodd-frank-apple-ford

Despite the steps taken to rid supply chains of conflict materials, evidence shows that women, as well as girls and boys, in artisanal mining areas are at high risk of gender-based violence. (ITUC/ICEM 2011; Nathan & Sarkar, 2011) In the Democratic Republic of Congo (DRC) young men far from home, family and community dominate the mining camps. In mining settlements where high concentrations of ex-combatants reside, gender-based violence is especially widespread. However, state and non-state security actors around mines are also responsible for perpetrating gender-based violence.

The gender-based violence that occurs as a consequence of the conflict in the DRC is sustained and fuelled by financial gain. Some girls are trafficked into prostitution with false promises of legitimate employment. Rape is a common form of sexual violence committed in mining areas against women and girls, by individuals or groups of men, often under the influence of alcohol or drugs. Rape is such a common instrument of control that the eastern region of the Congo has been labeled the ‘rape capital of the world’. Rape is reportedly mainly perpetrated by those involved in mining and members of the army, but also by police and intelligence service personnel, and mineral traders. Mining communities are also characterized by a high number of forced marriages, often with minors, in some cases after rape, or after a period of service as a prostitute.

A general culture of unsafe sex persists – women are forced to engage in unprotected sex, which increases the risk of contracting sexually transmitted diseases (STDs) and HIV/AIDS. As a result of sexual and gender-based violence, teenage pregnancies and child abandonment have also increased.
The ITUC and global union ICEM (now part of IndustriALL) (2011) have documented the extent of sexual violence in the mining sector and recommend that:

- Multinational enterprises improve transparency and due diligence measures in line with the OECD Guidelines, with full involvement of trade unions, to promote international labour standards in the supply chain and put the issue of violence against women on the agenda of social dialogue.

- Local trade unions create women’s departments and support the organizing of women in trade unions, along with measures to give women voice and improve conditions of work and fair pay, provide training for women and put violence against women on the agenda of social dialogue.

- Local and international women’s organizations raise awareness about women’s rights, precarious employment and violence against women in mining areas, provide literacy education, and improve women’s livelihoods through development programmes.

In the preface to the ITUC/ICEM report, the UN Special Representative of the Secretary-General on Sexual Violence in Conflict stated: I want to commend ITUC and its three affiliated organizations in the DRC, the CDT, UNTC and CSC as well as the ITUC Africa, for their efforts to address the issue of violence against women, including sexual violence. The role of trade unions is extremely important, not the least within the framework of social dialogue. We can all try to be role models by speaking up against the horrible crime that conflict-related sexual violence is, because only by talking about it openly can we together hope to break what has been called history’s greatest silence.
References and further resources

a) References


Module 3: Global supply chains and gender-based violence in the world of work

Learning objectives

At the end of the module, participants will be able to:

- Understand and define gender-based violence and sexual harassment in the world of work.
- Reflect on how this type of violence particularly affects women working in global supply chains, identifying the specific risk factors comprised in global production methods.
- Identify arguments and means to advocate for eliminating gender-based violence in global supply chains.

Module contents

Two briefings:

- Briefing 3.1 – Introduction to gender-based violence in the world of work
- Briefing 3.2 – Gender-based violence in global supply chains

Three case studies:

- Case Study 3.1: The vulnerability of immigrant farmworkers to sexual harassment
- Case Study 3.2: Protecting pregnant workers’ rights in Lesotho – the impact of long working hours
- Case Study 3.3: Dealing with production pressures in the horticulture industry in Ethiopia

Four learning activities (in Part C, electronic format):

- Learning Activity 3.1: What is our understanding of gender-based violence?
- Learning Activity 3.2: Production pressures in the horticulture industry in Ethiopia
- Learning Activity 3.3: The vulnerability of immigrant farm workers to sexual harassment
- Learning Activity 3.4: Exploring the causes of sexual harassment in global supply chains

Target audiences

This module will particularly interest representatives of:

- Lead companies (brands, supermarkets and company CSR)
- Multi-stakeholder initiatives and CSR stakeholders
- Multi-lateral organizations
- Employers and trade unions at national and international level
- Legal and government agencies
- Occupational safety and health specialists, including factory inspectors
- Trainers of managers and workers in factories and farms in global supply chains
- Local trade unions and NGOs supporting worker education
- International and local development programme planners
Briefing 3.1 – Introduction to gender-based violence in the world of work

1. Introduction

This briefing introduces definitions of gender-based violence and highlights the importance of addressing these issues within a ‘world of work’ context, connecting workplaces to public spaces, transport and housing, as well as women’s unpaid roles in the family. In the next briefing, Briefing 3.2, gender-based violence is looked at specifically in relation to global supply chains.

In addition, ideas of masculinities are also socially reproduced and can result in gender-based oppression towards men.

Gender-based violence encompasses violence against women and girls as well as violence against men and boys, people who are lesbian, gay, bisexual, transgender and intersex (LGBTI), and other individuals who do not conform to dominant gender roles (ILO 2012). It has also become widely used to address violence against women as a phenomenon that is related to the gender of both victim and perpetrator.

In particular, gender-based violence is increasingly used to define acts of violence rooted in some form of ‘patriarchal ideology’ with the purpose of maintaining social power for (heterosexual) men. (Council of Europe, 2007)

Violence against women – in the home, in the workplace and in public spaces – perpetuates inequalities between women and men. It is an issue of significant global attention and is a key issue affecting women’s empowerment as identified under the UN Sustainable Development Goals. (UN, 2015)

The UN defines violence against women as:

“Violence against women means any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.” (United Nations, 1993)

For a discussion of the different definitions of gender-based violence see the ILO’s Annotated Bibliography. (Cruz and Klinger, 2011)

Information Sheet 1 provides further information and definitions about gender-based violence as well as the main international instruments from the UN and the ILO that have relevance to gender-based violence.

Summary of key points: gender-based violence in the world of work

- Gender-based violence in the workplace is often invisible, but is a growing problem as more women enter the workforce. The most common form is sexual harassment.
- Both women and men can be victims of sexual harassment and violence – however, it is disproportionately experienced by women.
- The ‘world of work’ includes workplaces, transport and public places, and also takes account of women’s burden of care work.
- Globally one in three women experiences some form of gender-based violence.

2. Defining gender-based violence

This Resource Kit focuses principally on women’s experiences of gender-based violence in the world of work, as women are the vast majority of workers at the bottom of the global supply chain and it is women who overwhelmingly experience violence and sexual harassment. Gender-based violence is reinforced by gender inequalities between women and men, where women hold lower-levels of power than men. However, it is important to note that men and boys are also the victims of gender-based violence. Unequal gender roles have negative effects on men too, as they reinforce men’s power over women and perpetuate unequal societies.
3. Gender-based violence in the world of work

3.1 Defining the world of work

The world of work is a concept developed by the ILO to encompass all aspects of women’s and men’s working lives, both paid and unpaid work. Gender-based violence in the world of work can occur in the workplace itself, in the home, in public places, in employer provided housing and in commuting to and from work. The concept of the world of work also encompasses informal work, such as selling products in the street or artisanal production or piecework in the home.

3.2 What is gender-based violence in the world of work?

Gender-based violence in the world of work includes:

- Bullying, physical and verbal abuse from work colleagues, supervisors or managers.
- Sexual harassment and unwanted sexual advances.
- Sexual abuse and violence, including ‘coercive’ or transactional sex, rape and sexual assault.
- Abuse and harassment around pregnancy.
- Psychological abuse and intimidation.
- Threats and acts of physical and sexual violence.
- Abusive working conditions such as poor health and safety (including building and equipment safety).
- Inadequate or inappropriate sanitary facilities and rules about their use.
- Involuntary excessive long working hours and unpredictable or late demands to work overtime.

“Gender-based violence in the workplace is a serious violation of human rights and an attack on dignity and physical and psychological integrity. Across the world, 35 per cent of women fall victim to direct violence at the workplace, and of these between 40 per cent and 50 per cent are subjected to unwanted sexual advances, physical contact or other forms of sexual harassment.” (European Economic and Social Committee, 2015, para 2.4.1)

3.3 Sexual harassment

The most common form of gender-based violence in the world of work is sexual harassment. Sexual harassment is unwelcome and offensive conduct of a sexual nature that may make workers feel humiliated, intimidated or uncomfortable. It is a violation of workers’ rights. Sexual harassment creates a climate of fear and physical and mental ill health; workers may have to take sick leave or at worst are forced to leave their jobs.

According to the ILO there are two kinds of sexual harassment in the workplace: quid pro quo sexual harassment (demand for something in return for sexual favours) and hostile environment sexual harassment.

This can take many different forms:

- Physical harassment: unwelcome touching, fondling, hugging or kissing.
- Verbal harassment: sexually suggestive, offensive, comments or jokes; inappropriate invitations to go out on dates; intrusive, offensive questions about private life; intrusive, offensive comments about a woman’s physical appearance.
- Non-verbal harassment: inappropriate, intimidating staring or leering; receiving or being shown offensive, sexually explicit pictures, photos or gifts; indecent exposure; being made to watch or look at pornographic material against one’s wishes.
- Cyber harassment: receiving unwanted, offensive, sexually explicit emails or SMS messages; inappropriate, offensive advances on social networking web-sites or in internet chat rooms.

“Sexual harassment is overwhelmingly a problem of women workers. It has nothing to do with normal interaction between the sexes: it denotes scorn of another person, and is used to establish or prove power over others. Sexual harassment produces feelings of revulsion, violation, disgust, anger and powerlessness. Good managers know that it is in the long-term interest of the enterprise to ensure that their employees are treated with respect. While effective legal remedies are necessary, it is also important to ensure that the problem ceases, or better still, never starts. Thus, preventive measures are especially important.”

Source: ILO Combating sexual harassment at work. Conditions of work digest 1/92.
“What is considered sexual harassment in many countries is actually violence, often sexual violence.” (Phil Fishman, Senior Technical Advisor to Better Work Jordan)

3.4 Domestic violence – a workplace issue

The World Health Organization estimates that one out of three women suffers from violence, and this is the leading cause of death among women aged 16-44 years. Domestic violence affects women in all societies of the world, regardless of age or social status, but it has its most harmful effects on ethnic minorities, migrants and the poor, on account of existing social inequalities. Men can also be victims.

Women’s working lives are inextricably linked to their domestic and care roles. A woman who experiences domestic violence from an intimate partner may be stalked by the perpetrator at her workplace, impacting on her safety and that of her co-workers. Her work performance may be affected and she may miss days at work.

The Australian Safe at Home, Safe at Work project provided a methodology for surveys that have been carried out in Australia, Canada, the Philippines, Turkey and the United Kingdom. The surveys point to the importance of measures to respond to domestic violence in the workplace, because it impacts on victims’ health and wellbeing, attendance at work, productivity and security. In particular, women who suffer domestic violence may be harassed by their husband or partner at work, raising safety issues for themselves and their colleagues. In Australia and Canada, among other countries, trade unions have negotiated agreements to give victims of domestic violence entitlements to leave. (Wagnera et al., 2012; Baird et al., 2014)

3.5 Gender-based violence and women’s occupational safety and health

Workplace sexual harassment and violence have a significant impact on women’s physical and mental health, undermining their well-being and confidence and resulting in a working environment based on fear. In the worst cases rape and sexual violence in the workplace, in dormitories attached to the workplace and in travel to and from the workplace, also pose risks for women in contracting HIV/AIDS and other sexually transmitted diseases.

Gender-based violence has costs to employers, whether it takes place in the workplace, in public places or in the home. According to the United Nations it can “…impact the workplace through decreased productivity, increased absenteeism, health and safety risks, and increased healthcare costs for the employer.” (Cruz & Klinger, 2011, p. 13).

UN Global plan to end gender-based violence

At the UN Commission on the Status of Women 2013, 130 governments agreed to promote gender equality and ensure access to sexual and reproductive health services. This global plan recognized that women’s right to control their sexuality is essential to preventing violence against women and that sexual education can help reduce the harmful gender stereotypes that lead to violence. Among the priorities is the establishment of multi-sectoral services for survivors of violence, including for health, psychological support and counselling, as well as the need to protect the right to sexual and reproductive health. For further information see: http://www.un.org/womenwatch/daw/csw/57sess.htm http://www.unwomen.org/en/csw
Increasingly sexual harassment and violence are considered as important occupational safety and health issues. Sexual harassment can include restrictions on the use of the toilet during working hours. There are anecdotal reports of women garment factory workers in Mexico and car assembly workers in Honduras wearing diapers because of severe restrictions on toilet breaks. In addition, temperatures inside factories often exceed 30°C but because toilet breaks are restricted, workers refrain from drinking water. The risk of infection and further medical complications are particularly evident for pregnant and menstruating women.

NGOs such as Women’s Informal Employment Globalizing and Organizing (WIEGO), Homeworkers World Wide and HomeNet have pointed to the increase of suppliers that sub-contract to women home workers, as a means to cut costs by replacing core, full-time workers. In addition, in many garment factories women workers are supervised and managed by men. This results in power imbalances often where women are sometimes forced against their will to work in dangerous conditions and use dangerous substances.

Women’s lack of power often makes it difficult to negotiate safe sex and refuse unwanted sex. When women and girls lack power in the workplace, or if their accommodation is tied to their employment, they face greater risks of sexual harassment and violence, including rape. Young women are particularly vulnerable to coerced sex and are increasingly infected with HIV/AIDS. Over half of new HIV infections worldwide occur among young people between the ages of 15 and 24 years. More than 60 per cent of HIV-positive youth in this age bracket are female. The vulnerability of women and girls to HIV remains particularly high in sub-Saharan Africa which accounts for 80 per cent of all women living with HIV in the world. (WHO & UN, 2010).

On the morning of 24 April 2013, thousands of factory workers went to work in the eight-storey Rana Plaza commercial building just outside of Dhaka. A few hours later the building collapsed, killing 1,137 people and injuring a further 2,500 workers. Most of those who died that morning were women.

Women make up 80 per cent of the 4.2 million strong workforce in the garment export industry and for many, these jobs are the first opportunity for economic independence and a job outside the home. According to UN Women, the Rana Plaza tragedy underlined the double-edged sword this employment has proved to be: “The industry has created tragically unsafe, exploitative and dangerous workplaces where women workers face poor pay, inequality, harassment and violence. Today, while they are four out of five workers on the production lines of Bangladesh’s 5,000 textile factories, only 1 in 20 supervisors is a woman.” (UN Women, 2015, p. 59)

Rana Plaza survivor, Jesmin Akter, was forced to go to work by her supervisor, despite being scared for her life by the large crack in the eight-storey garment factory building. If she didn’t go to work in the unsafe factory she was told she would lose her pay. Later the same day the building collapsed.

Source: IndustriALL: http://www.industriall-union.org/i-was-forced-to-go-up-rana-plaza-victim
The impact of gender-based violence on women’s sexual and reproductive health

*Violence affects family planning and safe sex practices:* It limits a woman’s power to have safe sexual practices that protect them from pregnancy and sexually transmitted infections, including HIV. Violence is not only a risk factor for HIV but also a consequence of status disclosure. Informed choices are jeopardized because women are unlikely to disclose their status due to fear of violence. Young women and those who are forced to have sexual intercourse are more vulnerable to HIV infection.

*Violence adversely affects maternal health:* Women who experience violence are far more likely to delay seeking prenatal care, delay seeking postnatal care, gain insufficient weight, and bleed during pregnancy. They are also far more likely to acquire vaginal, cervical and kidney infections.

*Violence adversely affects pregnancy outcomes:* Violence increases the risk of miscarriages, abortions, premature labour and foetal distress. Violence also is associated with a four-fold increase in low birth weight. Low birth weight is a leading cause of infant mortality.

*Violence directly impacts physical health:* It is common for female victims who have experienced gender-based violence to report trouble walking and or carrying out daily activities due to excessive pain, memory loss, and nausea.

*Violence affects mental stability:* It makes a woman up to four times more likely to have suicidal thoughts and six times more likely to attempt suicide on more than one occasion. 37 per cent of deaths of women aged 15-44 are due to suicide and this percentage continues to increase – GBV or sexual abuse is a particular cause of suicide among young women who suffer irreversible reputational damage.

*Gender-based violence restricts choices and decision-making of those who experience it:* This curtails women’s rights across their life cycle to access critical sexual and reproductive health information and services. It is a risk factor for sexually transmitted diseases (STDs), including HIV, and unwanted pregnancy, in addition to causing direct physical and mental health consequences.

*Integrated responses to violence against women in existing programmes for the prevention of HIV and AIDS, and for the promotion of adolescent health, is recommended by international agencies.*

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.


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 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 hardly, anything will change. We do not want to scold workers, we are forced to do so, since is it 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.

Case Study 3.1
The vulnerability of immigrant farmworkers to sexual harassment

This case study shows how immigrant farmworkers are vulnerable to sexual harassment and violence.

Research by Human Rights Watch (2012) about US female immigrant farmworkers found extensive evidence of sexual harassment, in a sector that is heavily dependent on seasonal, migrant and unauthorized workers. Nearly all of the 52 farmworkers interviewed reported that they had been victims of sexual harassment or knew of workers who had. A culture of sexual harassment and abuse predominates in the sector. Workers were dependent on housing and transport provided by employers.

The case of Patricia (below) is documented in Human Rights Watch’s study on the vulnerability of farmworkers in the US to sexual violence and sexual harassment. It illustrates the extreme risk of sexual violence faced by immigrant farmworkers.

Patricia M.’s Story

Patricia M. was 21 years old when she first came to the United States from Mexico about six years ago. Like most immigrant farmworkers in the US, Patricia did not have a work visa, but she was able to get work. About four years ago, she got a job harvesting almonds. The foreman would pick workers up and then drop them off at the end of the day at a local gas station. She said he repeatedly offered her food and drink, which “bothered [her] a lot,” because she felt he was not offering these things innocently. He insinuated that he could help her, saying, “Listen to me, I’m the foreman, and you’ll have a job.”

On the third day, he dropped off all the workers at the gas station except her. He told the rest of the workers he was going to pick up the water cooler, but instead, he took Patricia to a remote field. “From there, he didn’t say anything, he just stared at me. I was wearing a hat and a bandanna [that covered my face], and he said, ‘What do you have there? An animal?’ And I knew he wanted to do something to me.”

Patricia described him as “fat, very big.” She reported that he got on top of her and tied her hands with her bandanna to the hand grip above the truck door. Then, she said, “He took off my clothes and he raped me.... He hurt me badly.”

Patricia did not tell anyone. She said: “I felt very sad and very alone.” She had no family in the US, and she did not want to tell her family in Mexico what had happened.

After the rape, Patricia continued to work at the same farm. She could not leave the job because there was no other work available. The abuse continued. “He kept raping me and I let him because I didn’t want him to hit me. I didn’t want to feel pain.” Eventually, Patricia found out she was pregnant.

She heard that she could apply for disability benefits and went to a social service agency where the employees asked her whether she had a partner. That question prompted her to tell them everything, and the agency helped her file a police report. Patricia credits the agency for providing crucial support. She still has not told her family in Mexico what happened. Although she told her mother she was
pregnant, she didn’t tell her about the rape, “because I don’t want her to be sick.” Without the counsellors at the agency, she knows she would never have filed the police report: “I was afraid they would put me in jail; I was afraid [they’d] send me to Mexico because I was illegal.”

Patricia stated that the foreman was not prosecuted and sentenced for the crime. Instead, after arresting him, the police seem to have contacted immigration authorities, as he was soon deported. Unfortunately, this does not mean he is completely out of Patricia’s life. She has heard reports from his family that he is planning to come back to the US and see the child. The rape continues to affect her in other ways as well. Patricia is now married, and her daughter is “so beautiful,” despite the painful memories of how she became pregnant. Yet she reports: “Sometimes, I remember and I can’t be intimate with my husband.” She also worries because “I don’t know what to tell my daughter when she gets older.” (Human Rights Watch, 2012, p. 1)
Case Study 3.2
Protecting pregnant workers’ rights in Lesotho – the impact of long working hours (Better Work)

This case study from Better Work Lesotho shows how workers may need support to know and access national pregnancy and maternity benefits which are their legal right – and that managers should know their responsibility to inform pregnant workers. The majority of garment workers in Lesotho are young women so maternity rights at work are of great importance. In Lesotho, Better Work is striving to ensure that the needs and rights of pregnant workers are met.

Mamontseng Habahaba’s story

When 31-year-old Mamontseng Habahaba was pregnant with her third child, she worked as a quality control inspector at one of Lesotho’s 39 garment factories. She didn’t bother telling her supervisor. She figured she would just work until it was time to give birth, unaware of her rights as a pregnant factory worker.

Into her third trimester, she struggled to stay on her feet for her 9-hour daytime shift, and though her pregnancy was obvious, she was not provided with a chair to sit on, nor did she dare to ask for one.

“This is something that cannot be done in this factory,” Habahaba said. “If your work requires you to work standing, you have to work standing, even when you are pregnant.”

Habahaba requested maternity leave when she was seven-months pregnant, and she stopped working at the last possible moment, on 15 January 2014. Four days later, she gave birth prematurely to Molise Habahaba, a 3.6kg baby boy named after his grandfather. The family’s financial strain sent her back to work two months after Molise was born.

Habahaba knew from her supervisor and other colleagues at the factory that she was allowed 12 weeks leave. What she didn’t yet know was that a law amended in October 2013 provided she get paid for six out of those 12 weeks. When Habahaba returned to work, she was only given two weeks’ pay to cover the time she took off. With an extra mouth to feed, she began working overtime even though labour laws prohibit nursing mothers from working extra hours. Habahaba said she did not know she was not supposed to work overtime. And only recently she was aware of the amended law on paid maternity leave.

“We only knew some time ago and we lodged a complaint to our shop stewards and they are working on the issue,” Habahaba said. “However, the workers that came back from maternity leave after we lodged the complaint have been paid six weeks.”

According to Better Work, Habahaba’s situation repeats itself at other apparel factories where pregnant workers face losing out on benefits entitled to them and rights that protect them in the workplace before and after giving birth. The issue is critical, not just in Lesotho, but across the world, where a majority of women factory workers are of child-bearing age.

Better Work’s programme in Lesotho helps protect pregnant workers by offering maternity protection training as part of the Workers’ Life Skills programme. Better Work is training factory human resources managers to understand and observe the law, as well as training peer educators who in turn are training their co-workers.
on maternity health issues. Drilling deeper into the issue, Better Work conducted a series of workers’ focus group discussions with workers from 17 factories to help them and the factories gain better understanding of the needs of pregnant workers.

Better Work learned that:

- Awareness regarding the rights and needs of pregnant workers remains low.
- In a number of factories, workers still get paid only two weeks during their maternity leave despite an amended law that mandates six weeks of paid leave.
- Pregnant workers are not always accommodated at their jobs with lighter workloads.
- Maternity benefits are not always part of the induction training and workers do not receive adequate explanation of their benefits.
- Pregnant workers are often not aware of the safety and health risks at their workplace that could harm their unborn child.
- Many workers report for duty one month after giving birth worried about losing income if they stay at home with their babies.
- Factory improvements, such as a subsidized nursery on site, would help reduce the financial burden for working mothers of newborns.

“Maternity protection in the apparel industry workplace has been a topic neglected for long. We are working together with our partners – unions, employers, government to strengthen the law and promote compliance with it,” said Programme Manager, Kristina Kurths.

Case Study 3.3
Dealing with production pressures in the horticulture industry in Ethiopia

Like many other industries that rely on a large supply of cheap labour, many jobs in floriculture – such as grading, packing, harvesting, tending beds, watering and so on – require limited skills. Many of the workers employed in the industry are poor and vulnerable to exploitation.

Developing Strategies for Change for Women Workers in African Horticulture was a project implemented in Ethiopia between April 2008 and March 2011 by the National Federation of Farm Plantation Fishery Agro Industry Trade Union (NFFPFATU) in collaboration with Women Working Worldwide funded by Comic Relief in the UK. The project was also implemented in Tanzania and Uganda. As part of the project, research was carried out to document working conditions in the sector. This briefing summarizes some of the findings of the research in Ethiopia.

The export horticulture industry in Ethiopia started in 1995 and has been growing steadily since 2002; it now plays a major role in the Ethiopian economy. Most of the farms are foreign owned. Farms export to EU markets, in particular to the Netherlands through both auction and direct markets. Some products are also exported to non-EU markets such as the Russian Federation, Japan and Saudi Arabia. Roses are the main product.

The overwhelming majority of workers in the horticulture sector in Ethiopia are women, mostly aged between 20 and 25 years. The proportion of non-married or single women is higher than married women. Many women are non-permanent workers and they often do not have written contracts so security of employment is a concern.

Workers are often kept on rolling temporary contracts, have unpredictable and seasonal working hours, poor safety and health protection, low wages, long hours and low levels of union representation. Also companies often fail to protect workers from repetitive strain injuries and toxic pesticides.

**Long working hours and production pressures**
Workers in five of the eight farms surveyed complain of long working hours. Overtime is habitually compulsory and frequently exceeds the maximum hours during busy periods, such as peak seasons, public holidays or when orders are increased but delivery dates not lengthened. Women report that because overtime during peak seasons is so excessive they are not able to perform their domestic responsibilities or care for their children. Shifts of up to 15 hours a day, sometimes without a break, are common around Valentine’s Day and Mother’s Day.

**Low wages**
According to the researchers, wages are not always sufficient to meet the basic needs of workers. Although most codes of conduct stipulate that wages must be sufficient to meet the basic needs of workers, salaries in the horticulture sector still remain very low.

**Sexual harassment**
The majority of horticulture workers are women. Sexual harassment and bullying is often a major issue. The study found that six out of eight farms had specific policies on verbal and physical abuse and sexual harassment, designed to prevent sexual harassment. 86.7 per cent of workers revealed that sexual harassment had not occurred in their workplace but it occasionally took place outside of work. 13.3 per cent of workers mentioned that sexual harassment occurred in their work place in the form of unwanted touching, unwelcomed comments and banter.
In 2007 the Ethiopian Horticulture Producer Exporters Association (EHPEA) took responsibility for the development and management of the Ethiopian code of practice for the export horticulture sector. The code includes clauses on freedom of association and collective bargaining, equality of treatment, living wages, working hours, safety and health, pesticides and chemicals, security of employment, the prohibition of child labour and forced labour. During the research, it was found that several farms had adopted or were in the process of adopting the EHPEA code of practice, and five out of eight farms were covered by the International Code of Conduct (ICC) for cut flowers. The research highlighted the need for better implementation of the codes of conduct and that trade unions should continue to play a critical role in ensuring workers are aware of these codes of conduct and in auditing compliance. The research recommended that all stakeholders work together to ensure workers’ rights are fully respected.

Although the farms are unionized and covered by collective bargaining agreements, union activity was still reported to be discouraged by employers; for example, employers were reported to favour non-union workers for promotions over union members and there were cases of dismissal or demotion of union members. **Source:** Women Working Worldwide (2011)
References and further resources

a) References


b) Further resources


Module 4: Whose responsibility?

The governance and partnership framework to prevent and address gender-based violence in global supply chains

Learning objective

At the end of the module, participants will be able to:

- Understand who plays a role in preventing gender-based violence in the world of work.
- Realize which international standards may be used to promote business compliance with human rights and combat violence in the world of work.
- Appreciate the importance of social dialogue and partnerships.
- Identify connections between global action and local action to prevent gender-based violence.

Module contents

Three briefings:

- Briefing 4.1 – Making the case: human rights, economic development and business arguments for eliminating gender-based violence in global supply chains
- Briefing 4.2 – The role of global instruments and frameworks on human rights and labour rights
- Briefing 4.3 – Introducing the partners who can play a role in preventing gender-based violence in global supply chains

Three case studies:

- Case Study 4.1: Ethical Tea Partnership Standards
- Case Study 4.2: US Fair Food Program and Code of Conduct – a new model for addressing sexual harassment on farms
- Case Study 4.3: Challenging sexual harassment in the apparel supply chain through MSI action

Three learning activities (in Part C, electronic format):

- Learning Activity 4.1: Whose responsibility?
- Learning Activity 4.2: Working effectively in partnership
- Learning Activity 4.3: Promoting decent workplaces
Target Audiences

This module will particularly interest representatives of:

- Lead global companies (e.g. brands and supermarkets)
- Multi-stakeholder initiatives and CSR stakeholders
- Multi-lateral and national organizations
- Employers’ organizations and trade unions at local, national and international level
- Legal and government agencies
- Trainers of managers and workers in factories and farms in global supply chains
- Local trade unions and NGOs supporting worker education
- International and local development programme planners.
Briefing 4.1 – Making the case: human rights, economic development and business arguments for eliminating gender-based violence in global supply chains

1. Introduction

This section sets out the human rights, economic development and business cases for workplaces to be free from sexual harassment. Eliminating gender-based violence positively impacts on women’s participation in work and public life, their freedom of movement in public places, and ultimately on the economic development of a country. Many employers recognize the business case for preventing sexual harassment and the negative impact that it can have on profits and competitiveness.

2. Gender-based violence is a violation of human rights

Gender-based violence violates fundamental human rights and is a major barrier to achieving gender equality. The UN regards violence against women as one of the most significant violations of women’s rights across the world.

Human rights were enshrined in the 1948 UN Universal Declaration of Human Rights, and since then a range of international conventions cover gender-based violence. This includes the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), CEDAW General Recommendations 12 and 19, and the 1993 UN Declaration on the Elimination of Violence against Women. In 1995 the UN World Conference on Women in Beijing declared that ‘violence against women is an obstacle to the achievement of the objectives of equality, development and peace. Violence against women both violates and nullifies the enjoyment by women of their human rights and fundamental freedoms’.

Women are entitled to the full and equal enjoyment of their human rights free from discrimination, and all workers, regardless of immigration status, have the right to protection and redress from sexual harassment and other workplace abuses. Crucial to addressing these issues in the workplace are a range of international labour standards that are relevant to preventing and eliminating gender-based violence at work.


See also the infographic from UN Women on women’s human rights: http://www.unwomen.org/en/digital-library/multimedia/2015/12/infographic-human-rights-women

Refer to Information Sheet 1 for information and definitions about gender-based violence, as well as the main international instruments from the UN and the ILO.

3. Gender-based violence is an obstacle to development

Gender-based violence in the world of work is an obstacle to development and implies significant costs for developing country economies. In 2015 the United Nations agreed an ambitious set of new sustainable development goals (SDGs) as a follow on from the Millennium Development Goals. The seventeen SDG goals aim to eradicate poverty and promote sustainable development and prosperity.

Importantly, SDG 5 ‘Achieve gender equality and empower all women and girls’ has a specific goal to “Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.” For further information about the UN Sustainable Development Goals and gender equality see: https://sustainabledevelopment.un.org/topics.
4. The business benefits of addressing gender-based violence

Human rights risks can adversely affect profitability of the businesses involved, for example through operational disruptions, reduced productivity and challenges in securing new business.

"...we have seen first-hand that investing in women’s employment is good for business. Many of our private sector clients and partners know that supporting women’s employment is not only the right thing to do, but benefits the bottom line." Jin-Yong Cai, Executive Vice President and CEO of International Finance Corporation (IFC), quoted in International Finance Corporation (2013) report on investing in women’s employment.

Sexual harassment and violence can have negative business outcomes, affecting brand image, restricting business productivity and profitability, and therefore impacts on economic growth. From a business case perspective, gender-based violence in the workplace causes pain and suffering which can result in victims’ absence from work or leaving their job, ill-health, disability or even death. It can impact on work performance, motivation, staff loyalty, the quality of work and timely production, as well as on the working environment. (Cruz & Klinger, 2011) It can lead to workplace conflict, a failure to retain workers and high turnover of employees, especially where there is nearby competition. The employer faces costs including the cost of sick days, lower productivity and poor concentration and the costs of recruitment and re-training if a person leaves their job. (DFID, 2015a)

Evidence shows that profitability of garment factories improves when working conditions improve. Research from the Better Work impact assessment in Viet Nam demonstrates profitability of garment factories increases as working conditions improve. (Brown et al., 2014; Better Work, 2015) Profitability is boosted by increased productivity among workers in better working environments; the financial benefit accrued by the factory from this productivity improvement is shared with workers in the form of higher wages. Better Work found that in factories which were more compliant with labour standards and had better working conditions, workers were more productive than their counterparts in otherwise similar factories. Better management practices and human resources policies have been shown to creating better business outcomes and higher profitability. For example, Better Work (2015) research found a 17 percent increase in productivity among a subset of Indian textile firms whose managers received information on international best-practice management techniques. Responsible supply chain management has the potential to achieve direct economic benefits as a result of productivity gains by suppliers.

Briefing 4.2 – The role of global instruments and frameworks on human rights and labour rights

There are a number of global instruments and frameworks on responsible business that address human rights and labour-related issues. These are described below.

1. ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration)

The ILO recognizes the important role played by multinational enterprises in the economies of most countries and in international economic relations. It also recognizes their enormous potential to contribute to the goal of decent work for all in today’s globalized world. To guide and encourage their positive contribution to socio-economic development and minimize negative impacts of their operations, the ILO promotes the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration). It is one of the ILO’s key instruments for promoting socially responsible labour practices in the corporate world.

This global declaration, adopted in 1977 and revised in 2006, contains a comprehensive set of guidelines on employment and labour-related issues based on international labour standards (covering general policies, employment promotion, and security, equality of opportunity and treatment, training, wages and benefits, minimum wages, occupational safety and health and industrial relations). Adopted by governments, employers’ and workers’ organizations, it provides specific recommendations on how companies can maximize their positive economic and social impacts and minimize any negative impact.

With regard to gender equality, the revised MNE Declaration incorporates the 1998 ILO Declaration on Fundamental Principles and Rights at Work (that includes the non-discrimination Conventions 100 and 111) in the general principles section, and extends equality of opportunity and treatment in employment in the employment section. It states that “All governments should pursue policies designed to promote equality of opportunity and treatment in employment, with a view to eliminating any discrimination based on race, colour, sex, religion, political opinion, national extraction or social origin.”


2. UN Guiding Principles on Business and Human Rights

In 2011 the UN Human Rights Council adopted the Guiding Principles on Business and Human Rights which contains three distinct but interrelated principles: the state duty to protect against human rights abuses by third parties, including by business; the corporate responsibility to respect human rights through proactive due diligence to avoid infringing on rights of others (‘do no harm’ principle); and greater access by victims to effective remedy. “Guidance to business enterprises on respecting human rights should indicate expected outcomes and help share best practices. It should advise on appropriate methods, including human rights due diligence, and how to consider effectively issues of gender, vulnerability and/or marginalization, recognizing the specific challenges that may be faced by indigenous peoples, women, national or ethnic minorities, religious and linguistic minorities, children, persons with disabilities, and migrant workers and their families.”

Specific reference is made to conflict-affected areas and to “providing adequate assistance to business enterprises to assess and address the heightened risks of abuses, paying special attention to both gender-based and sexual violence. In tracking the effectiveness of implementation, the guidance recommends “using gender-disaggregated data where relevant”. The follow-up mechanism includes
the establishment of a working group on business and human rights, whose mandate includes integration of a gender perspective throughout its work and special attention to persons living in vulnerable situations.

The due diligence concept describes a responsibility for companies to proactively identify, prevent, mitigate and account for how they address their impacts on human rights. The introduction of this concept in the UN Guiding Principles and the 2011 OECD Guidelines for Multinational Enterprises may impact on multi-stakeholder initiatives (MSIs) in two different ways. First of all, it may prove to be a useful concept to transcribe in MSI standards and requirements for companies that participate in the MSI. Furthermore, as part of the implementation of due diligence processes, companies may increasingly seek to link up to MSIs.


3. UN Global Compact

The UN Global Compact (UNGC) asks companies to integrate into their business practices and promote within their spheres of influence a set of ten universally accepted principles covering human rights, labour standards, environmental protection and anti-corruption. It is a global network involving UN agencies, companies, governments, employers’ organizations, trade unions and NGOs. Companies also commit to issue an annual Communication on Progress (COP) report on how they are implementing the ten principles of the UN Global Compact, and supporting broader UN development goals. Today, over 8000 companies from 170 countries participate in the UNGC to share experiences and engage in dialogue through local networks and thematic working groups.

In 2010, the Women’s Empowerment Principles were launched by the UNGC in collaboration with UN Woman. A set of seven principles offer guidance to business on how to empower women in the workplace, marketplace and community and emphasizes the business case for corporate action to promote gender equality and women’s empowerment (see box below).

The Women’s Empowerment Principles (WEPs) – a joint initiative of the UN Global Compact and UN Women – are global principles offering guidance to businesses on empowering women in the workplace, marketplace and community. The WEPs encourage employers to prioritize the safety of their female employees, both in and outside of the workplace. Principle 3: ‘Ensure the health, safety and well-being of all women and men workers’ highlights the responsibility of employers to support victims of violence and to provide a workplace that is free from violence. Suggestions include offering services for survivors of domestic violence; respecting requests for time off for counselling or medical care; training staff to recognize the signs of violence against women; identifying security issues, including the safe travel of staff to and from work; and establishing a zero-tolerance policy towards violence and harassment at work. Principle 7 also focuses on measuring and publicly reporting on progress to achieve gender equality. DIFD (2015b)


4. OECD Guidelines for Multinational Enterprises 2011

The OECD Guidelines are a set of international standards for responsible business behaviour, based on non-binding principles and standards for responsible business conduct in a global context, in line with internationally recognized standards on decent work, equality and collective bargaining. The guidelines place a responsibility on companies to proactively identify, prevent, mitigate and account for how they address their impacts on human rights. For further information on the OECD Guidelines see: http://www.oecd.org/corporate/mne/oecdguidelinesformultinationalenterprises.htm
1. Introduction

Summary of key points

- There are many different stakeholders who can play a part in preventing and responding to gender-based violence in global supply chains at global, national and local levels.
- Multi-agency approaches and partnerships are the best way to achieve workplaces that are free from sexual harassment and violence.
- This requires practical strategies and tools across the supply chain.

This briefing continues the focus on the governance system that can support the prevention and elimination of gender-based violence at work. It introduces some of the main stakeholders that have a responsibility to address sexual harassment and violence in global supply chains. The briefing starts with the duty of governments to prevent gender-based violence, and then refers to the role of non-State actors in eliminating gender-based violence in global supply chains.

Chart 4 illustrates the wide range of stakeholders that can play a role in preventing sexual harassment in global supply chains, and the inter-relationship between global, national and local actions.
2. The role of governments

Effective implementation of legislation, protection of workers’ rights and greater investment in factory inspection are some of the ways in which workers in global supply chains can be protected from exploitation and the risk of gender-based violence.

Governments have a crucial role in reducing inequalities in the workplace through implementing international Conventions, ensuring compliance with national legislation and raising awareness and support for organizations involved in tackling gender-based violence.

Better enforcement of legislation and standards in the context of global production requires governments, employers and trade unions working together to implement solutions through social dialogue. (Barrientos, Kabeer & Hossain, 2004) Governments also have a duty to raise awareness about gender-based violence and establish enterprise taxation policies and minimum wage policies to address the risk factors identified in Module 2.

Effective economic and social policies are also needed to provide economic opportunities, dignity at work and social protection for workers. In Brazil and Cost Rica, for example, enterprise development and social policy reforms have helped to build competitiveness and promote gender equality. In Costa Rica, where the economy has a strong export sector in electronics and agricultural products, government policies have helped to manage the impact of global competitive risks on workers through the introduction of inclusive universal health and education services, and social protection measures. (UN Women, 2015)

However, recent research (LeBaron and Lister, 2016) argues that a reliance on company audits to monitor the implementation of labour standards, whether carried out by companies or NGOs, has had the effect of reducing the role of states in regulating business enterprises and is re-orientating global corporate governance towards the interests of private business.

Labour inspection has an important role to play in implementing and enforcing the legal provisions that promote gender equality. However, in many developing countries labour inspection is under-resourced and often does not give priority to gender equality issues or gender-based violence in the workplace.

The ILO has produced a guide on how to address gender issues in labour inspection, including the knowledge, attitudes and tools by which inspectors can recognize and address gender-related issues. The guide sets out the need to train and provide guidance to labour inspectors on how to identify gender-related issues in the workplace and promote the implementation of national laws and the fundamental ILO Conventions. Suitably trained women labour inspectors who specialize in sectors that employ large numbers of low-skilled women, such as domestic service, the garment sector and horticulture, is another important way to address these challenges. There are some good practices from countries across the world, including in Costa Rica where special campaigns addressed to women workers and young workers by the labour inspectorate have been implemented to protect the rights of pregnant women and adolescents.


An example of State-wide government action is the California Transparency in Supply Chains Act of 2010, which aims to make initiatives for the elimination of slavery and human trafficking visible to consumers. The law covers all retailers and manufacturers that do business in California and have global annual sales of more than $100 million. These companies are required to release information publicly, for example, on their website, concerning their initiatives aimed at preventing human trafficking.
3. The role of non-State actors

This section discusses the three main ways in which non-State actors can play a role in eliminating gender-based violence in global supply chains:

- Social dialogue – employers, workers and trade unions.
- Engagement with lead companies and brands.
- Working with multi-stakeholder initiatives.

Human rights and international labour standards are increasingly reflected in commitments undertaken by industry bodies, multi-stakeholder and other collaborative initiatives, through codes of conduct, performance standards, global framework agreements between trade unions and transnational corporations, among others.

Preventing and responding to sexual harassment in global supply chains can enhance productivity and economic development and ensure decent work for women. This requires the involvement of all stakeholders across a supply chain.

Employers, trade unions, MSIs and NGOs can develop programmes to encourage changes in workplace culture and social norms in order to prevent sexual harassment. The role of local actors, including NGOs and women’s organizations at the local level, is discussed in more detail in Module 8.

Lead companies have a key role to play in promoting decent working conditions; however they cannot drive these initiatives alone. Governments, employers, trade unions and NGOs also have a critical role to play in promoting decent work and in addressing sexual harassment. Initiatives that aim to empower women through social dialogue have a key role in promoting workplaces free from violence and sexual harassment.

3.1 Social dialogue initiatives

Key points about social dialogue (employers, trade unions and workers)

- Social dialogue at the company, sector, national and international levels is crucial to preventing sexual harassment.
- It requires good negotiation systems within companies, commitment to the development of social dialogue mechanisms and the right to freedom of association.
- Gender-awareness training will help trade unions and employers at the local level to fully understand and identify sexual harassment.
- A proactive step is to include clauses related to the prevention of sexual harassment in collective agreements.
- Sexual harassment is found in global production sites and is an issue that can be used to organize women workers into unions.
- Trade union participation in multi-stakeholder activity can help raise awareness of, and prevent, sexual harassment in global supply chains.

According to the ILO “Social dialogue is crucial for shaping an enabling environment to provide better links between economic and social benefits in GSCs.” (ILO, 2015, p. 148) In global supply chains social dialogue can help to secure improvements in productivity, safe work practices and respect for workers’ rights, such as limits on long working hours and improved work organization. (ILO, 2015) Social dialogue initiatives at the global level include international framework agreements negotiated by employers and trade unions that cover workers across a global company and its suppliers.
Definitions

Social dialogue is a process of negotiation between workers and managers, which can result in collective bargaining agreements in specific areas, such as pay, working hours, sexual harassment, violence and dignity at work. Social dialogue varies from one country to another, and can exist at the national, regional, sectoral and workplace level. It is based on the principle of ‘freedom of association’, including the right to form a trade union and negotiate collective agreements, which is embedded in international human rights norms.

Freedom of association and the right to bargain collectively are core labour standards and human rights. This right should be included in all initiatives – without the right to be represented and bargain collectively workers have very little ability to influence their working lives.

The risk of sexual harassment and violence is likely to be higher in workplaces where there is no trade union representation or collective bargaining. Trade unions have an important role to play in helping victims of sexual harassment and violence to understand that they can take action to have their rights respected.

In workplaces at the bottom of global supply chains there are frequently no trade unions, or where they are present, there are weak social dialogue structures. In some instances collective organization is either suppressed or there are inadequate institutional supports and legal frameworks. Social dialogue is crucial if the voice of women workers is to be heard, particularly on issues such as long working hours, access to toilet breaks and complaints’ systems to deal with sexual harassment. All these are issues that can, and are, negotiated in collective bargaining agreements.

However, the reality is that private sector firms and suppliers frequently violate workers’ rights to freedom of association. According to the ITUC (2011) in most cases corporate social responsibility initiatives address these issues by redefining freedom of association and do not focus on the responsibility of business enterprises for their adverse impacts on these human rights. The Better Work programme considers that women need access to independent workers’ organizations that can empower them and represent their interests in the workplace. Trade unions must be able to form, organize and to bargain on behalf of workers. Barriers that prevent them from doing so should be removed. By their own admission, trade unions also need to better represent women workers, particularly in sectors with a high staff turnover.

Worker participation in garment factories in Bangladesh

The Bangladesh Accord is a unique legally binding agreement between brands/lead firms and trade unions in the garment sector and shows a new model of cooperation between global buyers and trade unions. It has opened up possibilities for new solutions to be found to other entrenched supply chain rights challenges, including issues such as gender-based violence and sexual harassment. The Accord focuses on factories with a registered trade union and active Accord signatory companies.

The Bangladesh Accord Occupational Safety & Health (OSH) Committee Pilot Programme commenced in September 2015 with 15 factories nominated by Bangladesh Accord signatories. The pilot programme covers building and fire safety but could be a model for dealing with women workers’ personal safety. It has led to the establishment of Occupational Safety and Health (OSH) Committees, with training for committee members and consultations with employees to inform workers of the existence and functions of the OSH Committee. The Accord training programme for workers and managers who serve on these OSH Committees aims to explain the role of the OSH Committee, establishes workplace OSH maintenance and monitoring systems, and develops labour-management committee joint problem solving techniques.


---

3 ILO Convention 87 on Freedom of Association and Protection of the Right to Organise (1948) and ILO Convention 98 on the Right to Organise and Collective Bargaining (1949)
Social dialogue has played a positive role in progressing decent work for women through addressing sexual harassment in the workplace, HIV/AIDS, maternity protection, equal pay and living wages, in organizing low paid women workers and domestic workers, and in addressing violations of women’s rights in global supply chains. The absence of a specific international standard on gender-based violence in the workplace has led to a call for a new ILO standard on gender-based violence at work. In 2018 the International Labour Conference will consider “Violence against Women and Men in the World of Work” as a standard-setting agenda item.

There are a number of different ways in which trade union action and social dialogue can help identify abuses in global supply chains. Two examples are given below of how trade unions have addressed this issue.

**Union responds to sexual harassment in Ethiopia**

An Ethiopian affiliate of the global union IndustriALL reported that sexual harassment was ‘rampant’ in a factory producing for a German brand. Because IndustriALL had a good relationship with the brand and the factory was organized, IndustriALL was able to contact the brand head office to let them know that there was a problem with sexual harassment. The brand called their factory in Ethiopia and the managers there took immediate action. Some local managers were dismissed and local factory awareness-raising training organized. After this, women members reported that the situation improved. (Based on interview with Monika Kemperle, Assistant General Secretary)

**The collective approach and freedom of association: women informal workers organizing for change in global supply chains**

The Self-Employed Women’s Association (SEWA) was established in India in 1972 and is now affiliated to the International Trade Union Confederation. SEWA has supported home-workers at the bottom of global supply production. It organizes informal workers with the longer-term aim to support women to negotiate for change with employers, sub-contracting firms and buyers and the national and local governments. SEWA provides a range of services to members—including savings and credit, health and childcare, insurance, legal aid and capacity building—to enable women to become self-reliant. SEWA also supports members in negotiations with employers to improve working conditions. For example, SEWA Delhi, in partnership with the UK-based Ethical Trading Initiative, negotiated with lead firms to buy directly from home-based workers rather than through intermediaries in the supply chain. This enabled sub-contracted workers to become self-employed, with their own producer group, and to negotiate better rates for their goods. (UN Women, 2015, p. 119)

**Global Framework Agreements (GFAs)**

The International Trade Union Confederation (ITUC) and Global Union federations (GUFs) covering different sectors of the economy have worked at the global level to implement ILO core labour standards through framework agreements. The GUFs have played an important role in promoting women’s decent work and gender equality through GFAs, policy developments to raise awareness among affiliates at country level and through ILO policy and global programmes.

GFAs, also known as International Framework Agreements, between multinational enterprises and GUFs are an important way in which GUFs and global brands have sought to build international co-operation and joint action in different countries that share common employers. The purpose of GFAs is to stimulate global social dialogue between a multinational company and the representatives of
workers. They aim to promote compliance with ILO labour standards throughout complex supply chains.

Up to March 2014 a total of 142 GFAs had been negotiated and signed between multinational enterprises and global union federations. (ILO, 2014b) Worker and employer representatives monitor the agreements. Through industry-wide bargaining, these agreements enable wages and working conditions to improve for all workers in an industry.

The following four examples of global framework agreements have been negotiated in global supply chain sectors, with a specific focus on sexual harassment and gender-related workplace issues. The agreements are an effective form of collective bargaining to create sustainable improvements in working conditions and help secure living wages for workers. The agreements also have provisions in place for reviewing and monitoring their implementation.

- **Global Framework Agreement between Unilever and the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Association (IUF) and IndustriAll ‘Joint Commitment to preventing sexual harassment’** (2016)
- **Global Framework Agreement between Inditex and IndustriALL on the ‘implementation of international labour standards throughout the supply chain of Inditex’** (2014)
- **Global Framework Agreement between IUF/ COLSIBA/Chiquita ‘Joint Understanding on Sexual Harassment’** (2013)

For example, the most recent agreement, signed in 2016, between Unilever and IUF and IndustriAll is the ‘Joint Commitment to preventing sexual harassment at the workplace’, which is addressed to Unilever management at every level and all employees, including employees provided by third-party labour suppliers. It also contains detailed guidelines for jointly implementing the commitment at every Unilever workplace and for evaluating progress. It builds on work carried out to raise awareness of gender inequalities, for example, under the Unilever programme ‘Winning Balance’, which aims to improve gender diversity in the supply chain. Unilever’s goal was for every factory to have gender balance in every job. IndustriAll, IUF and Unilever have established a gender equality working group spanning two continents.

See Information Sheet 2: Global Framework Agreements addressing gender-based violence, for the full texts of these four examples of global framework agreements.

### 3.2 Multi-Stakeholder Initiatives

**Key points about multi-stakeholder initiatives (MSIs):**

- MSIs are alliances of companies, trade unions and NGOs to promote respect for workers’ rights to tackle issues collectively that cannot be addressed by individual companies working alone.
- Companies with a commitment to ethical trade adopt a code of labour practice that they expect all their suppliers to work towards, usually with reference to ILO Conventions.
- MSIs have different approaches to issues such as auditing, verification of workers’ conditions and relationship to companies.
- MSIs have an important role to play in building capacities with relevant stakeholders along the supply chain. Working alone governments, businesses, trade unions or civil society organizations are unable to solve complex global supply problems.
- MSIs have supported the development of ‘Global Framework Agreements’ whereby a company and the global trade union agree the conditions across a sector.
- MSIs have a key role to play in preventing sexual harassment. Several MSIs have undertaken initiatives, including training, to challenge sexual harassment.

Many producers and suppliers want to comply with requests that come from companies or brands that are members of MSIs as a means to secure future orders from that buyer. Although many of the existing MSIs do not have a direct role in the workplace, they have the potential to influence workplace rights and support new strategies to prevent and respond to sexual harassment. Where trade unions exist in
factories or farms they may find MSI involvement assists in making agreements across a whole sector, such as the Framework Agreement signed by Inditex and the global union IndustriALL.

Auditing has been one of the ways in which ethical trade is monitored. However, many companies and MSIs now acknowledge the limitations of audits, particularly in relation to identifying discrimination and sexual harassment.

The following are examples of how MSIs have addressed sexual harassment:

Ethical Tea Partnership (ETP): has used the Ethical Trading Initiative Base Code for the tea sector to set standards for suppliers in the sector, including a specific standard on discrimination and equal treatment. ETP also carries out equal treatment training for supervisors in tea plantations.

Refer to Case Study 4.1: Ethical Tea Partnership Standards

US Fair Food Program: this programme on decent work and work in dignity has developed a new model for addressing sexual harassment on farms.

Refer to Case Study 4.2: US Fair Food Program and Code of Conduct – a new model for addressing sexual harassment on farms

Fair Wear Foundation has developed a Prevention of Violence Programme in garment factories.

Refer to Case Study 4.3 Challenging sexual harassment in the apparel supply chain through MSI action

There are other national and global initiatives that bring together a range of stakeholders, an example of which is the Better Work partnership between the ILO and IFC.

3.3 Lead company and business-led initiatives

Key points about lead companies/brands

- Lead companies and brands can ensure that their supply chains promote gender equality, decent work and effective implementation of national and international standards.
- Building on the ILO ‘Recommended Action to Increase the Voice of Women in Social Dialogue’, lead companies and brands have a role in supporting initiatives to ratify and implement the key ILO Conventions that address freedom of association and collective bargaining as well as gender equality and non-discrimination, particularly Conventions Nos. 87, 98, 100, 111.
- Specific ways in which lead companies/brands can influence suppliers and prevent sexual harassment include the ending of buying practices that lead to excessive hours.
- Initiatives can also provide support and finance for projects to prevent sexual harassment, through complaints and grievance processes, support for victims, and resources and incentives for training of managers, supervisors and workers on gender-based violence and its negative impact on productivity and well-being.

Lead companies have a responsibility to prevent and address human rights violations in their own operations and in their supply chains. To be able to fulfill this responsibility brands and retailers have to know where their products are being made. Without such knowledge, addressing human rights risks is impossible. Lead firms are increasingly recognizing the importance of tackling gender inequalities across the supply chain. They have significant leverage to ensure that suppliers respect international labour standards and adopt gender-specific measures in their contracting and sourcing policies, in areas such as training, non-discrimination and complaints systems. (Staritz and Guilherme Reis, 2013)

Trade and investment agreements are also important instruments to promote compliance with international labour standards, for example, through commitments not to lower domestic labour legislation in order to
attract foreign trade or investment. However, the ILO (2015) argues that although these commitments are important they rarely address the particularities of global supply chains.

One of the main barriers is that codes of conduct implemented by lead companies often fail to reach workers at the bottom of complex supply chains, particularly where workers are employed through subcontracting, in contract labour, informal work and home work. (Barrientos, Kabeer & Hossain, 2004) In addition, company and multi-stakeholder codes do not always address key gender equality issues such as childcare and the reproductive health of workers (Barrientos et al., 2003).

Lead companies can support changes in factory organization to create workplaces free from gender-based violence, which in turn can influence social norms in the wider community. If there is a culture change in the workplace – women treated with respect and managers and supervisors adopt zero-tolerance approaches to violence against women – there is likely to be a knock-on effect in the communities in which workers, supervisors and managers live.

Social norms are powerful prescriptions reflected in formal structures of society and in its informal rules, beliefs and attitudes. Social norms define what is deemed appropriate behaviour and desirable attributes for women, men, boys and girls, creating gender roles. (World Bank, 2014)

Some lead firms have invested in the sustainable development impacts of their supply chain activities by revising their purchasing and pricing practices through buyer responsibility agreements to deal with cost competition between lead and supplier firms. (ILO, 2015) For example, some lead firms have improved the capacity of their suppliers to deal with fluctuations in demand through annualized hours schemes and multiskilling, which has helped to reduce reliance on temporary employment and balance concerns of competitiveness with the needs of workers. (ILO, 2014a)

A growing number of lead companies are seeking to promote and assess compliance with ILO’s labour standards through company codes of conduct, multi-stakeholder ethical codes and sourcing policies. These initiatives recognize that consumers want to buy products that are supplied by workers who have opportunities for decent work and fair working practices. However, these initiatives do not always reach women in the lowest tiers of global supply chains where sub-contracting takes place.

While some lead companies have adopted voluntary codes of conduct, corporate social responsibility commitments and private compliance initiatives that may contribute to improvements in the monitoring and compliance with labour standards, they often lack transparency and in some cases do not adhere to domestic regulations. (ILO, 2015) The problems of auditing systems are documented in recent research by LeBaron and Lister (2016). Their research found that auditing systems are failing to detect, report and correct labour abuses, poor working conditions and environmental degradation within global supply chains, and are an ineffective way to implement standards. They argue that: “Corporations have embraced CSR goals and ethical audits as an opportunity to preserve their business model and take responsibility for supply-chain monitoring out of the hands of governments.” (p.6) The report cites examples of the failure of audits to detect labour abuses, such as for example, the collapse of the Rana Plaza garment factory in Bangladesh in April 2013 and an exposé of slavery and human trafficking in the Thai shrimp industry in 2014 both of which took place within ‘certified’ and audited supply chains.

A further problem is that lead companies do not always give attention to sexual harassment in the workplace or integrate the issue into their policies and audits. Many critics have noted that regular factory audits do little to address problems rooted in the behaviour of lead companies, such as the effects of excessive price pressure. In addition, corporate initiatives may not address gender inequalities in a systematic way, nor have effective mechanisms to have an impact at factory or farm level, particularly on sensitive issues such as sexual harassment. Gender-based violence is almost impossible to identify via traditional audit methodologies. Workers, for many reasons, are reluctant to discuss their experiences of harassment and violence, and almost never raise the issue with auditors.

In some cases, follow-up investigations of factories that had been audited have revealed discrepancies. Findings differed significantly from those of the audits carried out on behalf of multinational corporations. There is also anecdotal evidence from garment factories of workers signing forms that verify they have
received training, when in fact they have never received the training at all; and of workers being instructed by managers to give the ‘right’ answers to auditors. In addition, gender issues are not systematically integrated into voluntary corporate instruments or in purchasing and contracting practices. Sexual harassment is rarely identified as an issue.

EIRIS, an NGO promoting responsible investment, reported in 2009 on the implementation of core labour standards in company supply chains. The report *A Risky Business? Managing core labour standards in company supply chains* found that 45 per cent of companies analysed in the research had no policy or management system in place to protect labour standards in their supply chain, including a failure to report on the issue. It argues that a breach of supply chain labour standards is a risk to investors affecting company value and performance. It suggests that companies should link their management systems for supply chain labour standards with their internal procurement systems.

Brands hope to demonstrate their commitment to gender equality and labour standards in their supply chain, particularly as consumers have increasingly higher expectations for the way supply chains are managed. And factories want to enhance their standing with the international brands on which their order books depend.

In order to end sexual harassment and violence in garment factories we encourage brands to take positive preventative action against the production pressures in which harassment flourishes: long hours working, unfair power differentials and pay incentives that lead to abuse and pressure on the production line. Brands and suppliers need to address the causes, as well as establish fair complaints’ procedures.

---

**Tool 2: Tips on how brands, lead companies, retailers and supermarkets can reduce the risks of gender-based violence in their global supply chains**

- Become familiar with the various international guidelines for businesses on human rights and how they can be used to prevent gender-based violence.
- Address these issues through social dialogue (with trade unions and workers).
- Partner with multi-stakeholder initiatives to find new solutions to uncovering workplace sexual harassment and violence.
- Work with governments in promoting and implementing labour laws that guarantee decent work and freedom from gender-based violence.
- Aim to promote transparency across all tiers of global supply chains, and particularly where there are sub-contracting arrangements.
- Address pricing, sourcing and procurement policies as part of corporate accountability and ensure that they do not result in adverse pressures on suppliers that may lead to a heightened risk of labour abuses and gender-based violence. Include in this the social and environmental quality of sourced products, as well as production targets and lead times.
- Build long-term buyer-supplier relationships to enable suppliers to improve working conditions on a continuous basis and address gender-based violence in a systematic way.
- Take a proactive approach that addresses the causes of gender-based violence.
- Raise awareness about and provide training on gender-based violence with suppliers and employers.
Examples of lead company initiatives

The following examples of lead company initiatives illustrate different approaches taken, although they are not intended to recommend or endorse any specific approach.

The **Panasonic Code of Conduct on Global Human Rights and Labor Policies** sets out how the company adheres to human rights principles that it expects to be applied to all tiers of the global supply chain (covering prohibition of forced labour and child labour, rights of migrant workers, prohibition of discrimination, decent work and working hours, fair wages, freedom of association and the right to collective bargaining). The Code of Conduct stipulates that labour-management dialogue and collective bargaining are one of the conditions for doing business with suppliers in its Standard Purchase Agreement, and demands suppliers comply with this condition. Specific reference is made to the UN Guiding Principles on Business and Human Rights. An Equal Employment Opportunity Office has been established at each Company and business division, in an effort to provide a place for employees to go to discuss their concerns about sexual harassment. For further information see: [http://www.panasonic.com/global/corporate/sustainability/human_rights/](http://www.panasonic.com/global/corporate/sustainability/human_rights/)

The technology company Dell has drawn up a **Human Rights and Labor Policy Statement** to ensure that all employees are treated with respect and dignity, are working under their own free will, and are paid fairly. Dell is committed to ensuring that they are not complicit in any human rights violations and hold their suppliers and partners to this same high standard. The statement covers freely chosen employment, no child labour, minimum wages, legally mandated working hours and benefits, the right to freedom of association and collective bargaining, and the right to a safe and healthy working environment. On non-discrimination it states that: “We are committed to a workforce that is free of harassment and unlawful discrimination”. For further information see: [http://www.dell.com/learn/us/en/uscorp1/corp-comm/cr-report-human-rights-labor-policy](http://www.dell.com/learn/us/en/uscorp1/corp-comm/cr-report-human-rights-labor-policy)

**Levi Strauss & Co** carried out a **stakeholder consultation** process on human rights standards as part of its global supply chain strategy. This led to a new Code of Conduct with a focus on gender equality and sexual harassment across its global supply chain. However, it found many problems with compliance, monitoring and reporting on its original Code of Conduct. The new approach focuses on five priority areas: economic empowerment; health and family well-being; equality and acceptance; education and professional development; and access to a safe and healthy environment. For information see: [http://www.ceres.org/resources/reports/improving-workers-well-being-a-new-approach-to-supply-chain-engagement](http://www.ceres.org/resources/reports/improving-workers-well-being-a-new-approach-to-supply-chain-engagement)
Case Study 4.1
Ethical Tea Partnership Standards

The Ethical Tea Partnership (ETP) has established a set of standards to ensure that suppliers meet international and national legal obligations. Based on the standards set out in the Ethical Trading Initiative Base Code, they cover the main ILO Conventions. Industry best practice, local law and collective bargaining agreements that are relevant to worker welfare are used to support, clarify and enrich the standard, and to ensure that it is appropriate to the country in which it is applied. In case of contradictions, those provisions that afford workers the greatest protection will be used. The ETP Standard applies to all sites that produce and process tea leaves that are bought by ETP members.

Standard 7 on ‘Discrimination’ calls for equal treatment, equal pay for work of equal value and no discrimination against pregnant women. In particular it states that: “In collective negotiations and industrial relations the parties should respect the principle of equality of opportunity and treatment in employment and occupation, and should ensure that collective agreements contain no provisions of a discriminatory character in respect of access to, training for, advancement in or retention of employment or in respect of the terms and conditions of employment (ILO Recommendation No. 111).”

Standard 9.1 states that: “No Harsh or Inhumane Treatment: Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited.

a) Every employee shall be treated with respect and dignity,

b) There should be a written policy which sets out how employees are treated and that prohibits bullying, harassment and abuse of any kind. This policy should be communicated to the workforce,

c) The employer should set up a grievance/complaints procedure which allows workers to confidentially report harassment or abuse. This procedure should be communicated to all levels of the workforce,

d) Supervisors should be trained in fair treatment of workers and on disciplinary and grievance procedures.”

Examples of sexual harassment include but are not limited to unwelcome sexual advances, unwanted hugs or touches, suggestive or lewd remarks, requests for sexual favours, derogatory or pornographic posters, pictures or drawings, as well as permitting a generally gender-harassing environment.

The ETP carries out training for managers and supervisors in preventing sexual harassment and a training manual on ‘Social Issues’ has been produced with a strong focus on sexual harassment. (For further information on ETP training, see Module 5).
Case Study 4.2
US Fair Food Program and Code of Conduct – a new model for addressing sexual harassment on farms

This case study is an example of a code of conduct that has been implemented in the agricultural sector to promote compliance with international labour standards and to address critical issues such as sexual harassment. The US Fair Food Program is a multi-stakeholder initiative and shows how workers, businesses, retailers and consumers are all part of the solution to workplace sexual harassment.

The US Fair Food Program is based on human rights protection known as ‘Worker-driven Social Responsibility’ where workers play a leading role in the monitoring and protection of their rights. It was established by the Coalition of Immakalee Workers (CIW), a worker-based human rights organization in the USA, which has established a partnership between farmworkers, producers, retailers and consumers. The industry that has seen downward pressure on farmworker wages as retailers aim to leverage their volume purchasing power to demand lower prices. Agriculture is one of the high-risk sectors for trafficking, exploitation and violence.

The code of conduct is based on human rights principles with enforceable zero tolerance policies on forced labour, child labour, violence and sexual assault. It includes prohibitions against sexual harassment, the right to report abuses, fair wages and safe working conditions. Compliance is checked through regular independent monitoring by the Fair Food Standards Council. The code of conduct states that physical forms of sexual harassment will have market consequences for the employer in the form of the curtailment of purchases from participating buyers for at least a three-month period, unless the harasser is dismissed and other necessary corrective action taken immediately once the incident is confirmed. Sexual harassment not involving physical contact triggers a requirement that the employer develops and implements a corrective action plan that is satisfactory to the CIW and to the participating buyer. If the time frame set forth for full compliance is not met, purchases are curtailed until the situation is remedied. The participatory safety and health committees required under the code create a space for workers to address sexual harassment as important safety and health issues in a collaborative process with their employers.

As well as adopting the Fair Food Code of Conduct, growers agree to participate in a worker education programme conducted by the CIW on company premises and in company time. The training directly addresses protection against sexual harassment as an important set of rights under the code. All workers receive a Know Your Rights and Responsibilities booklet that focuses specifically on sexual harassment and a video shown to workers includes a sexual harassment scenario.

When one participating grower failed to respond appropriately to a complaint of sexual harassment, it was removed from the programme. Determined to continue its participation in the programme, and thereby regain its lost sales, the grower chose to engage in corrective action, including dismissing the offender, formulating a sexual harassment policy and carrying out training.

The programme and code provide models for changing the norm of sexual harassment in other parts of the agricultural industry, as well as other industries where women face similarly widespread harassment and violence.

Further information: YouTube “One of the great human rights success stories of our day: the Fair Food Program” https://www.youtube.com/watch?v=BDrOoNGvNJY

Fair Food Program Changes the Norm: Confronting Sexual Violence and Harassment in the Fields: http://ciw-online.org/blog/2012/03/ffp-sexual-harassment_brief/
Case Study 4.3  
Challenging sexual harassment in the apparel supply chain through MSI action

Fair Wear Foundation’s (FWF) violence prevention programme in export-oriented garment factories in India and Bangladesh supports the setting up of factory anti-harassment committees and help-lines. FWF and local stakeholders develop initiatives with factories, as well working with brands to ensure their purchasing practices do not exacerbate workplace verbal, physical or sexual abuse.

The FWF programme operates at three strategic levels:

- **At factory level:** management, supervisors and workers receive training and support to prevent sexual harassment. Practical support is provided to set up and train the anti-harassment committees required by national legislation⁴.
- **At community level:** the project builds networks to provide a supportive environment to workers and new anti-harassment committees, through locally provided training, workers’ helplines and support from local workers’ organizations and NGOs.
- **At international level:** the project uses the influence of FWF member brands with factories to introduce the programme, coach management, train supervisors and workers and support anti-harassment committees.

FWF brands also work towards eliminating business practices that exacerbate violence in factories, such as demands for unreasonably high production targets. Eventually FWF aims to include new requirements to reduce sexual harassment in the verification process for all its brand members.

The following describes the linked steps of the FWF Violence Prevention programme:

**Step 1) Test whether sexual harassment is a problem**

A FWF baseline survey (unpublished) and off-site interviews with workers indicated sexual harassment and verbal abuse was common in garment factories. Interviews with workers took place away from the workplace, making it easier for them to speak out about sexual harassment.

“During the run-up to a regular FWF factory audit we interview workers off-site. Factories are not told which workers are interviewed and strict confidentiality is maintained. These worker interviews are often the source of important insights into conditions and pay in the factory.” (Bablur Rahman, FWF Bangladesh country officer)

**Step 2) Engaging participation and support from factories**

Brands and factory managers were approached to participate in finding solutions to sexual harassment, highlighting the potential business benefits for the factory. FWF offered management and workers training and monthly support for managers and anti-harassment committees. Union negotiators were included in the process, if there was a union.

---

⁴ In India under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 and under a Bangladeshi High Court ruling recommending factories establish Anti-Harassment Committees.
Step 3) Provide training on sexual harassment
Training for managers, supervisors and workers helped raise awareness of sexual harassment in factories. The local trainers were not associated with the factory and were specialists in dealing with sexual harassment. Preparatory training was provided to 1164 female and 571 male workers and the managers at 45 factories in Bangladesh and India. A new component of the programme focuses on training male line supervisors on sexual harassment, who are often the offenders, as well as training of women to become supervisors.

Since many female workers in garment factories in India and Bangladesh are not literate, good use was made of role-plays, art through interactive focus groups and body mapping. (FWF, 2015)

- Refer to Module 6 for more information about the creative tools used to reach workers, including artwork focus group discussions.

Step 4) Factory committees
Technical advice was provided to anti-harassment committees and managers on how to deal fairly and confidentially with complaints of sexual harassment or flag up factory-wide issues, for example, name calling at factory gates or on work buses.

“Workers are hesitant to talk to senior management, so the fact that they now have representatives who are at the same level as them has really helped them to discuss these matters. And I think communication is really the key – once you start talking about something, the men and women, then these kinds of incidents are reduced.” (Indian factory owner who joined the FWF violence prevention programme)

The training helped managers to see that preventing sexual harassment can bring benefits to the factory and was an important early step towards giving workers some voice.

Step 5) Local harassment helplines
FWF telephone helplines staff, trained to deal sensitively with sexual harassment complaints, provided independent advice and a reporting mechanism for workers. Many of the early calls to the FWF helpline concerned sex discrimination – such as pregnancy dismissal or overtime – but gradually they became trusted to deal with sexual harassment.

“When FWF started handing out cards with the hotline information instead of putting the telephone hotline number on the factory wall, there was a big increase in the number of calls from women workers.” (Suhasini Singh, FWF India country officer)

Step 6) Provide practical support
Factory committees received regular training and technical assistance, such as legal advice and help with identifying sexual harassment.

Step 7) Develop model policies and procedures
New model factory sexual harassment/violence prevention policies and complaints procedures were developed by FWF for factories to adapt and implement.

Step 8) Expand social dialogue
Ending sexual harassment proved a useful starting point for employers and workers to develop initial social dialogue, particularly as many factories have no history of management-worker negotiations or trade unions.
Participation in the project has led to a shift in some managers’ attitudes towards sexual harassment in the factory. As a result of the success of the FWF violence prevention programme, some European clothing brand members include participation in the programme as part of their business negotiations with factories. This provides a motivation for factories to participate.

“Initially many factory managers denied that sexual harassment even existed. But it was noticeable that some of the younger factory managers (often the better-educated sons of factory owners) were keener... on maintaining a good working environment. Eventually, with the support of some of our brand affiliates, we got together a small critical mass of factories in Bangladesh and India. Once we started running our management and worker education training programmes, we had managers from other factories come and ask to join the programme because they heard the training is good – and it helps them comply with the law.” (Juliette Li, FWF Violence Prevention Programme Coordinator)

FWF’s violence prevention programme gives ground for encouragement. Factories and clothing brands are beginning to work together more effectively to challenge a culture of violence against women and see the benefit of constructive social dialogue. An important outcome is that workers are beginning to speak out about problems and to suggest solutions to factory problems. FWF’s initiative on preventing sexual harassment is expanding and has been integrated into a five-year Strategic Partnership (2016-2021) between FWF, Dutch trade unions and the Dutch Ministry of Foreign Affairs.

“Working conditions for women have changed dramatically after the intervention of the anti-harassment programme in our factory. After the anti-harassment awareness training, I am able to analyse sexual harassment of many kinds. Some are explicit and some remain implicit...if a woman does not feel comfortable working in a factory, productivity must suffer.” (Ms Morsheda, aged 26, a senior operator and Anti-Harassment Committee President in India, quoted in UN Women, 2014)

References and further resources

a) References


LeBaron, G. and Lister, J. (2016). Ethical Audits and the Supply Chains of Global Corporations. SPERI
b) Additional resources and further reading

**Resources for employers and suppliers in global supply chains**

The ILO Helpdesk for Business provides expert assistance services to companies on implementing the principles of the MNE Declaration and the international labour standards, including issues related to non-discrimination and equality. See: [www.ilo.org/business](http://www.ilo.org/business)

ILO E-learning programme of the MNE Declaration: [www.ilo.org/mnelearning](http://www.ilo.org/mnelearning)


Institute for Human Rights and Business:  http://www.ihrb.org


Further information on advocacy organizations working specifically on labour rights in global supply chains

Centre for Research on Multinational Corporations:  http://www.somo.nl

SOMO Fact Sheets on the textiles and garment industry (child labour, sub-contracting, unsafe factory buildings, socially responsible public procurement and migrant labour):  http://www.somo.nl/publications-en/Publication_4230/

Good Electronics is an international network on human rights and sustainability in electronics. It brings together networks, organizations and individuals that are concerned about human rights, including labour rights, and sustainability issues in the global electronics supply chain. It includes trade unions, grass roots organizations, campaigning and research organizations, academia, and activists. For further information see:  http://goodelectronics.org/about