



WOMEN WORKERS IN GLOBAL SUPPLY CHAINS: RIGHTS AND REMEDY

Ensuring the Human Rights of Women Workers in Global Supply Chains

Women are often the majority of workers in labour intensive export production in low-income countries. They are concentrated in low-paid, low-skilled, casual work, and are often vulnerable to poor labour conditions and exploitation.

At the same time, some leading companies are seeking to improve gender equality across their supply chains.¹ They are doing this for two reasons: firstly, they recognise their UN Guiding Principles responsibilities to respect human rights, prevent and remedy harm caused to women workers; and secondly, because with greater gender diversity they are more likely to experience commercial success than their competitors.²

Challenges Women Workers Face

Women workers often face gender barriers in global production. They face discrimination in pay, the types of jobs they do, opportunities for skills training and promotion. They are often subject to sexual harassment and gender violence at work. Because women often carry most of the responsibility for their families and households, inflexible working hours and excessive overtime have a major impact on their health and the wellbeing of their families.

Women are less likely than men to have permanent contracts and their work is more insecure. As such, women are excluded from in-work benefits, such as maternity leave, childcare or sick pay. They are less likely to be unionised.

Many transnational companies have established codes of labour practice in their global value chains that are based on key ILO conventions. But while voluntary codes have had some positive effects improving measurable standards, such as health and safety, there has been limited progress in demonstrating less-visible but critical enabling rights - particularly freedom of association and non discrimination.³

Business and Women's Human Rights

The UN Guiding Principles on Business and Human Rights (UNGPs) provides a framework for governments and business to avoid negative impacts on human rights.⁴

The UNGPs state that in order for companies to meet their responsibilities to respect human rights, they need to undertake human rights due diligence to assess and address the impact of their operations on people affected by their operations and their global supply chains.⁵

Gender must be factored in to corporate due diligence processes, because women are likely to experience greater harm than men because of the discrimination they face. Yet this dimension is rarely seen in human rights due diligence assessments by leading companies, and the vast majority of companies in the world fail to address their human rights responsibilities.

Kenyan Flower Industry

The Kenyan flower industry provides a good example of tackling harmful gender impacts and advancing gender equality in an industry in which 75% of workers are female.

In the early 2000s NGOs, human rights, civil society and trade union organisations in Kenya and Europe campaigned over poor labour conditions for women workers. These included women workers on constantly-renewed temporary contracts, violations of health and safety rules in greenhouses, and endemic sexual harassment by male supervisors. Over and above this, there were often demands for unplanned overtime because last-minute orders placed by buying companies. This caused problems for childcare and women were subject to additional risks of sexual harassment because of the long hours and night-time journeys to and from work.

Kenyan NGO, trade union and human rights organisations played a critical role in raising issues. A complaint was made to the UK Ethical Trading Initiative (ETI) by an NGO member about supermarket sourcing. This led to investigations by ETI staff, and involved visits to Kenya by the supermarkets and NGO representatives. A number of changes resulted in the leading flower farms that included:

- Sound gender policies on workers rights, training, promotion and grievance procedures
- Participatory social auditing to identify issues facing women workers
- Converting women workers from temporary to permanent workers, enhancing their job security and rights
- Increase in women workers' trade union membership and inclusion under collective bargaining agreements
- Setting up gender committees on farms, providing a channel for women workers to voice grievances
- Longer lead times for delivery provided by some supermarkets
- Improvements in Kenya's employment law in 2007 further helped to enhance national labour standards

Over time, more women became supervisors and moved into managerial positions; and there was a significant reduction in reporting of labour abuse and sexual harassment. Procedures are now in place for reporting and remedy if problems do occur.

The business benefits of the changes soon became clear. Enhancing the rights of a largely female workforce led to lower labour turnover, more committed skilled workers, higher productivity and quality.⁶ But there is still a long way to go: workers are still fighting for the right to a living wage and are working with trade unions and civil society organisations to further realise their rights.

Effective Remedy for Women Workers

Remedy is a key element of the UN Guiding Principles. The Kenyan flowers case study provides a good example of enabling access to remedy based on a collaborative and progressive approach.

It was recognised that there were no quick fixes, but companies needed to understand the impact of their actions on women in their global supply chains. They recognised the value of engaging with civil society organisations and trade unions, and most importantly, to listening to the needs of women workers themselves. The government recognised their responsibilities to improve protection of labour rights by revising employment law. This had a positive impact on the flower industry, one of Kenya's most valuable export commodities.

Effective remedy of labour abuses arose from an 'all roads' approach involving a number of actors and dimensions:

- Civil society and trade unions: played a key role in Kenya and Europe in by raising and monitoring labour abuses
- Business: UK supermarkets and flower farms improved their gender policies
- Government: employment legislation raised labour standards

Systemic change in employment contracts, legal rights, worker representation and voice helped to address the underlying causes of labour abuse of women workers.



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Conclusion

Companies operating through global supply chains employ hundreds of millions of women and men workers to produce consumer goods.

More proactive strategies to respect and promote human rights and gender equality benefits women workers, their families and communities. There is also a business case for this: raising the status and respecting the dignity of women workers can lead to increased productivity, improved quality, market expansion and lower turnover of staff.

There is much to learn and build upon from this example. And much more that can be done, such as:

- **Lead by example:** ensure company employment policies and global sourcing principles promote human rights and gender equality;
- **Due diligence:** assess actual and potential human rights risks across global supply chains, with a particular focus on workers who are vulnerable to discrimination including women workers;
- **Collaborate:** with national governments, independent trade unions, NGOs and multi-stakeholder initiatives to ensure the rights of women workers are protected and respected, providing them with access to effective remedy;
- **Demonstrate:** the benefits of respecting human rights and non-discrimination for women workers, their families and communities, as well as business.

References

¹'Gender' refers to socially constructed roles and behaviors of men and women, rather than biological differences based on sex. 'Gender equality' relates to equality of opportunity and access for women and men to work, assets, income, wellbeing, rights and voice.

² <https://www.mckinsey.com/business-functions/organization/our-insights/why-diversity-matters>

³ <https://www.ethicaltrade.org/resources/eti-impact-assessment-report-summary>

⁴ <http://www.ohchr.org/EN/Issues/Business/Pages/WGHRandtransnationalcorporationsandotherbusiness.aspx>

⁵ <https://www.ethicaltrade.org/resources/human-rights-due-diligence-framework>

⁶ See: IFC. (2013) Investing in Women's Employment: Good for Business, Good for Development. International Finance Corporation. bit.ly/2j8tKhu

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