

TRAINING MANUAL

ENHANCING AFRICAN TRADE UNIONS' CAPACITY FOR PROMOTING GENDER EQUALITY: FOCUS ON POVERTY, INFORMAL ECONOMY AND HIV/AIDS

PREFACE

As an integral part of its efforts and commitment to build the Trade Unions' gender capacity, the ILO/OATUU Gender Project for African Trade Unions (GEPATU) has prepared this training manual, on “Enhancing African trade unions' capacity for promoting gender equality: Focus on poverty, informal economy and HIV/AIDS,” to facilitate the design and conduct of training sessions by the trade unions, and also advocacy work such as by women's organizations.

Increasingly, trade unions are broadening the scope of their work to reflect major concerns in their environment such as gender inequality, poverty, the challenges of HIV/AIDS and the informal economy, which also have direct and indirect implications for them. To face this task, they require special skills and capacity building through training. They also need new tools specifically dealing with these topics to underpin this capacity building effort. It is with this in mind that the current ILO/OATUU GEPATU project invested time, resources and effort to produce this manual to be used by trade unions and other civil society groups in the project countries.

The production of these Gender Mainstreaming Tools for trade unions is part of the OATUU and ILO's effort to ensure that trade unions develop the culture of mainstreaming gender in their day-to-day activities and into the culture of their organisations.

Through the Netherlands Partnership Project -NPP with the ILO, and the Dutch-funded Project “*Gender mainstreaming project for African Trade Unions (GEPATU)*”, these tools have been prepared to provide a more focused approach to gender equality issues in the trade unions.

The tools are expected to enhance the promotion of equality and decent work for both men and women. They have been developed with assistance from the Bureau for Gender Equality and trade unions from the six countries benefiting from the Project namely: Ethiopia, Ghana, Guinea, Mali, Sudan and Tanzania.

Gender mainstreaming has been established as the internationally agreed strategy to promote gender equality. It has been defined by the UN Economic and Social Council as, “the process of assessing the implication for women and men of any planned action, including legislation, policies or programmes in any area and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.”

Gender mainstreaming cannot be achieved overnight. It is a continuous process, which can be executed at different levels, e.g at the individual, household, community and national levels. It informs and transforms the existing culture to be able to respond to gender equality concerns

Since the manual is considered as work in progress that will be continually up-dated to incorporate new insights and experiences, GEPATU would appreciate receiving feedback from users.

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Secretary General
OATUU

ACKNOWLEDGEMENT

The Organization of African Trade Union Unity (OATUU) is proud to be co-initiator of the gender project for African Trade Unions (GEPATU) with the ILO's Bureau for Gender Equality in Geneva, Switzerland.

Until some few years ago gender issues have not been given serious consideration by the trade union movement. This has resulted in the lack of knowledge about gender and the positive contribution it could make to personal and institution development of workers, trade unions and the community at large.

Our deepest appreciation goes to the members of the OATUU's Commission on Working Women who championed the cause of Gender Mainstreaming in tandem with the OATUU's Section on Women Workers' Activities. The result was the drafting of the gender policy and the persistent call for gender mainstreaming which resulted in the policy change during the pre-congress workshop on Gender held in Johannesburg on the 7th September, 1999. They actually deserve the credit for initiating the gender mainstreaming process within OATUU.

The first draft of this manual was done by three consultants; Elizabeth Akpalu, Kathy Addy and Kwame Dwamena Aboagye. This draft document was taken through a validation workshop which was attended by participants from Ghana, Mali, Guinea and Tanzania, to whom we express our gratitude for their enormous contributions to the improvement of this manual.

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The final version of this manual was put together by Dr. Eugenia Date-Bah. We thank her sincerely for finding time out of her busy schedule to review the whole manual.

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Let the message of this manual be: Gender equality is a must for building stronger unions, more sustainable and cohesive unions. Together let us work for its achievement.

Ann Amoah
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LIST OF ABBREVIATIONS AND ACRONYMS

ABC	Abstain, Be faithful, use Condom
AFRO	African Regional Organization
APRM	African Peer Review Mechanism
CBA	Collective Bargaining Agreement
CETU	Confederation of Ethiopian Trade Unions
CNTG	National Confederation of Guinea workers
GAD	Gender and Development
GDP	Gross Domestic Product
HIV	Human Immune Virus
HIV/AIDS	Human Immune Virus/Acquired Immune Deficiency Syndrome
ICLS	International Conference on Labour Statisticians
ICPD	International Conference on Population and Development
ICT	Information and Communication Technology
ILC	International Labour Conventions
ILO	International Labour Organization
LET	Labour Enterprises Trust
MDGS	Millennium Development Goals
NEPAD	New Partnership for Africa's Development
NGOs	Non-Governmental Organizations
NOTU	National Organization of Trade Unions (The central trade union body of Uganda)
OATUU	Organization of African Trade Unions
OECD	Organization of Economic Cooperation and Development
ONSL	Organisation Nationale des Syndicats Libres
PLWHA	People Living With HIV/AIDS
PRA	Participator Rural Appraisal
PRSP	Poverty Reduction Strategy Papers
SADSAWU	South African Domestic Service and Allied Workers' Union
SAP	Structural Adjustment Programme
SEWA	Self Employed Women's Association
SMEs	Small and Medium Scale Enterprises
SOEs	State Owned Enterprises
STI	Sexually Transmitted Infections
SWTUF	Sudan Workers Trade Union Federation
TB	Tuberculosis
TUC	Trades Union Congress (Ghana)
TUCTA	Trade Union Congress of Tanzania
UNO	United Nations Organisation
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Educational Fund
UNTU	National Union of Malian Workers
VCT	Voluntary Counselling and Testing
WDR	World Development Report
WID	Women in Development
ZCTU	Zambian Congress of Trade Unions

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BACKGROUND TO MANUAL

BACKGROUND TO MANUAL

0.1 Introduction

Gender equality is a basic human right and a critical element for social progress development and an inclusive democratic society. It permits society's full harnessing of the contributions of all men and women. Yet gender equality continues to elude society, for example in the world of work. The four world conferences on women organized by the United Nations Organisation from 1975 to 1995, as well other international and regional initiatives, provided valuable assessment of the situation and identification of the strategies necessary to address persisting gender inequality and other problems. The trade union, as a democratic institution, concerned with workers' rights and other social, economic and political concerns, recognize the need not only to fight against gender discrimination but also to mainstream gender sensitivity in their structure and work, such as in relation to poverty, HIV/AIDS and the informal economy in which most of the labour force in Africa, especially women are engaged. To-date, however, there remain major gaps in the trades unions' work in this area due to the unions' inadequate gender capacity and awareness. There is therefore the need for a training manual to support such work.

During 2003 the OATUU Executive Council and the OATUU Women's Committee with the assistance of ILO undertook an in-depth analysis of the gender gaps within the trade union regionally and nationally at institutional and operational levels. While efforts had been made in recent years to develop a comprehensive OATUU gender policy and to appoint more women into leadership positions, many challenges remained in the actual implementation of the policy at all levels. This was due to the great need for gender awareness and capacity building at community, national and regional levels so that the trade unions can effectively organize and defend the rights of poor women workers (the majority of whom are in the informal economy) to enable them to have access to training and decent jobs. There is also the need for greater commitment of the mainly male trade union leadership to the pursuit of gender concerns.

On the basis of this analysis, a revised gender policy, gender mainstreaming strategy and programme for gender sensitization of trade union leaders, capacity building of trade union members, tools development, information, research and advocacy, and mechanisms for monitoring, reporting and evaluation were drawn up by the OATUU Secretariat together with the OATUU Women's Committee. In addition, proposed amendments to the OATUU constitution and other statutes to reflect gender equality concerns were elaborated. These were subsequently approved by OATUU's 8th Congress, held in Khartoum in January 2004.

In addition to the constitutional amendments, the OATUU Secretariat took a decision to establish, with ILO's support, a programme of gender mainstreaming to address its members' needs for education on gender equality issues and also on how to integrate such issues into their work. In March 2003, the OATUU Secretary General requested technical assistance from the ILO Gender Bureau to review OATUU's gender policy with a view to revising it. The ILO Gender Bureau and OATUU held further discussions in June 2003 in Geneva.

As a follow up to these consultations, a gender-training workshop was held from 27-30 October 2003. Its objectives were as follows:

- Contribute to the development of participants' skills in dealing with gender issues in their unions;

- Discuss ways in which the unions can work together to accelerate the promotion of gender equality in trade unions;
- Share experiences and best practices in gender equality issues in the unions;
- Develop technical assistance programmes to enhance the capacity of OATUU and its affiliates to deal with gender issues.

Trade union representatives from 12 countries (14 women and 5 men) and the OATUU Secretariat staff attended the workshop. The workshop addressed gender issues in trade unions, gender as human rights issues, gender equity, gender equality and gender mainstreaming concepts, gender equality and decent work in ILO.

What was adopted, namely the gender mainstreaming strategy and action plan, at the 8th Congress of OATUU, which was held in January 2004 in Khartoum, Sudan, emanated from the above. The strategy and action plan included the following:

- Supporting national trade union centres to mainstream gender in their work and in the identified thematic areas of poverty, informal economy and HIV/AIDS.
- Awareness raising and capacity building at community, national and regional level for trade unions and civil society to be able to effectively organize and defend the rights of women workers, the majority of whom are in the informal economy and need to have access to training, social protection and decent jobs.
- Sensitization of trade union leadership to ensure greater accountability and commitment of the mainly male trade union leadership towards gender mainstreaming;
- Sharing lessons from national experience. (Flyer on GEPATU).

The project (GEPATU) established to deal with the above work also included promoting collaboration between the unions and civil society bodies, in particular women's organizations. Specifically, the GEPATU project seeks to strengthen the institutional capacity of OATUU to implement its gender equality policy as well as its consolidated gender equality programme. The project seeks to facilitate basic education and legal literacy programmes for selected national affiliates of OATUU to address gender inequality issues in the world of work, particularly in relation to poverty, informal economy and HIV/AIDS. The strategy is to build on the multiplier effect by training trainers and creating a critical mass of trainers for the six targeted countries (Tanzania, Ghana, Mali, Sudan, Ethiopia, Guinea). The trainers will include gender focal points, education officers and executive officers from each of the national affiliates and Women's Organizations with whom networks will be built, such as in organizing the informal economy workers.

The project also seeks to build on, or adapt existing ILO and other relevant tools in the designated areas. The project will draw on synergies existing in the ILO and with other partners at national level to produce good training materials for the labour movement in the intricate areas of gender, poverty, HIV/AIDS and the informal economy. The training of trainers will be followed by a sensitization session of the leadership of the national affiliates and national workshops.

The six countries to be covered by the project are poor countries and most of them are undergoing a form of poverty eradication programme including various stages of the Poverty Reduction Strategy Papers (PRSP). The national processes of PRSP also lack systematic and effective participation of the ILO's social partners (employers, workers) as well as other civil

society bodies and other important players in the assessment and design of national, social and economic programmes aimed at reducing poverty. The labour movement has expressed its lack of voice in national decisions that affect its membership directly, such as with regard to poverty reduction. In this regard, OATUU advocates social dialogue as a necessary and best approach to the PRSP processes. Even where the principle of participation and social dialogue has been achieved, OATUU recognizes the lack of effective participation due to minimum technical capacity of the labour movement. Through education and literacy in the project, the labour movement in the selected countries will be able to contribute effectively to the poverty eradication process through better understanding of the critical gender dimension of decent work and poverty. As social dialogue is also at the heart of the success of the PRSP processes, the project will add value in making the unions aware of the importance of their contribution at the national and continental levels.

HIV/AIDS has been identified as a critical problem on the African continent. Most countries of sub-Saharan Africa, including those included in the project, consider HIV/AIDS as an alarming crisis. In this regard, multifaceted strategies continue to be adopted to fight the pandemic. Because of the horrendous adverse impact of HIV/AIDS, the pandemic has to be mainstreamed into poverty reduction and other national programmes. Through the GEPATU project, the participation of the labour movement and other community organizations will be able to properly articulate the intricate dimensions of gender and HIV/AIDS in relation to poverty eradication. The project will give the labour movement the analytical capacity for dealing with the interrelated dimensions of gender, poverty and HIV/AIDS and thus equip the labour movement to negotiate national social and economic programmes in relation to PRSP and other programmes and initiatives such as MDGs, NEPAD and UNDAF.

The lack of capacity of the formal economy to absorb the labour force is another common denominator across the countries covered by the project. It is not uncommon to find more than 80% of the active labour force engaged in the informal economy of the designated countries. The labour movement is concerned because a number of its members who face retrenchment may find themselves in this economy where labour is yet to make a major inroad. It is therefore in the interest of the labour movement to understand the dynamics of the informal economy to be able to contribute to their unionization.

In addition to the above, the project sees the need for a multifaceted and an integrated approach, developing and disseminating relevant gender-sensitive training and advocacy tools to be used by OATUU and the national trade unions in Africa to strengthen their work to mainstream gender, such as in relation to poverty, informal economy and HIV/AIDS; and training of the community and the national trade union leaders and members on women workers' rights and gender issues in the world of work. The programme is to be implemented at both regional and national levels. The latter will include, out of the OATUU affiliates in over 50 African countries, the following: unions in Ethiopia, Confederation of Ethiopian Trade Unions (CETU), Ghana, Trade Union Congress (TUC), Guinea, Confederation Nationale des Travailleurs de Guinée (CNTU), Mali, Union Nationale des Travailleurs du Mali (UNTU), Sudan, Sudan Workers Trade Union Federation (SWTUF) and Tanzania, Trade Union Congress of Tanzania (TUCTA) and with the technical support of the project's staff based at OATUU.

0. 2 Specific purpose of the tool

The manual has been prepared as an essential tool for the effective training of trade unions and civil society groups on gender equality as well as to aid these bodies in seriously considering gender in their work on poverty, informal economy and HIV/AIDS. Owing to the different experiences of women and men with regard to poverty, HIV/AIDS and the informal economy, the trade unions and other bodies that want to respond to them need to be conversant with such gender concerns. This is to enable them to mainstream gender in their policies and action programmes and also to deal in an effective and gender sensitive manner with these major and interlinked challenges of our time.

The manual is essential reference for the trade unions in organizing gender training for their members and in building the gender capacity of their structures. Apart from the introduction, it consists of a set of four modules: a general one on gender equality and the trade unions; and specific ones on each of the key topics. It provides instructions and resources to assist the facilitator/trainer not only to make presentations but also to facilitate discussion and group work. It can be used by itself or in combination with other materials on trade unions, other civil society groups as well as on poverty, HIV/AIDS and the informal economy, such as in a specific country.

0.3 Learning Objectives

Among the **specific learning objectives** envisaged are the following:

- Trainees' full understanding of gender equality concerns within the trade unions (and other civil society bodies).
- Trainees having the capacity to plan responses to the gender challenges of poverty, the informal economy and HIV/AIDS as an integral part of the work of trade unions.
- Trainees having the capacity to train others on the inter-linkages between gender, poverty, the informal economy and HIV/AIDS.

0.4. Target groups

The manual is intended primarily for local trade union members at the level of policy implementation including female and male educators/trainers, researchers, gender officers; other trade union trainers and GEPATU staff. It can also be used by women's organizations and other relevant civil society groups in their gender advocacy work. This is also in accordance with the emphasis placed on such organizations by the Government of the Netherlands that funds the GEPATU project.

0.5. Learning strategy adopted

The manual employs a combination of several learning strategies to reinforce each other. They include face-to-face presentations, group work, interactive and participatory approaches. Participants in the training course are challenged to think critically, develop gender skills, solve problems creatively and plan and apply what they have learnt in a flexible manner. It recognizes that both trainers and participants (the learners) bring useful knowledge to the course, even though the latter is the focus of the activity. The participants, for example, bring their experience and insights to the training to enrich the learning experience. Because of the

above, and the fact that the intended target group consists of adults, an adult learning methodology is envisaged, emphasising active learning through, for example, case studies and problem solving.

The training is premised on having several cycles which start with gender needs' identification of the trade unions and the personal profiles of the intended target group. This should be followed by the design of a training programme, using modifications of the current tool to respond to such needs. After this, there is the development and production of the specific learning content, media and environment, then the actual delivery of the training programme, the monitoring of each of its steps and finally the evaluation. It should be borne in mind that the training can be reinforced by other tools, study tours and other measures which can stimulate adults, like trade unionists, to learn. The monitoring and evaluation should provide the necessary feedback and scope for fine tuning the tool and the training it is used for to further enhance their efficacy. The training envisaged with the tool is a dynamic and flexible one.

The usage of the manual can also be supplemented by other existing ILO and non-ILO tools on gender issues and also on trade union activities. Examples of these tools are the following:

- ILO: *Modular package on gender, poverty and employment* (Geneva, ILO, 2000);
- ILO: *Promoting gender equality: a resource kit for trade unions*;
- Olney, S., Goodson, E.; Maloba-Caines, K.; O'Neill, E.: *Gender Equality: A guide to collective bargaining* (Geneva, ILO, 1998); and
- ILO ACTRAV/NOTU: *Trade union actions against HIV/AIDS in Uganda* (Kampala, 2005).

Apart from its use as a tool for training and education, the manual can also be used for the following:

- advocacy to inform trade unionists and the wider public about the trade unions' gender equality role;
- a tool for action (as the tool contains ideas that can be adapted for action); and
- sensitization or awareness raising campaigns to enhance appreciation of gender equality concerns relating to the trade unions' work in general as well as specifically on poverty, informal economy and HIV/AIDS.

Apart from the background module, the manual encompasses four (4) substantive modules. The overall structure of the manual is as follows:

Background to manual

Module 1: Gender equality and the trade unions

Module 2: Gender and poverty

Module 3: Gender and the informal economy

Module 4: Gender and HIV/AIDS

Each module ends with a list of materials for further reading to supplement the module. Furthermore, there is room to add other materials and examples specific to the country/countries of the participants to customize it and enhance its relevance to them.

0.6. Inter-linkages between gender and poverty, informal economy and HIV/AIDS

Inequalities between men and women are closely linked to differences in their access to resources of varying types and to the basic necessities of life. Among the resources are land, credit, education, skills training, technology, job opportunities, income and other household assets, time use (such as the unequal division of labour between men and women with regard to family responsibilities and domestic obligations). Understanding the inequality between women and men in access to these resources is crucial in understanding and dealing with poverty, HIV/AIDS and conditions within the informal economy.

Most women workers in Africa are active in the informal economy, which is characterized by precarious and low income work, lack of social protection and social dialogue. Such informal economy workers thus tend to be poor. The HIV/AIDS pandemic also has a massive impact on poverty as it reduces family output and incomes and contributes to general decline in annual per capita growth (ILO 2003c). At the national level, HIV/AIDS also depletes the number and increases the sickness absenteeism of trained and experienced workers and thus reduces the productivity of enterprises. At the household level, HIV/AIDS infection of a member often implies loss of income and diversion of the women's time from work to caring for the affected member, thus deepening the poverty of the household. Gender inequality and poverty can also force people to have multiple sexual partners and unprotected sex, as a survival strategy, and thus to be exposed to HIV/AIDS infection. More women than men in Africa are infected by the illness. HIV/AIDS and the informal economy including their gender dimensions should, therefore, be mainstreamed into comprehensive poverty reduction efforts in the different African countries.

0.7. Some key concepts

As the subsequent Module 1 includes a more exhaustive list of gender concepts for the user of the manual, the current section covers only a few key concepts pertaining to the subject matter of the manual.

Decent work

Decent work, which is at the core of ILO's mandate, refers to opportunities for women and men to obtain productive and freely chosen jobs in conditions of equity, security and human dignity. Decent work applies not only to work in the formal economy but also to self-employed, home based and other informal economy work. Decent work incorporates "essential enabling rights that allow people to develop and enhance their capabilities to be productive and climb out of poverty" (ILO, 2003b).

Decent work is the converging focus of the ILO's four strategic objectives, namely, fundamental principles and rights at work, employment, social protection and social dialogue. Gender equality is an important component of the ILO agenda for decent work for all women and men. While women are making strides in the labour market, gender inequalities continue to exist in this area.

Gender is different from **sex** which refers exclusively to biological differences between men and women. Gender, by contrast, refers to the social differences between men and women in

roles which are learned and can change across place and time. Despite differences between societies in gender roles, women tend to be disadvantaged in socio-economic, cultural and political life in almost all societies.

Gender relations are the connections and divisions between men and women, such as the sexual division of labour and tend to be defined by power structures.

Gender analysis is a tool which seeks to assess and understand gender relations or the differences between women and men, in their activities and situation including access to decision-making and resources and control of such resources. It underpins plans to increase women's visibility, taking into account division of labour, access to and control over resources and composition of decision-making structures.

Gender mainstreaming is the process of integrating equality concerns in a specific field to promote equality of men and women. This is to ensure that both women and men benefit equally from these measures. For effective gender mainstreaming to occur, there must be gender awareness and capacity building; consideration of men's and women's concerns and experiences in the course of planning, implementing, monitoring and evaluating programmes and policies in every field; allocation of adequate financial and human resources for this; and active participation of both men and women in the making of decisions at all levels. Periodic gender audits provide a means of monitoring gender mainstreaming in an organization's policies, programmes and other action.

HIV/AIDS (Human Immune Virus/Acquired Immune Deficiency Syndrome). Africa is the worst-affected continent in terms of the incidence of the disease. It is having a severe impact on the Gross Domestic Products (GDP) of many countries and is destroying the human capital that has taken years to build. It is a threat to the region's sustainable social and economic development and also weakens the capacity of workers and employers to produce goods and services and thus can aggravate poverty. Among the several socio-economic factors contributing to the spread of HIV/AIDS is women's subordinate position and, therefore, greater vulnerability and insecurity in society.

Informal economy, according to the ILO Governing Body (doc. GB.285/7/2), refers to "all economic activities by workers and economic units that are — in law and practice — not covered or insufficiently covered by formal arrangements." They tend to be characterized by a high degree of vulnerability and poverty and also experience diverse decent work deficits such as in rights, employment and income opportunities, social protection and social dialogue. According to the ILO Governing Body, "the term 'informal economy' is preferable to 'informal sector' because the workers in question do not fall within any one sector of economic activity, but cut across many sectors". The International Conference of Labour Statisticians also indicated earlier (in 1993), that the informal economy units typically operate at a low level of organization, with little or no division between labour and capital as factors of production. Labour relations — where they exist — are based mostly on casual employment, kinship or personal and social relations rather than contractual arrangements with formal guarantees. Most of the working age population in Africa are absorbed in the informal economy.

Poverty

Africa is seen as the poorest continent in the world, ie with most of its people living on less than one dollar a day or in extreme poverty (ILO, 2003 p.1). Some population groups,

especially women and youth – as well as some economic areas such as the informal economy — tend to have a higher incidence of poverty than others. The United Nations Millennium Development Goals include poverty reduction by half by the year 2015. Jobs, especially decent ones, are seen by the ILO as an important way out of poverty. In June 2003, the International Labour Conference, in its discussion of the ILO report *Working out of poverty (Geneva, ILO 2003)*, called for the commitment of not only governments but also workers and employers, namely tripartite constituents, to poverty reduction. Furthermore, inputs of all the diverse groups – not only tripartite constituents but also other developmental actors as well as the various population groups including women, men, youth, rural and urban people — are required for the Poverty Reduction Strategy Papers (PRSP) process and other national and regional initiatives. Additionally, the population groups, like women, that exhibit the worst forms of poverty require more focus in effective tackling of the colossal poverty problem. This implies serious gender consideration in responding to the region’s poverty challenge.

0.8. Facilitator/Trainer’s roles

Training or workshop facilitation is a demanding process as the trainer has to play a number of roles. S/he implements or delivers a specific training programme in the course of which the following specific tasks are undertaken. The trainer:

- offers or explains information as a teacher.
- acts as a guide, assisting participants through a task or an exercise.
- has to be a time keeper and taskmaster and also advise the group on group process and effectiveness.
- has to negotiate and mediate between different participants’ viewpoints, needs and demands.
- he must encourage active participation and interaction of the members in the course.
- must realize that the trainees can bring a lot of ideas and insights to the training to enrich it., but s/he must motivate them.
- must encourage them to take responsibility for their own learning.
- must be open to new information and be able to link it to the training programme.
- must be sensitive to the fact that not all the trainees will be at the same level in terms of their knowledge of the subject matter. Thus daily recapitulation of the work done might be a necessity to make the participants understand the topic and to facilitate discussion.

As not all the questions generated by each session can be addressed by the facilitator during the allotted time, they should arrange to have some tackled in subsequent sessions where a link exists. Others may be posted by the participants on a “hot issues” board – or on a flip chart — for the trainer’s consideration and response at an appropriate time.

The trainer must be conversant with and try to use, in a flexible manner, diverse multimedia such as flip charts, power points or other presentation software packages, videos, handouts of printed materials, coloured stickers, slides and transparencies. They are encouraged to use their creativity and resourcefulness to adapt each module to the specific needs and profile of the course participants. They must also be sensitive to the culture of the trainees.

The facilitator/trainer can be assisted by resource persons who can be experts in specific areas of the subject matter of the training.

FOR FURTHER READING

ILO: *Promoting gender equality. A resource kit for trade unions* (Geneva, ILO, Gender Promotion Programme, 2002)

ILO: *Working out of poverty: views from Africa* (Geneva, 2003)

ILO: “*Decent work for Africa’s development: Report of the Director-General*” (Tenth African Regional Meeting, Addis Ababa, December 2003b).

ILO: Effect to be given to resolutions adopted by the International Labour Conference at its 90 Session (2002)

(b) Resolution concerning decent work and the informal economy (Geneva, GB.285/7/2).

MODULE 1

GENDER EQUALITY AND THE TRADE UNIONS

MODULE 1: GENDER EQUALITY AND THE TRADE UNIONS

Structure

1.1 Module Objectives

1.2 Module Strategy

1.3 Facilitator/Presenter's Key Talking Points and Messages:

1.4 Group Work

1.5 Further Reading

1.6 Annex 1: Key ILO Standards on Gender Equality

Annex 2: Other International Instruments on Gender Equality

Convention on the Elimination of All Forms of Discrimination Against Women

The Beijing Platform for Action, September 1995.

1.1 Module Objective

Equip trade unionists with knowledge on gender equality, including its key concepts and how to mainstream gender in their work. The module sets the stage for later discussions on gender and poverty, gender and informal economy and gender and HIV/AIDS to strengthen the trade unions' work in these areas.

1.2 Module strategy

Session Structure	Objective/Theme	Materials	Time Required
Opening	Explain general purpose and procedures for this session. Pose a few questions to gauge the participants' level of knowledge on gender.	Powerpoint/ Flip chart	15 minutes
Presentations	a) Gender equality and why the unions should pursue it;	Flip charts /powerpoint	45 minutes
	b) Gender mainstreaming in trade unions' work: essential skills, practices and concepts;	Flip charts /powerpoint	45 minutes
	c) Gender equality in African trade unions: current situation with regard to goals/policies, strategy, achievements and gaps;	Powerpoint/Flipcharts /video/plenary debate	45 minutes
	d) Collective bargaining and gender equality; Collective bargaining and gender equality;	Handouts	45 minutes
	e) Key ILO standards on gender equality.	Handouts/ powerpoint	30 minutes
	f) Guidelines for unions' gender equality work .	Handouts/ powerpoint Handouts/ powerpoint	
Group work	a) Deliberate in groups on one of a list of themes for the participants to practice what was learnt from presentations.	Flipchart	90 minutes
	b) Present outcomes in plenary for other groups' comments and feedback.	Flip chart	45 minutes
Wrap-up	Summarize and reinforce key points and key messages of module.	Flipchart	15 minutes

1.3. Presenter/facilitator's key talking points/themes and messages

a) What is gender equality and why should the unions pursue it?

Gender equality refers to equal treatment, rights, responsibilities and opportunities of men/boys and women/girls; elimination of the current discrimination against women and enhancement of women's participation at par with men in the different structures of society. Gender equality, however, does not exist at present in the different organizations and areas of societal life. It is now generally recognized in development work that promoting gender equality and women's empowerment is critical for tackling the key developmental challenges of our time including poverty, HIV/AIDS and the plight of informal economy workers. Gender mainstreaming, the strategy for attaining gender equality, was underscored by the Beijing Platform for Action as a critical strategy for moving towards gender equality, while recognizing that some women-specific activities and positive action measures may be required, at least in the short term, to address some of women's special needs and the discrimination against them in order to make them able to operate on an equal basis with men.

The trade unions were requested by the Beijing Platform for Action, (which was adopted by the Fourth World Conference on Women), "to achieve equality between women and men in their ranks, including equal participation in their decision making bodies and in negotiations in all areas and at all levels" (para 192 d. p. 113). Furthermore, the Platform for Action called for recognition of "collective bargaining as a right and as an important mechanism for eliminating wage inequality for women and to improve working conditions". Additionally, it urged promotion of "election of women trade union officials and ensuring that trade union officials elected to represent women are given job protection and physical security in connection with the discharge of their functions" (para 178h.i).

Currently with women forming only 35 percent of the membership of trade unions and an insignificant proportion of the unions' leadership positions, the trade unions themselves recognize that they should give mainstream focus to: recruiting more women into their membership; promoting women's representation in their structures, including issues of concern to women and their rights as an integral facet of workers' rights, and gender equality in collective bargaining process with employers in addition to reaching out to workers in the informal economy (who include many women). This is because the unions stand to benefit from them. For example, they can contribute to increase the credibility and strength of the unions and also to enhance their capacity to speak on behalf of all workers.

Gender equality in the trade unions is also beneficial for both female and male members. For example, increased female numbers in the unions can make the unions support women workers' in their rights, social protection and other needs of workers' with family responsibilities. Striving for gender equality by the unions will require greater effort by the unions to recruit more women into their fold. At present women form a significant proportion of new entrants into the unions. Women workers in Africa are still underrepresented in the unions for a number of reasons. Most of them are in informal economy activities which so far remain relatively neglected by the unions, with the exception of a few. The unions' predominant male-culture put women off. Furthermore, there is limited understanding by the women of the benefits that can accrue to them through union membership.

Some of the trade unions currently have policies and programmes on gender equality which they are trying to implement. The Organization of African Trade Union Unity (OATUU) for example, has developed a comprehensive gender policy, to appoint more women into leadership positions and to amend their constitutions to integrate gender equality. The ICFTU also has a programme of action for the integration of women into trade union organizations. Some of the national unions in Africa also have gender policies and programmes.

(Participants in the course can be asked by the facilitator to give examples.)

To be able to prepare a realistic plan to pursue gender equality in the unions or other areas, it is necessary to analyze the situation in the unions with regard to mainstreaming of gender equality. Thus the trade unionists must possess gender analysis skills and also be familiar with relevant gender skills, concepts and knowledge.

At the end of this session, the facilitator can give every participant a card with a gender concept for the participant to come up with a definition and to present it to the group for discussion.

b) Gender mainstreaming in the trade unions' work: essential skills, practices and concepts

Gender mainstreaming is the strategy for taking account of women's and men's concerns as an integral component of all policies and programmes. This is to ensure that men and women benefit equally. Gender mainstreaming is thus not an objective in itself but a strategy that involves the following:

- integrating gender equality concerns into the mainstream of policies, programmes, projects and institutional mechanisms and structures;
- addressing gender inequalities in the world of work through gender-specific measures for and with men and women, either separately or together.

Gender mainstreaming consists of a multiplicity of gender-specific actions seeking to redress gender-based inequalities in all aspects of a situation. As the differentiated experiences and needs of men and women are revealed, so the need for gender-specific actions become clear. Gender mainstreaming is the ensemble of actions taken to address these needs. More specifically, gender mainstreaming in the ILO include the following:

- gender analysis based on sex-disaggregated data in the labour field;
- equal opportunity and treatment for both men and women, boys and girls;
- gender-specific measures to redress inequalities in the world of work;
- allocation of adequate resources to gender-related work;
- training on gender analysis and ILO gender issues;
- ensuring the inclusion of gender indicators in planning, monitoring, evaluation and reporting procedures to measure progress;
- challenging organizational culture so that the organization becomes a gender sensitive organization (such as in recruitment and personnel policies, management practices, etc);
- giving both women and men an equal voice and active participation in decision-making in all areas and activities and at all levels as stakeholders.

Gender mainstreaming is best undertaken on the basis of the results of a gender analysis.

Using a mainstreaming strategy based on gender analysis implies, in particular, awareness raising and capacity building activities; and taking into account, at the planning,

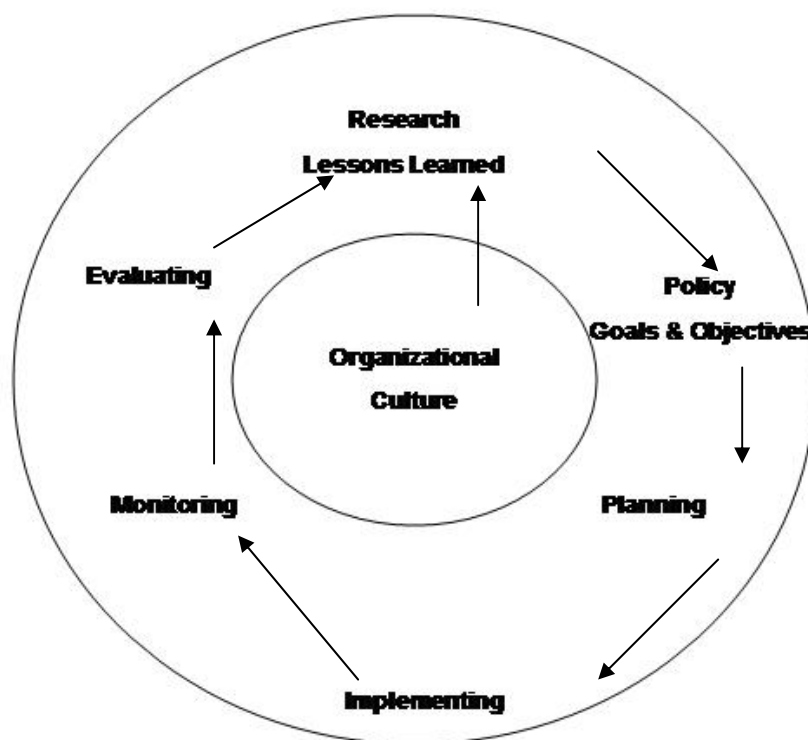
implementation, monitoring, and evaluation stages, the effects of policies and programmes on women and men.

Development of competence in gender mainstreaming is a learning process. An essential part of the process is capacity building activities specifically tailored to particular areas of desired competence.

Competence in gender mainstreaming entails:

- A growing awareness that gender equality perspective will help to address social issues and solve economic problems;
- Analysis skills to generate gender-sensitive information and identify crucial gaps;
- Advocacy skills for promoting gender equality;
- Knowledge of where to find expert support when more in-depth analysis is required.

Gender Mainstreaming Cycle



This illustration of the gender mainstreaming cycle depicts the two core elements of gender mainstreaming namely:

1. Having a gender responsive organizational culture is the engine that drives gender mainstreaming;
2. Gender mainstreaming as an approach used to integrate women's and men's needs and experience into decision making in every stage of planning and programming cycle.

The following provide practical steps for gender mainstreaming in policy, planning and agenda setting by the unions:

1. **Data collection:** Provide data on current situation on social protection area of concern – data on employment disaggregated by sex; collect data on employment (compile, analyze, interpret and present), sex, age, education, occupation, social status, scale and earnings, number of dependents.
2. **Data analysis:** Establish dis-aggregation of data by sex, age, education, occupation, social status, scale and earnings, and the number of dependents attached to male and female employees; establish underlying factors, which cause such differences.
3. **Identification of gender issues:** Based on Step 2, review data on the social protection area of concern in relation to your organization to determine areas where your organization should take action in order to be more gender sensitive.
4. **Prioritization of gender concerns:** Several issues require redress. Decide on the most important concern identified in Step 3 for action to be undertaken by the organization, bearing in mind the mandate of the organization and areas where time and resources are expended in relation to gender issues established in Step 3.
5. **Review of the policy framework agenda or plan:** Examine the existing policy and legal frameworks with a view to establishing the need to revise the existing organization policy/objectives.
6. **Identify policy commitments:** Specify policy commitments that the organization should undertake on the gender concerns determined in Step 4. This statement of action should be explicit on who, what and how to do it. It is also important to spell out the mechanisms/strategies and how to target each of the categories.
7. **Determine immediate actions:** For each of the policy commitments identified, specify the immediate tasks that should be undertaken to translate the policy commitment into reality. The task should be specific on who, what, and how.
8. **Further actions:** A policy commitment states the direction in which the organization wants to go and the immediate actions are the ones that can be taken now in order to get there. In a number of cases, the immediate tasks outlined may not achieve all policy commitments. Therefore, commitments need to be reviewed and monitored regularly to determine whether the immediate tasks undertaken are yielding achievements and determine what further actions may be feasible.
9. **Complementary initiatives:** In some instances, policy commitments may supersede the mandate of the organization. It is important to identify initiatives in relation to other stakeholders as well as consider who and what can hinder gender mainstreaming in the world of work. You may wish to lobby policy makers (legislators) to ensure that proposed policy commitments are given the needed legal and political backing.
10. **Self-assessment and monitoring:** Assessment of progress towards attainment of policy commitments is critical. Identify sets of indicators that can be monitored and means of verification to measure to what extent the policy has achieved equality.

For effective gender mainstreaming, there must be familiarity with the various gender concepts. In addition to the brief list in the background, a more detailed list is provided below.

Gender concepts (this is taken from the ILO’s gender audit guidelines):

Sex refers to biological differences between men and women which are universal and usually determined at birth.

Gender refers to the socially acquired differences and relationships between men and women. The concept of gender also includes expectations held about the characteristics, aptitudes and likely behaviour of women and men (femininity and masculinity). These can change over time, and vary considerably within and between societies and cultures.

The term gender is not only used to recognize differences between men and women, but also among women and among men. Other variables, such as ethnicity, class, age and ability intersect with gender differences and can result in an individual experiencing multiple forms of discrimination.

Gender equality in the world of work refers to equal rights, opportunities and treatment of men and women, boys and girls in all spheres of life. People's rights, responsibilities, status and access to resources do not depend on whether they are born male or female. This does not mean that men and women are the same or must become the same, but that their differences and similarities are valued equally. Gender equality implies that both men and women are free to develop their personal abilities and make choices without the limitations set by stereotypes, preconceived gender roles or prejudices.

Within the ILO Decent Work agenda, gender equality embraces:

- equality of opportunity and treatment in employment;
- equal remuneration for work of equal value;
- equal access to safe and healthy working environments and to social security;
- equality in association and collective bargaining;
- equality in obtaining a meaningful career development;
- a balance between work and home life that is fair to both men and women;
- equal participation in decision-making, including in the constitutive ILO organs.

Promoting gender equality in the Decent Work agenda requires advocating:

- the same fundamental human and workers' rights for men and women;
- a fair distribution between men and women of responsibilities and opportunities, paid and unpaid workload and decision-making.

Decent work for men and women refers to productive work performed in conditions of freedom, equity, security and human dignity, to which women and men have access on equal terms.

Women's empowerment is the process by which women become aware of sex-based unequal power relationships and acquire a greater voice in which to speak out against the inequality found in the home, workplace and community. It involves women taking control over their lives: setting their own agendas, gaining skills, building self-confidence, solving problems and developing self-reliance. Institutions such as the ILO can support processes that nurture the self-empowerment of women and women's groups.

Addressing men and boys refers to the need to better understand the male side of the gender equation. It involves questioning the masculine values and norms that society places on men's behaviour, identifying and addressing issues confronting men and boys in the world of work, and promoting the positive roles that men and boys can play in attaining gender equality.

Gender blindness is research, analysis, advocacy material, project/programme design and implementation that does not explicitly recognize and highlight existing gender differences in the labour market. These differences concern both productive and reproductive roles of men

and women in relation to the technical subject, target groups, beneficiaries, stakeholders, strategies and work plans developed on the basis of the foregoing analysis, etc.

Gender neutral interventions and texts may appear gender neutral when they are couched in abstract, generic categories. However, they are often implicitly male biased. Sometimes efforts to be gender sensitive employ the use of gender neutral language in order to counteract sexist terminology, as for example masculine terms for professions and trades or the constant use of masculine pronouns. However, if care is not taken, sexist language may be eliminated, but gender variables will remain masked and so make it more difficult to address underlying gender inequalities.

Equal opportunity in the world of work refers to having an equal chance to apply for a particular job, to be employed, to own or run an enterprise, to attend educational or training courses, to be eligible to attain certain qualifications, and to be considered as a worker or for a promotion in all occupations or positions, including those dominated by one sex or the other.

Equal treatment in the world of work refers to entitlements such as in pay, working conditions, security of employment and social security.

Sex discrimination is differential treatment of men and women – in employment, education and access to resources and benefits, etc. – on the basis of their sex.

Sex discrimination can also occur when ‘gender neutral’ policies or practices have a disproportionate, adverse impact on a disadvantaged group, usually women.

Glass ceiling is the invisible artificial barriers, created by attitudinal and organizational prejudices, that block women from senior executive management positions.

Gender equity is the process of being fair to men and women. To ensure fairness, measures must often be put in place to compensate for the historical and social disadvantages that prevent women and men from operating on a level playing field. Equity is a means. Equality is the result. Targeted training and gender-sensitive loan conditions for women entrepreneurs is a gender equity measure to promote equality in access to resources. Implementing an affirmative or positive action programme to improve gender balance in government or the private sector builds gender equity and works towards the goal of gender equality.

Strategic gender interests refer long term needs and relate to changing position in society. They include legislation for equal rights and opportunities, reproductive choice and increased participation in decision-making and the relative status of women to men within society.

The strategic gender interests vary in each context and are related to gender divisions of labour, resources and power. Strategic interests may include legal rights, protection from domestic violence, equal wages, increased decision-making, and women’s control over their bodies. Meeting strategic gender needs assists women to increase their control over personal life and in society and thereby change existing roles and challenge women’s subordinate position.

Practical gender needs of women refer to needs that women identify in their socially accepted roles in society. These do not challenge, although they rise out of the gender division of labour and women’s subordinate position in society. They are immediate and material needs and can be met in the short term through practical solutions. They are a response to an immediate perceived necessity, identified within a specific context. They are practical in

nature and often concern inadequacies in living conditions such as water provision, health care and employment. These concepts are not to be used in an either/or fashion. Benefits that only target practical needs will not be sustainable unless strategic interests are also taken into account. Strategic needs cannot be met without attention to practical needs.

Sex disaggregated data is the collection and use of quantitative and qualitative data by sex (i.e. not gender) is critical as a basis for gender sensitive research, analysis, strategic planning, implementation, monitoring and evaluation of programmes and projects. The use of sex disaggregated data reveals and clarifies gender-related issues in areas such as access to and control over resources, division of labour, violence, mobility and decision-making.

Gender analysis and planning are the essential tools for ensuring a rigorous socio-economic analysis without which development goals cannot be properly achieved.

In the ILO's work, gender analysis and gender planning help to identify the different roles and needs of men and women, boys and girls in the world of work. Gender analysis and planning are also required for the development and implementation of specific measures to promote equality of opportunity and treatment between men and women workers. All policies and programmes, whether at the macro, sectoral or micro levels, need to engage in gender analysis and planning as a means not only for achieving gender equality but as a contribution to realizing their overall goals.

Gender Analysis is the process of identifying and understanding the roles of women and men in a specific situation. It entails collection of sex-disaggregated data, identification of gender differences in the division of labour; in resource access and control; in the strategic and practical gender needs of women and men; and in the constraints and opportunities which women and men face; and review of institutional capacities for promoting gender equality.

Gender analysis is a tool to diagnose differences and relations between girls, boys, men and women. It includes:

- **Collecting data, which are disaggregated; in other words, broken down by sex and other important classifiers such as age, income, ethnicity, nationality or religion;**
- **Identifying gender differentials at work and in life, in terms of the division of labour, and access to and control over resources and benefits;**
- **Understanding girls', boys', women's and men's needs, constraints and opportunities in relation to knowledge and skills needed, conditions of work, social protection, family responsibilities, and economic and political decision-making;**
- **Identifying constraints and opportunities in the larger environment (laws, attitudes);**
- **Reviewing the capacities of existing institutions and mechanisms to reach out equality to girls, boys, women and men, and to promote gender equality.**

Gender analysis in relation to the world of work entails looking at five key variables:

- the division of labour between men and women;
- the different needs of men and women workers;
- the sex-based division of access to and control over resources and benefits;
- opportunities and constraints in the social and economic environment; and
- the capacity of ILO constituents and other partner organizations to promote equality between men and women in employment.

The findings of the gender analysis must be used to inform strategic planning of any interventions.

Gender planning consists of developing and implementing specific measures and organizational arrangements for the promotion of gender equality, and ensuring that adequate resources are available.

Gender budgeting is an application of gender mainstreaming in the budgetary process. It means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality. Gender budgeting involves examination of the gender distributional outcomes of budgetary allocations, that is, how these allocations affect the social and economic opportunities of men and women. Reallocations in revenue and expenditure and restructuring of the budgetary process may be necessary in order to promote gender equality.

Gender division of labour is a focus on gender balance or imbalance in productive, reproductive and community-based activities: who does what, when, how, for how long, etc.

Occupational sex segregation In most non-agricultural labour markets in the world, most people work in occupations in which up to 80% of the workforce is either male or female. On the basis of this inequality, occupations tend to be typified as ‘male’ (e.g. those in the manufacturing sector) or ‘female’ (e.g. those in the services sector).

Sexual harassment is the conduct of a sexual nature affecting the dignity of women and men which is unwelcome, unreasonable and offensive to the recipient, particularly when rejection or acceptance of such conduct is used as the basis for decisions affecting the recipient’s job or working environment.

Sexual violence occurs when sexual harassment is accompanied by physical or psychological violence or threat at work, in the home or other settings.

Religion and tradition are both systems of thought that influence gender relations. They define what a ‘good’ woman or man is and what is expected of her or him; and also what a ‘bad’ woman or man is, and what sanctions are appropriate for ‘bad’ behaviour.

Gender and organizational change refers to the fact that organizations are some of the main constructors and reproducers of unequal gender relations. If gender relations in society are to change, organizations must change to promote gender sensitive programmes and ensure gender balance in their structures.

Productive and reproductive gender roles. The former covers tasks undertaken for production of goods and services for the market and work place, in the formal or informal

economy. The reproductive roles include childcare, fetching of fuelwood, water etc. which is usually unpaid and excluded from national employment and income statistics

Positive or affirmative action is a special measure, implemented as a temporary measure, to overcome existing levels of inequality between men and women. An example is having quotas for women in areas where they have been excluded in the past.

c) Gender in African trade unions: current situation with regard to goals/policies, strategy, achievements & gaps

There is no information on specific gender audits of African trade unions that have recently been conducted which can throw light not only on their relevant gender equality policies and programmes but also on how they have been implemented and the results obtained. The trade unions themselves confirm that they have a lot to do in terms of realizing gender equality.

A comprehensive analysis of the situation of the trade unions with regard to gender has to examine the following points:

- What specific gender equality goal/policy has the union set itself?
The adoption of such a policy at the highest level is often a clear testimony of the union's commitment to the promotion of gender equality. It is a vital pillar for the union's work on gender and the resources allocated in terms of personnel and funds for this work.
- What is the strategy it has adopted to implement the gender policy, including the ff:
 - leadership representation;
 - representation in other structures of the unions;
 - unions' adoption of conscious and deliberate gender equality policies and programmes;
 - issues covered in collective bargaining;
 - which sectors have unions with better gender equality record and why?
 - appointment of gender officers/focal points/department;
 - amount of resources allocated to gender equality work;
 - gender training; and
 - measures adopted, if any, to change the unions' male culture;
- What is the current unions' perception of women and gender equality generally?
- Whether the principle of non-discrimination is fully applied de jure and/or de facto in terms of pushing for this not only in the unions' structure and representation but also in issues the unions focus on in the collective bargaining with employers.
- What alliances have been established with women's organizations and other relevant civil society groups in relation to gender? Often the unions realize that to make headway on the gender front, they have to develop strategic alliances with relevant institutions which are also working on this issue for mutual support of their work.
- What support is being provided by the regional, international and other external trade union bodies. Sometimes, the international trade union federations and trade secretariats or other union bodies provide valuable support to the local unions in terms of funds, technical support, study tours and provision of reference materials and other resources to enhance their capacity to pursue their work on gender.

The impact achieved to-date both positive and negative:

- direct impact
- indirect and also unintended impact.

The gaps and drawbacks that can be identified in the current gender equality work of the unions and the responses needed to remedy them.

The Africa region's latest assessment, namely the Economic Commission for Africa's *Decade review of the implementation of the Dakar and Beijing Platforms for Action: Outcome and the way forward* (October 2004), identifies a number of achievements as well as remaining challenges for action in relation to gender equality and women's situation. This information can be invaluable to the trade unions in fine tuning their efforts towards gender equality. For example, it notes that women are still under-represented in decision-making and structures of power and calls for intensification of efforts at gender mainstreaming.

In plenary, the facilitator should ask the course participants to consider

- a) why women are underrepresented in the membership and leadership of their specific unions;
- b) what measures have so far been adopted by their specific unions to work towards gender equality and
- c) the results attained.

(The facilitator should put their responses on a flipchart to enable the participants to identify commonalities between their unions in this sphere.)

d.) Collective bargaining and gender equality.

What is collective bargaining?

According to Article 2 of ILO Collective Bargaining Convention, No. 154, 1981, "collective bargaining extends to all negotiations which take place between an employer, a group of employers or one or more employers' organizations, on the one hand, and one or more workers' organizations, on the other, for –

1. determining working conditions and terms of employment; and/or
2. regulating relations between employers and workers; and/or
3. regulating relations between employers or their organizations and a workers' organizations".

It has been observed that simple changes in terms of structure and representation, while important, is not enough to guarantee gender equality in the unions and in the unions' work. The unions need to change not only their image but also their bargaining agenda to make them equally relevant to both men and women (ILO, 1993). Collective bargaining, negotiation between representatives of workers and employers, has immense potential for addressing concerns in equality of opportunity and treatment in working conditions and work situation generally. The Beijing Platform for Action called for recognition of "collective bargaining as a right and as an important mechanism for eliminating wage inequality for women and to improve working conditions". This reflects the fact that there is poor enforcement of equality and other laws and, therefore, laws alone cannot be relied upon to achieve improvements in women's conditions and progress in gender equality.

Women's concerns and gender equality issues have tended to be neglected in collective bargaining. Some unions, however, now have specific measures, such as quotas, for ensuring women's representation with men in collective bargaining teams. Some include the head of the women's committee in collective bargaining. They also organize training for such women delegates to enhance their capacity for negotiations. Male members of the negotiation teams are also sensitized on women's issues and gender concerns.

Collective bargaining can occur at the different levels: at the individual workplace level, the company level or industry/national level or even at the international level. For collective bargaining to contain or be friendly to gender equality issues, gender equality must be considered in the:

- preparations for the negotiations;
- the actual negotiations; and
- implementation and monitoring of the collective agreement that emanated from the negotiations.

A number of gender issues now feature in some collective bargaining processes and the agreements reached at the end of them. These include equal pay, maternity protection, paternal and parental leave, child care, breast feeding and other family friendly policies, sexual harassment, violence at the work place, hours of work including flexible working time, and positive action (ILO, 2002). This trend is related to the fact that women are increasingly being consulted by some of the unions or the latter propose them for inclusion in collective bargaining teams. Women's representation/participation in all the collective bargaining processes is vital. It is also important for the monitoring of the gender impacts of provisions generally in collective agreements.

○ **Preparations for the negotiations**

These include seeking women's views, in an innovative manner, in addition to men's, before collective bargaining so that they get reflected in the collective bargaining agenda; women being informed about their rights, including those enshrined in national legislation and international treaties, to be able to insist upon them; and also know how collective bargaining can play a role in the pursuance of these rights and reduction of discrimination; inform workers – women and men - about the timing of negotiations and allow them time to submit their ideas for the agenda; collect data on gender trends in the organization, such as in promotions, to underpin the agenda. This can be done by the gender focal point or women's unit; launch gender awareness-raising campaigns to enhance the knowledge of negotiators, other union members and employers of the need to include gender issues in collective bargaining agenda, ensure that gender neutral language is used and the benefits that can accrue from gender equality such as in terms of productivity, high worker morale, reduced absenteeism levels and high positive image of the organization.

○ **The actual negotiations**

During the negotiations, the unions should not give low priority to the gender items in the agenda. They should also give room to the women negotiators in the team to speak and to bring to bear their perspectives on the issues under discussion. They should have prior training and links with such solidarity networks as women's organizations to be able to obtain relevant supporting insights, data and information. The negotiating team should ensure that the clauses of the collective agreement are not gender-biased. The agreement should also indicate the resources and means for effective implementation of the provisions for gender equality.

○ **Implementation and monitoring of the collective agreement that emanated from the negotiations**

To ensure commitment to, and serious implementation of, the rights and other gains in the agreed terms of the collective agreement, the unions as well as the employers must disseminate information about these rights and other gains throughout the organization. Mechanisms should be elaborated for monitoring implementation of the agreement including its gender equality clauses. There should be regular progress reporting to the unions' national centre on the implementation as well as having monitoring committees. A dispute resolution procedure can be developed to delve into such issues as discrimination, sexual harassment, family rights and unfair dismissal. There must be an assurance of confidentiality. Information should be widely spread about the dispute resolution mechanism. Publicizing the equality clauses in the collective agreements can be a union strategy for mobilizing more women to join the unions.

On the whole, collective bargaining has proved to be a critical channel for gender equality at the workplace and also for addressing issues of concern to women workers including their reproductive rights. However the trend so far is far from adequate and gender issues are inadequately covered in collective bargaining. The trade unions as well as employers have to do more to include gender equality concerns in their collective bargaining. For example, despite the horrendous impact of the HIV/AIDS pandemic on workers – men and women – it is yet to feature seriously in collective bargaining agenda in Africa. The limited organization of the workers in the informal economy has also constrained the use of collective bargaining in this area.

Gender equality bargaining should be entrenched in collective bargaining because of the following:

- Women's issues are union issues;
- Women's work contributions have tended to be undervalued and neglected by unions and employers;
- Gender equality provisions benefit both men and women;
- Women are increasingly constituting a significant proportion of the paid workforce;
- It is important for the changing attitudes towards women in employment;
- It can address many of the persisting and deep-seated cultural and social misconceptions about the place and role of women in employment;
- Women's concerns have traditionally been overlooked in collective bargaining;
- Legislative measures for gender equality are generally inadequate;
- Where there is legislation, it must be implemented in a practical manner;
- It addresses some non-pay issues that may be easier to negotiate in difficult economic times;
- It is a means of attracting women to the union and it clearly shows that the union is committed to women.

The facilitator should pose the following question in plenary for the individual participants to respond to:

How do women and gender equality feature in collective bargaining in your unions?

The responses can be listed on a flipchart and comments can be provided by the other members of the group.

e) Key international labour standards on gender equality and women workers' rights

International labour standards can provide important guidance to the unions in their development and pursuance of gender equality. International labour standards usually cover all workers irrespective of their sex. There are two types of standards – conventions (C) and recommendations (R). A convention is an international treaty open to ratification by ILO member states. Ratification means that a country undertakes to apply the provisions of the ratified Convention in law and practice, and to submit periodic reports to the ILO supervisory machinery on the extent of its application including measures taken to implement the Convention. A recommendation is not subject to ratification but provides supplementary provisions to guide member states.

Knowledge of ILO standards especially those covering gender equality issues can facilitate the unions' gender equality work.

Examples of Key ILO standards related to gender equality

- Equal Remuneration Convention 100, Recommendation 90
- Discrimination (Employment and Occupation) Convention 111, Recommendation 111
- Maternity Protection Convention 183, Recommendation 191
- Night Work Convention 171, Recommendation 178
- Home Work Convention 177, Recommendation 184
- Part-time Work Convention 175, Recommendation 182

The relevant articles and full texts of these standards appear in Annex 1 of this module.

Also of relevance are other international, regional, subregional and national instruments which can create an enabling environment for the African trade unions' gender equality work. For example, there is the UN Convention on the elimination of ALL FORMS OF discrimination against women. There is also the Protocol to the African Charter on the Rights of Women in Africa, adopted by the Africa Union in 2004. At the subregional level, intergovernmental bodies (ECOWAS, SADC, EAC, IGAD, ECCAS, COMESA) have adopted gender policies, declarations and guidelines for the promotion and protection of the human rights of women. At the national level, some governments have enacted or amended legislation on women's human rights and some have adopted constitutions that take on board gender equality.

f) Guidelines for unions' gender equality work

The unions have to:

- Prepare a gender equality policy Strategy/Gender Action Plan for the union following a gender analysis.
- Implement it through the unions' gender mainstreaming work and in a system-wide manner.
- The Policy and implementation should enjoy the support of union leadership and political will.

- It should be underpinned by adequate allocation of human and financial resources. Set aside a budget for gender issues in the union's secretariat and ask each key partner to earmark resources as well.
- Women's participation in the different decision-making organs, levels and collective bargaining teams should be enlarged to be equal to that of men.
- In addition to mainstreaming, specific or targeted action for women have to be undertaken to accelerate women's position and equality with men within the unions.
- Set up a gender taskforce in the unions.
- Assign one person for training as the gender focal person/ officer/unit in each union secretariat and their roles and responsibilities should be specified.
- Develop common gender sensitive indicators for union projects for all partners, formal and informal, to use.
- Ensure that union partners make the effort to integrate a gender perspective into their activities;
- Have all partner organizations conduct gender audits/gender self-assessments and monitoring;
- Build partners' capacities in gender analysis using gender tools (diagnostic, planning, monitoring, evaluation, audit), improve the gender tools and create a tool kit for individual users, translating them into local languages for greater accessibility;
- Develop approaches to address strategic as well as practical gender needs to begin to shift the power balance and change gender relations in favour of women's empowerment;
- Involve men and women in the planning and implementation stages of any intervention and in establishing, monitoring and evaluation indicators;
- Design and implement capacity building programmes in gender for union staff and stakeholders, especially in the use of Participatory Rural Appraisal (PRA) tools.
- Make extra efforts to produce gender-disaggregated data;
- Conduct gender advocacy with community leaders, chiefs, opinion leaders, religious leaders and the community as a whole;
- Establish a gender documentation centre in the union's secretariat.

The unions' gender focal point/unit must have the following roles:

- Be the first point of contact on gender issues within the union;
- Serve as a catalyst and spearhead, mobilize and coordinate gender equality work within the unions;
- Arrange for periodic gender audits of the unions and discuss and follow up the findings with the diverse structures of the union;
- Develop and implement regular gender capacity building of the union;
- Maintain dialogue and develop partnerships with relevant units and other players;
- Lobby for more resources and action;
- Prepare regular updates on the union's gender situation for the union's consideration;
- Undertake advocacy on gender issues;
- Disseminate gender information;
- Liaise with relevant civil society groups, like women's organizations, and national women's machinery;
- Maintain contact and collaborate with OATUU gender officers, unit and GEPATU project and with other unions' gender focal points for mutual support.

1.4 Group work:

Group 1: a) Identify from the following reasons why women's are unable to be active in trade unions and b) propose measures for overcoming them and to promote women and men's equal participation in the trade unions and their work.

- Family and social responsibilities of working women
- Socio-cultural factors
- Socialization process
- Other, specify.

Group 2: Review the union's gender equality policies and recommend actions to strengthen them .

Group 3: Prepare an action plan for your unions promotion of gender equality.

Further Reading

Date-Bah, E.: "Women's empowerment in trade unions: Recent data from the ILO Interdepartmental project on equality for women in employment" in *Labour education, special issue: Women's participation in trade unions 90-1993/1* (Geneva, 1993).

ILO: Promoting gender equality through collective bargaining (booklet 2) in *Promoting Gender equality. A resource kit for trade unions* (Geneva, 2002).

ILO: *Promoting Gender Equality: Guide on ILO Conventions and Recommendations of Particular Concern to Women Workers* (Geneva, Gender Bureau, 2004).

ILO: *Guidelines for gender audit* (Geneva, 2004).

Martens, M.H. and Mitter, S. (ed.): *Women in Trade Unions. Organizing the Unorganized.* (Geneva, ILO, 1994).

Olney, S. Goodson, E. Maloba-Caines K. & O'Neill, F. : *Gender Equality: A Guide to Collective Bargaining.*

UN ECA: *Decade review of the implementation of the Dakar and Beijing Platform for Action: Outcome and the way forward* (Addis Ababa, October 2004)

ANNEX 1: KEY ILO STANDARDS ON GENDER EQUALITY AND WOMEN WORKERS' RIGHTS

- Equal Remuneration, Convention 100, 1950

This convention underscores the principle of equal pay for work of equal value.

Article 1

For the purpose of this Convention,

(a) the term **remuneration** includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment;

(b) the term **equal remuneration for men and women workers for work of equal value** refers to rates of remuneration established without discrimination based on sex.

Article 2

1. Each Member shall, by means appropriate to the methods in operation for determining rates of remuneration, promote and, in so far as is consistent with such methods, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.

2. This principle may be applied by means of--

(a) national laws or regulations;

(b) legally established or recognized machinery for wage determination;

(c) collective agreements between employers and workers; or

(d) a combination of these various means.

Article 3

1. Where such action will assist in giving effect to the provisions of this Convention, measures shall be taken to promote objective appraisal of jobs on the basis of the work to be performed.

2. The methods to be followed in this appraisal may be decided upon by the authorities responsible for the determination of rates of remuneration, or, where such rates are determined by collective agreements, by the parties thereto.

3. Differential rates between workers which correspond, without regard to sex, to differences, as determined by such objective appraisal, in the work to be performed shall not be considered as being contrary to the principle of equal remuneration for men and women workers for work of equal value.

Article 4

Each Member shall co-operate as appropriate with the employers' and workers' organizations concerned for the purpose of giving effect to the provisions of this Convention.

Article 5

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

- Discrimination (Employment and occupation) Convention 111, 1958

Article 1

1. For the purpose of this Convention the term **discrimination** includes—

(a) any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation;

(b) such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies.

2. Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination.

3. For the purpose of this Convention the terms **employment** and **occupation** include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

Article 2

Each Member for which this Convention is in force undertakes to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.

Article 3

Each Member for which this Convention is in force undertakes, by methods appropriate to national conditions and practice —

(a) to seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of this policy;

(b) to enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of the policy;

(c) to repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy;

(d) to pursue the policy in respect of employment under the direct control of a national authority;

(e) to ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority;

(f) to indicate in its annual reports on the application of the Convention the action taken in pursuance of the policy and the results secured by such action.

Article 4

Any measures affecting an individual who is justifiably suspected of, or engaged in, activities prejudicial to the security of the State shall not be deemed to be discrimination, provided that the individual concerned shall have the right to appeal to a competent body established in accordance with national practice.

Article 5

1. Special measures of protection or assistance provided for in other Conventions or Recommendations adopted by the International Labour Conference shall not be deemed to be discrimination.

2. Any Member may, after consultation with representative employers' and workers' organisations, where such exist, determine that other special measures designed to meet the particular requirements of persons who, for reasons such as sex, age, disablement, family responsibilities or social or cultural status, are generally recognized to require special protection or assistance, shall not be deemed to be discrimination.

Article 6

Each Member which ratifies this Convention undertakes to apply it to non-metropolitan territories in accordance with the provisions of the Constitution of the International Labour Organization.

Article 7

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 8

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 9

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 10

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organization.

2. When notifying the Members of the Organization of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

- **Workers with family responsibilities, Convention 156, 1981**

Article 1

1. This Convention applies to men and women workers with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.

2. The provisions of this Convention shall also be applied to men and women workers with responsibilities in relation to other members of their immediate family who clearly need their care or support, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.

3. For the purposes of this Convention, the terms dependent child and other member of the immediate family who clearly needs care or support mean persons defined as such in each country by one of the means referred to in Article 9 of this Convention.

4. The workers covered by virtue of paragraphs 1 and 2 of this Article are hereinafter referred to as **workers with family responsibilities**.

Article 2

This Convention applies to all branches of economic activity and all categories of workers.

Article 3

1. With a view to creating effective equality of opportunity and treatment for men and women workers, each Member shall make it an aim of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities.

2. For the purposes of paragraph 1 of this Article, the term **discrimination** means discrimination in employment and occupation as defined by Articles 1 and 5 of the Discrimination (Employment and Occupation) Convention, 1958.

Article 4

With a view to creating effective equality of opportunity and treatment for men and women workers, all measures compatible with national conditions and possibilities shall be taken--

(a) to enable workers with family responsibilities to exercise their right to free choice of employment; and

(b) to take account of their needs in terms and conditions of employment and in social security.

Article 5

All measures compatible with national conditions and possibilities shall further be taken—

(a) to take account of the needs of workers with family responsibilities in community planning; and

(b) to develop or promote community services, public or private, such as child-care and family services and facilities.

Article 6

The competent authorities and bodies in each country shall take appropriate measures to promote information and education which engender broader public understanding of the principle of equality of opportunity and treatment for men and women workers and of the problems of workers with family responsibilities, as well as a climate of opinion conducive to overcoming these problems.

Article 7

All measures compatible with national conditions and possibilities, including measures in the field of vocational guidance and training, shall be taken to enable workers with family responsibilities to become and remain integrated in the labour force, as well as to re-enter the labour force after an absence due to those responsibilities.

Article 8

Family responsibilities shall not, as such, constitute a valid reason for termination of employment.

Article 9

The provisions of this Convention may be applied by laws or regulations, collective agreements, works rules, arbitration awards, court decisions or a combination of these methods, or in any other manner consistent with national practice which may be appropriate, account being taken of national conditions.

Article 10

1. The provisions of this Convention may be applied by stages if necessary, account being taken of national conditions: Provided that such measures of implementation as are taken shall apply in any case to all the workers covered by Article 1, paragraph 1.

2. Each Member which ratifies this Convention shall indicate in the first report on the application of the Convention submitted under Article 22 of the Constitution of the International Labour Organization in what respect, if any, it intends to make use of the faculty given by paragraph 1 of this Article, and shall state in subsequent reports the extent to which effect has been given or is proposed to be given to the Convention in that respect.

Article 11

Employers' and workers' organizations shall have the right to participate, in a manner appropriate to national conditions and practice, in devising and applying measures designed to give effect to the provisions of this Convention.

Article 12

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 13

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

- **Maternity Protection Convention 183. 2000**

Article 1

For the purposes of this Convention, the term **woman** applies to any female person without discrimination whatsoever and the term **child** applies to any child without discrimination whatsoever.

Article 2

1. This Convention applies to all employed women, including those in atypical forms of dependent work.
2. However, each Member which ratifies this Convention may, after consulting the representative organizations of employers and workers concerned, exclude wholly or partly from the scope of the Convention limited categories of workers when its application to them would raise special problems of a substantial nature.
3. Each Member which avails itself of the possibility afforded in the preceding paragraph shall, in its first report on the application of the Convention under Article 22 of the Constitution of the International Labour Organization, list the categories of workers thus excluded and the reasons for their exclusion. In its subsequent reports, the Member shall describe the measures taken with a view to progressively extending the provisions of the Convention to these categories.

HEALTH PROTECTION

Article 3

Each Member shall, after consulting the representative organizations of employers and workers, adopt appropriate measures to ensure that pregnant or breastfeeding women are not obliged to perform work which has been determined by the competent authority to be prejudicial to the health of the mother or the child, or where an assessment has established a significant risk to the mother's health or that of her child.

MATERNITY LEAVE

Article 4

1. On production of a medical certificate or other appropriate certification, as determined by national law and practice, stating the presumed date of childbirth, a woman to whom this Convention applies shall be entitled to a period of maternity leave of not less than 14 weeks.
2. The length of the period of leave referred to above shall be specified by each Member in a declaration accompanying its ratification of this Convention.
3. Each Member may subsequently deposit with the Director-General of the International Labour Office a further declaration extending the period of maternity leave.
4. With due regard to the protection of the health of the mother and that of the child, maternity leave shall include a period of six weeks' compulsory leave after childbirth, unless otherwise agreed at the national level by the government and the representative organizations of employers and workers.

5. The prenatal portion of maternity leave shall be extended by any period elapsing between the presumed date of childbirth and the actual date of childbirth, without reduction in any compulsory portion of postnatal leave.

LEAVE IN CASE OF ILLNESS OR COMPLICATIONS

Article 5

On production of a medical certificate, leave shall be provided before or after the maternity leave period in the case of illness, complications or risk of complications arising out of pregnancy or childbirth. The nature and the maximum duration of such leave may be specified in accordance with national law and practice.

BENEFITS

Article 6

1. Cash benefits shall be provided, in accordance with national laws and regulations, or in any other manner consistent with national practice, to women who are absent from work on leave referred to in Articles 4 or 5.
2. Cash benefits shall be at a level which ensures that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living.
3. Where, under national law or practice, cash benefits paid with respect to leave referred to in Article 4 are based on previous earnings, the amount of such benefits shall not be less than two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits.
4. Where, under national law or practice, other methods are used to determine the cash benefits paid with respect to leave referred to in Article 4, the amount of such benefits shall be comparable to the amount resulting on average from the application of the preceding paragraph.
5. Each Member shall ensure that the conditions to qualify for cash benefits can be satisfied by a large majority of the women to whom this Convention applies.
6. Where a woman does not meet the conditions to qualify for cash benefits under national laws and regulations or in any other manner consistent with national practice, she shall be entitled to adequate benefits out of social assistance funds, subject to the means test required for such assistance.
7. Medical benefits shall be provided for the woman and her child in accordance with national laws and regulations or in any other manner consistent with national practice. Medical benefits shall include prenatal, childbirth and postnatal care, as well as hospitalization care when necessary.
8. In order to protect the situation of women in the labour market, benefits in respect of the leave referred to in Articles 4 and 5 shall be provided through compulsory social insurance or public funds, or in a manner determined by national law and practice. An employer shall not

be individually liable for the direct cost of any such monetary benefit to a woman employed by him or her without that employer's specific agreement except where:

(a) such is provided for in national law or practice in a member State prior to the date of adoption of this Convention by the International Labour Conference; or

(b) it is subsequently agreed at the national level by the government and the representative organizations of employers and workers.

Article 7

1. A Member whose economy and social security system are insufficiently developed shall be deemed to be in compliance with Article 6, paragraphs 3 and 4, if cash benefits are provided at a rate no lower than a rate payable for sickness or temporary disability in accordance with national laws and regulations.

2. A Member which avails itself of the possibility afforded in the preceding paragraph shall, in its first report on the application of this Convention under Article 22 of the Constitution of the International Labour Organization, explain the reasons therefore and indicate the rate at which cash benefits are provided. In its subsequent reports, the Member shall describe the measures taken with a view to progressively raising the rate of benefits.

EMPLOYMENT PROTECTION AND NON-DISCRIMINATION

Article 8

1. It shall be unlawful for an employer to terminate the employment of a woman during her pregnancy or absence on leave referred to in Articles 4 or 5 or during a period following her return to work to be prescribed by national laws or regulations, except on grounds unrelated to the pregnancy or birth of the child and its consequences or nursing. The burden of proving that the reasons for dismissal are unrelated to pregnancy or childbirth and its consequences or nursing shall rest on the employer.

2. A woman is guaranteed the right to return to the same position or an equivalent position paid at the same rate at the end of her maternity leave.

Article 9

1. Each Member shall adopt appropriate measures to ensure that maternity does not constitute a source of discrimination in employment, including – notwithstanding Article 2, paragraph 1 – access to employment.

2. Measures referred to in the preceding paragraph shall include a prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work that is:

(a) prohibited or restricted for pregnant or nursing women under national laws or regulations; or

(b) where there is a recognized or significant risk to the health of the woman and child.

BREASTFEEDING MOTHERS

Article 10

1. A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child.
2. The period during which nursing breaks or the reduction of daily hours of work are allowed, their number, the duration of nursing breaks and the procedures for the reduction of daily hours of work shall be determined by national law and practice. These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.

PERIODIC REVIEW

Article 11

Each Member shall examine periodically, in consultation with the representative organizations of employers and workers, the appropriateness of extending the period of leave referred to in Article 4 or of increasing the amount or the rate of the cash benefits referred to in Article 6.

IMPLEMENTATION

Article 12

This Convention shall be implemented by means of laws or regulations, except in so far as effect is given to it by other means such as collective agreements, arbitration awards, court decisions, or in any other manner consistent with national practice.

FINAL PROVISIONS

Article 13

This Convention revises the Maternity Protection Convention (Revised), 1952.”

- **Night Work Convention 171**

Article 1

For the purposes of this Convention:

(a) the term *night work* means all work which is performed during a period of not less than seven consecutive hours, including the interval from midnight to 5 a.m., to be determined by the competent authority after consulting the most representative organizations of employers and workers or by collective agreements;

(b) the term *night worker* means an employed person whose work requires performance of a substantial number of hours of night work which exceeds a specified limit. This limit shall be

fixed by the competent authority after consulting the most representative organizations of employers and workers or by collective agreements.

Article 2

1. This Convention applies to all employed persons except those employed in agriculture, stock raising, fishing, maritime transport and inland navigation.
2. A Member which ratifies this Convention may, after consulting the representative organizations of employers and workers concerned, exclude wholly or partly from its scope limited categories of workers when the application of the Convention to them would raise special problems of a substantial nature.
3. Each Member which avails itself of the possibility afforded in paragraph 2 of this Article shall, in its reports on the application of the Convention under Article 22 of the Constitution of the International Labour Organization, indicate the particular categories of workers thus excluded and the reasons for their exclusion. It shall also describe all measures taken with a view to progressively extending the provisions of the Convention to the workers concerned.

Article 3

1. Specific measures required by the nature of night work, which shall include, as a minimum, those referred to in Articles 4 to 10, shall be taken for night workers in order to protect their health, assist them to meet their family and social responsibilities, provide opportunities for occupational advancement, and compensate them appropriately. Such measures shall also be taken in the fields of safety and maternity protection for all workers performing night work.
2. The measures referred to in paragraph 1 above may be applied progressively.

Article 4

1. At their request, workers shall have the right to undergo a health assessment without charge and to receive advice on how to reduce or avoid health problems associated with their work:
 - (a) before taking up an assignment as a night worker;
 - (b) at regular intervals during such an assignment;
 - (c) if they experience health problems during such an assignment which are not caused by factors other than the performance of night work.
2. With the exception of a finding of unfitness for night work, the findings of such assessments shall not be transmitted to others without the workers' consent and shall not be used to their detriment.

Article 5

Suitable first-aid facilities shall be made available for workers performing night work, including arrangements whereby such workers, where necessary, can be taken quickly to a place where appropriate treatment can be provided.

Article 6

1. Night workers certified, for reasons of health, as unfit for night work shall be transferred, whenever practicable, to a similar job for which they are fit.
2. If transfer to such a job is not practicable, these workers shall be granted the same benefits as other workers who are unable to work or to secure employment.
3. A night worker certified as temporarily unfit for night work shall be given the same protection against dismissal or notice of dismissal as other workers who are prevented from working for reasons of health.

Article 7

1. Measures shall be taken to ensure that an alternative to night work is available to women workers who would otherwise be called upon to perform such work:
 - (a) before and after childbirth, for a period of at least sixteen weeks of which at least eight weeks shall be before the expected date of childbirth;
 - (b) for additional periods in respect of which a medical certificate is produced stating that it is necessary for the health of the mother or child:
 - (i) during pregnancy;
 - (ii) during a specified time beyond the period after childbirth fixed pursuant to subparagraph (a) above, the length of which shall be determined by the competent authority after consulting the most representative organizations of employers and workers.
2. The measures referred to in paragraph 1 of this Article may include transfer to day work where this is possible, the provision of social security benefits or an extension of maternity leave.
3. During the periods referred to in paragraph 1 of this Article:
 - (a) a woman worker shall not be dismissed or given notice of dismissal, except for justifiable reasons not connected with pregnancy or childbirth;
 - (b) the income of the woman worker shall be maintained at a level sufficient for the upkeep of herself and her child in accordance with a suitable standard of living. This income maintenance may be ensured by any of the measures listed in paragraph 2 of this Article, by other appropriate measures or by a combination of these measures;
 - (c) a woman worker shall not lose the benefits regarding status, seniority and access to promotion which may attach to her regular night work position.
4. The provisions of this Article shall not have the effect of reducing the protection and benefits connected with maternity leave.

Article 8

Compensation for night workers in the form of working time, pay or similar benefits shall recognize the nature of night work.

Article 9

Appropriate social services shall be provided for night workers and, where necessary, for workers performing night work.

Article 10

1. Before introducing work schedules requiring the services of night workers, the employer shall consult the workers' representatives concerned on the details of such schedules and the forms of organization of night work that are best adapted to the establishment and its personnel as well as on the occupational health measures and social services which are required. In establishments employing night workers this consultation shall take place regularly.

2. For the purposes of this Article the *workers' representatives* means persons who are recognized as such by national law or practice, in accordance with the Workers' Representatives Convention, 1971.

Article 11

1. The provisions of this Convention may be implemented by laws or regulations, collective agreements, arbitration awards or court decisions, a combination of these means or in any other manner appropriate to national conditions and practice. In so far as they have not been given effect by other means, they shall be implemented by laws or regulations.

2. Where the provisions of this Convention are implemented by laws or regulations, there shall be prior consultation with the most representative organizations of employers and workers.

• Part- time work, Convention no. 175

Article 1

For the purposes of this Convention:

(a) the term *part-time worker* means an employed person whose normal hours of work are less than those of comparable full-time workers;

(b) the normal hours of work referred to in subparagraph (a) may be calculated weekly or on average over a given period of employment;

(c) the term *comparable full-time worker* refers to a full-time worker who:

- (i) has the same type of employment relationship;
- (ii) is engaged in the same or a similar type of work or occupation; and
- (iii) is employed in the same establishment or, when there is no comparable full-time worker in that establishment, in the same enterprise or, when there is no comparable full-time worker in that enterprise, in the same branch of activity, as the part-time worker concerned;
- (d) full-time workers affected by partial unemployment, that is by a collective and temporary reduction in their normal hours of work for economic, technical or structural reasons, are not considered to be part-time workers.

Article 2

This Convention does not affect more favourable provisions applicable to part-time workers under other international labour Conventions.

Article 3

1. This Convention applies to all part-time workers, it being understood that a Member may, after consulting the representative organizations of employers and workers concerned, exclude wholly or partly from its scope particular categories of workers or of establishments when its application to them would raise particular problems of a substantial nature.

2. Each Member having ratified this Convention which avails itself of the possibility afforded in the preceding paragraph shall, in its reports on the application of the Convention under Article 22 of the Constitution of the International Labour Organization, indicate any particular category of workers or of establishments thus excluded and the reasons why this exclusion was or is still judged necessary.

Article 4

Measures shall be taken to ensure that part-time workers receive the same protection as that accorded to comparable full-time workers in respect of:

- (a) the right to organize, the right to bargain collectively and the right to act as workers' representatives;
- (b) occupational safety and health;
- (c) discrimination in employment and occupation.

Article 5

Measures appropriate to national law and practice shall be taken to ensure that part-time workers do not, solely because they work part time, receive a basic wage which, calculated proportionately on an hourly, performance-related, or piece-rate basis, is lower than the basic wage of comparable full-time workers, calculated according to the same method.

Article 6

Statutory social security schemes which are based on occupational activity shall be adapted so that part-time workers enjoy conditions equivalent to those of comparable full-time workers; these conditions may be determined in proportion to hours of work, contributions or earnings, or through other methods consistent with national law and practice.

Article 7

Measures shall be taken to ensure that part-time workers receive conditions equivalent to those of comparable full-time workers in the fields of:

- (a) maternity protection;
- (b) termination of employment;
- (c) paid annual leave and paid public holidays; and
- (d) sick leave,

it being understood that pecuniary entitlements may be determined in proportion to hours of work or earnings.

Article 8

1. Part-time workers whose hours of work or earnings are below specified thresholds may be excluded by a Member:

- (a) from the scope of any of the statutory social security schemes referred to in Article 6, except in regard to employment injury benefits;
- (b) from the scope of any of the measures taken in the fields covered by Article 7, except in regard to maternity protection measures other than those provided under statutory social security schemes.

2. The thresholds referred to in paragraph 1 shall be sufficiently low as not to exclude an unduly large percentage of part-time workers.

3. A Member which avails itself of the possibility provided for in paragraph 1 above shall:

- (a) periodically review the thresholds in force;
- (b) in its reports on the application of the Convention under Article 22 of the Constitution of the International Labour Organization, indicate the thresholds in force, the reasons therefore and whether consideration is being given to the progressive extension of protection to the workers excluded.

4. The most representative organizations of employers and workers shall be consulted on the establishment, review and revision of the thresholds referred to in this Article.

Article 9

1. Measures shall be taken to facilitate access to productive and freely chosen part-time work which meets the needs of both employers and workers, provided that the protection referred to in Articles 4 to 7 is ensured.

2. These measures shall include:

(a) the review of laws and regulations that may prevent or discourage recourse to or acceptance of part-time work;

(b) the use of employment services, where they exist, to identify and publicize possibilities for part-time work in their information and placement activities;

(c) special attention, in employment policies, to the needs and preferences of specific groups such as the unemployed, workers with family responsibilities, older workers, workers with disabilities and workers undergoing education or training.

3. These measures may also include research and dissemination of information on the degree to which part-time work responds to the economic and social aims of employers and workers.

Article 10

Where appropriate, measures shall be taken to ensure that transfer from full-time to part-time work or vice versa is voluntary, in accordance with national law and practice.

Article 11

The provisions of this Convention shall be implemented by laws or regulations, except in so far as effect is given to them by means of collective agreements or in any other manner consistent with national practice. The most representative organizations of employers and workers shall be consulted before any such laws or regulations are adopted.

Article 12

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

- **Home Work, Convention 177**

Article 1

For the purposes of this Convention:

(a) the term *home work* means work carried out by a person, to be referred to as a homeworker,

(i) in his or her home or in other premises of his or her choice, other than the workplace of the employer;

(ii) for remuneration;

(iii) which results in a product or service as specified by the employer, irrespective of who provides the equipment, materials or other inputs used, unless this person has the degree of autonomy and of economic independence necessary to be considered an independent worker under national laws, regulations or court decisions;

(b) persons with employee status do not become home-workers within the meaning of this Convention simply by occasionally performing their work as employees at home, rather than at their usual workplaces;

(c) the term *employer* means a person, natural or legal, who, either directly or through an intermediary, whether or not intermediaries are provided for in national legislation, gives out home work in pursuance of his or her business activity.

Article 2

This Convention applies to all persons carrying out home work within the meaning of Article 1.

Article 3

Each Member which has ratified this Convention shall adopt, implement and periodically review a national policy on home work aimed at improving the situation of homeworkers, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations concerned with homeworkers and those of employers of **homeworkers**.

Article 4

1. The national policy on home work shall promote, as far as possible, equality of treatment between homeworkers and other wage earners, taking into account the special characteristics of home work and, where appropriate, conditions applicable to the same or a similar type of work carried out in an enterprise.

2. Equality of treatment shall be promoted, in particular, in relation to:

(a) the homeworkers' right to establish or join organizations of their own choosing and to participate in the activities of such organizations;

(b) protection against discrimination in employment and occupation;

(c) protection in the field of occupational safety and health;

(d) remuneration;

(e) statutory social security protection;

(f) access to training;

(g) minimum age for admission to employment or work; and

(h) maternity protection.

Article 5

The national policy on home work shall be implemented by means of laws and regulations, collective agreements, arbitration awards or in any other appropriate manner consistent with national practice.

Article 6

Appropriate measures shall be taken so that labour statistics include, to the extent possible, home work.

Article 7

National laws and regulations on safety and health at work shall apply to home work, taking account of its special characteristics, and shall establish conditions under which certain types of work and the use of certain substances may be prohibited in home work for reasons of safety and health.

Article 8

Where the use of intermediaries in home work is permitted, the respective responsibilities of employers and intermediaries shall be determined by laws and regulations or by court decisions, in accordance with national practice.

Article 9

1. A system of inspection consistent with national law and practice shall ensure compliance with the laws and regulations applicable to home work.

2. Adequate remedies, including penalties where appropriate, in case of violation of these laws and regulations shall be provided for and effectively applied.

Article 10

This Convention does not affect more favourable provisions applicable to homeworkers under other international labour Conventions.”

Also of relevance

- **Right to organize and to bargain collectively, Convention No. 98 (1949).**

(The facilitator/ trainer should inform the course participants about the contents of this key convention on trade union rights.)

Article 1

1. Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment.

2. Such protection shall apply more particularly in respect of acts calculated to –

(a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;

(b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours.

Article 2

1. Workers' and employers' organizations shall enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration.

2. In particular, acts which are designed to promote the establishment of workers' organizations under the domination of employers or employers' organizations, or to support workers' organizations by financial or other means, with the object of placing such organizations under the control of employers or employers' organizations, shall be deemed to constitute acts of interference within the meaning of this Article.

Article 3

Machinery appropriate to national conditions shall be established, where necessary, for the purpose of ensuring respect for the right to organize as defined in the preceding Articles.

Article 4

Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilization of machinery for voluntary negotiation between employers or employers' organizations and workers' organizations, with a view to the regulation of terms and conditions of employment by means of collective agreements.

ANNEX 2: OTHER INTERNATIONAL INSTRUMENTS ON GENDER EQUALITY

The protection and promotion of equality are basic concepts underlying many international human rights standards, such as the 1948 Universal Declaration of Human Rights, the 1996 International Covenant on Civil and Political Rights, and International Covenant on Economic, Social and Cultural Rights, the 1979 Convention in the Elimination of All Forms of Discrimination Against Women (CEDAW), the 1989 Convention on the rights of the Child, the 1990 International Convention on the Protection of the Rights of all Migrant

Workers and Members of their Families. Apart from Conventions, there is also the 1995 Beijing Declaration and Platform for Action.

- **Convention on the Elimination of All Forms of Discrimination against Women**

- Preamble, Articles 4.2, 11.2, 12.2 Article 11.1(f)

- States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights.

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole.

Article 4

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Article 11

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
 - a. To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
 - b. To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances
 - c. To provide special protection to women during pregnancy in types of work proved to be harmful to them;
 - d. To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

- **The Beijing Platform for Action, September 1995**

The critical areas of concern, identified to guide action, include the following:

- The persistent and increasing burden of poverty on women;
- Inequalities and inadequacies in and unequal access to education and training;
- Inequalities and inadequacies in and unequal access to health care and related services;
- Violence against women;

- The effects of armed or other kinds of conflict on women, including those living under foreign occupation;
- Inequality in economic structures and policies, in all forms of productive activities and in access to resources;
- Inequality between men and women in the sharing of power and decision-making at all levels;
- Insufficient mechanisms at all levels to promote the advancement of women;
- Lack of respect for and inadequate promotion and protection of the human rights of women;
- Stereotyping of women and inequality in women's access to and participation in all communication systems, especially in the media;
- Gender inequalities in the management of natural resources and in the safeguarding of the environment;
- Persistent discrimination against and violation of the rights of the girl child.

Module 2: Gender and Poverty

Module 2: Gender and Poverty

- Objective
- Strategy
- Facilitator/presenter's key talking points and messages
- Group work topics/ case studies

Further reading

2.1 Objective

Deepen the trade unions' understanding of the gender dimensions of poverty and the trade unions' role in combating them.

2.2 Strategy

Session structure	Theme	Materials	Time required
Opening	Explain general purpose and procedures for this session	Power point/flip chart	15 minutes
Presentations	a) The concept of poverty	Power point	15 minutes
	b) Poverty and gender in Africa;	Flip chart/power point	45 minutes
	c) Strategies for poverty reduction, with special emphasis on the gender dimensions: Beijing Platform for Action; PRSPs; and NEPAD	Hand outs/ Power point/ Flip chart	60 minutes
	d) The trade unions' role	Powerpoint/ Flip chart	45 minutes

Group work	a) Examine in groups your individual trade unions' policies and activities of relevance to poverty and gender, strengths and gaps. b) Present outcomes in plenary for comments and feedback.	Flip charts	120 minutes 45 minutes
Wrap-up	Summarize and reinforce key points and key messages of session	Flip chart	30 minutes

Trainer Tips. This session is likely to generate many questions. An effort should be made to address as many as possible in the allotted time. The remainder should be posted on the “hot issues” board – a flipchart – for consideration at an appropriate time.

2.3 Facilitator/trainer notes

a) The concept of poverty

The Platform of Action, adopted in 1995 by the United Nations' Fourth World Conference on Women in Beijing, identified the feminization of poverty, including women's persistent and increasing burden poverty, as one of the critical obstacles for women's advancement. For a better understanding of poverty and appreciation of the measures required for its tackling, it is important to adopt a broad conception of poverty. In this context, poverty is not just low or lack of income and food but also includes lack of other critical elements of well-being, such as education, skills, health (such as the level of maternal and infant mortality), potable water supply and housing in addition to inadequate access to other assets, rights, power, knowledge, social supports and other forms of human security or capability. Poverty is thus complex and multifaceted as reflected in the UNDP Human Poverty Index. Poverty can also be a temporary or permanent feature of one's life. When permanent, it can actually be transmitted from one generation to another.

Development policies have an impact on poverty. They can determine a country's level of growth and income inequalities between the different population groups, such as women and men. Current trends in crises, such as armed conflicts, have also eroded assets and development gains including access to decent work. They have thus worsened poverty levels not only of individuals but also of communities and the country as a whole, like Liberia and Sierra Leone.

There are a number of other terms often used in relation to poverty. These include vulnerability, social exclusion and discrimination. The poor are sometimes referred to as vulnerable groups. Vulnerability in its strict sense refers to “greater exposure to risk and insecurity.” Thus, it can be seen as associated with poverty. Social exclusion is often employed to refer to marginalization. Marginalization, however, does not always stem from lack of income but often from power relations and social identity. While

discrimination, such as on the basis of ethnicity, sex, religion etc. can contribute to poverty, discrimination does not always occur within the context of poverty.

There is considerable diversity among the poor. The poor consists not only of women but also includes men, the elderly, youth etc. Furthermore, while poverty predominates in the rural areas of sub-Saharan Africa, poverty is also high and accelerating in the urban areas.

b) Poverty and gender in Africa

Africa continues to be saddled with high levels of poverty. The number of poor people has reduced in all the developing countries except Africa where it has soared by more than 82 million people. The percentage of the poor in the region is the highest in the world. Half of sub-Saharan Africa's population of almost 700 million live on US\$1 or less a day or in absolute poverty. Eighty (80) per cent of them are women. Between 1980 and 2004, Africa's share of the working poor (earning US\$1 or US\$2) increased. There are now 220 million plus US\$2 working poor and 140 million of the region's population are described as the US\$1 working poor who are unable to provide their families with sustainable livelihood. The Gross National Product for almost half of the region's countries is less than US\$ 35. Among the countries with the lowest are Burundi, the Democratic Republic of the Congo, Guinea Bissau and Sierra Leone. Even those not in this list have significant poverty levels. For example, 50 per cent of the Tanzanian population are described as poor and 36 percent as being in abject poverty. In Ghana, 45 per cent of the population is categorized as poor, i.e living on US\$1 a day. The percentage is even higher (59 per cent) among food-crop farmers. This Africa trend, without serious and more comprehensive efforts at poverty reduction, makes it unlikely that the region will meet the Millennium development goal of halving poverty by 2015. Productive and remunerative jobs are among the critical strategies for lifting people out of poverty, as they contribute to raise their living standards. Additionally, there is the need to examine and address the unfair international trade and other economic relations to ensure that the situation of the poor countries and their poor producers does not worsen but improves.

Gender is a key determinant of poverty. Women and girls, compared to men and boys, are reported to be more disproportionately poor as they tend to be in lowest paid, least educated, least skilled and least protected jobs and also are generally discriminated against in access to assets and productive resources. Increasingly, therefore, poverty seems to have a female "face", a trend often referred to as the "feminization of poverty". For example, 70 per cent of the rural poor in sub-Saharan Africa are reported to be women, despite the fact that 90 per cent of the region's food production is by women (ECA, 2001). Furthermore, household headed by women are poorer than the male headed ones. These women tend to lack a "voice" in national planning. They have limited opportunities for skills training, education, improved equipment, credit, social security, access to and control of fertile land and to other forms of support. They are thus very vulnerable and yet have high potential to contribute to their countries' development and economic growth.

The gender determinants of poverty have also been classified as "structural" and "intermediate" which reinforce each other. Among the structural are the following:

- The extensive time women have to spend on unpaid domestic work because of the unequal sexual division of labour and relations within the household;
- Care functions linked to women's reproductive or biological role and the unequal gender division of labour in this sphere;

- The limited economic value attached to women's reproductive and other roles compared to the value attached to men's roles.

Among the intermediate ones are:

- Women's unequal access to productive resources;
- Inequality in opportunities such as for skills training and education;
- Inequality in access to paid work and the sex segregation in the labour market which tends to limit women's access to low paid jobs; and
- Inequality in women's access to decision-making and other political functions.

An effective assessment of women's unfavourable poverty situation has to consider both types of factors and therefore an integrated or comprehensive approach is required. Also significant is the need to tackle the discrimination and other constraints women encounter in the labour market to be able to avail themselves adequately of paid jobs.

The trade unions and other concerned bodies need to broaden their understanding of gender equality as a critical facet of national growth, poverty reduction and redistribution strategies. For example, if Kenyan women farmers are provided with the same level of agricultural inputs and education as men, their yields would increase by over 20 per cent. Similar trends have been estimated for other African countries, such as Burkina Faso and Zambia. Furthermore, it has been noted by the ECA that "investment through women's education and training, as well as their access to productive assets, such as credit, land and time-saving technology, could contribute to reaching 7 per cent annual growth rate needed to achieve the Millennium development goals" (ECA, 2004: 4). Women's heavy time burden is supposed to be one of the major contributory factors to their poverty as it reduces women's productive output and income. Furthermore, African women have been observed to receive less than 10 per cent of the credit given to small farmers and only 1 per cent of the overall credit to the agricultural sector. They are mainly in subsistence farming. National economic growth also has to be accompanied by an equal distribution of the dividends. What is needed is a pro-poor growth.

Apart from the poor rural women, the women in the urban areas tend to face a number of discriminations in the labour market and, are, therefore, disadvantaged. In the formal economy, they tend to be absorbed in low income and low skilled jobs and also in the so-called "female-labelled" occupations. Most of the jobs also tend to be in the informal economy (often in self-employment), lower paying, invisible and not covered by the existing labour and social protection laws. On the whole, women's labour force participation rate in Sub-Saharan Africa has been rising since 1970. In 1996, it stood at 57 per cent, compared to 52.3 per cent in 1970. Women's unemployment rates, however, continue to be higher than those of men. ILO reports, for instance, that women's open unemployment rates in Africa tend to be double those of men. (ILO, 2000:17). These aggravate the poor living conditions of women and their dependants.

In both the rural and urban areas, a significant part of women's work, especially that related to care, reproduction and other domestic activities, is not reflected in national accounts, and, therefore, tends to be neglected in national budgets and allocation of national resources. Such women's work, therefore, tends not to attract national investment equal to its needs and importance. Therefore, the gender concerns in poverty do not feature as a priority in the formulated national economic and other policies and funded programmes.

The increase in the number of poor women is to some extent also related to the increase in the number of poor households headed by women (ILO, 2000: 10). Almost half of all households in Sub-Saharan Africa is currently headed by women. Such households tend to be poorer than those headed by men, such as in terms of total or per capita income and assets. The rapid increase in the number of female-headed households is due to a number of factors including the following: male migration, such as from rural to urban areas and even outside the country; premature parenthood; rising divorce rates; and disintegration of families caused by an alarming number of armed conflicts. Armed conflicts have also generated other poor groups including refugees and internally displaced people, many of whom are women.

A comprehensive gender-sensitive analysis of poverty and an all-inclusive approach to addressing the problem are required, in which all the population groups including poor women have a say.

c.) Strategies for poverty reduction, with special emphasis on the gender dimensions

The Beijing Platform for Action

The Platform for Action lists a number of strategies for addressing the gender dimensions of poverty. Among them are the following:

- Review, adopt and maintain macro-economic policies and development strategies that address women's needs and efforts to overcome poverty within the framework of sustainable development;
- Revise laws and administrative practices to ensure recognition of women's rights and access to economic resources;
- Provide women with access to credit and savings mechanisms; and
- Conduct research with a view to enabling women to overcome poverty.

The ILO points out that poverty reduction, including the eradication of the gender dimensions of poverty, requires multidimensional action and also action at different levels. They include:

- Policies and laws to improve access of the poor to decent work;
- Organization of the poor to have a voice and also bargaining strength and to be able to defend the interests of their members;
- Targeted direct interventions, including positive action, to ensure access to assets, including physical and human capital, land and financial resources;
- Policies to expand the employment potential of various sectors to absorb the poor unemployed and underemployed as well as to improve the quality of the jobs in terms of income and social protection;
- Removal of labour market discrimination against women and girls.
- Safety nets or social assistance programmes for the poor;
- Socially-sensitive macro-economic policies;
- Promotion of equality of opportunity and treatment between men and women in the different areas of society as the gender situation in the different fields of society has direct and indirect impact on the gender dimensions of poverty;
- Contribution of the ILO's tripartite constituents and other relevant bodies.

Poverty Reduction Strategy Papers (PRSPs) and Gender

Poverty reduction strategy papers (PRSPs) have brought poverty to the fore of development policy and action. They were introduced by the World Bank, and the IMF in 1999 as country-specific frameworks for elaborating “nationally owned participatory poverty reduction strategies” which are also comprehensive. This trend by these Bretton Woods institutions is in response to the drawbacks and criticisms of their earlier structural adjustment programmes which had worsened the plight of poor people and countries. All lending and debt relief by these institutions for low-income countries are now based on PRSPs.

It is now recognized that “poverty reduction cannot be achieved without gender perspectives and the participation of both men and women and gender equality in the PRSP process adds value by increasing growth, economic efficiency and welfare” (ECA, 2001:4). It has been observed that PRSPs are essential entry points for mainstreaming gender in poverty reduction (ECA, 2001). Promoting women’s equal and better access to employment and income is key to the success of anti-poverty programmes. Towards this end, women should have the same legal status as men including access to resources. Most of the African countries (48) that had elaborate poverty reduction national plans by 2002 had covered gender concerns but not sufficiently. To date reviews done of PRSPs reveal inadequate attention to gender dimensions in the PRSPs’ diverse core elements (including diagnosis, public actions, monitoring and consultative process) and sectors including labour markets, health, education, agriculture, governance, infrastructure and financial services. The PRSP framework should provide for a gender-inclusive growth and poverty reduction that allow for tackling gender-based obstacles to poverty reduction and growth. Furthermore, the participatory process that should accompany the PRSP elaboration process seems to have often neglected trade unions, women’s organizations, other civil society bodies as well as the social and labour ministries which can contribute to ensure that the PRSPs effectively support the poor and are serious about equality and social justice issues.

In the decade review to prepare for Beijing plus 10, the Africa region’s report stresses that “measures to mainstream gender concerns into poverty reduction strategies should include gender analysis of macro-economic policies... gender equality principles must be incorporated into all budgeting to ensure equitable resource allocation. Processes in the development of poverty reduction plans should be consultative, gender-sensitive and inclusive” (UNECA, 2004.p.7).

The New Partnership for Africa’s Development (NEPAD)

The New Partnership for Africa’s Development (NEPAD) was adopted by the African Heads of State and Government in 2001 as a major initiative for Africa’s economic development. Among its long-term objectives is to reduce poverty in Africa and to encourage women’s active role in all the region’s development activities. This is because NEPAD has identified gender equality as an important area for emphasis in poverty alleviation and economic growth. NEPAD is enhancing its gender coverage by including gender issues and rights in the social development indicators it is elaborating for the African Peer Review Mechanism (APRM).

This is essential to ensure that gender concerns feature in the evaluations conducted by the APRM. The launch, during the first week of May 2005, of the implementation of the Comprehensive Africa Agriculture Development Programme (CAADP) to make trade and agriculture reforms favourable to the poor in Africa, may also have some beneficial effects

on poor women. Furthermore, NEPAD is establishing a Gender and Civil Society Sector within its structure. NEPAD has been criticized, however, for not giving adequate attention to employment and other critical social concerns. This concern was to some extent pointed out in the outcome, in 2002, of the 25th Ordinary Session of the tripartite Africa Union's Labour and Social Affairs Commission/Ministerial Meeting on Employment Promotion and Poverty Reduction, which was held in Burkina Faso, as well as that of the African Union Summit, convened in 2004 at the same venue, in close collaboration with the ILO. The former, for example, called on the African member states to share experiences on reducing illiteracy, enhancing the skills and capacity of employers and surveying the labour markets with a view to creating more and better job opportunities in Africa. The latter called for the inclusion of initiatives on employment creation and poverty alleviation as indicators in the NEPAD African Peer Review Mechanism.

Millennium Development Goals (MDGs)

Both poverty eradication and gender equality are among the Millennium development goals adopted by the worlds' leaders at the end of the 20th Century. The other goals are also of relevance to gender and also to poverty eradication in the world. The total list of goals are as follows:

- Eradicate extreme poverty and hunger;
- Achieve universal primary education;
- Promote gender equality and empower women;
- Reduce child mortality;
- Improve maternal health;
- Combat HIV/AIDS, malaria and other diseases;
- Ensure environmental sustainability;
- Develop a global partnership for development.

Declaration on employment and poverty alleviation in Africa

This declaration was adopted by the Assembly of the African Union Third Extraordinary Session on Employment and poverty alleviation, September 2004 held in Ouagadougou. It, *inter alia*, expresses the commitment of the African Heads of State and Government to:

“empower the poor and the vulnerable, particularly in the rural communities and the urban informal economy, the unemployed and the under-employed by enhancing their capacities through education, skills and vocational training and retraining of labour force, access to financial resources, in particular micro-financing, land, infrastructure, markets, technology and services in order to meaningfully integrate them into the labour market.”

Furthermore, they stated their commitment to “empowering African women through increased access to decent employment as well as innovative approaches to income generating activities, entrepreneurship, real business opportunities, productivity and access to resources and markets at the national, regional, continental and international levels.”

In the social partners forum that preceded the summit, the trade unions committed themselves to “actively promote gender mainstreaming in socio-economic policy as a basis for the application of basic human rights and a means of empowering women in Africa.

Implementing decent employment opportunities for women is a key challenge that has to be met in order to eradicate poverty in Africa”.

d) The trade unions’ role: Guidelines

- The trade unions can be a catalyst for generating governmental commitment to addressing gender dimensions of poverty, the consultative process that should accompany it and also for accelerating the poverty reduction process as a whole. The union leadership’s commitment to the above is, however, vital for this to occur.
- The unions can undertake advocacy on the fact that women continue to be a hidden potential for their country and region’s development. There is, therefore, the need to remove discrimination against women and to prioritize the mainstreaming of gender concerns and gender disaggregated data in development and poverty reduction processes.
- The unions’ advocacy, can also draw policy makers’ attention to the fact that poverty is more than a problem of low income and inadequate food consumption. It is also related to powerlessness in terms of not being able to participate in, and influence the making of decisions that affect one’s life and their inadequate access to education, health and other resources. Women’s heavy time burden, due to their huge unpaid reproductive roles and care work and high levels of illiteracy, restricts their options and increases their vulnerability.
- The unions should draw attention of government and its international development partners to the fact that economic growth alone cannot generate adequate decent work to reduce poverty. It needs to be complemented by redistribution such as of tax revenue through poverty reduction programmes as well as of land reform to enhance poor people’s access to land for their farm activities.
- The unions’ advocacy can stress the importance of social dialogue as an effective approach for eradicating poverty. It is through such dialogue that relevant and “equitable” policies and actions to tackle poverty can be elaborated reflecting the views of all concerned. Social dialogue also reduces tensions and unrest that can erode productivity and stability that can contribute to wealth creation. Thus it is necessary to have in place the mechanisms for promoting such dialogue.
- The unions can also draw policy makers’ attention to the need for decent and productive jobs as a route out of poverty for women as well as men. Unions should thus participate in national programmes on poverty reduction as well as in other economic and social policies. They can also put pressure on policy makers and governments to ensure that national budgets are geared to meeting basic needs of the poor and promoting equity.
- Furthermore, the unions’ advocacy can also point to the fact that women’s high levels of poverty and other gender dimensions of poverty directly and indirectly contribute to other major social ills, such as child labour and the current accelerated rate of HIV/AIDS infection among women compared to men.
- They can support the organization of the poor to fight and negotiate for improved conditions and equal opportunity and treatment.
- They can build up alliances with other civil society groups and actors, such as women’s groups and other grass roots organizations to strengthen micro-level action against poverty including provision of micro-finance and micro-insurance as well as social services to reduce women’s domestic time burdens with a view to increasing their productive output and income.

- They can contribute to, or canvass for governmental and outside assistance for, skills training and retraining, promotion of small enterprises and of productivity and incomes of small operators in both rural and urban areas, agricultural extension that is able to reach women and labour intensive infrastructure development projects to absorb some of the unemployed and the poor.
- They can liaise with international development and other bodies that help to build women's empowerment and their poverty reduction.
- The unions themselves can also launch income generating projects to absorb some of the unemployed and the poor.

An example: The Ghana TUC's Labour Enterprises Trust (LET)

It is not usual for trade unions to be employers; traditionally, they are organizations to protect the interests of the workforce. In the past, the relationship between trade unions and employers were antagonistic and often led to disruptions in the production processes.

What is the Labour Enterprise Trust (LET)

In February 1997, the Trade Union Congress (TUC) registered the Labour Enterprises Trust Company Limited (LET) as a vehicle for achieving its objectives. At the time, it was projected that if the estimated 500,000 members of the TUC contributed ₵50,000 each, ₵25 billion would be realized as seed money for the new company. This company would then use these resources to create small and medium-scale enterprises to create jobs. The TUC members were expected to contribute their share holding in 20 equal instalments of ₵2,500 from April 1997.

Due to some operational problems, such as lack of adequate preparation and education and the resulting apathy, only 99,000 members of the TUC signed on to the project. A seed capital of ₵5.7 billion was realized, representing only 20% of the estimated capitalization. This poor showing did not discourage the TUC, however, and the LET project was carried through.

What is the structure of LET?

The 99,000 workers who signed up for the company are the shareholders and the ultimate financial beneficiaries of returns on its investments. LET has a nine-member board of directors who govern the company. Five of these, including the chairman, are representatives of TUC, and the other four are from the private sector and the academic community. The LET Secretariat is headed by a chief executive officer, an administrative assistant, private secretary, clerical assistant and a driver.

The vision and mission of LET

The vision of LET is to "provide a very efficient, effective, innovative and quality service that would have a positive effective on the lives and well-being of workers and thus promote national development and the well-being of the economy." Its mission is to "create jobs and quality employment through the development and maintenance of sustainable, productive and profitable enterprises of all sizes operating in all sectors."

Investment portfolio of LET

The Secretariat of LET was set up in August/September 1999 and since then it has engaged in the following long-term investment activities:

- **Unique Insurance Company Limited.** This is a composite insurance company licensed to underwrite insurance business in Ghana. The main promoter is LET, which contributed ₵2.1 billion of the share capital of ₵2.40 billion and thus holds 86% of the shares. The other major

shareholder is TUC, which contributed 10% share. In August 2002, the Teachers' Fund took up 10% shares from the LET holding.

- **City Car Parks Limited.** LET holds 20% shares in this multipurpose car park situated in the Central Business Area of Accra. The park has capacity for 545 cars and was constructed at the cost of US\$5 million. LET paid ₵1.78 billion for its shares in the company.
- **Water Tanker Service.** This venture is LET's corporate contribution to the welfare of workers. While the service is commercially oriented, it makes a conscious effort to keep its margins to minimum levels. The four tankers distribute an average of 30,000 gallons of water a day to deprived satellite communities like Adenta, Ashalley Botwe, Ofankor among others. Water is delivered at prices lower than those charged by the private operators. LET invested ₵552.3 million in this project.
- **Radio Taxi Service.** LET has successfully reintroduced metered cabs into the country. The service operates a VHF frequency with Motorola radios installed in its fleet of 17 cabs and two minicoaches. Currently, it operates from the Kotoka International Airport. It was introduced to enhance ground transportation at the airport and give travellers reasonable comfort and security. LET invested ₵781 million in this model project.
- **Workers Property Ownership Scheme.** This scheme was introduced in June 2004 to enable workers to purchase durable household items and pay for them on monthly basis. The initial capital in the venture was 150 million cedis.

Achievements of LET

During the short period that LET has been in existence, it has made some modest achievements. A total of 186 jobs have been created and they are as follows:

Head Office	6 full time
Unique Insurance Company	40 full time, 50 part-time agents
City Car Parks	55 full time
Water Tanker Service	10 full time
Radio Taxi Service	25 full time

The employees contribute to the economy through PAYE tax contributions, social security contributions among others.

Source: *Company Profile-Labour Enterprises Trust Company Limited, Trade Union Congress, Ghana, 2004.*

- The unions should push to participate in governmental discussions with the main development partners (such as the World Bank, the IMF and the UNDP) to ensure that the poverty and other critical concerns of the grassroots people, including women and men, are seriously taken into account in the formulation of macro-economic policies and programmes and that priority is also given to job creation. Furthermore, this should include the elaboration of PRSPs and the implementation of the New Partnership for Africa's Development (NEPAD). The unions can, in this context, show that while economic growth is vital for poverty reduction, it is all the same not enough to completely deal with the large poverty problem. Specific targeted actions are also necessary.
- They can monitor the impact of development and other policies and programmes on the poor to ensure that they benefit from them in terms of reducing their poverty.
- As the poor often are unable to break out of the poverty cycle because of disabling factors in their environment, the trade unions can assist in drawing attention to the

poor's need for social protection, such as social safety nets and compensation to maintain income levels and to escape from the poverty trap.

- The trade unions can lobby the Africa Union as well as other subregional groupings like ECOWAS, SADC etc. to seriously mainstream gender as well as the gender dimensions of poverty in their work and to give this issue the leverage it deserves for effective action to occur.
- Social dialogue between the trade unions, employers and governments can play an important role in shaping appropriate national strategies for poverty alleviation, development, peace and stability which are critical for the well being of women and men and indeed of the total population.
- The trade unions' capacity needs to be built for them to play an appropriate role in poverty eradication including that of women.
- The regional trade union bodies, like OATUU and ICFTU-AFRO, can launch regional initiatives, like GEPATU, to focus on gender as well as poverty and other concerns.

2.4 Group work

- Examine your individual trade unions' policies and activities of relevance to poverty reduction and gender equality and identify the strengths and gaps.
- present outcomes in plenary for comments and feedback

Further reading

Africa Union: Declaration on employment and poverty in Africa (doc. EXT/ASSEMBLY/AU/ (III), Assembly of the African Union Third Extraordinary session on employment and poverty alleviation, September, 2004).

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Mwamadzingo, M. and Saleshando, D.: *Trade unions and poverty alleviation in Africa* (Harare and Geneva, ILO, 2003).

UN Economic Commission for Africa, *Gender Mainstreaming in National Poverty Reduction Strategies: Unexploited sustained growth potential*. (Addis Ababa, African Centre for Gender and Development - ACGD – 2001).

UN Economic Commission for Africa: *The missing link in growth and sustainable development: Closing the gender gap* (ADB/ECA Symposium on gender, growth and sustainable development, May 2004).

UN Economic Commission for Africa: Seventh African regional conference on women(Beijing +10) Decade review of the implementation of the Dakar and Beijing Platforms for Action: Outcome and the way forward (Addis Ababa, October 2004).

Van der Hoeven, R.: Equality and poverty reduction...in *Labour education 2004/1-2* (Geneva, ILO, 2004).

Akpokavie, C.K.: Unions and poverty reduction strategy papers in *Labour education 2004/1-2* (Geneva, ILO, 2004).

World Bank: *Gender in the PRSPs: A Stocktaking* (Washington, 2001).

MODULE 3: GENDER AND THE INFORMAL ECONOMY

MODULE 3: GENDER AND THE INFORMAL ECONOMY

- Module objective
- Module strategy
- Facilitator/presenter's key talking points and messages:
- Group work
- Further reading

3.1 Objective

- a) The overall objective is to provide trade unions with the analytical capacity to understand the role of unions in organizing the informal economy with the specific intention to stand up for informal economy women workers and those specific issues that are most important for women workers in the informal economy;
- b) to understand the linkages between feminized poverty and the informal economy .

3.2 Strategy

Session structure	Theme	Materials	Time required
Opening	Inform and explain main purpose and procedures of session	Powerpoint/Flip chart	15 minutes
Key talking points and messages	a) What is the informal economy?	Powerpoint/ Flip charts	30 minutes
	b) Women workers' concerns and other gender dimensions of the informal economy	Video or Power point/Flip chart	45 minutes
	c) Comprehensive strategy required and the trade unions' role: guidelines.		60 minutes
Group work	a) Examine the informal economy in your country, the efforts at unionization, and the lessons identified, especially the coverage of women and other gender	Flip charts	120 minutes

	<p>questions. Present group results in plenary. OR</p> <p>b.) Examine the informal economy, the problems encountered in particular by women in this economy, what has been done to tackle them and what still needs to be done.</p> <p>Present group results in plenary.</p>	Flip charts	45 minutes.
Wrap up	Summary of main points and issues raised in session.	Flip chart	30 minutes

3.3. Facilitator/ Presenter's key talking points and messages

a) What is the informal economy?

The informal economy, in contrast to the formal economy, consists of economic activities that are often not recorded in statistics, not registered, not protected nor covered by labour and other relevant laws of the state. The individual activities tend to be very small in size. In place of the earlier term of informal sector, the current trend is to use informal economy because the activities do not fall into one sector only but span several in both urban and rural areas.

The 15th International Conference of Labour Statisticians (1993) defined informal enterprises as private unincorporated enterprises whose size in terms of employees is below a certain threshold to be determined according to national conditions (but are usually small) and which are not registered under specific forms of national legislation. The informal activities and the people operating them, in urban and rural areas, tend to be very marginalized and vulnerable. They often have little capital, low skill and productivity levels; irregular or low incomes, long working hours, lack of access to information, training and technology. Poor people are attracted to the informal economy because of its ease of entry. Other characteristics of the informal economy are: labour intensive technologies, high levels of competition; production of low quality goods and services; limited capacity for accumulation of capital and restricted access to credit and other services; and lack of social protection and stability of relationships of production. Additionally, the informal economy is not covered by labour legislation and, therefore, the workers operating in it cannot defend their fundamental rights. Their work places are often unsafe and unhealthy. One of the significant features of the informal economy workers is that they tend to be poor because of the aforementioned characteristics.

The workers in the informal economy are of diverse types. They include own-account workers like street and market hawkers; paid domestic workers in household employment; home workers; operators of micro-enterprises in self-employment or working with family members or a few apprentices; family workers who are not remunerated; and some casual wage workers. Home workers, for example, are often invisible, work long hours and also have income insecurity and are also very poorly paid. They lack networks. Domestic workers also tend to be hidden and isolated. They tend to be migrants, mainly women and girls (child labour), from the rural areas (or other countries).

While some of the informal economy workers may have their own associations, many remain unorganized and therefore, weak to defend their rights. Their organizing should thus constitute a priority for the trade unions as an important channel for empowering them.

As the formal economy is not expanding appreciably in size in Africa (the public sector has, for example been shrinking), it is rather the informal economy that is growing in leaps and bounds as a survival strategy for the jobless and the poor. Therefore, in sub-Saharan countries the informal sector is larger than the formal sector in terms of the numbers of workers participating in it. It is also important to note that there are close linkages between the formal and informal economies. Some of the outputs of the informal economy feed into the formal and vice versa.

(The facilitator can ask the participants to give examples of other linkages between the formal and informal economies and to discuss them.)

In the developing world, especially sub-Saharan Africa, the majority of workers are found in the informal economy. For example, according to the ILO (2001), work in the informal economy currently forms 80 per cent of non-agricultural employment, over 60 percent of urban work, and over 90 per cent of new jobs. Thus sub-Saharan Africa has the highest proportion of informal to total employment. Apart from the small size of the formal economy and its limited labour absorption capacity, the ease of entry into the informal economy constitutes one of the factors accountable for this trend. Even workers in the formal economy in several of the African countries supplement their low salaries by carrying out a second income earning activity in the informal economy.

Another major development that has added to the expansion and growth of the informal economy is the downsizing of the formal economy, including the public sector under the retrenchment exercises that accompanied the structural adjustment programmes and other macro-economic policies. For instance, civil service posts reduced from 54 per cent jobs in 1975 to 24 per cent in 1993 in Burkina Faso. The informal economy then becomes the natural port of call for those who lose their formal economy jobs as well as the new entrants into the labour market who cannot be absorbed by the formal economy. Other poor people also resort to informal economic activities as a survival strategy. It is estimated by the ILO that almost 93 per cent of the jobs generated in the urban areas during this decade will be in the informal economy. While the informal economy grew at 5.6 percent annually, the formal economy's growth has been estimated as infinitesimal, less than 1 per cent. Paying special attention now to the informal economy by the unions is thus vital for the trade unions to rebuild their current dwindling membership.

b) Women workers' concerns and other gender dimensions of the informal economy

There are significant gender differences in the informal economy. Unlike the formal economy, there are more women than men in this economy. For example, more than 95 per cent of the female non-agricultural labour force is reported to be in the informal economy in Benin, Chad and Mali. Apart from agriculture, the women's informal economy activities include food processing, handicraft production, and retail trade. The range of their activities tends to be more narrow compared to the diversity of men's activities in the informal economy like transport, manufacturing, construction, auto mechanics and trading. Additionally, women are more likely than men to be in the informal activities that are very small in size and escape counting including production for own consumption and invisible domestic work.

Informal economy work, on the whole, cannot be described as “decent” work as it is not secure, protected nor recognized in national budgets to enable them to receive support. The decent work deficits suffered by the workers – women and men – in this economy include the following:

- They are not covered and are, therefore, unprotected by labour and other laws. They, thus, tend to lack rights.
- Their work tends to be unstable and also with low income and other poor working conditions. Thus a high proportion of informal economy workers tend to be poor.
- They are hardly able to organize for effective representation and, therefore, have no “voice.”
- They are unable to benefit from public infrastructure and facilities and often have to rely on “informal, exploitative institutional arrangements for information, markets, credit, training or social security.”
- They are sometimes harassed and repressed by city and national authorities.
- They face unfair competition from formal sector work and products. For example, women's handicrafts have in some cases been displaced by products from the formal enterprises.
- The workers in the informal economy tend to be poorly educated. A large proportion is without any formal education at all.
- They often lack shelter for their operations and are thus subjected to the vagaries of the weather and other occupational health and safety hazards.
- They lack appropriate technology, relevant skills, access to loans and markets to be able to upgrade their operations.
- Without established employee – employer relations as found in the formal economy, informal economy workers have tended to be ignored by national labour laws.

c) Required comprehensive strategy and what the trade unions can do

The strategy for dealing with the above problems of the informal economy, including those related to the gender dimensions of this economy, should of necessity cover the following main issues together:

- Promoting the employment-creating and productivity potential of the informal economy;

- Extension of social protection, welfare and regulation to activities here;
- Organization of the informal economy workers and producers to have a “voice.”

Promoting the employment-creating and productivity potential of the informal economy

Despite the informal economy’s large size in terms of the numbers engaged in it, its productivity and general output and contribution to GDP are quite low. Closely linked to this is the limited investment in this area of the economy in terms of improved productive tools, and techniques. Inefficient tools continue to be used which makes tasks time-consuming and back-breaking. There is also inadequate investment in terms of training and retraining. Work quality is thus very poor. Earnings from work in the informal economy tend to be generally low. The informal economy, however, holds the key to reduction of unemployment in the developing countries and requires productive and time – saving technologies, skills training, credit and other investments to boost employment. The informal economy has sometimes been referred to as the “shock absorber” of the economic and other crises encountered by these countries. The employment and productivity promotion strategy can, however, sometimes appear to be in conflict with the strategy of extending social protection to the informal economy.

Extension of social protection, welfare and regulation to activities in the informal economy

As the informal economy workers constantly face a number of risks and disadvantages, they need to be covered by social protection as a strategy to reduce these risks and to enable the workers to cope with the risks when they occur. Social protection is being used here in the ILO sense as a generic term similar to social security, namely all forms of social programmes including social insurance, social assistance, social safety nets and care that contribute to poverty reduction. Social assistance, unlike social insurance, is non-contributory and is formulated to meet the diverse basic needs. Both social insurance and social assistance form an integral part of social security. Social safety nets can be compensatory measures, such as food vouchers and cash supports, to address the negative effects of national and other policies. The ILO’s Social Security (minimum standards) Convention No. 102, lists nine such risks or contingencies to be covered, namely health care, incapacity for work due to illness, disability through work, unemployment, maternity, child maintenance, invalidity, old age and death of the bread winner.

Many of the participants and their small enterprises in the informal economy are not covered by any social protection scheme at all. Many women informal economy workers do not have access to maternity health. The informal workers’ lack of social protection is linked to the fact that they are unprotected by existing national labour laws and are also not organized by the trade unions. They resort to informal social protection including: support from relatives; making their children to work; and rotating savings-and-credit schemes as well as their own meagre savings or assets they can sell. These informal sources tend to be inadequate. When coupled with the adverse impact of HIV/AIDS on the workers and their families, the informal social protection is completely unable to meet the demands, such as for health protection and care of the dependants upon the early death of the breadwinner. Women’s care and other forms of burden increase tremendously. Innovative social protection approaches are required to assist informal economy workers including women and men.

An initiative to extend social protection to informal economy workers

To extend maternity protection to women in the informal economy, the ILO Global Programme, STEP* Strategies and Tools against Social Exclusion and Poverty - and the Conditions of Work Branch (CONDIT) have started an initial research effort.

The current focus is on community-based health financing schemes which provide limited, demand-driven benefit packages of health services at affordable prices. Next to delivery with complications, normal delivery, pre- and postnatal care, many schemes also engage in preventive and maternity care training, recruit local traditional birth attendants, and organize awareness-raising activities including HIV/AIDS.

Including maternity protection in the benefit package meets an urgent need among poor women. One lesson learned so far is that schemes are most successful when they reflect specific maternity needs articulated by their members. Installing the radio transmitter is the solution which the scheme in Buhweju, Uganda uses to cope with the transportation problem. In other communities, women may choose to receive benefits not in cash but in food, clothes or medicine, thus avoiding the risk of a family member spending the money. Some schemes also cover the health care needs of the woman's husband.

Still, to the ILO, the sheer existence of maternity protection within health micro-insurance schemes is not an end in itself. Rather, to effectively promote maternity protection, the ILO wants to encourage links between schemes at the community level and national policies and programmes, especially with social security institutions.

With all the cultural and regional differences characterizing the schemes, there is no "one size fits all" solution. A set of provisional guidelines has been developed by the ILO, based on the information gathered in nine countries in Africa, Asia and Latin America. These guidelines can be used by the ILO's tripartite partners as well as by social organizations and other parties active in the health sector.

Source: ILO: Women in the informal economy: Urgent need for maternity protection, in *World of Work*, No. 45, Dec. 2002 (Geneva)

Social protection for the informal economy will entail efforts by the state, by collective social mechanisms of the informal economy workers themselves, mutual support, community-based organizations and international assistance. Furthermore, emphasis has to be given to occupational safety and health. The government can extend coverage of existing formal social insurance schemes to the self-employed and other informal economy workers. Here the rights of women and other poor people to social protection should be very much ensured and also recognition should be given to intra-household inequalities in resources. Some targeted interventions may be envisaged.

The introduction of the social protection schemes can be done on a gradual basis, such as starting from health insurance including maternity protection initially and later broadening it to include income security, family support such as a grant for expenses of school children. The people engaged in the informal economy have, sometimes, pooled their own resources together for their mutual support, such as provision of credit facilities, crèches and health services, as done by SEWA (the self-employed women's organization in India). Such informal social protection mechanisms can be strengthened by the state and other institutions.

To ensure that women have an enhanced access to these innovative social protection schemes for informal economy workers, some have exclusively targeted women and or their activities and roles, such as reproductive health, childcare and family planning.

Organization of the informal economy workers and producers to have a “voice”

While the informal economy workers are yet to realize their full potential in terms of organizing themselves or being mobilized by the trade unions to strengthen their bargaining power, some significant progress has nevertheless been attained in this area. The trade unions now realize, especially in the developing countries, that promoting their survival, strength and credibility depends, among other things, on broadening their base to be able to speak on behalf of all workers. They therefore cannot continue to focus on only one segment of society, namely the formal economy workers and neglect the informal economy where the bulk of workers are engaged and also face the most problems.

The principle of gender equality is now widely accepted by the unions, but much remains to be done by them in terms of its practical application in their work. For example, they need to reflect the concerns of women, whose numbers are gradually increasing within the trade unions, in collective bargaining and the unions' other activities and refrain from neglecting the sex segregation and discrimination that exists in the larger society. Furthermore, the unions have to help the informal economy workers, a significant proportion of whom are women.

Organizing the informal economy workers is, however, not easy. The precarious nature of their work, their daily toil and moil to make a living and uncertain future often leave them no time to attend union meetings and other events. Furthermore, the informal economy workers do not represent a uniform group. The unions may not have the relevant strategies nor the resources for mobilizing the informal economy workers. Additionally, current union members who are predominantly from the formal economy may not perceive the rationale for their union's coverage of the informal economy. The informal economy workers may also lack knowledge about how union participation can benefit them. The existing labour law may not facilitate the organizing process as it does not cover the informal economy workers. The unions may themselves lack the special policies and internal structures needed for this work as their standard mobilization strategies and policies, geared to the formal economy workers, may not be effective with regard to the informal economy. The unions should, thus recognize the major challenge they face in confronting this issue.

The unions can demonstrate their relevance to the informal economy through providing such practical services as assisting the informal economy women and others to interact with city councils and local governments (for example to press for roofed and decent work premises and pipe borne water) and banks (to gain access to loans without insistence on collaterals). The unions can also help these workers to form cooperatives which will enable them to gain access to other needed services like markets and other business support services. They can organize legal literacy programmes for these workers to deepen their knowledge of the national laws that affect them as well as to sensitize them on such pertinent issues as occupational health and safety, childcare, contraceptive use and other family planning techniques. With large a number of women operating in the informal economy, women trade unionists and women's units of national and regional trade unions have sometimes been at the fore front of the unions' work here.

Additional funding is often required for this work by the unions and, therefore, resource mobilization efforts have to be made. Furthermore, the unions have, sometimes, liaised with women's groups and also adopted community-based approach to be able to reach the women and other informal economy workers.

The informal economy workers can also form their own unions if they know how to go about it. Thus awareness raising and workers' education training and advocacy work will be vital. Additionally, changes in unions' constitution, other statutes and structures may be needed as well as efforts to organize special services for the informal workers. In some of the African countries, like Ghana, Benin and Senegal, this change has already occurred. At the same time, the government may have to be lobbied to amend the labour law to also cover the informal economy.

There are some international labour standards that can guide the unions, the state and the informal economy actors in organizing informal economy workers. Among them is the Home Work Convention, (No. 177) 1996. It for example, specifies the following in Article 4:

1. The national policy on homework shall promote, as far possible, equality of treatment between homeworkers and other wage earners, taking into account the special characteristics of home work and, where appropriate, conditions applicable to the same or a similar type of work carried out in an enterprise.
2. Equality of treatment shall be promoted, in particular, in relation to:
 - (a) the homeworkers' right to establish or join organizations of their own choosing and to participate in the activities of such organizations;
 - (b) protection against discrimination in employment and occupation;
 - (c) protection in the field of occupational safety and health;
 - (d) remuneration;
 - (e) statutory social security protection;
 - (f) access to training;
 - (g) minimum age for admission to employment or work; and
 - (h) maternity protection.

With special reference to domestic workers, the unions can reach them by working with other civil society groups like women's associations and religious groups. The unions can also ensure that domestic workers can easily contact the unions. They can conduct publicity and media campaigns on domestic workers and their plight. They can lobby for national legislation to cover domestic workers and to improve their working conditions including hours of work, minimum wage, vacation, sick leave and overtime pay. They can also provide them with training.

In recent years, some of the trade unions have begun to broaden the scope of their work to include workers in the informal economy and other unorganized workers. The two case studies below on Namibia and Burkina Faso show the strategies adopted as well as the positive results gained by the informal economy workers and also by the unions.

Case study of domestic workers and the trade unions in Namibia

In several countries around the world, trade unions have assisted domestic workers, despite the scattered nature of their work locations, to organize themselves to seek an improvement in their very

poor working conditions, including very long working hours, very low wages and lack of job security. In Namibia, for example, before independence, the domestic workers were assisted by the National Union of Namibian Workers (NUMW) to form the Allied Workers' Union in 1990, which is currently affiliated to the NUMW. Despite its short history, about a third of the total number of domestic workers in the country are already members of the union.

Information on the Union is provided regularly on the Namibian Broadcasting Corporation, and through this, a number of domestic workers have learnt about it and applied to be members. The Union has branches in each region and a section steward at the local levels, not a shop steward. The Namibian Domestic Allied Workers' Union (NDAWU) assists its members to negotiate with their employers and also places considerable emphasis on the provision of education to them about trade unionism. Study circles have therefore been established. NDAWU is constrained by limited funds but, through organization, it has attracted financial help from some outside bodies such as the Finnish SASK for the educational project and OXFAM for a cooperative project for its members. It has also established a catering service as an income-generating activity for some domestic workers who lost their jobs. Furthermore, NDAWU plans to set up a literacy programme for its members since most of them are illiterate. By organizing, therefore, some improvements are beginning to occur in the working conditions of Namibian domestic workers.

Source: Date-Bah, E. : African trade unions and the challenge of organizing workers in the unorganized sectors, in *Labour education*, 1992-1993/3 , (Geneva, ILO, 1993)

Case Study of women market traders in Burkina Faso and the trade unions

In Burkina Faso, the association of women market traders in Ouagadougou and the Cissin Natenga Women's Association (together with other informal economy groups) have been affiliated to the central trade union body, the Organisation National des Syndicats Libres (ONSL) since the inception of the Union. The ONSL, compared with other unions in Africa, can almost be described as quite progressive since five women are represented on its executive board of 37 members and it also has a women's committee which is responsible for training, organization and implementation of various projects for women. Furthermore, it has organized several seminars specifically for women. The ONSL Women's Committee has set up a Market Women's Committee and also organized seminars for the leadership of the women in the different trading activities in the informal sector. When the rents of market stalls were raised following renovation of the market place, the union approached the relevant authorities on behalf of its members to have such rents reduced, in some cases by half of the original amount.

The Cissin-Natenga Women's Association, which had grown out of a literacy programme for Catholic women and now embraced various women irrespective of religious persuasion, approached the ONSL's assistant secretary for workers' education for help. The women were advised to form a women's association with specific objectives, to become affiliated to the Union and to pay a subscription fee to the Union. The association then obtained various forms of assistance from the Union including guidance from its official in charge of women's programmes, learning materials and even lamps to enable them to organize evening courses to supplement the ones organized during the day. Later, the ONSL assisted the association to apply for, and to obtain a site from the relevant authorities to construct a permanent literacy and craft centre. Moreover, the ONSL used its links with UNICEF to obtain further assistance, such as a weaving machine and soap-manufacturing plant for the centre. In addition, UNICEF trained two of the Association's members in soap manufacturing and vegetable drying. Further assistance for the centre was also obtained from the ICFTU and the Belgian General Federation of Labour (FGTB).

Through the above effort, a number of women of Cissin-Natenga have become literate and have acquired a trade. In addition, the ONSL has assisted with the sale of the products from the association's activities such as tablecloths, bracelets and woven cloth and, thus, enabled the members

to earn an income. Furthermore, the ONSL has organized courses in trade unionism for them together with the market women in Ouagadougou. The ONSL has also managed to obtain a loan from the bank for these women workers' activities.

The ONSL, through its work with the informal sector workers, has increased its membership. This work has, furthermore, made the ONSL a trade union which is adapted to the socio-economic context within which it operates.

Source: Date-Bah, E. : African trade unions and the challenge of organizing workers in the unorganized sectors, in *Labour education*, 1992-1993/3 , (Geneva, ILO, 1993

In some cases, the informal economy workers formed an association and approached the trade unions for help. In other cases, the central trade union body identified the need to organize the informal economy workers. Among the benefits that the workers have gained are training, access to loans, improved work sites and marketing outlets. Outside support, such as from international trade unions and other bodies, the government, women's organizations and other civil society groups, have also sometimes facilitated this effort. On the whole, through such mobilization of the informal economy workers, these vulnerable workers have become empowered to seek solutions from city councils and governments to their needs.

Other relevant approaches by the trade unions

Organizing strategies will differ depending on whether the informal economy workers are setting up their own membership-based organization or existing trade unions are reaching out to organize and represent them. Even when an existing union is not directly organizing workers, it can still assist informal or unprotected workers in several ways, for example by assisting them with capacity-building, structuring of their existing organizations and associating them with the activities of the formal trade unions. The strategies required would also depend on the specific groups of workers and their particular situation and needs.

From an analysis of the Ghana TUC's experience, other guidelines have also been identified. These include the following:

- Since the sector is heterogeneous, it is important to target existing informal sector associations as organization points rather than the individual operators.
- Focus on the problems of the various categories of operators and formulate strategies together with them to address their concerns. Note that the problems of the sector vary from one association or operator to another. Sometimes, you need to discuss their production chain with them and try to determine where their problem is actually located. Sometimes, they do not even know their own problems, and are therefore not able to trace their source.
- Improving occupational health and safety in the sector is very important some informal workers do not know the side-effects of the chemicals that they use in their work.
- Enhancement of the packaging and marketing of their products is another area where informal sector workers have a lot of problems. Assistance could be given to them to expand the market base of their products. For example, the Industrial and Commercial Workers' Union of the Ghana TUC has created a sales opportunity for the tie-dye batik producers to the Hall of Trade Unions in Ghana... arrangements are also made for them to advertise their products during national trade fairs.
- Access to credit is a further problem area..... Thus the unions can use their strength and influence to access credit for them and also ensure that the monies are paid back.....". (Ghartey and Dokenoo, 2002)

Below are other general guidelines for organizing and protecting informal economy and other vulnerable workers:

- Special outreach ;
- Awareness raising and education campaigns ;
- Changes in union statutes and internal structures;
- Special services for informal and unprotected workers;
- Inclusion in collective agreements ;
- Assistance to form own associations, unions , alliances and coalition building;
- Undertake research and identify areas you want to link up with;

Special outreach

There are difficult challenges in reaching informal workers, mainly because of the differentiation among them. Some workers are home based, others are scattered over small production units that are often invisible and hard to locate and to contact. There is therefore the need to go out and look for them. Among the other special outreach measures, to be adopted by the unions, are the following:

Use community-based approach in conjunction with other proven shop floor organizing methods. There is the need to link up with community organizations that have contact with these workers, especially non-governmental organizations. For example, trade union workers employed in the formal economy, who have relatives or friends in the informal economy, can serve as the link between the unions and the informal economy workers concerned.

Build bridges between the trade union movement and informal or unprotected workers. The union experience of members and activists who have been forced out of the formal economy through retrenchment policies should be capitalized on.

Places and times for activities, chosen by the unions, should suit the heavy and uncertain work schedules of informal economy operators.

Awareness raising and education campaigns should be undertaken to focus not only on workers' legal rights but also on the benefits of unionization. One reason why women do not join unions is that they do not understand how unions can help them. A campaign strategy to transmit information can include radio and television, role play, musical performances and rallies.

Widely publicize union successes in improving the position of informal workers. Sharing information about mechanisms used by the unions.

Use innovative ways of educating and mobilizing workers. Most informal economy women have low levels of education and literacy. Alternative communication tools such as role-play, drama and songs can be effective communication tools within education programmes addressing women's issues.

Develop leadership potential of informal economy workers through a holistic approach that covers normal union issues such as collective bargaining and other issues that address the specific needs of such workers such as legal literacy and how to access credit among others facilities.

Use participatory methods and forums to enable women workers to express themselves freely.

Changes in union status and internal structures because some unions do not have a mandate to organize informal workers, they need to change their constitution and internal structures by creating special departments or units and allocating specific budgets for this purpose. The

women's section in trade unions can play a critical role by developing services that are relevant to informal economy operators.

Special services for informal and other unprotected workers

- Job placement and business centres established nationwide help informal workers' access necessary resources, such as information, credit and so forth; they also help informal operators and vulnerable workers regularize their employment status;.
- Assist workers to deal with banks, creditors and local authorities in obtaining licenses, subsidies, marketplaces, etc.;
- Facilitate the organization of cooperatives to pursue economic and social objectives;
- Link operators to medical facilities, education benefits, medical insurance and loans among others;
- Undertake research to formulate policies, assist informal economy operators to link up with one another.

Inclusion in collective agreements the trade unions can also assist workers in the informal economy or those that can be described as "atypical" workers to be included in collective bargaining. Collective agreements can be extended to cover them to give them access to benefits and also to enable them bargain for the regularization of their employment status.

Assistance to form own associations/unions and alliances and coalition building

Trade unions have different options for organizing informal or unprotected workers. Whatever option is decided on should have the endorsement of current union members.

These options are:

- to amend the trade union constitution or statutes to include informal workers as direct members. This means the union would have to widen its interpretation of the traditional trade union "base" to include a broad spectrum of workers, regardless of their employment status.
- To broaden its organizational base through an expansion of membership, the unions would have to consider:
 - How such workers should be integrated into existing union structures;
 - In case such informal workers are unable to pay regular membership fees, the union should find alternative solutions such as setting lower rates or offering a grace period.
- Help informal or unprotected workers establish their own union-type membership-based associations and forge close relations with them. Where there are major problems directly recruiting informal or unprotected workers as members, it may be more effective in the short-term to provide guidance, training and other supports to build the capacity of such workers to organize themselves. The unions could then form close partnerships or affiliations with these self-organized groups. This would lead to the development of mutual trust and overcoming reservations that informal workers may have in joining existing unions.
- Lobby on behalf of these informal organizations and fight for their recognition, especially with those with whom they need to negotiate – public authorities, contractors, employers and so forth. Established trade unions have a role to play in assisting these informal organizations to achieve recognition, bargaining power and legal protection.
- Build coalitions with appropriate informal economy organizations that share basic principles of the trade union movement. These groups can provide opportunities for organizational partnerships or integration with existing trade union centres.
- Retain union identity as organizations of workers acting in defence and promotion of their interests. On this basis, build more general alliances with NGOs, religious groups and other civil society groups as one component of the overall campaign to organize and improve conditions for informal or unprotected workers.

- Launch information campaigns on relevant ILO standards, such as Home Work Convention, No. 177 (1996)
- Establish criteria for organizing various groups for training purposes.
- Identify areas in which they require training.
- Provide advisory services to the various groups.
- Monitor and mentor various informal and vulnerable workers.
- Undertake research to identify the operators the trade union wants to link up with.
- Find ways of assisting other unorganized groups
- Influence policy formulation.

Finally, in the conclusions of the African social partners forum, that preceded the extraordinary session of the Africa Union on employment and poverty alleviation, the trade unions committed themselves to the “transformation of the informal economy through strategies such as the development of cooperatives, the promotion of youth and female entrepreneurship, and the provision of technical and vocational training for informal economy workers.”

Group work

- a) Examine the informal economy in your country, the efforts at unionization, and the lessons identified, especially the coverage of women and other gender questions. Present group results in plenary.
- b) Examine the informal economy, the problems encountered in particular by women in this economy, what has been done to tackle them and what still needs to be done.

Further reading

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Martens, M.H. and Mitter, S.: *Women in trade unions: Organizing the unorganized* (Geneva, 1994).

MODULE 4: GENDER AND HIV AIDS

MODULE 4: GENDER AND HIV AIDS

Structure

- 4.1 Module objective
- 4.2 Module strategy
- 4.3 Facilitator/presenter's key talking points and messages:
- 4.4 Group work
- 4.5 Further Reading

4.1. Objective

Strengthen trade union understanding and action in relation to HIV/AIDS and its gender dimensions.

4.2 Strategy

Structure	Theme	Materials	Time required
Opening	Explain general purpose and procedures for this session. The facilitator can ask some of the participants to state briefly what they know about HIV/AIDS. This will enable her or him to gauge the participants' knowledge on HIV/AIDS	Power point / Flip chart	15 -30 minutes
Presentation of key points and messages	<ul style="list-style-type: none"> a.) HIV/AIDS and its current trends in Africa b.) Gender and HIV/AIDS. c.) Comprehensive strategy for addressing it and the gender aspects of HIV/AIDS. d.) The trade unions' role. 	Power point/ Documentary video/ Flipchart	60 minutes
Group work	a) Examine the HIV/AIDS situation of your country, the programme and other work of your trade union towards it, how gender dimensions are being covered and the gaps and attempt to elaborate	Flip chart	120 minutes

	<p>a programme for your union to be able to address the gaps and also strengthen its action.</p> <p>a) Design a gender-sensitive work place HIV-AIDS policy for your sector of industry.</p>	Flip chart	120 minutes
Wrap up	Summarize and reinforce key points	Flip chart	15 minutes

4.3. Facilitator/presenter's key talking points and messages

a.) HIV/AIDS and current trends in Africa

The human immunodeficiency virus and the acquired immune deficiency syndrome (HIV/AIDS) has become a major world problem with the rate of infection continuing to rise by leaps and bounds. The disease, which is transmitted by unprotected sex, sharing of needles, blood transfusion and breast feeding i.e. through body fluids such as semen, blood, vaginal secretions and breast milk, is reported to have affected over 40 million people with over 66 per cent of them in sub-Saharan Africa. In 2003 alone, 2.3 million Africans died from the disease and 3.4 million people were infected by the HIV virus. Additionally, more than 22 million people have so far died from the disease. Furthermore, annually between 2 and 3 million adults are reported to die from the illness, while 5 million new cases are identified. It is estimated that by the year 2010, the African countries most affected by the illness would altogether have 50 million less people. Moreover, the size of the labour force would have declined by between 10 and 30 percent by 2020. Additionally, 14 million children would be partially (losed one parent) or fully orphaned (losed both parents) which could increase the extreme poverty and child labour problem.

Indeed, it has been noted that AIDS has killed ten times more teachers and health workers and has generated more orphans than has the widespread armed conflict in Africa. The pandemic has, thus become a major threat to sub-Saharan Africa's social and economic progress as well as the livelihood of many people and their families and the world of work as a whole because of its colossal adverse effects. Sub-Saharan Africa therefore sees HIV/AIDS' incidence as a priority challenge it has to tackle for its overall development, the condition of its human resources, the performance and profits of its enterprises and the productivity and welfare of the active labour force. Indeed, the Assembly of the African Union's third extraordinary session on employment and poverty alleviation (September 2004, Ouagadougou, Burkina Faso) committed the members to intensify their fight against HIV/AIDS and other illnesses, and "to develop and implement national legal and policy frameworks as well as preventive, affordable drugs, and care and support programmes to

fight these diseases, thus providing a supportive workplace environment for all workers, and in particular, persons living with HIV/AIDS”.

The most productive segment of the labour force is the population group most affected by the pandemic, resulting in decline in outputs, increase in business costs, loss of skilled and experienced manpower and soaring levels of labour costs faced by enterprises. Currently, 80 per cent of the deaths from AIDS belong to this group, especially those between the ages of 20 to 49 years. A recent ILO report points out (in relation to the rapid escalation of HIV/AIDS- affected people in the world, that currently 36.5 million people of working age have HIV and in a year's time, the global labour force will lose as many as 28 million workers since the start of the HIV epidemic. By 2010, this figure would have increased to 48 million and by 2015 to 74 million. The workers and others affected by the disease also face discrimination, stigmatization, isolation and denial of opportunities not only at the work place but also in the larger society.

The horrendous impact of HIV/AIDS on the trade unions' members and non-members, the world of work and the larger society as a whole has made it an issue of major concern also to the trade unions. For example, the trade unions have lost members, skilled unionists and leaders. Like the ILO, the trade unions also perceive HIV/AIDS not as a health issue only but also as a workplace issue. Additionally, it is a human rights concern alongside its socio-economic and developmental dimensions.

The pandemic has eroded many of the achievements of Africa including increases in life expectancy, child survival and nutrition. The numbers of AIDS orphans and children in work have also increased. Personal and household savings and other assets are quickly used up in a bid to care for sick family members.

b.) Gender and HIV/AIDS

According to the *ILO Code of Practice on HIV/AIDS and the World of Work*,

“ The gender dimensions of HIV/AIDS should be recognized. Women are more likely to become infected and are more often adversely affected by the HIV/AIDS epidemic than men due to biological, socio-cultural and economic reasons. The greater the gender discrimination in societies and the lower the position of women, the more negatively they are affected by HIV. Therefore, more equal gender relations and the empowerment of women are vital to successfully prevent the spread of HIV infection and enable women to cope with HIV/AIDS.”

Frightening Statistics

The HIV/AIDS pandemic has a number of alarming gender aspects. For example, HIV-infected young women are double the numbers of HIV-infected young men. In Africa, women constitute more than half of all new HIV infections and 77 per cent of all HIV-positive women globally. Furthermore, most of the people dying from the disease in sub-Saharan Africa are reported to be women. Women's proportion among adults living with HIV/AIDS increased from 43 per cent in 1998 to 48 per cent in 2003. The HIV prevalence rate among pregnant women in Swaziland, for example, increased to 42.6% in 2004 from 38.6% in 2002. This is according to preliminary findings from the country's latest HIV sentinel survey, as reported by IRIN News of April 2004. In Burkina Faso, one survey revealed that the infection rate among girls between the ages of 13 to 24 exceeded men of that age group by five to eight times. In sub-Saharan

Africa as a whole, women form three quarters of young people with HIV. The current trend in HIV/AIDS can be summed up as “increasingly female, young and poor”.

Adverse cultural practices against women.

Among the factors that facilitate the spread of the disease and also constrain the fight against it are: gender inequalities, some traditional cultural practices among some ethnic groups, like female genital mutilation), wife inheritance, forced early marriage, and polygamy; violations of human rights; high levels of illiteracy and therefore lack of correct information, lack of access to medical treatment, lack of political commitment, lack of opportunities for decent work and widespread poverty. The pandemic also tends to adversely affect the already vulnerable groups, like women, more than men. In relation to the gender aspects of HIV/AIDS, they are closely linked to the gender inequalities already existing in the larger society including women’s powerlessness, subordination in marriage and lack of resources including education, funds, decent jobs and their lower *de facto* legal status (despite *de jure* equality in the formal law) in some contexts. Women also tend to be subjected to rape, sexual harassment and other forms of sexual violence which can predispose them to HIV infection.

(The facilitator can ask the course participants to suggest other factors they are aware of to supplement the above factors. S/he can list them on a flip chart.)

The UN Secretary-General poignantly referred to the importance of looking at the gender aspects of HIV/AIDS in the following statement:

“ I urge you to put African women at the centre of the fight against AIDS. On all fronts, the role of women is absolutely crucial. A Green revolution in Africa will happen only if it is also gender revolution. And since AIDS in Africa and around the world is more and more wearing a woman’s face, we will gain the control of the pandemic if women are the very centre of our strategies. In short if you want to save Africa you must save African women first. “(see ECA, 2004, p.10)

Poverty makes women (who form the majority of the world’s poor) more susceptible to infection as they are forced to engage in risky survival strategies including unsafe and unwanted sex for their upkeep and that of their dependants, and also to gain access to assets. In a number of Eastern and Southern African countries, there are reported to be six times as many young women as men and more than a third of teenage girls with HIV infection because of poverty. Once infected, women and girls become more vulnerable and poorer. It is reported by one study in Uganda, for example, that as high a proportion as 88 percent of HIV-positive widows were unable to meet the basic needs of their households. The increasing female face of HIV/AIDS is also adversely affecting Africa’s food security as women are responsible for more than two-thirds of the region’s food production.

Other contributory factors are: crises including armed conflicts among whose current strategies is mass rape of women and massive external and internal displacements. For example, refugees have a higher than average HIV infection level. Among the other gender factors are work place power imbalances which make women unable to always object to sexual advances and harassment. Other features which predispose women to HIV/AIDS include higher levels of illiteracy; lack of financial security and economic opportunity (especially among the female heads of households;) and marginalization. Thus empowering women economically, socially and politically is vital for lessening their vulnerability to HIV/AIDS.

One such vulnerability which has to be tackled, is the inadequate information on HIV/AIDS and its prevention to women. For example, in one survey in 15 sub-Saharan African countries, it was found that “less than 50 per cent of women used a condom in last sex act with their casual partner...”

There is also differential impact of HIV/AIDS on women and men. Infected women are more stigmatized and ostracized by society than men. Some HIV-infected women in Uganda have reported being beaten up and thrown out of their homes, even when the husband was the source of their infection. This can generate a culture of silence on the part of the infected in terms of disclosing their infection. Furthermore, the kind of work women tend to carry out, especially in the informal economy, tends to be more adversely affected by AIDS as they are dependent solely on their own personal input and have no security or occupational health benefits. They, therefore, easily lose their livelihoods when they contract AIDS or other serious illnesses which impede their ability to carry on their activities. The societal norms about masculine behaviour of men can contribute to men engaging in unsafe and non-consensual sex.

In one study in Ethiopia, AIDS was identified to be “more devastating and a great misfortune to families where only one person in the family has a job.” For example when the husbands with jobs die from the illness, the wives and other family members dependent on them become destitute. The women are forced “to sell off their assets as a coping strategy making them vulnerable to food insecurity”, thus demonstrating a link between gender, HIV/AIDS and food insecurity. The economic problems the women face can force them into prostitution with no alternative livelihood.

There are sectors and work types where the risk of contracting HIV/AIDS is higher, for example migrant workers, transport and other mobile workers – both men and women. Among migrant workers, women and girls are more subjected to abuse and forced prostitution than men and boys. Contexts with armed conflicts where mass rape of women is one of the “weapons” employed. Furthermore, it is difficult to reach such workers as well as those in the informal economy, where women are many, with appropriate HIV/AIDS prevention messages.

Violence against women and girls has been identified as one of the factors at the root of the greater incidence of HIV/AIDS among women and girls. For example, the rape of women and girls by HIV positive men during war, as happens in many of the conflict-affected countries in Africa and elsewhere, dramatically expands the numbers of HIV- infected women and men.

Several studies in the region have revealed the correlation between violence against women and their HIV infection. For example, two such studies in South Africa and Tanzania point to the likelihood of women who have been subjected to violence by their partners being HIV-positive than those who have not. Other forms of violence, like sexual abuse and harassment which occur at the work place, can also predispose women to HIV infection. In some export-oriented industries in Kenya, a very large proportion (more than 90 per cent) of women respondents in the study reported that they had either been subjected themselves to sexual abuse or observed it at the work place.

While both men and women can die from the illness, women also tend to bear a disproportionate part of the load of caring for the HIV-infected members of the family and community, thus further increasing their work burden and poverty. In families with HIV-infected people, girls have to contribute to their care or to the income required for their upkeep. This interferes with their school attendance and general preparations for obtaining decent work in the future. For example, in one community study in Zimbabwe, it was found that as high a proportion as 76 per cent of the young girls in the community had had to drop out of school to look after AIDS-infected relatives. Yet schooling is critical for protecting them from early HIV infection themselves. Women’s care and other burdens emanating from

having AIDS patients in the house or deaths of such people are estimated to be on a high increase and are likely to double by the year 2015.

On the whole, households with many deaths or illnesses from AIDS are more likely to be rendered poor because of reduced able-bodied manpower for agricultural and other forms of production. Furthermore, the care which women, the mainstay of agricultural production in Africa, have to provide for HIV patients, negatively affects food security, since it reduces the time and effort they can put into their farming activities. The women are therefore, forced to adopt such coping strategies as selling their assets.

One gender dimension of HIV/AIDS is the atypical family forms it has generated which have put the burden of care on the oldest – grandmothers, and the youngest – girl children, with the deaths of the able – bodied relatives. Such families tend to live in abject poverty lacking the means for the upkeep of the family. In Uganda, for example, more than two million orphans have resulted from AIDS-related deaths of parents. The trend has also increased the number of working children for their survival, including young girls in commercial sex activities.

Despite the above gender issues and the unequal power relationships between men and women, men remain inadequately targeted in HIV/AIDS programmes. However, without their involvement not much will change for women. Men and boys have to be targeted and their contribution to the effort harnessed. Special strategies are required to generate men's involvement. Furthermore, addressing the alarming trend in HIV/AIDS cannot be achieved by only targeting women and girls as victims, they also have the ability to contribute to the required efforts.

Stepping Stones: Male involvement in a gender and HIV/AIDS training package

Stepping Stones is a tool on reproductive health and HIV prevention which uses communication, relationships and life skills training. Its main objective is to enable men and women to share their hopes and fears to each other and identify factors essential for their reproductive health. It has been in use in Africa and Asia as it was elaborated initially for illiterate communities. A review of the programme points to some of the factors that have made men to be involved in the reproductive health and other activities of the programme and brought about positive changes in behaviour including reduction in gender violence and more practice of safer sex.

The process and approach adopted by Stepping Stones is to work with peer groups to discuss their views and to submit the views of each peer group to the community as a whole. The peer group work contributes to enhance the knowledge of the members of the peer group. Sharing their views with the community generates a “supportive environment” for the change and its long term sustenance. Furthermore, in the groups, men and women have the opportunity to examine matters that affect their reproductive health together.

The following are some the factors identified as having contributed to change men's reproductive and sexual behaviours:

- Men having the opportunity to enhance their knowledge and skills on the issue;
- Trust building in the peer groups;
- Men having the opportunity to listen to women's concerns and the impact of their

- actions on these concerns i.e improved gender relations; and mutual respect;
- Using male facilitators; and
- Developing positive peer and community pressure for the required change in behaviour.

Source: ICWG (Inter-agency working group): Stepping Stones: Chapter 3: “Highlighting male involvement in a Gender and HIV/AIDS training package,” in *Three case studies: Involving men to address gender inequities* (USAID, July 2003).

a) Comprehensive strategy for addressing HIV/AIDS and its gender aspects.

In view of the above and other HIV/AIDS concerns, the Millennium Development Goals (number 6) call for “reduction in HIV infection in people 15-24 years of age by 25% within the most affected countries before 2015, and...; provide at least 90% of young men and women with access to HIV-prevention.

A comprehensive strategy is needed for tackling the HIV/AIDS problem. It has to encompass not only individual but also collective action covering three major elements: contain the spread of the pandemic by tackling its root causes including gender inequalities; lessen its impact on the affected workers and others; and provide social protection to help cope with the illness. Illustration of such a comprehensive strategy is provided by the ILO code of practice on HIV/AIDS and the world of work. Apart from the required medical interventions to be handled by medical centres and personnel, the ILO code points, for example, to a set of guidelines for elaborating a workplace policy on the issue. It stresses that HIV/AIDS should be recognized as a workplace concern as well as the fact that the workplace also has a role to play in curtailing the spread of the illness and also in reducing its impacts. Other relevant principles, that the policy should cover, include: non-discrimination; gender equality; healthy work environment; and social dialogue between employers, workers and government. Thus, there should be no discrimination against HIV/AIDS-affected people.

Because of the need for action on several fronts, the Global Coalition on Women and AIDS focuses on the following critical areas in an effective response, including prevention, treatment, care giving, education, gender-based violence and human rights. In connection with prevention, they stress that an effort should be made for women and girls, who are highly susceptible to HIV infection, both because of their biological role, gender inequality and discrimination, to have the knowledge and the means to prevent this infection. Currently, more than 80 per cent of young women have inadequate knowledge about HIV/AIDS. More men seem to know more about the transmission of the illness than women.

Additionally, apart from the HIV/AIDS’ campaign’s emphasis on “abstain, be faithful and use condoms”, there is need for emphasis on women and girls’ “lack of economic power to negotiate fidelity or condom use and are subject to gender-based violence” . Thus, they need to be empowered to be able to exercise their rights. Promoting and protecting the

human rights of women and girls require emphasis by the various civil and other bodies as well as the government. With increased information about their human rights, women are able to stand on their own feet to challenge some traditional practices which undermine their rights, such as early marriage which prevents them from completing their education.

It is also necessary to ensure that both men and women have equal access to treatment. More men than women are able to access anti retroviral therapy. Poor families, for example, may decide to finance the treatment of only the man and neglect the woman. Thus governments need to subsidize the cost of such therapy and also make them accessible, through mobile health clinics, to the whole population - rural and urban.

As women and girls provide almost 90 per cent of the home care of family members stemming from illness, over and above their already heavy work load including childcare, cooking, cleaning and fetching of fuel wood and water, strategies for HIV/AIDS and poverty reduction have to seriously consider women's heavy care functions. For example, the work load of a woman can be increased by a third when she is also caring for an AIDS patient. Such a woman and her household are also more likely to be poor. The healthcare needs of AIDS patients have to be addressed by governments to reduce women's care burden and to increase their ability to work for income to support themselves and their families.

On the 22 April 2005, the ILO joined hands with WHO to develop joint guidelines on health services and HIV/AIDS to protect the safety and health of workers in the health services involved in the fight against HIV/AIDS. The guidelines included a gender focus. This is because the health services sector is a major employer of women and therefore, special emphasis should be placed on the particular challenges faced by them in the health care working environment. Programmes, education, and training initiatives should ensure both men and women understand their rights within the workplace and outside

Education has been found to be positively linked to knowledge (of women and men) about HIV prevention as well as measures for sexual protection. Education about HIV/AIDS and other aspects of sexual and reproductive health in school curricula enhances this positive impact. Keeping girls in school for a longer period by reducing their high drop-out rate is thus vital.

As violence against women and girls is among the root causes of their increasing numbers of HIV/AIDS infection, there is the need to break the link between the two through such measures as human rights protection, advocacy and awareness raising and community action.

While marriage can protect women from unsafe sex since it provides one sex partner, it can, when a young woman marries an older man, also increase the young woman's risk of infection.

Poverty, gender and other social inequalities at the root of HIV/AIDS require to be addressed as an integral part of the assault on the HIV/AIDS trend.

d) Trade unions' role: A check list

Not only Government but also employers and workers have inputs to make in elaborating, negotiating and implementing such an HIV/AIDS national as well as work place policy and relevant collective agreements that also reflect the concerns of HIV/AIDS and its serious gender dimensions. A number of trade unions at the enterprise, national , regional and international levels are already actively involved in this exercise. A few are the Ghana Trade Union Congress, NOTU of Uganda, OATUU, ICFTU-AFRO and International Transport Workers' Federation (ITF).

The workers' unions

- can disseminate relevant information to their members and the larger population on the transmission of the disease, required changes in sexual behaviour, rights of all workers and the gender dimensions of the pandemic so that these are given priority attention;
- should lobby employers, governments, policy and law makers and other relevant bodies for appropriate enterprise code of practice and other measures regarding the prevention and protection of HIV/AIDS and also for adoption of anti retroviral medication. The code could reflect the ILO code of practice on HIV/AIDS in the world of work as well as the new ILO/WHO joint guidelines on health workers and HIV/AIDS, most of whom (especially the nurses) are women .
- should develop, within their union programmes, an HIV/AIDS policy, prevention, care, counselling and support strategy and action programme which should also emphasize women's vulnerability and mobilize resources for its implementation. For example, NOTU in Uganda has a policy on HIV/AIDS and the workplace;

NOTU Policy on HIV/AIDS and the workplace

1.2 Objective

The main objective of this code is to ensure that the rights of workers with HIV are fully respected, reduce the number of new infection among employees and their families and mitigate socio-economic impact of HIV on workers and their employing organizations or employers.

1.3 Scope

This code will cover all workers and work places in Uganda

1.4 Major areas of coverage

- (i) HIV prevention through information education and communication
- (ii) Confidentiality and disclosure of information
- (iii) Discrimination and victimisation
- (iv) Managing illness and job security
- (v) Voluntary counselling and testing
- (vi) Provision of care and support

(vii) Formulation of HIV/AIDS committees

(viii) Gender equality

The ILO recognizes the fact that women are more likely to become infected and are more often adversely affected by the HIV/AIDS epidemic than men due to biological, socio-cultural and economic reasons. The greater the gender discrimination in work places and the lower the position of women, the more negatively they are affected by HIV. Therefore, more equal gender relations and the empowerment of women are vital to successfully prevent the spread of HIV infection and enable women to cope with HIV/AIDS.

(ix) Policy monitoring, review and evaluation

This policy shall be subject to periodic reviews in keeping with developments in the understanding of the spread, behaviour, treatment, changes in medicine and science and legislation on HIV/AIDS.

- the workers' unions can conduct advocacy work to expand knowledge and action on HIV/AIDS including the gender dimensions. They can seize on high level events to do this:

MOZAMBIQUE: Workers in the forefront of fight against HIV/AIDS, May Day event.

MAPUTO, 2 May 2005 (IRIN) - The role workers can play in the fight against HIV/AIDS came into sharp focus during May Day celebrations in Mozambique.

The Organization of Mozambican Workers (OTM), the country's main trade union, used the traditional Workers' Day march on 1 May as a platform to raise awareness of HIV/AIDS in the workplace.

OTM secretary-general Joaquim Fanheiro told IRIN Mozambique's workforce has been hard hit by HIV/AIDS. Productive people are critical to the country's development, but they are being decimated by the disease. About 1.5 million Mozambicans are HIV-positive and it is estimated that 14.9 per cent of Mozambicans in the productive age group of 15 to 49 are living with virus.

In 2002, Mozambique passed legislation on HIV/AIDS in the workplace, making it illegal to discriminate against workers, or dismiss them, because of their HIV status.

Between August 2001 and February this year the Ministry of Industry ran a pilot HIV/AIDS prevention project in 42 small and medium companies in Maputo, Beira, Nampula and Tete provinces. The four provinces have some of the highest HIV prevalence rates in the country.

The project reached 2,300 employees raising their awareness about sexually transmitted infections (STIs) and HIV/AIDS.

During monthly awareness sessions, workers learnt about HIV prevention, the importance of counselling and

voluntary testing, positive living, antiretrovirals (ARVs), as well as stigmatization and discrimination. Peer educators were trained to carry on the sensitization work after the project came to an end.

Twenty-three-year Eduardo Adolfo, a waiter in a restaurant in the capital Maputo, was one of those who was trained as a peer educator.

The owner of the restaurant where Adolfo works allows him and fellow peer educators to run hour-long group HIV/AIDS awareness sessions twice a month. However, Adolfo said most of his colleagues find the one-on-one sessions with him more useful.

"People are still shy to talk about these things in a group," he said. When the project began in the restaurant, the owner announced that he was going to get himself tested. "He was a role model and afterwards about half of the workers got themselves tested. I accompanied them if they wanted moral support," Adolfo told IRIN.

"The question most of my colleagues ask me is what happens if they test HIV positive since all the free ARV programmes are full and they cannot afford to pay for ARVs themselves," he noted. Most of his colleagues earn the minimum wage of Meticais 1.1 million (about US \$55).

Mozambique has about 7,000 people living with HIV/AIDS on free triple therapy ARV treatment through its public health system. Although a major achievement for one of the world's poorest countries, it is only a small proportion of the estimated 200,000 people eligible for treatment.

Adolfo said, "I try to tell my colleagues that they need to think more about living positively rather than [viewing] antiretrovirals as the only solution."

One of his ex-colleagues can no longer work due to an AIDS-related illness and Adolfo believes targeting workers alone is not enough. "I would like to do more work with the families of the workers ... but there are no funds for that," Adolfo explained.

Source: IRIN/NEWS, 2 May 2005, (UNOCHA)

- together with employers can promote prevention efforts particularly changes in attitudes and behaviours by providing information and education and by contributing to tackle the socio-economic constraints;
- can work with employers to elaborate and implement an HIV/AIDS policy and/or code of practice at the workplace. This is to reduce the spread of the disease and protect the affected workers from discrimination and unfair termination linked to HIV/AIDS, for example by not disclosing information on the HIV/AIDS status of workers (both men and women) nor insisting on HIV testing of new recruits;
- can collaborate with employers, women's organizations and other national and community-based bodies to distribute condoms, information on safe sex and other forms of HIV/AIDS prevention ideas as well as to establish HIV/AIDS committee at the work place and also to ensure that national labour laws and enterprise collective agreements reflect the needs of HIV/AIDS victims;

- should provide training to their members on the illness, the unequal power relations, sexual harassment and vulnerability factors that heighten the risk of infection for women and other groups, the workplace challenges generated by it, the gender aspects, the needs of people living with HIV/AIDS and their carers and relevant responses including full protection within social security programmes;
- should disseminate information to the infected workers and their carers on how to access available health and other benefits and also lobby enterprises accessible healthcare and condoms at the workplace;
- Can provide women and men workers with the opportunity to express and freely discuss their concerns and emotions concerning HIV/AIDS;
- should build solidarity with other unions in other countries and regions to raise the profile of the problem and to demand stronger action to address it as well as to cover it as an integral part of campaigns for workers' rights in order to reduce the discrimination and stigma against the affected people;
- should promote safer sex practices, such as how to use male and female condoms;
- should focus on both women and men as well as consult the HIV-infected people in planning the unions' own HIV/AIDS programmes as well as canvass for the adoption of a similar approach in the programmes of other bodies. Furthermore, the unions, like the employers, should contribute to national policies and programmes on HIV/AIDS and also on gender equality;
- can monitor the impact of the implemented integrated set of measures to identify progress and also propose corrective action where the desired results are not forthcoming;
- should build the capacity of women's organizations and associations of informal economy workers to be able to focus on HIV/AIDS concerns;
- can compile, teach and disseminate information on good practices and cases, recognizing that to be effective the measures being pursued should also reach the people outside the formal work setting. Thus informal economy participants and the larger local community also need to be targeted;
- should collaborate with governments, other civil society groups, UNAIDS and ILO to provide employee and family assistance, such as helping HIV-infected workers and their families to mobilize and access financial assistance, health care and social security;
- can draw attention to the interlinkages between the importance of ratifying Convention No. 159: workers with family responsibilities and dealing with the increased pressure on the care economy stemming from HIV/AIDS and other changes in society;
- can contribute to data gathering and also seek ILO's assistance in conducting research about the problems and its impact as well as in organizing information sharing meetings, training and planning and implementation of relevant technical assistance programmes;
- can draw attention to the growing load of the care economy and the burden it imposes on women with HIV/AIDS- infected members of the household. The latter relates to the unpaid HIV/AIDS care work and others provided by women in the household and the family; and
- can contribute to compile regular data on the incidence of HIV/AIDS in the work place and its impact to underpin appropriate advocacy and action.

Group work

- a) Examine the HIV/AIDS situation of your country, the programme and other work of your trade union towards it, how gender dimensions are being covered and the gaps and attempt to elaborate a programme for your union to be able to address the gaps and also strengthen its action.
- b) Design a gender-sensitive work place HIV/AIDS policy for your sector of industry.

For further reading

ICWG (Inter-agency working group): Stepping Stones: Chapter 3: “Highlighting male involvement in a Gender and HIV/AIDS training package,” in *Three case studies: Involving men to address gender inequities* (USAID, July 2003).

ILO: *An ILO code of practice on HIV/AIDS and the world of work.* (Geneva 2001).

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