INTRODUCTION

PROMOTING GENDER EQUALITY

A Resource Kit for Trade Unions

INTERNATIONAL LABOUR OFFICE
GENEVA

GENDER PROMOTION PROGRAMME
ACKNOWLEDGEMENTS

The authors of this Resource Kit are Lin Lean Lim, Sriani Ameratunga and Carmel Whelton. The Kit itself is the result of active collaboration among the ILO Gender Promotion Programme, the Bureau for Workers’ Activities, the International Confederation of Free Trade Unions, the International Trade Secretariats and national unions. The collaboration started with a survey on the role of trade unions in promoting gender equality. The results of the survey are presented in the report accompanying this Kit. A validation workshop attended by trade unionists from different parts of the world provided feedback and additional materials for the Kit, which was then revised and finalized. The Kit has also been incorporated into an Information Base on Equal Employment Opportunities for Women and Men available on CD-ROM and Internet website: http://www.ilo.org/genprom/eeo

The authors in the Gender Promotion Programme wish to express their gratitude to the very many organizations and people who have contributed in one way or another to the production of the Resource Kit: the Women’s Committee and the Department of Equality and Youth of the International Confederation of Free Trade Unions; the International Trade Secretariats and in particular Babro Budin of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association and Ros Harvey and Nora Wintour of Public Services International; and all the participants from national and regional trade union centres at the validation workshop. Within the ILO, we would like to acknowledge the encouragement and support of colleagues in the Bureau of Workers’ Activities, in particular Manuel Simon, Michael Sebastian and Amrita Sietaram; the management of the Employment Sector, colleagues in the ILO Training Centre at Turin and Jane Zhang in the Bureau for Gender Equality. We would especially like to thank Elsa Ramos of the International Confederation of Free Trade Unions and Shauna Olney of the Infocus Programme on Strengthening Social Dialogue for their invaluable comments and suggestions on the various booklets of the Kit. We are also indebted to Sergio Pilowsky of the Printing Unit for his assistance regarding layout and printing.

Finally, but certainly not least, we would like to acknowledge the financial support from the Royal Government of the Netherlands under the Netherlands Partnership Programme, which not only has made this publication possible but is also helping to support practical usage of the Kit by trade unions at national and regional levels.
1. TRADE UNIONS AND GENDER EQUALITY

“Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world .......Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”¹

Gender equality is a fundamental human right and an essential condition for achieving effective democracy. The democratic structures of trade unions and their mandate to promote and protect workers’ rights make unions important vanguards in the fight against discrimination at workplace, community, national, regional and international levels.

With the increasing participation of women in paid work all over the world, the promotion of gender equality has assumed additional significance. Although more and more women are working outside the home, gender remains an important source of labour market discrimination. Just as some workers are discriminated against or victimized by employers for being trade union members, so too women are often discriminated against because of their sex, marital status or family responsibilities. When women attempt to join unions, they may be further discriminated against by employers. In many cases, overt or direct discrimination has been replaced by indirect or more subtle forms of discrimination and victimization. Women compared to men continue to be disadvantaged and vulnerable to exploitation and in need of organization, representation and social protection:

“Women are joining the world’s workforce at an accelerating pace but mostly at the bottom in low paid, low status, precarious jobs. The economic and social cost of discrimination, particularly against women but also on the grounds of race, colour, creed, political opinion, sexual orientation, disability and age, is incalculable. Unions are fighting discrimination because it is wrong but we are also convinced that promoting equality benefits the whole of society by releasing the productive potential of people who are unfairly denied decent work”²

It is obvious that trade unions have a critical role to protect workers who are discriminated against on the basis of sex or, for that matter, race, colour, religion, political opinion, national extraction or social origin, disability, family responsibilities, sexual orientation or age. The important role of trade unions in the promotion of gender equality and protecting vulnerable women workers was acknowledged in the Platform for Action of the United Nations Fourth World Conference on Women (Beijing, September 1995), which called on governments and all social actors to (paragraphs 178h,i):

“Recognize collective bargaining as a right and as an important mechanism for eliminating wage inequality for women and to improve working conditions;”

¹ Universal Declaration of Human Rights, 1948.
Promote the election of women trade union officials and ensure that trade union officials elected to represent women are given job protection and physical security in connection with the discharge of their functions”.

The Beijing Platform for Action encourages “efforts by trade unions 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” (paragraph 192 d, p.113).

The World Summit for Social Development (Copenhagen, March 1995) also adopted specific commitments and a Programme of Action relating to ‘basic workers’ rights’. These basic workers’ rights were reaffirmed by the International Labour Conference in June 1998 when it adopted the Declaration on Fundamental Principles and Rights at Work and its Follow Up. The Declaration provides that all member States of the International Labour Organization (ILO) have an obligation to respect, to promote and to realize, in good faith, certain principles, namely, freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin in respect of employment and occupation.

Beijing+5 called on governments and all national and international actors to “Respect, promote and realize the principles contained in the ILO Declaration on Fundamental Principles and Rights at Work and its follow-up and strongly consider ratification and full implementation of ILO Conventions which are particularly relevant to ensure women’s rights at work”. Copenhagen+5 also endorsed the ILO Declaration on Fundamental Principles and Rights at Work and stressed the importance of “an enabling environment for social dialogue by ensuring effective representation and participation of workers’ and employers’ organizations to contribute to the development of policies for achieving broad based social progress” (paragraph 35).

Unions have been giving priority to women as a target group for recruitment and have been attempting to increase female representation in leadership positions. Efforts within their own internal structures and policies are critical because unless women are sufficiently represented in the executive, unions cannot be credible to prospective female members nor can they be attuned to the distinct concerns of working women. Concerns such as equal pay for work of equal value, sexual harassment and family-friendly policies are more and more being treated as mainstream union issues, and unions are accepting the importance of promoting gender equality through the collective bargaining process. Trade unions are also looking for innovative ways to reach and organize workers in the services sector, outside the formal workplace, in various types of atypical and precarious forms of work and in the ever-growing and amorphous informal sector. Women account for the bulk of such workers.
But the tasks have not been easy. For a number of reasons, women workers have been described as “hard to organize” or may not understand or appreciate the potential role of trade unions on their behalf. In addition, trade unions are themselves operating under increasingly difficult conditions. Globalization, technological advances and rapid changes in labour markets and work organization are challenging traditional union strategies and sometimes even the raison d’être of trade unions. While trade unions are conscious of the need to become fully engaged in the challenge of promoting gender equality, they are often faced with the difficulty of appreciating how to do so under rapidly changing and often hostile conditions.

Women need unions, and unions need women

**Women need unions**
- increasing female labour force participation has not meant improved working conditions or social protection;
- women are more likely than men to be victims of labour market failures and distortions;
- women account for the bulk of atypical workers who are inadequately covered by labour legislation;
- women bear the brunt of combining work and family responsibilities;
- misperceptions persist about the role and contributions of women in employment;
- women workers need organization, representation and social protection;
- gender equality issues and women’s concerns have not been adequately addressed in collective bargaining;
- in many countries, unions have been in the forefront of action to promote equality at work;
- unions are important interest and lobbying groups which can influence government policy and legislation on women’s and equality issues.

**And unions need women**
- women account for an increasing proportion of the workforce;
- to be credible and strong, unions must address the priority concerns of its current and potential members;
- to be credible to women, unions must demonstrate that gender equality is an integral part of their own policies and structures;
- growing numbers of women workers are standing up for their rights and seeking support for their rights;
- women members are positively changing the way unions work and improving the image and influence of unions;
- the promotion of gender equality helps unions strengthen and reaffirm their key role as agents of social change;
- the promotion of gender equality provides common grounds for unions to forge alliances with other social actors.
Inequalities between women and men persist

Globalization has created both unprecedented economic opportunities as well as deepened social inequalities and personal insecurities. Both women and men have been affected. However, gender inequalities persist and it is overwhelmingly women who suffer the most:

- With 54 per cent of working age women in the labour force as compared to over 80 per cent male participation, the world is not making the most of its female talents and potentials.
- Poverty is increasingly feminized. Women constitute 70 per cent of the world’s 1.3 billion absolute poor.
- Half of the world’s labour is in sex-stereotyped occupations, with women dominating those occupations which are lowest paying and least protected.
- More and more women are entering paid work but more jobs have often not meant better jobs. In developed countries, most new employment has been in part time jobs, while in developing countries women have gone mainly into the informal sector and home-based work. Globally, women earn 20-30 per cent less than men.
- Women continue to be mainly responsible for the “care economy”. If the value of the unpaid, invisible work done by women – approximately US$11 trillion per annum – is included, global output would be almost 50 per cent greater.
- Some women have breached glass walls and ceilings, but worldwide they hold only 1 per cent of chief executive positions. The majority experience the effects of the so-called “sticky floor” – on the bottom rungs of their occupation.
- More women are creating their own businesses, which are important sources of employment. But the policy, regulatory and institutional environments are often unfriendly to women entrepreneurs.
- Women are increasingly migrating, both legally and illegally, for employment. Female migrant workers are among the most vulnerable to exploitation and abuse.
- Women continue to have less access than men to investments in skills, knowledge and lifelong learning. In a world increasingly dominated by information and communications technology, gender inequalities lead to new forms of social exclusion.
- The gender gap is graying into a poverty trap: women face a much higher risk than men of a drastic drop in living standards when they retire. Yet women account for the majority of the over-60 population in most countries.

2. AIMS AND STRUCTURE OF THE RESOURCE KIT

This resource kit is intended to provide background information, practical guidelines and checklists, case studies and examples of “good” and “bad” practice and reference materials:

- to assist and enhance the efforts of trade unions to promote gender equality and protect vulnerable women workers; and
- to improve the understanding and appreciation of the role of trade unions.

The main target audience is trade unionists, especially officials, both women and men. But it hoped that the information will also be of interest and use to all trade union members and to individual workers who are currently not organized. The resource kit is also more broadly addressed to those concerned with the elimination of discrimination or interested in the role of unions and the potential for collaboration or joint action with unions — including non-governmental organizations and other civil groups (importantly, women’s organizations and women activists), government agencies, employers and employers’ organizations, research and academic institutions and the media.

The resource kit is comprised of a number of booklets. There is also an accompanying report⁵ that provides the empirical perspective based on a survey and case studies of the actual experiences of trade unions and some “lessons learnt”. The survey and this resource kit represent the results of the collaboration between the Gender Promotion Programme (GENPROM) and the Bureau for Workers’ Activities (ACTRAV) of the International Labour Office, the Women’s Committee of the International Confederation of Free Trade Unions (ICFTU) and the International Trade Secretariats (ITs), in particular the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and Public Services International (PSI). At a validation workshop, trade unionists discussed the relevance, user-friendliness, presentation style and appropriateness of the different booklets and made suggestions for revisions. The resource kit now incorporates the suggested revisions.

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**Booklet 1  Promoting gender equality within unions**
Deals with what trade unions can do within their own internal structures and policies to recruit more women members, enhance women’s participation in all union structures and activities, and promote equality and solidarity among union members.

**Booklet 2  Promoting gender equality through collective bargaining**
Explains the importance of promoting gender equality through the collective bargaining process. Focuses on the process of gender equality bargaining (preparing for negotiations, at the bargaining table, and follow-up).

**Booklet 3  The issues and guidelines for gender equality bargaining**
Focuses on negotiating to avoid sex discrimination and to promote equality of opportunity and treatment for men and women workers, and provides bargaining guidelines for a number of key gender equality issues.

**Booklet 4  Organizing the unorganized: informal economy and other unprotected workers**
Highlights the diversity of informal and atypical workers and the difficulties and challenges of organizing and protecting such workers – who are mainly women, outside the scope of legal and social protection and vulnerable to poor working conditions and abuses of workers’ rights. They include workers in the informal economy, part-time workers, home workers, domestic workers, workers in export-processing zones and migrant workers.

**Booklet 5  Organizing in diversity**
Illustrates how trade unions can “share the table and create space” for diverse groups including youth, older workers, workers with disabilities, lesbian and gay workers.

**Booklet 6  Alliances and solidarity to promote women workers’ rights**
Explains why community unionism and solidarity within the labour movement are crucial in today’s global context and shows how trade unions are forging alliances and working with non-governmental and other civil organizations at the local, national, international and global levels on a broad social agenda. The range of alliances is large and the bases for such alliances very wide and varied, but the booklet attempts to highlight only those with particular relevance to women workers’ rights and gender equality.
Each resource booklet is structured essentially to:

- **highlight the issues and concerns relating to the promotion of gender equality and the protection of vulnerable workers**, so as to stimulate and inform the thinking of trade unions and other social actors, identify the tasks and challenges facing trade unions and present the case why their role is critical;

- **present guidelines and practical tools for action**. The “how to” information is especially addressed to trade unions and is presented in various forms: as ideas, issues, checklists, guidelines, examples of what might be possible or effective, international instruments, etc. But the information is not intended to represent “best practices” or even necessarily “good practices” that should be adopted in all situations or be used in any definitive manner.

- **facilitate learning from the experience of others** by providing actual examples of action and operational strategies that have succeeded or failed, and, where possible, by identifying the factors making for success or failure in particular contexts; and

- **indicate the scope for, and the advantages of, cooperation and collaboration** between trade unions and employers’ organizations, governmental and non-governmental organizations and other groups in civil society.
3. HOW TO USE THE RESOURCE KIT

It is very important to emphasize that the booklets do not form a modular training package. They are not intended to be used in total for any step-by-step, how-to-do training programme. Rather, the various booklets are intended to serve as an information resource to be used flexibly by a range of users. Institutional or individual users can select particular booklets and topics and utilize or adapt the materials according to their specific needs and contexts. The resource kit can serve for:

- **Awareness raising or sensitization**: to improve understanding and appreciation of gender equality issues and the challenges confronting trade unions. For example, trade union officials might use the kit as the basis for stimulating discussions, motivating action or organizing campaigns to promote gender equality;

- **Advocacy and publicity**: as material for media campaigns, to inform or educate other social actors and the wider public about the role of trade unions and innovative initiatives in the elimination of discrimination and the promotion of equality;

- **As a practical tool for action**: users might obtain ideas and inspiration for discussion, debate or action; go through the checklists to ensure that they have taken into account all relevant factors; follow planning steps or guidelines; adopt or adapt examples or models for implementation; and assess the likelihood of success or failure in particular contexts;

- **Training and educational purposes**: as background or reference material for educational seminars or study groups, for training organizers, etc.;

- **As a networking tool**: to help provide a basis for discussion or interaction between workers and employers, give ideas for promoting solidarity within and between unions, suggest bases for forging alliances with other social actors, etc.

To aid users, the materials are presented in different formats:

- **Statements in bold italics**: key ideas and facts;

- **Text boxes in italics**: gender equality issues and the case for trade unions to promote gender equality and protect vulnerable workers;

- **Shaded text boxes in small print**: examples or case studies of actual measures that have been undertaken to promote gender equality. Also relevant international Conventions. Additional examples and case studies are also provided in the Annex;

- **Guidelines for action**;

- **Checklists or steps for action** – however, these are not intended to be instructional;

- **Measures to be avoided, negative factors**;

- **Elaboration or explanation of the suggested guidelines, checklists, etc.**

- **References, additional reading**.

The Kit has also been incorporated into an Information Base on Equal Employment Opportunities for Women and Men available on CD-ROM and Internet website: [http://www.ilo.org/genprom/eeo](http://www.ilo.org/genprom/eeo)
4. SOME BASIC CONCEPTS RELATING TO GENDER EQUALITY

The Beijing Platform for Action established gender mainstreaming as the global strategy for promoting gender equality. The Beijing +5 final outcome document (paragraph 44) elaborates that:

“Achieving gender equality and empowerment of women requires redressing inequalities between women and men and girls and boys and ensuring their equal rights, responsibilities, opportunities and possibilities. Gender equality implies that women’s as well as men’s needs, interests, concerns, experiences and priorities are an integral dimension of the design, implementation, national monitoring and follow-up and evaluation, including at the international level, of all actions in all areas”.

In adopting a mainstreaming approach, trade unions should not assume that there is no need for women-specific activities or targeted programmes. Where women lack education or training, or access to resources, or face other constraints, it is not realistic to assume that they can participate in, and benefit equally from, mainstream policies and programmes. Specific attention should be given to women’s needs and concerns (this is a rationale behind Booklets 4 and 5 of the Resource Kit dealing with those groups of women workers who are especially vulnerable to discrimination or in need of special assistance or protection). Trade union projects that mainstream women may need special design features, including positive or affirmative measures, to facilitate and promote the inclusion of women. It should not be an either/or approach, unions should combine a number of strategies including mainstreaming women into all their activities, having women-specific components of mainstream activities, and also having separate programmes or projects that are directed exclusively at women.

Trade unions committed to the promotion of gender equality may find these basic principles of gender mainstreaming relevant and useful6:

Guidelines:

- Responsibility for implementing the mainstreaming strategy is system-wide, and rests at the highest levels. Adequate accountability mechanisms for monitoring progress need to be established;
- The initial definition of issues and problems across all areas of activity should be such that gender differences and disparities can be diagnosed. Assumptions that issues or problems are neutral from a gender equality perspective should never be made. Gender analysis should always be carried out;
- Clear political will and allocation of adequate resources for mainstreaming, including additional financial and human resources, if necessary, are important for translation of the concept into reality;
- Gender mainstreaming requires that efforts be made to broaden women’s equitable participation at all levels of decision-making;
- Mainstreaming does not replace the need for targeted, women-specific policies and programmes and facilitating legislation; nor does it do away with the need for gender units or focal points.

Gender Equality: basic concept

Gender: refers to the socially determined differences between women and men such as roles, attitudes, behaviours and values.

Sex: identifies the biological differences between women and men. While sex is genetically determined, gender roles are learned, vary widely within and between cultures, and are thus amenable to change over time.

Gender Equality: Equal rights, responsibilities and opportunities of women and men, girls and boys. Gender equality is not just a “women’s issue”; it concerns men as well. Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female.

Sameness or difference: Gender equality does not mean same treatment. If gender equality is seen as requiring men and women to be treated the same, this may lead to women being offered equality only on male terms (eg. only if they can conform to male-centred norms or requirements) and may reinforce the notion that difference = disadvantage. It is also important to address changes in male-gendered (but often taken as neutral) organizational and occupational structures, practices, cultures, norms, value systems, etc. Such changes may require “women-friendly” provisions to help women adapt to, or get on within structures as they currently are, or, alternatively, call for changes in those structures, cultures, etc. to accommodate women.

Discrimination: Any distinction, exclusion or preference based on designated criteria such as race, colour, sex, religion, political opinion, national extraction, social origin or other designated criteria which have the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. The existence of discrimination in fact (in reality or in practice) is de facto discrimination (a legal expression). The existence of discrimination in law is de jure discrimination (a legal expression).

Direct or indirect discrimination: Sex discrimination can be overt or direct discrimination or more subtle, indirect discrimination. Employers may discriminate against women directly by limiting applications for certain jobs to only men or only women. Discrimination is indirect when employers impose criteria for applicants or specify characteristics which are not closely related to the inherent requirements of the job, as a screening device. The purpose of the screening is either to exclude women or to obtain workers of a certain type. Many jobs are still seen as exclusively ‘male’ jobs or ‘female’ jobs.
The promotion of gender equality: basic policy and programme concepts

**Gender-blind and gender neutral policies and programmes**

‘Gender-blind’ policies and programmes do not distinguish targets, participants or beneficiaries by sex or gender.

‘Gender-blind’ policies and programmes are not necessarily ‘gender-neutral’ in impact, that is they do not necessarily affect men and women in the same way.

**Gender analysis**

The systematic effort to identify and understand the roles and needs of women and men in a given socio-economic context. To carry out gender analysis, it is necessary to collect statistics by sex, identify gender differentials in the division of labour and the access to and control over resources, identify the practical and strategic gender needs of women and men, identify the constraints and opportunities facing women and men and assess the institutional capacities to promote gender equality.

**Gender planning**

Gender planning consists of developing and implementing specific measures and organizational arrangements for the promotion of gender equality, identifying how to incorporate gender concerns into mainstream activities and ensuring that adequate resources are earmarked.

**Gender mainstreaming**

A strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres and at all levels, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.

**Positive or affirmative action**

To eliminate the current direct and indirect consequences of past discrimination, special measures may need to be designed in order to achieve de facto equality of opportunity and treatment. Such positive measures (also termed affirmative measures) are intended to be temporary: once the consequences of past discrimination have been rectified, the measures should be removed. Positive action is seen as essential for the achievement of genuine equality between women and men in the world of work and society. Positive action may encompass a wide range of measures, including corrective actions such as setting targets for women’s participation in activities from which they have previously been excluded, or promotional measures designed to give women access to wider opportunities.
Conducting Gender-based Analysis

To ensure that their policies and programmes are gender-sensitive and responsive, unions may wish to conduct gender analysis by:

1. Identifying the issues:
   - in what ways are both women’s and men’s experiences reflected in how issues are identified?
   - How is diversity taken into account?

2. Defining desired/anticipated outcomes:
   - what does the union want to achieve with this policy, and how does this objective fit with a commitment to gender equality?
   - who will be affected: How will the effects of the policy be different for women and men?

3. Gathering information:
   - what types of gender-specific data are available? Is there information on other designated equity groups of workers?
   - how is the union enabling women to express their needs and concerns?
   - how will the research you consult or conduct address the differential experiences of gender and diversity?

4. Developing and analysing options:
   - how will each option disadvantage some, or provide advantage for others? Does each option have differential effects on women and men within the union and at the workplace?
   - how can innovative solutions be developed to address the gender equality or women’s issues identified?
   - what are the solutions that the affected groups have suggested?

5. Making recommendations:
   - in what ways is gender equality a significant element in weighing and deciding upon options?
   - how can the policy be implemented in an equitable manner?

6. Communicating the policy:
   - how will communications strategies ensure that both male and female union members have access to information?
   - is gender-aware language used?

7. Evaluating the results:
   - how will gender equality concerns be incorporated into criteria the union uses to evaluate its effectiveness?
   - what indicators does the union use to measure the effects of a policy on women and men?

Adapted from: Status of Women Canada, Gender-based analysis: a guide for policy making. Website: http://www.swc-cfc.gc.ca/
REFERENCES AND ADDITIONAL READING


**Useful Websites:**

http://www.icftu.org (International Confederation of Free Trade Unions)

http://www.world-psi.org/ (Public Services International)

http://www.aflcio.org/women (AFL-CIO)

http://www.global-unions.org (Global Unions)

http://www.union-network.org (Union Network International)

http://www.hri.ca (Human Rights Internet)

http://www.labourstart.org/gldod.shtml (Labour Start, where trade unionists start their day on the net);

http://www.osstf.on.ca/www/links/unions/html (Ontario Secondary School Teachers’ Federation - Canada, not only teaching related but also Federations and Unions on the Internet. Includes powerful search engine on the listed sites);

http://www.cf.ac.uk/ccin/union/ (CyberPicketLine – UK, comprehensive directory of labour on the Web)

http://dmoz.org/Society/Organizations/Labor/Unions/ (dmoz - Open Directory Project, mainly UK trade union sites)

http://www.eiro.eurofound.ie/related.html (EIROnline: European Industrial Relations Link, Ireland, hundreds of European sites)

http://www.un.org/womenwatch/daw (UN Division for the Advancement of Women).
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- **indicate the scope for, and the advantages of, cooperation and collaboration** between trade unions and employers’ organizations, governmental and non-governmental organizations and other groups in civil society.
1.2. HOW TO USE THE RESOURCE KIT

It is very important to emphasize that the booklets do not form a modular training package. They are not intended to be used in total for any step-by-step, how-to-do training programme. Rather, the various booklets are intended to serve as an information resource to be used flexibly by a range of users.

Institutional or individual users can select particular booklets and topics and utilize or adapt the materials according to their specific needs and contexts. The resource kit can serve for:

- **awareness raising or sensitization**: to improve understanding and appreciation of gender equality issues and the challenges confronting trade unions. For example, trade union officials might use the kit as the basis for stimulating discussions, motivating action or organizing campaigns to promote gender equality;
- **advocacy and publicity**: as material for media campaigns, to inform or educate other social actors and the wider public about the role of trade unions and innovative initiatives in the elimination of discrimination and the promotion of equality;
- **as a practical tool for action**: users might obtain ideas and inspiration for discussion, debate or action; go through the checklists to ensure that they have taken into account all relevant factors; follow planning steps or guidelines; adopt or adapt examples or models for implementation; and assess the likelihood of success or failure in particular contexts;
- **training and educational purposes**: as background or reference material for educational seminars or study groups, for training organizers, etc.;
- **as a networking tool**: to help provide a basis for discussion or interaction between workers and employers, give ideas for promoting solidarity within and between unions, suggest bases for forging alliances with other social actors, etc.

To aid users, the materials are presented in different formats:

- **Statements in bold italics**: key ideas and facts;
- **Text boxes in italics**: gender equality issues and the case for trade unions to promote gender equality and protect vulnerable workers;
- **Shaded text boxes in small print**: examples or case studies of actual measures that have been undertaken to promote gender equality. Also relevant international Conventions. Additional examples and case studies are also provided in the Annex;
- **guidelines for action**;
- **checklists or steps for action** – however, these are not intended to be instructional;
- **measures to be avoided, negative factors**;
- **elaboration or explanation of the suggested guidelines, checklists, etc.**;
- **references, additional reading**.

The Kit has also been incorporated into an Information Base on Equal Employment Opportunities for Women and Men available on CD-ROM and Internet website: [http://www.ilo.org/genprom/eeo](http://www.ilo.org/genprom/eeo)
1.3. INCREASING THE PARTICIPATION OF WOMEN IN UNIONS

“Unions are still not ‘women-friendly’ and the inclusion of gender perspectives in all trade union policies and programmes is far from being achieved”.

“Unions can – and must – take up the challenge of transforming the labour market through equality and justice. While it is true that women have been swelling the ranks of the unions, more action is required to ensure their access to union leadership positions. Much remains to be done to organize them, in particular those belonging to vulnerable groups (eg. the informal sector and atypical work) and young women.”

In spite of their increasing participation and the fact that they constitute most of the new members, women are still under-represented in unions. For example, out of the total membership of the International Confederation of Free Trade Unions (ICFTU) of 156 million in some 148 countries, women account for about 61 million. Women are even more seriously under-represented in trade union leadership. While they make up about 39 per cent of global trade union membership, they represent only one per cent of the decision-making bodies of unions. Gender equality is far from being a reality within the trade union movement.

Unions must take steps to overcome the barriers to female participation and to ensure that women are visible and active in all aspects of union life – as members, activists and leaders. If trade unions are to champion gender equality in employment as a basic human and workers’ right, then first and foremost they have to show that equality is an integral part of their own internal policies and structures. Unions cannot be credible unless women are adequately represented and fully involved in all union structures and business.

It is important that trade unions formulate specific statements of policy on gender equality. Such statements could be in the form of resolutions and policy documents adopted by congresses or executive boards, special publications, position papers, equality plans, guidelines on gender, positive action programmes. A policy statement can serve as a benchmark for future union action. Implementation of the policy on gender equality can be effective only when treated as a mainstream union issue rather than a “women only” issue.

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Barriers to woman’s participation in union membership and leadership

- Women do not understand or appreciate how unions can benefit them;
- Women fear reprisals from employers (including losing their jobs) for joining unions;
- Women do not have time to join or participate in union activities because of conflicting family responsibilities, and childcare facilities are lacking or too expensive;
- Women often lack the confidence to join unions or to aspire to leadership positions;
- Religious and cultural norms and traditions prevent women from joining;
- Women face objections from their spouses or families;
- The male-dominated culture or activities of the union or hostile reactions from male members discourage women from joining;
- Stereotyped ideas persist about women’s abilities, preferences and roles;
- Unions are not sensitive to the needs of women workers;
- Membership dues are a problem especially for poor working women;
- Women are more likely than men to be in atypical forms of work or in the informal sector where they are difficult to reach and organize;
- There may be legal constraints to some groups of women workers joining unions;
- Entrenched union rules and structures are not conducive to women’s participation and advancement to leadership positions;
- Informal procedures in the unions for nominations or appointments rely on established male networks.

Source: Accompanying report on The Role of Trade Unions in Promoting Gender Equality.
1.4. RECRUITING WOMEN AS UNION MEMBERS

To target women for recruitment, unions must recognize that women have particular needs and priorities

 Recognizing that women may have particular needs and priorities different from those of men, unions need to adopt special measures to recruit female members. Unions have found that recruitment tends to be more successful when they adopt a multi-pronged approach consisting of a range of measures over a period of time, rather than rely on any single measure:

- Raise awareness of the benefits of unionization;
- Improve the public image of unions, including publicizing success stories;
- Solicit the views of women workers, understand and give credence to their concerns and needs;
- Make women visible in unions;
- Provide services to specifically meet the needs of women workers;
- Carry out special organizing campaigns.

Raise awareness of the benefits of unionization

A survey of national centres and trade unions [accompanying report] found that the single most important reason why women do not join unions is because they do not understand how unions can help them. Therefore, unions need to raise awareness and sensitize potential women members on the benefits of unionization. “Empowerment, first and foremost, requires awareness which is fed by knowledge.”

**Guidelines:**

- Carry out research -- through talking to women, conducting surveys, polling methods, holding discussion/study groups, etc. -- so as to have a clear understanding of the concerns, needs and constraints of the potential women members targeted;
- Gather gender-disaggregated statistics and facts, so as to be able to make the case convincingly;
- Formulate and present messages that women can identify with and be motivated by;
- Widely publicize the successes of the union in dealing with gender equality and women’s issues;
- Determine the types of activities and media that would be most appropriate for reaching the target groups – information sheets, leaflets, press kits, internet and e-mails, seminars, study circles, etc.;
- Recognize that many women may lack the self confidence to join unions:

  A union in Côte d’Ivoire found that its women-only study circles have been very effective because the women feel confident to express their opinions and “appreciate not having to worry about male domination or superior experts”.

- Ensure that efforts are continuous: awareness raising and sensitization cannot be a one-off measure;
- Remember that awareness raising and sensitization should not be confined only to potential women members – male members, spouses, families and communities also have to be convinced of why women should join unions;
- Aim to change stereotyped or traditional ideas and attitudes which may be held by not only men but also women;
- It is not enough to focus on the rights of workers and the benefits of collective action; it is necessary to make women understand how individually their particular needs and concerns will be met.

To boost the motivation of women to take a more active role in trade union activities, the General Municipal Boilerworkers Union (GMB) in the United Kingdom organized a series of meetings and training, starting with issues of direct relevance to women. The aim was to draw in women who otherwise would not take part in union meetings. The subjects discussed included how to ensure better recognition of women working part-time, how better maternity leave provisions could be guaranteed or improved benefits achieved. The training courses also tackled issues such as stress management and sexual harassment.

Unions benefit working women

- Unionized workers make more than non-unionized workers in the same job. (In Canada, unionized women workers make 33 per cent more than nonunion workers, unionized temporary workers earn $4.80 per hour more than nonunionized temporary workers);
- Workers in unions have more job protection than workers without unions;
- Union workers have better benefits: health benefits, pensions, paid maternity, sick leave, parental leave, flexible work time, dental care, workplace child care, access to benefits for lesbian and gay workers – to mention a few;
- Unions provide protection against arbitrary management decisions – rules and procedures for assigning hours, for transfers between jobs, for promotions are written down in collective agreements;
- Unions support workers against unfair or discriminatory employer practices – unions will process grievances and help with human rights complaints;
- Unions negotiate pay and employment equity plans to improve wages and access to jobs for women and equity group members;
- Unions can provide support and counselling services for their members;
- Unions negotiate protections against discrimination and harassment of employees on the basis of sex, race, ethnicity, sexual orientation and disability;
- Unions provide educational and training opportunities for their members;
- Unions provide collective security and the opportunity for collective action.


Improve the public image of unions

If women are to come to unions, unions must be credible and welcoming to them. Unions need to improve their public image and especially to publicize widely their efforts and successes on behalf of women workers. Many people still see unions only as strike agents. Unions are often portrayed negatively in the media or receive little positive publicity. To improve their public image, unions should:

Guidelines:
- Seize every opportunity and use all means to publicize union actions, especially success stories on behalf of gender equality and working women;
- Demonstrate the wide range of ways in which trade unions can benefit women workers;
- Develop good relations with the media – newspapers, television, radio, etc., and regularly inform and involve them in union activities:

A union in Ghana has a special annual project, Media Encounter, at which awards are presented to journalists who have positively portrayed the trade union movement.
Issue frequent press releases or regular information sheets on the various activities of the union;

Forge alliances and participate in joint activities with other social groups and organizations – in civil action, community projects, campaigns at national and international levels, education and training programmes, etc. – so as to show the relevance and raise the profile of trade unions in the wider community and society.

**Solicit the views of women workers, understand and give credence to their concerns and needs**

Unions are traditionally male dominated, and it is normally men’s views that shape union cultures. To integrate women into unions, it is important to provide them opportunities to express their particular needs, concerns, priorities or constraints and to allow them to do so in contexts where they feel comfortable and confident:

“We need to ask ourselves whether women have to change to take part in unions or whether unions need to change to respond to a different kind of worker” 5

**Guidelines:**

- Do not adopt a top-down approach to organize women workers; involve women and seek their views – especially if the top is dominated by men;
- Do not rely on stereotyped ideas about women’s abilities, preferences and roles;
- Women are claiming the right to be different from men – so unions need to understand how they want to be different;
- Provide women the opportunities and fora – such as discussion groups, study circles, seminars and conferences, education and training programmes – where they can freely and confidently express their opinions;
- Women-only fora or restricted groups may be important in those situations where the women lack self-confidence, worry about male domination or are intimidated by ‘superior experts’;
- Make use of facilitators that the women feel at ease with, including approaching target groups through ‘one of their own’.

**Make women visible in unions** [also Sections 1.5 and 1.6]

Unions can be credible to potential women members only if women are visible inside and outside of the unions – seen as being actively involved in all aspects of union life, as members, activists and leaders. Women must be adequately represented in all structures, levels and activities of the unions. One critical measure to enhance the participation and visibility of women is the establishment of women’s structures or equality structures within the union. The work of the women’s structures, however, should be integrated into the mainstream work of the unions, failing which there is a high risk of marginalization.

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Guidelines:

- Establish an equality structure or women's structure within the union and ensure that it has the mandate and financial and human resources to carry out its functions effectively;
- Do not assign sole responsibility for gender equality or women's issues to the women's structure; such issues should be mainstreamed into all union policies and activities;
- Do not assign, as a matter of course, posts to women which reinforce stereotypes, such as appointing women only as education officers or equality officers. Women should be present in all union structures including in economics, research, organization, negotiation, etc.;
- Ensure that women are adequately represented at all levels and in all structures of the union – especially at the highest decision-making bodies -- through affirmative action measures, proportionality policies, quotas, targets, reserved or additional seats, double nominations, etc.;
- Ensure that women are represented and active in negotiating teams [Booklet 2];
- Encourage and profile positive role models among women members:

The Malaysian Trade Union Congress had a leadership by example campaign with the slogan “a working mother but also a leader in the union”.

- Promote the active participation of women in meetings, missions, congresses at the national, regional and international levels;
- Maintain and expand networking between union women at national, regional and international levels;
- Make gender equality and women's issues mainstream union issues;
- Organize high-profile events, such as annual conferences, to discuss gender equality and women's issues.

Provide services to specifically meet the needs of women workers
[also Booklets 4 and 5]

As an organizing tool, unions are placing emphasis on providing direct services to women workers. Such action is seen as necessary and important to address the specific needs of women and to help them understand in practical terms the benefits of unionization to them. The range of services that unions can provide is very wide, depending on the circumstances and needs of the intended target groups. This is certainly one area where unions can be very innovative in terms of the types and delivery of services and facilities for women workers. The ICFTU 7th World Women's Conference in Rio de Janeiro in May 1999 emphasized that:

“unions should use new approaches to organizing -- eg. provide services like credit/welfare/practical services/training/job creation funds. Unions must have a social face”.

15 RECRUITING WOMEN AS UNION MEMBERS
Related to the provision of services is the issue of what model of unionism is best suited for recruiting women workers. There are essentially two models.

The “service model” is built upon a transactional relationship between the union bureaucracy and its members -- the members pay dues to the union in exchange for services. Continued membership and loyalty to the union tends to depend on the satisfactory delivery of services. In most developing countries, unions provide special services to workers as a recruitment strategy.

On the other hand, the “organizing model” is based on the assumption that the empowerment of workers will enable them to find solutions to their problems. The emphasis is, therefore, on collective action. Recruitment of new members is usually carried out through one-to-one contact between members and their co-workers rather than by union officials. This does not mean that the union does not provide services -- on the contrary, it provides essential service functions such as compensation advice, delivery of social wage improvements and advocacy of new benefits. But this model devotes particular attention to mobilizing rank and file activists to do the work of organizing their co-workers. The emphasis is on active participation of members in campaigns and other forms of trade union action.

In the real world, there is no single or simplistic formula for success. The service model and the organizing model are at two ends of a continuum, and many unions rely on a spectrum of approaches.

In Benin, trade unions have projects for:
- setting up cooperatives whereby household goods are bought in bulk to enable women members to obtain them at lower prices;
- laundry services for working women in their neighbourhood so as to alleviate their heavy workload at work and in the home and to also create employment for other women (operating the laundry services);
- facilities near the main market for children of women vendors to facilitate breast-feeding and childcare, while allowing the women to continue working;
- a women’s theatre group which is helping to educate women not only on issues relating to unionization but also social issues such as family planning, health, education of girls, the disadvantages of polygamy. This is especially important because the majority of the women are illiterate.
### The service and organizing models of trade unionism

#### Service model
- Union is seen as external - a third party
- Union officials tell members how the “union” will solve their problem
- Relies on employer to provide list of workers’ names to union official
- Relies wholly on employer for workplace access
- “Cold” hard selling of union membership by organizers
- Union sold on basis of services and insurance protection
- Reliance on full-time officials to recruit, solve problems
- Aim is to recruit only - “sign on the dotted line” - not organize
- Results achieved, but likely to be short-term
- Workers blame “the union” when it cannot get results
- Organizers resent members for not coming to meetings or participating. Members complain that they pay fees and the union does nothing
- Management acts - union reacts - always on the defensive

#### Organizing model
- Members own the campaign to unionize their workplace
- Members generate own issues and organize to solve them together
- Workplace and staff attitudes crucial – names and information are provided by workers
- Initial organizing can be done outside work - in workers’ homes, etc.
- First recruiting steps are to establish contacts, find natural leaders, uncover issues
- Workers empowered to find solutions themselves through education and support
- Workplace organizing committee formed; workers encouraged to build the union through one-to-one organizing
- Recruitment and organizing integrated
- Results obtained through sustained efforts - more likely to be permanent
- Members share decisions and solve problems together with union leaders
- Members identify with the union and contribute to activities. An attack on the union is seen as an attack on themselves
- Union has its own agenda - members involved, keeps management off balance - image is positive, activist

**Carry out special organizing campaigns**
Recruitment efforts tend to be most successful when unions conduct special organizing campaigns aimed at women workers. In selecting recruitment methods, unions should take into account the specific problems of women workers and the local conditions for recruitment. It is very important to monitor and evaluate the impact of particular organizing strategies, so that lessons can be learnt for future campaigns.

**Guidelines:**
- Carry out planning sessions to determine the:
  - group/groups of women to be targeted; including carrying out research on their needs and priorities;
  - goals of the campaign;
  - financial and human resources required: limited finances and expertise can seriously limit the capacity of unions to mount and maintain organizing campaigns;
  - theme for the campaign;
  - strategies, including tactics, types of activities, allies;
  - information and literature to support the campaign;
  - timetable of activities – to mobilize women members, a single event is often not adequate; the most effective campaigns tend to be over a period of time and involve an intensive series of events;
  - structure and accountability: who will be responsible for the different part of the campaign, how to involve the membership (both women and men members), etc.
- Ensure that the union leadership fully backs the campaign -- some unions have cited the hostility or lack of support and encouragement of male leaders as a reason for failure;
- Ensure maximum publicity for the campaign;
- Enlist support from the community: identify possible contacts, allies, other supportive organizations, the media, and determine how to involve them in reaching potential women members;
- Meetings should be scheduled at times convenient for women workers and at locations acceptable to them. All efforts should be made to keep to the time-table, and, wherever possible, child care should be made available;
- Conduct a post-campaign evaluation. Assess why some tactics worked while others did not, what were the strengths of the campaign, what could have been done differently, and what factors were beyond the union's control.
The ICFTU-APRO had a very successful 1+1=Women Power campaign to encourage more women to join unions. At its 16th Regional Conference in 1996, the ICFTU-APRO launched the campaign with an animated video. The aims of the campaign were:

1. Every woman member to be mobilized to recruit at least another woman in her workplace to join the union;
2. The 1+1 campaign to be a household-based “join the union” campaign for women workers.
3. To further the campaign, in 1997 the ICFT-APRO launched a set of place mats as a campaign tool. The objectives of the place mats campaign were:
   1. Home use of the place mats will generate conversation and discussions, sensitize both female and male members of the family and help them to recognize the importance and advantage of women joining trade unions;
   2. Children will be sensitized at an early age on the rights of women;
   3. Use of the place mats in cafeterias and food outlets will be help workers understand the role of trade unions and motivate them to become members;
   4. the various scenarios depicted in the place mats will help families to understand gender issues and thus motivate the working members to negotiate for family-friendly benefits and rights in collective agreements.
1.5. PROMOTING THE PARTICIPATION OF WOMEN AT ALL LEVELS OF THE UNION STRUCTURE

“The trade union movement is faced with some stark choices. Unions can continue to support widespread discrimination within their ranks, while they talk about equality and solidarity, or they can tackle the problems they face in integrating women”.

The traditional thinking was that women should find their own place within existing union structures, but often these structures are rigid, rather bureaucratic, male-dominated and intimidating to women. Traditionally too, women’s presence has been concentrated in those structures associated with female stereotypes, and they have been poorly represented in the executive or in the structures dealing with economics, research, organization, negotiation, international affairs, etc.

More and more unions are now introducing statutory reforms to make their structures more gender-sensitive and women-friendly. They also have affirmative action or positive measures to deal with the effects of past direct and indirect discrimination and serious disadvantages that women members face. Unions have also found that where there is a high degree of awareness and appreciation of gender equality issues among the general membership, the participation of women in leadership positions tends to be more commonplace.

To promote the proportional representation and active involvement of women, not only in leadership positions but in all union structures, unions can:

- Adopt specific policies, plans or targets for improving gender equality and the position of women in the union;
- Adopt positive measures to increase women’s representation in leadership positions;
- Amend the union constitution or statutes to make structures more conducive to gender equality and “women-friendly”;
- Keep statistics disaggregated by sex;
- Raise awareness of gender equality and women’s issues among both female and male membership;
- Provide education and training for women, in particular to build their confidence and leadership capabilities;
- Address the specific needs and constraints of women, so as to enable them to participate more actively.

Adopt gender equality policies, plans or targets
Many unions have demonstrated their commitment to improve proportional representation within the union and to encourage women to seek leadership posts by formulating and implementing:

- a general policy statement or resolution on gender equality;
- an equality plan;
- specific goals or targets for women’s representation at different levels of the union structure;
- an affirmative action programme.

The International Federation of Building and Wood Workers (IFBWW) Charter on Affirmative Action:

- unions should adopt a policy of affirmative action at job entry;
- unions should encourage places reserved for women on government, tripartite or employer funded schemes;
- information on course opportunities should be made available at schools and to family members of male unionists and at women’s centres;
- women should be included in negotiation teams;
- women should be encouraged to meet prior to the negotiating round to voice their own needs;
- women be included on organizing teams;
- unions should adopt affirmative action measures to ensure a representative number of women in all conferences, and statutory bodies;
- unions should appoint a person at national level with specific responsibility for women’s issues or equality issues;
- unions should establish specific structures for women, such as a women’s committee at national, regional and local level;
- measures should be adopted to ensure that women are represented on the highest decision-making bodies of the trade union;
- unions should ensure that a fair share of resources are earmarked for affirmative action programmes and women’s training;
- unions should ensure that their publications provide a regular space for information exchange on women workers’ issues

Website: http://www.ifbww.org
Checklist:

- Turn policy statements and plans into reality with implementation steps and specific practical measures;
- Set a timetable for achievement;
- Support or back up the policies, plans, affirmative action programme with the necessary changes in union statutes or constitution and with proper allocation of financial and human resources;
- Monitor and evaluate implementation.

The African Regional Organization of the ICFTU (ICFTU-AFRO) and its affiliates implemented a project on Integrating Gender Perspectives into Trade Union Work between 1997-1999. The ten selected national centres that participated in the project were UST-Chad, ONSL-Burkina Faso, UGTT-Tunisia, USTN-Niger, UNTM-Mali, COTU-Kenya, NACTU-South Africa, TFTU-Tanzania, ZCTU-Zambia and ZCTU-Zimbabwe. Recognizing that it is not enough to just have official policies on gender equality, the project aimed to promote the full integration of a gender perspective into all aspects of trade union work. To achieve this longer term aim, the project focussed on (a) raising awareness of gender and equality issues among trade union trainers; and (b) bringing about a change of attitudes among union leaders and members.

Men and women trade union educators were the target group for this project, owing to the decisive role they play in changing the attitudes of men and women within the trade unions. The project consisted of training seminars at the national, local, federal and regional levels. In using interactive learning methods and techniques, a woman trainer and a man trainer ran each activity, with an equal number of men and women participants. Gender perspective teams (GPTs) responsible for implementing and monitoring the activities and follow up were established at the international level and within each of the organizations involved in the project.

An evaluation of the project found that the impact had been good in relation to:

- change of attitudes towards gender issues;
- shift in policy in most of the national centres which had participated; most have a gender policy in place;
- issues of equal opportunities in relation to participation, representation and constitutional review are being addressed by various centres;
- some centres have adopted a quota system to ensure that women are always included in various programmes and activities;
- overall, the project established the relevance of the need for trade unions to continue implementing gender programmes which raise awareness among women and men.
Adopt positive measures to increase women’s representation in leadership positions

Goals or policy statements alone may not be adequate to achieve gender equality, especially where direct or indirect discrimination against women is deeply rooted in union structures and practices. Therefore, many unions have adopted affirmative action programmes or positive measures particularly to increase the participation of women in leadership positions, including:

- reserved or additional seats for women on executive and decision-making bodies;
- a quota system or numerical targets for women’s participation in congresses, executive and decision-making bodies, committees, negotiation teams, education and training programmes, etc.;
- proportionality principles;
- double nominations, so that both women and men are included on candidate lists for union elections.

The experience of unions has shown that such positive measures lay the basis for both faster and more spontaneous progress towards gender equality. Unions have reported that where they have reserved seats for women in the executive, in fact, women have succeeded to being elected to such positions in their own right. Of course, it is important to monitor and keep statistics of implementation of these measures.

ACTU-Australia made world union history in October 2000 when the affirmative action policies of a major national organization resulted in a new executive of 50 per cent women. This was the achievement of the targets set by the ACTU Congress, for 25 per cent female representation in the executive in 1993, 30 per cent by 1995, 49 per cent by 1997 and equal representation by 2000.

Amend the union constitution or statutes

It is often necessary to amend the union constitution or statutes to make structures more conducive to gender equality and “women-friendly”. By introducing changes in their rules and regulations, unions demonstrate tangibly their commitment to the promotion of gender equality and allow positive measures to be more effectively implemented. Unions can introduce statutory reforms to:

Guidelines:

- Establish gender equality or women’s units;
- Ensure that the gender equality or women’s unit has adequate financial and human resources;
- Give mandatory, rather than advisory or consultative, status to the gender equality or women’s unit;
Reserve seats, establish a quota system or numerical targets for women on executive bodies;

Observe a proportionality principle so that women are adequately represented at all levels of the union structure and in all education and training programmes;

Ensure that women have places at union congresses;

Adopt new ways of conducting union business, such as the way in which nominations are made for posts.

When the National Mines and Allied Workers Union (NAMAWU-Philippines) affiliated with the Trade Union Congress of the Philippines (TUCP) an ad-hoc women’s committee was created. To be truly operational and functional, the ad-hoc women’s committee submitted a resolution to amend the constitution of the NAMAWU to formalize its status and to reserve a seat for women on the executive board. It prepared and submitted rules for administration of the NAMAWU Women’s Committee to the executive board, and solicited the support of members of the executive board to approve the proposed amendment. When the amendment was passed, two additional seats on the board were created to represent women and youth. The formalized Women’s Committee implemented the rules for administration, particularly through the setting up of women’s committees at the local and enterprise levels.

Keep statistics disaggregated by sex

Many unions are still not able to provide accurate information on their membership by sex. Although the policy of the ICFTU requires separate reports on male and female membership in the annual questionnaire, union figures are often based on estimates. If unions are serious about promoting gender equality, they must systematically maintain and publicize statistics disaggregated by sex of membership at each level of the union structure and of participation in union activities. Such statistics are also necessary for monitoring and evaluating the progress made or the effectiveness of different action taken to promote gender equality.

Raise awareness of gender equality and women’s issues among both female and male membership

Unions have found that where there is a high degree of awareness of gender equality and women’s issues among the general membership, the participation of women in leadership positions is more likely to be regarded as unexceptional.

Sensitization is particularly important where stereotypes and traditional attitudes regarding the roles and capabilities of women remain strong, and also where the hostility or lack of support from male leaders and members is a serious barrier.
Guidelines:

- Target male-dominated unions through awareness raising campaigns on how improved representation of women at all levels will benefit them and enhance the image of the union;
- Give increased visibility to women leaders;
- Provide leadership by example; get women leaders to be role models;
- Use non-sexist, gender-neutral language in all union communications;
- Gather and publicize regularly figures on participation by sex of the membership in all union structures and activities;
- Ensure that union education and training materials incorporate gender equality and women’s issues and reflect the female voice;
- Arrange special activities that promote solidarity among male and female union members:

In Bangladesh, unions have adopted a policy that for every two paid organizers, one is male and the other female.

In Argentina, UPCN male and female members who participated in “shared actions to defend the union” now talk about “we are UPCN”.

Provide education and training for women members

Education and training programmes are very important for:

- raising women’s self confidence and assertiveness so that they can participate more actively in union structures and activities;
- awareness raising on the presence and strength of women in the trade union movement;
- developing solidarity among union members;
- changing the conservative or traditional attitudes of male leaders;
- correcting gender stereotypes;
- training women for leadership positions.

Such education and training courses can target only women or be general courses open to both women and men. In the general courses, it is often necessary to adopt positive measures to ensure proportional representation of women. The courses can cover a wide range of issues: basic training, leadership training, training of organizers, training of trainers, skills training, the training of study circle leaders, consciousness raising, and training in equal opportunities and gender issues, training of negotiators, legal and economics courses, training on the role of women in development, management training, legal literacy, time management, health and safety issues.
The Women’s Committee of the Central Unitaria de Trabajadores (CUT) of Colombia has, in collaboration with the Department of Education of the National University, set up a special school to train women unionists for leadership positions. Three levels of courses are offered, and a maximum of 60 women can be enrolled in each course, which runs for a period of six months. The subjects which are taught with a gender perspective include Labour Economics, Labour Law, Politics, Communication Skills, Negotiation. Those enrolled in the courses have to be either young female activists who are planning to develop a career in the union or women who are already in relatively high union leadership positions. However, male union members have not been very supportive of this initiative, claiming that women who graduate from the school become “problem cases”. They refuse to allow the union to pay for tuition fees and make it difficult for the students to obtain the authorization necessary for them to attend the school.

**Address the specific needs and constraints of female members**

A major reason for women’s lower participation in unions is the constraints they face in terms of family responsibilities. For unions to be more “women-friendly”, it is important that their own structures and policies are more family-friendly. Unions can also have women-specific programmes and activities to address women’s particular concerns and problems. Many of these efforts have been evaluated to be successful because they directly meet the needs of women within and outside the workplace, allow women to feel comfortable participating, help them to gain confidence, and make them feel that the union is relevant to them.

**Checklist:**

- Provide appropriate trade union training and workers’ education:
  
  - **TUC-UK** arranges distance learning for women who cannot attend courses due to family responsibilities.
  
  - In **Belgium**, unions hold training days for women on subjects such as pensions, job classification, etc.

  - **AFL-CIO** provides a toll free number for obtaining information on women and unions, and also on how much the pay gap with men costs women.

- Negotiate with employers for women to have paid time off work to ensure their participation in union activities;

- Arrange meetings and activities at times that do not conflict with family responsibilities:
In India, unions arrange lunch hour meetings to “feel the pulse of women’s problems”.

- Provide child care facilities to assist women to participate in union activities;
- Hold meetings, seminars to discuss specific equality or women’s issues, such as on sexual harassment, breast cancer, family planning, mothers’ classes, domestic violence, etc.
### 1.6. **INTERNAL STRUCTURES FOR THE PROMOTION OF GENDER EQUALITY**

Unions all over the world are appreciating the need for special structures to encourage the participation of women in trade union activities and to create the conditions for equal opportunities and treatment within trade union organizations. These special structures can take a number of forms and have a number of functions and responsibilities. The special structures include women’s or equality:

- committees;
- departments;
- wings;
- secretariats;
- commissions;
- sections;
- officers.

The main differences between the different types of structures are that the committees are usually elected within the union, the wings or sections are parallel structures (for women and men) in the unions, and the departments, secretariats or officers are appointed and include paid, full-time positions.

The women’s structures deal with women’s affairs and equal opportunity issues and are especially important in trade union movements which are male-dominated and in which women’s interests and perspectives would otherwise be overlooked or ignored. Rather than women’s structures, some unions are setting up equal opportunity units to reflect the ideal that gender equality is not just a “women’s issue” that can be dealt with only by including a women’s component in activities and that both men and women members have a stake in improving the position of women.

**Role of women’s/equality units within unions**

The main functions of the women’s unit or the equality unit within unions are to:

- provide women effective representation within the union;
- give women space to raise the issues which affect their lives and work;
- create awareness of the special needs and constraints of women;
- promote advocacy for women’s issues and gender equality concerns;
- help to enhance the visibility of women in unions;
- provide a training ground for women in practical organization and leadership;
- spearhead efforts to achieve gender parity in all union activities and programmes;
- assume specific responsibility for mobilizing and organizing women workers;
- organize women’s conferences regularly or on specific topics;
- implement equality policies and programmes; and
- monitor progress in implementation of equality policies and programmes.
For the women’s or equality structures to be effective, it is important for unions to:

**Checklist:**
- Confer them statutory or constitutional, rather than just advisory or consultative, status within the union;
- Ensure that they are integrated into the mainstream work of the union – otherwise, there is a high risk of marginalization of the women’s or equality structure;
- Provide them adequate financial and human resources, including their own budget -- currently many women’s structures are hampered by the inadequate resources and often have to raise their own funds or take loans for special activities;
- Assign them power to take initiatives;
- Enable them to have direct inputs to the decision-making bodies – either by reporting directly to the executive and/or being represented on it;
- Do not relegate women’s issues or gender equality concerns to the women’s or equality structure, so that only women discuss and deal with them and the rest of the union can forget about them.

“When establishing a women’s committee, it is important to set down in writing the aims and planned activities of the women’s committee, together with mechanisms for monitoring progress and how the union will fund the work of the committee. These guidelines can also include measures to integrate the committee, its work and its members into all areas of union work”.

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Our women’s committee does not form a separate organization but is placed under the executive board. It is the responsibility of the women’s committee to implement the matters decided by the women’s organization, to stimulate the women members in the union and establish a system designed to encourage women members to positively participate in union activities. The committee’s main activities are to:

- listen to women's complaints and grievances and determine wherein the problem lies;
- reflect women's views in the executive board;
- foster women activists;
- sponsor communication between women activists;
- participate in campaigns and other activities in the wider society;
- reflect women workers’ views in local and national politics.

What is important is to formulate women’s committees from the ground up. The committees would form a pyramid, resulting in a solid basis for the women's committee. Examples of the work of women’s committees:

- At one union, most of the members were young girls not interested in union activities. They had poor attendance records at union meetings. However, this changed after the women’s committee was set up, because the leader of the middle level women’s committee made out printed handbills to let women know what happened at the union meeting. She gave one to each member and called on them not to skip the workshop meeting. She held monthly meetings of women to discuss the workshop problems. When women members could not solve their problems on their own they began to understand why they should take the problems to the union meeting.

- Women members found that their share of the wage increase was much smaller than men’s. They used their committee to launch a signature campaign and succeeded in increasing their share of the wage rise.

- In order for the women’s committees at various levels to work together to achieve their objectives, one of the Japanese unions named the period from March to June each year ‘the time of women’s action’.

- In truly free and democratic unions all the members should share. If you have a women’s committee, hidden problems suffered silently by women can be disclosed.

- At one of the tailoring locals in Japan, a woman assumed the post of local president. She took up the problem of different retirement ages for men and women. Men’s retirement age was 55 while women retired at 45. When an informal meeting was held, one woman spoke up saying that it was alright for women to retire at the age of 45. Since she was something like a boss at the workshop when she spoke up the rest refrained from speaking. The women’s committee asked the union to find out if her opinion was the opinion of most of the members. They surveyed what all the members thought. It appeared that the women members’ wish was to be treated equally with men. After a local meeting the union began to negotiate to equalize the women’s and men’s retirement age.

REFERENCES AND ADDITIONAL READING


Website: http://www.icftu.org/displaydocum...9120339&language


Union websites on equality:
http://www.icftu.org/ (ICFTU Website)
http://www.cut.org.br/f205.htm (CUT-Brazil)
http://www.cgt.com.br/areas_de_acoes/mulher.html (CGT-Brazil)
http://www.strk.fi/finalku.htm (STTK-Finland)
http://www.dgb.de/fe/gx_zukunft2.htm (DGB-Germany)
http://www.tuc.org.uk/ (TUC -Great Britain)
http://www.mclink.it/com/cisl/coord.donne/home.htm (CISL - Italy)
http://www.aflcio.org/women/ (AFL-CIO - United States)
http://www.labor.net.au/about_unions_safe/womenhist.html (ACTU-Australia)
http://www.cltctc.ca (CLC - Canada)
ANNEX
SOME BASIC CONCEPTS RELATING TO GENDER EQUALITY

Gender equality: basic concepts

**Gender:** refers to the socially determined differences between women and men such as roles, attitudes, behaviours and values.

**Sex:** identifies the biological differences between women and men. While sex is genetically determined, gender roles are learned, vary widely within and between cultures, and are thus amenable to change over time.

**Gender Equality:** Equal rights, responsibilities and opportunities of women and men, girls and boys. Gender equality is not just a "women's issue"; it concerns men as well. Equality does not mean that women and men will become the same, but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female.

**Sameness or difference:** Gender equality does not mean same treatment. If gender equality is seen as requiring men and women to be treated the same, this may lead to women being offered equality only on male terms (e.g. only if they can conform to male-centred norms or requirements) and may reinforce the notion that difference = disadvantage. It is also important to address changes in male-gendered (but often taken as neutral) organizational and occupational structures, practices, cultures, norms, value systems, etc. Such changes may require “women-friendly” provisions to help women adapt to, or get on within structures as they currently are, or, alternatively, call for changes in those structures, cultures, etc. to accommodate women.

**Discrimination:** Any distinction, exclusion or preference based on designated criteria such as race, colour, sex, religion, political opinion, national extraction, social origin or other designated criteria which have the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. The existence of discrimination in fact (in reality or in practice) is *de facto discrimination* (a legal expression). The existence of discrimination in law is *de jure discrimination* (a legal expression).

**Direct or indirect discrimination:** Sex discrimination can be overt or direct discrimination or more subtle, indirect discrimination. Employers may discriminate against women directly by limiting applications for certain jobs to only men or only women. Discrimination is indirect when employers impose criteria for applicants or specify characteristics which are not closely related to the inherent requirements of the job, as a screening device. The purpose of the screening is either to exclude women or to obtain workers of a certain type. Many jobs are still seen as exclusively ‘male’ jobs or ‘female’ jobs.
The promotion of gender equality: basic policy and programme concepts

Gender-blind and gender neutral policies and programmes

‘Gender-blind’ policies and programmes do not distinguish targets, participants or beneficiaries by sex or gender.

‘Gender-blind’ policies and programmes are not necessarily ‘gender-neutral’ in impact, that is they do not necessarily affect men and women in the same way.

Gender analysis

The systematic effort to identify and understand the roles and needs of women and men in a given socio-economic context. To carry out gender analysis, it is necessary to collect statistics by sex, identify gender differentials in the division of labour and the access to and control over resources, identify the practical and strategic gender needs of women and men, identify the constraints and opportunities facing women and men and assess the institutional capacities to promote gender equality.

Gender planning

Gender planning consists of developing and implementing specific measures and organizational arrangements for the promotion of gender equality, identifying how to incorporate gender concerns into mainstream activities and ensuring that adequate resources are earmarked.

Gender mainstreaming

A strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres and at all levels, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.

Positive or affirmative action

To eliminate the current direct and indirect consequences of past discrimination, special measures may need to be designed in order to achieve de facto equality of opportunity and treatment. Such positive measures (also termed affirmative measures) are intended to be temporary: once the consequences of past discrimination have been rectified, the measures should be removed. Positive action is seen as essential for the achievement of genuine equality between women and men in the world of work and society. Positive action may encompass a wide range of measures, including corrective actions such as setting targets for women’s participation in activities from which they have previously been excluded, or promotional measures designed to give women access to wider opportunities.
Conducting Gender-based Analysis

To ensure that their policies and programmes are gender-sensitive and responsive, unions may wish to conduct gender analysis by:

1. Identifying the issues:
   - in what ways are both women’s and men’s experiences reflected in how issues are identified?
   - How is diversity taken into account?

2. Defining desired/anticipated outcomes:
   - what does the union want to achieve with this policy, and how does this objective fit with a commitment to gender equality?
   - who will be affected: How will the effects of the policy be different for women and men?

3. Gathering information:
   - what types of gender-specific data are available? Is there information on other designated equity groups of workers?
   - how is the union enabling women to express their needs and concerns?
   - how will the research you consult or conduct address the differential experiences of gender and diversity?

4. Developing and analysing options:
   - how will each option disadvantage some, or provide advantage for others? Does each option have differential effects on women and men within the union and at the workplace?
   - how can innovative solutions be developed to address the gender equality or women’s issues identified?
   - what are the solutions that the affected groups have suggested?

5. Making recommendations:
   - in what ways is gender equality a significant element in weighing and deciding upon options?
   - how can the policy be implemented in an equitable manner?

6. Communicating the policy:
   - how will communications strategies ensure that both male and female union members have access to information?
   - is gender-aware language used?

7. Evaluating the results:
   - how will gender equality concerns be incorporated into criteria the union uses to evaluate its effectiveness?
   - what indicators does the union use to measure the effects of a policy on women and men?

Adapted from: Status of Women Canada, Gender-based analysis: a guide for policy making. Website: http://www.swc-cfc.gc.ca/
Recruitment through publicizing union efforts and successes

This is how the ASU-NSW Clerical and Administrative Branch Union in Australia attempts to recruit especially women members through publicizing its efforts and successes:

“The Australian trade union movement was formed over 100 years ago to protect the rights of employees against unfair and/or harsh practices by employers and improve the standard of living of members. Trade unions have also endeavoured during that time to improve the conditions of employees, particularly women. For example, equal pay for work of equal value, parental leave, family leave, child care and access to Occupational Superannuation, were all issues bargained for and won by the union movement.

The ASU - NSW Clerical and Administrative Branch notes with great interest the recent election of the first female President of the Australian Council of Trade Unions (ACTU). She said ‘joining a union is your best form of insurance in the workforce and often people don’t appreciate the benefits until they individually face a problem. It’s also joining a movement that has historically, on a collective basis, achieved many improvements for women’.

Trade unions have put a lot of time and effort into securing awards and enterprise agreements which protect employees’ conditions of employment. Conditions which non-union members also benefit from. The ASU - NSW Clerical and Administrative Branch is particularly interested in issues concerning women, and sees the promotion of ‘family friendly work practices’ as a key issue in the future.

Issues such as part-time work, job sharing, career-break schemes, variable-year employment, varying flexible hours arrangements, short term absences during times of family crises, etc, are all issues relating to ‘family friendly work practices’. All of these practices need to be properly negotiated in order that they are not used for exploitation but for the benefit of the employee and his/her family.

It is the strong belief of the union that only union membership can provide ultimate protection of your basic human rights and your working conditions. With few exceptions, an individual as such, has little influence or control over the pay and conditions offered for his/her labour. A union representing an individual has the influence which flows from its resource capacity, knowledge and expertise. It is only through collective action that unions are able to hopefully secure positive outcomes for their members.

Source: from the recruitment Webpage of the ASU-NSW Clerical and Administrative Branch Union, see http://www.labor.net.au/
Recruiting women through providing services

Some of the types of services that unions have been providing as part of their organizing drives are:

**Congo:** the CSTC has focussed on not only professional problems of women workers concerning equal pay, equal opportunities, professional qualifications and internships but also social problems linked to family life, health insurance.

**Kenya:** COTU has special education programmes for women, income generating projects, self-help groups and cooperatives.

**Latvia:** the Latvian Seafarers’ Union of Merchant Fleet arranges special insurance for the women, medical examinations, extra payment for maternity leave and childcare.

**Philippines:** the Trade Union Congress arranges free medical consultations for the women; this has been a relatively successful mobilizing tool as the women often cannot afford to seek medical attention.

**Thailand:** the Labour Congress of Thailand coordinates a scholarship fund to help children of retrenched workers to continue their education; the fund is contributed to by ICFTU-APRO and the Office of the Prime Minister of Thailand.

Special organizing campaigns targeting women

1. General recruitment activities are the responsibility of the affiliates of the Netherlands Trade Union Confederation (FNV). The national unions produce recruitment materials, present awards to members for recruitment efforts, produce special materials targeted at female dominated sectors. But the FNV itself has special measures to recruit women, including a primer explaining what the FNV and its unions have achieved for women, what kinds of activities and training are provided, etc. The leaflet is updated every two years and funded from the budget of the women’s department. In 1995, the FNV organized a “huge and expensive” campaign over several months. Large advertisements and billboards were used in which the FNV President was shown supporting a female member (nurse, teacher, secretary, factory worker) under slogans like “If Madonna has one, why not me, FNV your agent”. The start of the campaign was accompanied by heavy publicity organized around the top union leadership visiting women at their workplaces. The “FNV your agent” campaign was later extended to cover youth and older workers. The budget for the campaign came from the general promotional budget of the FNV and some of the larger unions. Subsequent analysis revealed that the recruitment of new women members was less of a problem than keeping them as members. To diminish the loss of membership, arrangements were made so that women leaving one sector could maintain their membership in another union.

2. In the United States, the Service Employees International Union has targeted female-dominated occupations with great success. The organizing drives are carefully planned: polling methods are used to determine the attitudes of potential
members and care is taken to formulate and present the message of the union to potential members. Almost two-thirds of the organizing staff are female and about half of the union budget is spent on organizing, most of which is directed at women workers.

3. The New Zealand Council of Trade Unions advocates the organizing model both for recruiting and organizing workers in non-union sites and also for recruiting in workplaces that are largely unionized. Organizing, education and action are the three vital components of the organizing model. The involvement of informed, supportive members is necessary to obtain good employment contracts. The benefits of the organizing model are:

- it is more effective than the servicing model since an employer is more likely to bargain if there is a clear indication that a large number of workers are involved and behind the union;
- it gives members a sense of power as a group, by letting them share in the decisions and the victories;
- it educates members about the nature of the dispute between the union and the employer;
- the union gains power;
- the organizing model enables a union to take on and solve more problems because more people are involved and available to help.

4. In the Philippines, the Trade Union Congress provides training to enhance the skills and practices of organizers assigned to the export processing zones, where the workforce is largely female. The training includes six months intensive field training and monthly assessments of the trainee's activities. The team of organizers, composed mainly of young women, do not organize at the workplace. Instead, after working hours they go door to door to contact the workers. In two years, they succeeded in helping to create some 27 unions where there were none before.
Networking among union women

The Coalition of Labor Union Women (CLUW) is a national coalition in the United States of women from various trade unions. CLUW’s aims are to increase the number of organized women workers, implement affirmative action policies, work for the passage of legislation favourable to women workers and increase women’s leadership in trade unions. A Center for Education and Research was established in 1978, dedicated to empowering women workers and developing leadership strategies for women within organized labour. The CLUW supports legislation to end wage discrimination and other gender-based inequities. It also supports the implementation of childcare and parental-leave policies. It has advocated for the Equal Rights amendment, a women’s right to choose, pay equity and family leave. The CLUW publishes a number of publications and educational materials to update and educate members about current issues of importance to working women. In accordance with its principles of increasing women’s political involvement in labour issues, the CLUW encourages its members to write letters to legislators and to participate in political demonstrations.

Website: http://www.cluw.org

Gender equality policies and programmes

1. The ICFTU Programme of Action for the Integration of Women Into Trade Union Organisations was first adopted in 1978 and updated in 1985 and 1988. The Programme covered organizing of women workers, treatment of women as equal members, their participation in trade union power and responsibilities, education and training, information and research. The implementation was monitored and reported on by the ICFTU secretariat prior to each Congress to assess affiliates’ progress in achieving its aims: the full integration of women into trade union organisations and their participation in trade union activities and decision-making bodies at all levels.

The 15th ICFTU World Congress adopted two resolutions: "Equality: the Continuing Challenge--Strategies for Success" and "Women and Development", the implementation of which is to be reported to Congress. These resolutions called on the ICFTU and its affiliates to integrate gender perspectives into all aspects of their work, to develop and adopt a Positive Action Programme for Women in Development Cooperation, and to set up a Task Force to oversee the implementation and monitoring of the Programme, which has a minimum target figure of 30 per cent for women’s participation in all trade union activities in the framework of international cooperation at national, regional and international levels.

The 17th ICFTU World Congress in 2000 endorsed a Plan of Action entitled End Discrimination: Equality for Women Now, and called on the ICFTU, its Regional Organizations and affiliates to launch in 2001 a three-year worldwide campaign ‘Organizing for Equality’ aimed at doubling women’s union membership, with special attention to those in the informal sector, EPZs and atypical work.
2. The New Zealand Public Services Association has adopted a policy to ensure progression towards a truly equitable union. Every elected body throughout the union must aim to include women in the same proportion as they are members of the organ represented by the body. The emphasis is on changing gradually the culture of the union in all its institutional bodies, rather than imposing quotas or reserved seats.

Proportionality targets have been established (with 10 per cent leeway on either side) for women’s representation on all national, sector, enterprise and branch level bodies throughout the union. For example, if women make up 58 per cent of the membership, any representative institution must aim to comprise between 48-68 per cent women.

These targets are supported by strategies designed to generate a culture which embodies and reflects equity principles in such areas as recruitment, education and training, appointment and election processes, meeting processes, policy making, sector and enterprise targeting, etc. Specific strategies include:

- Putting consultation processes in place for women unable to attend meetings;
- Re-establishing women’s networks;
- Providing gender-specific training, such as assertiveness and confidence building;
- Using a buddy system to support newly elected women; and
- Using women-only focus groups.

Recognition is given to the crucial role of organizers, managers and other staff in promoting an understanding of the principle of proportionality and its targeting process.

Source: New Zealand Public Services Association, "Proportionality on elected bodies: a new policy on women’s representation in the PSA".
Statutory reforms promote gender equality

1. The 16th World Congress of the ICFTU firmly entrenched equality as one of the five priority areas for the ICFTU, and a Constitutional Amendment was passed making gender parity one of the ICFTU’s main objectives.

2. The Kenya Railway Workers Union at its 1991 annual delegates congress amended the constitution to make the women’s department a legal component within the union structure. The women’s affairs coordinator, who was appointed to head the department, was also charged with responsibilities for education within the union. The amendment process involved both women and men at grassroots and national levels. Women campaigned at the grassroots level both for election and to form part of the delegation to the annual congress. The union’s Secretary-General acted as the link between the women and the executive board and assisted the women in their efforts to lobby the board to amend the constitution. The constitutional amendment paved the way for the women’s department to undertake a number of programmes, which have been judged to be successful. Women have been able to feel that they are an integral part of the union and can participate actively in all union matters without discrimination or fear. The constitutional amendment has therefore strengthened the union and enhanced the role of women.

3. The Chairperson of the Malaysian Trade Union Congress (MTUC) Women’s Committee automatically holds the position of one of the Vice-presidents of the MTUC and is also a member of the Working Committee and General Council.

Training for gender equality

1. A project to train women trade unionists as equal opportunities officers was launched by the Confederation of Workers’ Commissions in 1991, extended to the UGT, and then brought under the wing of the European Initiative NOW. The intention was to stimulate women members to set up projects in favour of equal opportunities in the workplace. This is achieved through the training of equality officers, who go on to train other women trade unionists. The central aims of the training are to enable participants to pinpoint discriminatory situations in the work environment and provide the impetus for positive action; and to identify new job opportunities for which unemployed women can be trained. The project also underscores the importance of incorporating anti-discriminatory clauses in collective bargaining agreements. The courses are run every fortnight and have flexible time arrangements, adapting to the participants’ availability. Trained members are asked to train other groups of women trade unionists at the provincial level, so that the total number trained has been growing.

2. From 1989 to 1997, the IUF, together with the International Federation of Plantation and Agriculture Workers (IFPAAW) and the ILO, ran an education project within affiliated unions in Ghana, Uganda, Zambia and Zimbabwe to train male and female trade union officials, create a cadre of women specialists, and raise awareness among the rank and file members. An important and innovative approach was the use of songs, drama and role playing to teach male and female rural workers about trade union and gender issues. Group work at training seminars included performances around given topics. Video recordings of the performances were used as means of self analysis and development. The use of drama groups to address workers on issues such as women’s rights, labour laws, health and safety and environmental hazards was evaluated as one of the most promising aspects of the project – it increased the participatory effect and cost effectiveness of the project, and helped make women into active and outspoken participants in discussions on union affairs, grievance handling and recruitment.

3. The Polish trade union Solidarnosc, was born out of the movement for democracy, which spread throughout Poland during the 1980s. Women played a major role in the struggle. After Solidarnosc was given legal status in 1989, educational programmes for women were organized with international assistance and the national women’s section was established in 1991. However, this structure met with limited success as it had no decision-making powers and was unpopular not only with the male leaders, who called it a women’s ghetto, but also with the women members themselves who felt that the existence of a separate section for women was divisive and counter-productive. Recognizing that it was important to include both women and men in the struggle for equality, they adopted the slogan “together we are stronger”. As part of the “Together in Solidarnosc”, a training programme was conducted. Organizers used the French CFDT manual as a guide and adapted it to the Polish context. Trainers (usually one male and one female) trained in the first stage ran the courses and ensured the equal participation of men and women. The participants have generally evaluated the seminars to be a good forum for discussing equality issues and learning tolerance and solidarity. Some mentioned that they could now avoid stereotypical judgements.
Increasing women’s representation in leadership positions

1. At the 15th World Congress, the ICFTU Constitution was amended so that five members of the Executive Board could be nominated by the Women’s Committee. At the 17th World Congress, the ICFTU, Regional Organizations and affiliates committed themselves to, among other measures, improve monitoring mechanisms to determine more accurately the real participation of women in trade union activities, give particular attention to the way the Gender Integration System is used in development cooperation work, and take urgent action to ensure the full participation of union women in delegations, meetings and conferences at the regional and international levels.

2. Rengo-Japan has adopted a Women’s Participation Promotion Programme which is implemented by a special committee whose aim is to raise the women’s participation rate in executive committees of all Rengo affiliates to 15 per cent.

3. FNV-Netherlands has also adopted positive action plans to ensure that women’s representation on executive bodies should be at least commensurate with female membership.

4. AKAVA-Finland has set a target for the proportion of women in different decision-making bodies to be at least 40 per cent.

5. LO-Sweden has adopted a positive action programme whereby the number of female delegates to Congress and the General Council should correspond to the percentage of women members.

6. The ABPSA adopted a policy on women which provided for gender parity (50 per cent) on the Executive Committee and other committees and for at least one woman to be on each major delegation.

7. The ICTU-Ireland has adopted a policy to ensure that delegations to Congress are proportional to membership.

Giving women a voice through women’s and equality structures

1. Up to 1993, the National Committee of the Bangladesh Jatiyatabadi Sramik Dal (BJSD) allocated small sums to the Women’s Committee for individual programmes; this meant that the Women’s Committee undertook only programmes endorsed by the National Committee and it had no annual budget for its own activities. In 1993, the Women’s Committee decided to create an independent fund and to open a bank account. The Committee was motivated to undertake small programmes, as the need arose, to help ailing workers in cases of acute emergency and to extend financial assistance to its energetic and committed
organizers to work full time for the union. Having its own funds allowed the Women’s Committee to respond more quickly to emerging needs. Wanting to begin modestly, the Committee adopted the strategy of collecting a monthly subscription (equivalent to US$1) from the 51 members of the Women’s Executive Committee, and a higher subscription (US$5) was paid by the chairperson and secretary.

Gaining the independence to plan their own activities has boosted the morale of the Women’s Committee and given it the confidence to pursue further activities. The move has also won the respect of male colleagues and has helped promote an appreciation of gender equality among all members.

2. Recognizing the importance of symbolic acts designating legitimacy, the Tamilnadu Government Officials Union made an executive decision to include the name of the Women Committee Chairperson and State Women Organizer on the office letterhead of the union. The aim was to highlight the importance of female leaders and members within the organization. The letterhead measure was a definite deviation from the traditional practice of recognizing only the male leadership and thereby psychologically isolating the women in the union.

In addition, the women’s committee chairperson was included as a central executive member and on various collective bargaining teams. The women members widely welcomed the moves which they saw as “the union is modernizing its concepts to accept women as leaders”. As a result, more women were willing to opt for prominent leadership positions, and there was growing assertiveness and active participation among female members.

3. When the Trade Union Congress of the Philippines (TUCP-Philippines) was first established in 1965, its executive board was all male. In 1980, a resolution was submitted at the TUCP Convention to make provision in the structure of the federation and local unions to integrate women. In 1985, a resolution called for the creation of women’s committees at the federation and local levels. In 1990, the TUCP Women’s Committee was transformed formally into an organization called Development Action for Women in the TUCP (DAWN-TUCP). DAWN-TUCP was registered separately as an association so that it could receive and operate funds independently. Officers, members of the Working Committees and regional leaders of DAWN-TUCP are full-time staff/officials of their respective federations. The creation of DAWN-TUCP paved the way for the formalization of women’s committees in 13 TUCP federations, and a number of the federations allocated reserved seats for women in their executive boards. The TUCP Women’s Department serves as the secretariat and implementing organ of the policies and programmes approved by DAWN-TUCP. These structures are increasingly visible and active in dealing with women’s issues. But in so far as the TUCP Women’s Department has only one staff member, its capacity to reach a wider range of women workers has been limited.
PROMOTING GENDER EQUALITY

BOOKLET 2

PROMOTING GENDER EQUALITY THROUGH COLLECTIVE BARGAINING

A Resource Kit for Trade Unions
BOOKLET 2
PROMOTING GENDER EQUALITY THROUGH COLLECTIVE BARGAINING

Gender Promotion Programme
International Labour Office
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2.1. AIMS AND STRUCTURE OF THE RESOURCE KIT

This resource kit is intended to provide background information, practical guidelines and checklists, case studies and examples of “good” and “bad” practice and reference materials:

- to assist and enhance the efforts of trade unions to promote gender equality and protect vulnerable women workers; and
- to improve the understanding and appreciation of the role of trade unions.

The main target audience is trade unionists, especially officials, both women and men. But it is hoped that the information will also be of interest and use to all trade union members and to individual workers who are currently not organized. The resource kit is also more broadly addressed to those concerned with the elimination of discrimination or interested in the role of unions and the potential for collaboration or joint action with unions – including non-governmental organizations and other civil groups (importantly, women’s organizations and women activists), government agencies, employers and employers’ organizations, research and academic institutions and the media.

The resource kit is comprised of a number of booklets. There is also an accompanying report\(^1\) that provides the empirical perspective based on a survey and case studies of the actual experiences of trade unions and some “lessons learnt”. The survey and this resource kit represent the results of the collaboration between the Gender Promotion Programme (GENPROM) and the Bureau for Workers’ Activities (ACTRAV) of the International Labour Office, the Women’s Committee of the International Confederation of Free Trade Unions (ICFTU) and the International Trade Secretariats (ITSs), in particular the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and Public Services International (PSI). At a validation workshop, trade unionists discussed the relevance, user-friendliness, presentation style and appropriateness of the different booklets and made suggestions for revisions. The resource kit now incorporates the suggested revisions.

Booklets 1 to 6 cover different areas of trade union activities and interactions for the promotion of gender equality and the protection of vulnerable workers. There are, necessarily, some areas of overlap or repetition in the different booklets. Where issues are dealt with in more than one section or booklet, cross-references are provided.

Booklet 1  
Promoting gender equality within unions  
Deals with what trade unions can do within their own internal structures and policies to recruit more women members, enhance women’s participation in all union structures and activities, and promote equality and solidarity among union members.

Booklet 2  
Promoting gender equality through collective bargaining  
Explains the importance of promoting gender equality through the collective bargaining process. Focuses on the process of gender equality bargaining (preparing for negotiations, at the bargaining table, and follow-up).

Booklet 3  
The issues and guidelines for gender equality bargaining  
Focuses on negotiating to avoid sex discrimination and to promote equality of opportunity and treatment for men and women workers, and provides bargaining guidelines for a number of key gender equality issues.

Booklet 4  
Organizing the unorganized: informal economy and other unprotected workers  
Highlights the diversity of informal and atypical workers and the difficulties and challenges of organizing and protecting such workers – who are mainly women, outside the scope of legal and social protection and vulnerable to poor working conditions and abuses of workers’ rights. They include workers in the informal economy, part-time workers, home workers, domestic workers, workers in export-processing zones and migrant workers.

Booklet 5  
Organizing in diversity  
Illustrates how trade unions can “share the table and create space” for diverse groups including youth, older workers, workers with disabilities, lesbian and gay workers.

Booklet 6  
Alliances and solidarity to promote women workers’ rights  
Explains why community unionism and solidarity within the labour movement are crucial in today’s global context and shows how trade unions are forging alliances and working with non-governmental and other civil organizations at the local, national, international and global levels on a broad social agenda. The range of alliances is large and the bases for such alliances very wide and varied, but the booklet attempts to highlight only those with particular relevance to women workers’ rights and gender equality.
Each resource booklet is structured essentially to:

- **highlight the issues and concerns relating to the promotion of gender equality and the protection of vulnerable workers**, so as to stimulate and inform the thinking of trade unions and other social actors, identify the tasks and challenges facing trade unions and present the case why their role is critical;

- **present guidelines and practical tools for action**. The “how to” information is especially addressed to trade unions and is presented in various forms: as ideas, issues, checklists, guidelines, examples of what might be possible or effective, international instruments, etc. But the information is not intended to represent “best practices” or even necessarily “good practices” that should be adopted in all situations or be used in any definitive manner.

- **facilitate learning from the experience of others** by providing actual examples of action and operational strategies that have succeeded or failed, and, where possible, by identifying the factors making for success or failure in particular contexts; and

- **indicate the scope for, and the advantages of, cooperation and collaboration** between trade unions and employers’ organizations, governmental and non-governmental organizations and other groups in civil society.
2.2. HOW TO USE THE RESOURCE KIT

It is very important to emphasize that the booklets do not form a modular training package. They are not intended to be used in total for any step-by-step, how-to-do training programme. Rather, the various booklets are intended to serve as an information resource to be used flexibly by a range of users. Institutional or individual users can select particular booklets and topics and utilize or adapt the materials according to their specific needs and contexts. The resource kit can serve for:

- **awareness raising or sensitization**: to improve understanding and appreciation of gender equality issues and the challenges confronting trade unions. For example, trade union officials might use the kit as the basis for stimulating discussions, motivating action or organizing campaigns to promote gender equality;
- **advocacy and publicity**: as material for media campaigns, to inform or educate other social actors and the wider public about the role of trade unions and innovative initiatives in the elimination of discrimination and the promotion of equality;
- **as a practical tool for action**: users might obtain ideas and inspiration for discussion, debate or action; go through the checklists to ensure that they have taken into account all relevant factors; follow planning steps or guidelines; adopt or adapt examples or models for implementation; and assess the likelihood of success or failure in particular contexts;
- **training and educational purposes**: as background or reference material for educational seminars or study groups, for training organizers, etc.;
- **as a networking tool**: to help provide a basis for discussion or interaction between workers and employers, give ideas for promoting solidarity within and between unions, suggest bases for forging alliances with other social actors, etc.

To aid users, the materials are presented in different formats:

- **Statements in bold italics**: key ideas and facts;
- **Text boxes in italics**: gender equality issues and the case for trade unions to promote gender equality and protect vulnerable workers;
- **Shaded text boxes in small print**: examples or case studies of actual measures that have been undertaken to promote gender equality. Also relevant international Conventions. Additional examples and case studies are also provided in the Annex;
- **guidelines for action**;
- **checklists or steps for action** – however, these are not intended to be instructional;
- **measures to be avoided, negative factors**;
- **elaboration or explanation of the suggested guidelines, checklists, etc.**;
- **references, additional reading**.

The Kit has also been incorporated into an Information Base on Equal Employment Opportunities for Women and Men available on CD-ROM and Internet website: [http://www.ilo.org/genprom/eeo](http://www.ilo.org/genprom/eeo)
2.3. GENDER EQUALITY BARGAINING

“We cannot rely on legislation to achieve and protect equality issues. Collective bargaining is a much more effective mechanism for ensuring that these rights exist.....Although there have been major achievements made in equality issues in the past, downsizing and reorganization are taking a toll, impacting on the lives of workers and women workers in particular. Therefore, it is essential that equality issues become central to collective bargaining objectives”.

In many countries, the key means of action promoting gender equality in the world of work is through collective bargaining – as a process of negotiation between workers’ representatives and employers. This process may result in a collective agreement which outlines the terms and conditions of employment or any other matter of mutual interest to the workers and employer.

The role of trade unions in promoting gender equality through collective bargaining is especially important in the context of the current inadequacies of equality legislation and its enforcement in many countries. The role of trade unions is acknowledged in the Platform for Action of the Fourth World Conference on Women (Beijing, September 1995, paragraph 178h, p.106), which calls on governments and all social actors to recognize collective bargaining as a right and an important mechanism for the promotion of gender equality. This role is reaffirmed in both the Beijing+5 and the Copenhagen+5 final outcome documents [Introduction Booklet].

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3 In Canada, for instance, a greater part of the collective bargaining agenda of unions seeks to strengthen and, wherever possible, expand upon legislative protections and norms of equality.
Unions should promote gender equality through collective bargaining because:

- Women are accounting for a growing proportion of the workforce, and unions should represent and defend the rights of all workers;
- Stereotypes and misconceptions persist about the role and contributions of women workers;
- The elimination of discrimination with respect to employment and occupation and equal pay for work of equal value are basic workers’ rights - and are therefore union issues;
- Collective bargaining is a critical means of improving the terms and conditions of employment and safe and healthy work environments for both women and men;
- Gender equality and women's issues have traditionally been neglected in collective bargaining;
- Women’s concerns may be inadequately covered by labour legislation or inadequately enforced;
- Where there is equal employment opportunity legislation, unions can help to ensure that it is effectively implemented and monitored;
- Bargaining equality measures means that resolution for complaints can be accessed through the grievance procedure, a quicker and less costly process;
- Action on behalf of women workers would demonstrate the commitment of unions, and encourage women to join unions;
- Promoting gender equality through collective bargaining would show that unions are keeping up with the times and adapting and adjusting their goals and strategies to social concerns and the changing needs of workers.

Collective bargaining can take place at different levels, from the individual workplace level to the company, sectoral or industry, national or international level. For example, where collective bargaining is centralized at the national or sectoral level, minimum standards relating to the promotion of gender equality could be established that cover a wide range of workers. But before embarking on collective bargaining for the promotion of gender equality at the national level, unions should be aware of and take into account other forms of social agreements that have been developed and adopted with the direct participation of union representatives. For example, there could be national tripartite agreements on the promotion of gender equality; such agreements in some cases can have a similar impact to national law and cover all workers in a country.

At the sectoral level, it should be noted that many International Trade Secretariats (ITSs) have negotiated framework agreements with multinational companies concerning the international operations of the company. Such framework agreements are often based on ILO standards, including standards relating to the promotion of gender equality. The international nature of these framework agreements means that international trade unions must cooperate and have the capacity to effectively engage multinational companies in negotiations at the international level [Booklets 3 and 6].
At the company level, some companies have unilaterally adopted codes of conduct, often in response to negative publicity generated by reports of poor, exploitative or dangerous working conditions [Booklet 6]. These codes could be used by companies to avoid dealing with trade unions. In such cases, national or local trade unions should not accept the codes where they could otherwise negotiate collective agreements for the workers they represent.4

Therefore, before beginning any bargaining process, trade unions should analyse the particular context where the bargaining is to take place – so as to be able to articulate appropriate action and to be more effective in achieving desired results. For example, unions should not forget that agreements at company, national or international levels that cover gender issues can have considerable impact in terms of establishing minimum standards. Unions negotiating at the individual workplace or local level should then seek to improve on these minimum standards.

* Relevant ILO Standards:
  Freedom of Association and Protection of the Right to Organize Convention, 1948 (No.87);
  Right to Organize and to Bargain Collectively Convention, 1949 (No. 98);

ILO Right to Organize and to Bargain Collectively convention, 1949 (No.98)

Article 4
Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers’ organisations and workers’ organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements.

ILO Collective Bargaining Convention, 1981 (No. 154)

Article 2
For the purpose of this Convention the term “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’ organization or workers’ organizations.

Including gender issues in collective bargaining is a multi-phase process which requires careful planning and consideration to ensure that the efforts are fruitful and bring about desired changes in terms and conditions of employment and the more equal situation of women vis-a-vis men. Each phase corresponds to the strategies commonly used in collective bargaining, but in gender equality bargaining, the focus shifts to a more just and progressive way of representing the needs and concerns of the entire union membership. The three main phases are:

1. Preparing for negotiations;
2. The negotiations (the gender issues that could be raised at the bargaining table are discussed in Booklet 3); and
3. Follow-up after the negotiations.

“The responsiveness of collective bargaining to ‘women’s issues’ reflects the degree to which women are integrated fully into union decision-making structures, programs and activities”

2.3.1. Preparing for negotiations

To prepare for gender equality bargaining, unions should:

- Ensure the active participation of women, seek their views and make sure their voices are heard;
- Promote awareness and appreciation of gender issues among the union membership and also among employers;
- Select the negotiating team;
- Develop the gender equality bargaining agenda;
- Be well prepared for negotiations: gather all relevant facts, draft the agenda for bargaining, develop a clear strategy.

Ensure the active participation of women, seek their views and make sure their voices are heard

As with preparation for any collective bargaining negotiation, the union must identify its constituents and their interests. First and foremost, this requires the involvement of informed, educated and active members. Without the significant involvement of women it is likely that unions will lack much of the information necessary or the motivation to persuade employers to provide fair working conditions for women and for all workers with family responsibilities.

The recruitment and mobilization of members, especially women, is covered in Booklet 1. Booklet 1 emphasizes that before unions can champion the cause of gender equality at the workplace, they have to ensure that their own internal structures and policies are gender-sensitive and women-friendly. The links between internal equality (the position of women in the union) and external equality (in the form of good collective agreements) have been emphasized in most action research\(^6\). It is especially important to raise the visibility and prominence of women’s role in the union. For example, establishing a women’s committee or equality committee enhances the visibility of women in the union and helps ensure that women’s interests and perspectives are taken into account [\(\star\) Booklet 1].

Access to educational opportunities within the union is an area where women remain at a disadvantage. The female membership must be informed of their rights as members, the various roles and positions in which they can contribute their skills and unique perspectives within the organization, the steps for formally filing workplace grievances, and the methods they can use to make their workplace concerns known to their union representatives.

Since collective bargaining is aimed at the collective rights of workers, it is clearly important to obtain the views of all workers, women and men, and to ensure that their needs and concerns are properly identified and prioritized.

Women’s concerns about work are often inseparable from their domestic lives. But they may not be aware of how to translate their day-to-day problems or difficulties on the job or in combining work and family responsibilities into remedial action that can be taken by their union. Unions must therefore educate their women members in order that they fully understand the role of unions in their lives and how practically they can get their concerns into the collective bargaining agenda.

To identify what women’s constraints, needs and priorities are, both male and female union representatives must ask questions of them and listen attentively to their answers. Traditional union methods to ask members for their views may not always get results with women members. Unions should, therefore, be innovative in seeking the views of women. In preparing for negotiations, unions ought to:

**Checklist:**
- Recruit women members and promote their active participation in all union structures and activities;
- Ensure that all workers, especially women workers, understand and are able to make their concerns known to union representatives;
- Educate members so that they are able to recognize different forms of discrimination that may be occurring in the workplace;
- Widely publicize upcoming negotiations, for example, through sending out circulards to all workers, and provide ample time for workers to submit their views and demands;
- Conduct research: Fund the women’s unit or equality unit to enable it to research women’s concerns, such as tracking promotions by sex, cataloguing sexual discrimination cases, etc.;
- Send out simple questionnaires to all workers, and allow them to fill out the questionnaire in the language of their choice;
- Obtain information on what is happening at the various levels of social dialogue;
- Examine what happened in earlier negotiations;
- Hold consultation on issues for collective bargaining and, if draft policy available, circulate among all workers for comments and suggestions;
- Provide specific opportunities for women workers to make their voices heard:
  - the gender equality or women’s committee, department or unit should discuss with the executive committee the formulation of demands;
  - the gender equality or women’s committee, department or unit should be able to formally submit demands for negotiations;
  - the union should call special meetings of women representatives from all departments or units;
- Devise innovative ways of obtaining the views of those who are absent or silent at meetings, for example:
  - get women shop stewards and those close to the women workers to explain to them the collective bargaining process and to determine their views;
  - hold special women-only meetings, forums, study groups to give women who are less self-confident opportunities to express their views.
At its 82nd Meeting, the ICFTU Women’s Committee was of the firm opinion that if the Millennium Review was to have real meaning and relevance, it was important that voices at the grassroots be heard. Towards this end, the Committee decided to conduct a survey similar to the AFL-CIO’s “Ask A Working Woman” Survey. Although a pilot exercise, by February 2001 13,572 women had responded, of whom some 27.1 per cent were non-unionized. The regional distribution was as follows: Africa: 15.7 per cent, Americas 18.0 per cent, Asia/Pacific 19.6 per cent, Central and Eastern Europe 26.7 per cent, other Europe 20.1 per cent. Each respondent was asked to check 3 out of 15 issues of priority to them. Their list of priorities is indicated below:

1. Higher pay 52.2 per cent
2. Job security 37.1
3. Respect on the job 26.3
4. Retirement security 25.4
5. More control over work hours 23.8
6. Career development and training 23.7
7. Health and safety at workplace 22.1
8. Equal pay 22.0
9. Child care and after-school care 19.9
10. Promotions 16.5
11. Health insurance 14.1
12. Fair pay and benefits for part-time, etc. 13.9
13. Stronger programmes to end all forms of discrimination 8.8
14. Maternity leave 8.6
15. Elder care 7.1

When asked whether unions were addressing these issues, the responses were:
- Frequently: 35.0 per cent
- Occasionally: 34.1
- All the time: 14.5
- Rarely: 13.3
- Never: 3.0

The most important reasons given by non-unionized women for not joining unions were:
1. Do not understand how union can help me 71.7 per cent
2. Have no time because of family responsibilities 58.4
3. No one has approached me 57.6
4. Negative image of union 50.8
5. Union not sensitive to my needs 42.4
6. Union male dominated 38.0

These survey findings were mainly confirmed by the AFL-CIO surveys and the responses received on the ICFTU website.
**Promote awareness and appreciation of gender issues**

Success at gender collective bargaining hinges greatly on the mutual support and activism of both women and men. All workers, female and male, must be aware of why they should have a stake in bettering the lot of women workers. They must understand the language and meaning of the gender equality agenda for bargaining and what it means to them. It is therefore important that there is a strong educational component and advocacy materials to accompany the key bargaining proposals to help build support among the rank and file members. It is also important to promote gender awareness of employers.

**Guidelines:**

- Ensure that union education and training materials incorporate gender issues:
  - The União Geral de Trabalhadores of Portugal (UGT-P) has held meetings and seminars for male and female trade unionists on a wide range of issues including new forms of work organization, social protection and women’s rights. As a member of the “Equality Observatory”, the UGT has applied the principle of mainstreaming to the analysis of collective agreements, with a view to raising awareness among negotiators on both sides, and encouraging innovative measures to promote equal opportunities.
  - Conduct special campaigns and motivational efforts prior to negotiations, so as to ensure that the membership buys into the gender equality bargaining proposals;
  - Send out clear messages that both men and women workers have a stake in bettering the lot of women workers;
  - Help promote gender awareness of employers.

**“Better for women, better for all”**

**Select the negotiating team**

Choosing the best negotiating team is critical to ensuring success at the negotiating table. The people on the team should reflect union membership and the needs and interests of the membership. Team members should be good negotiators, with clear ideas of the interests of the workers. Strong and articulate women will always make an invaluable contribution in any negotiating team. Every organization has such women.

Many unions have adopted a specific policy of including women on the negotiating team: by establishing percentage or numerical quotas or by stipulating that certain office bearers (notably the head of the equality/women’s committee, department or unit or a female executive member) on the negotiation team. Such
a policy of ensuring that women are always represented on the team is more effective and equitable than one of including women only when there are issues to be raised in collective bargaining that are deemed to be of particular concern to women.

However, without properly educating the female representatives about the negotiating process and negotiation techniques, their presence on the teams becomes an act of tokenism. Unions must provide education and training for women delegates in negotiation techniques and the preparation and review of negotiation documents. Such education and training should convince the women that raising gender issues in collective bargaining is valid and important and also equip them with the information and arguments they need to be able to successfully raise gender issues in negotiations.

**Guidelines:**

- Adopt a policy of including women on the negotiation team, so that they can play a key role in formulating demands and examining proposed clauses of the collective agreement for discrimination:
  - **Remember:**
    - Women are used to negotiating and balancing the tight demands of family and work;
    - Many people with disabilities, minorities, gays and lesbians are used to working as activists, fighting for their rights and could make good negotiators, used to not taking ‘no’ for an answer;

- Do not only include women on the negotiation team when there are issues deemed to concern women;

- Educate and train women members effectively to participate in negotiations and to raise gender issues:

  
  With the assistance of an international group of women trade unionists, **FRATIA in Romania** organized a seminar on the rights of working women for male and female members. Many participants already had experience in trade union organizing and negotiations. However, their very limited knowledge of gender issues related to collective bargaining and workplace issues was very evident. Some women did not see equality issues as a problem until topics such as job segregation were raised.

  - **Ensure that male members of the negotiating team are also sensitive to gender equality concerns:**
    - **Remember:**
      - It could be highly effective to have a male negotiator present the case for a gender equality or women’s issue.
Develop the gender equality bargaining agenda

Unions have to make serious choices in developing their collective bargaining agendas. They need to represent the interests of all their members and, importantly, to develop an agenda which best represents their bargaining goals and has the best chances of success.

Union members will prioritize all union proposals, including gender equality proposals, for collective bargaining. At this time, it will be necessary to ensure that gender demands are not subsumed under more general, but no doubt important, union demands. They must remember that women are often more than half the workforce with equal rights to have their issues on the collective bargaining agenda and, from this perspective, should not be treated as a special group with special demands. The negotiating team will carry out the priorities determined by the union members.

Sometimes, getting an item on the collective bargaining agenda may be more difficult than bargaining with the employer. The negotiating team members often have to juggle competing demands by different groups of workers, and are compelled to make difficult decisions. Female members of the union can use the same compelling arguments with the negotiating team as they expect the negotiating team to use with employers. Also, the presence of strong, vocal women on the negotiating team would help ensure that women’s issues are not sidelined. Likewise, if women members know that their women representatives are ‘looking out for their concerns’ they are more likely to trust the team to represent adequately their interests and accept the final collective agreement package.

In prioritizing gender equality and women’s demands on the bargaining agenda Remember that:

1. Company policies that support women often help men too;
2. Facilities that appear to most help women, for example, child care, benefit both mothers and fathers, children, families and communities;
3. Proposals that benefit women have ripple effects that extend to families and communities;
4. Many proposals that support the entire union membership can have direct positive benefits for women. Better pay, increased safety measures, better lighting, etc. are measures that benefit both women and men.

The draft collective agreement should be circulated to all members for their approval and support. It is important to educate and inform all members of what the provisions for gender equality or women’s concerns are and what these imply. Women members might have to lobby for the acceptance of these provisions.
Be well prepared for negotiations

Unions need to be well prepared if they are to be successful in gender equality bargaining. Gender workplace issues and women’s concerns are obviously a necessary component for promoting equality and social justice. However, for many business organizations concerned primarily with the financial “bottom line”, this is not a convincing argument for change. Negotiators must, therefore, be ready to present data and evidence of the monetary and financial benefits of gender equality provisions. They should also carefully examine all clauses of the collective agreement to ensure that they are worded in gender-neutral language and they are not discriminatory, either explicitly or implicitly. It is also important to ensure that adequate resources are allocated and mechanisms specified within the collective agreement to allow for proper implementation and monitoring. Unions should:

Checklist:

- Do their “homework”, in particular gather all the facts and statistics on the relative position of women and men in the workplace. For example, if unions are to negotiate for equal pay, then they must have all the figures on the number of workers in different job categories and the pay differential between women and men. They should also collect information from other unions, workplaces, etc. for comparisons to substantiate their claims;
- Ensure that the overall bargaining strategy includes alliance building with equality seeking groups [Booklet 6];
- Make use of national and international information networks to gather and exchange information to prepare negotiating positions. Make use of information communications technology, including the growing number of Internet Websites. For example, http://www.clc-ctc.ca/woman/bargaining6 http://www.aflcio.org/women/exec99.htm http://www2.icftu.org/english/equality http://laborproject.berkeley.edu
- Be well versed with the existing gender equality provisions and women workers’ rights under current government legislation, company policies and regulations, existing contracts, work rules, collective agreements, etc.:

The ILO Gender Promotion Programme (GENPROM) has developed an Information Base on Equal Employment Opportunities (EEO) for Women and Men, which is available on Internet and CD-ROM. The EEO Information Base contains information on national legislation, national institutions, case law, corporate policies and collective agreements on a wide range of equality issues, including equal pay, elimination of discrimination against women, affirmative action, training, family friendly policies, sexual harassment. The website is http://www.ilo.org/genprom/eeo
Determine how collective bargaining can be used to ensure that existing rights are extended or secured. With reference to a number of areas of gender equality, a country’s legislation may already provide particular rights, but these may not be applied or enforced. Unions should therefore consider how they could repeat the terms of the legislation in the collective agreements so as to help ensure more effective and accessible enforcement;

Have arguments to show employers and union members that promoting gender equality is not only the right thing but also the smart thing to do. The benefits of gender equality provisions in the collective agreement should be clearly explained, not merely in monetary terms, but also with regard to such organizational factors as [also box below]:
- a progressive and positive image for the company;
- more efficient use of human resources;
- increased productivity;
- higher staff morale and loyalty to the company;
- lower staff turnover;
- less absenteeism, etc.

Identify and prioritize the demands to be submitted for negotiation. This may require an assessment of the relative costs and benefits of particular demands or collective agreement clauses. Unions may find this a useful exercise since it is more likely that an employer can be convinced to accept a proposal if it can be shown that a certain benefit is relatively cheap compared to the large tangible organizational benefits that it may bring, such as increased productivity.

**Remember:**
*In difficult economic times, unions may decide to give higher priority to non-wage, low-cost equality benefits. They may decide to push for a general equal opportunities clause, non-discrimination against workers with family responsibilities in particular in respect of promotion or advancement or for paternity leave – which would have no or little cost implications or affect a small percentage of workers, while substantially enhancing the image of the company.*
Employers can benefit from gender equality bargaining

Arguments to convince employers at the bargaining table that promoting gender equality at the workplace is both the right thing and the smart thing to do:

- In terms of recruitment, equal opportunity policies would attract more qualified women to apply to work in the company;
- Equitable hiring, promotion and training policies would enable a company to make the most of available human resources and increase productivity;
- Flexible working time, family leave arrangements and other family friendly policies can reduce absenteeism and even staff turnover;
- Provisions for safe work environments benefit both male and female workers, ensure a healthy and productive workforce and may reduce the costs of health insurance premiums as well as legal liability for accidents;
- Gender equality benefits can increase an employee’s organizational commitment and loyalty;
- In difficult economic times, gender equality bargaining may be easier to negotiate and less costly than other wage or monetary benefits;
- Gender equality and non-discrimination provisions would enhance the positive and progressive image of the company – more and more companies today are proud to be able to label themselves equal opportunity employers;
- In today’s global economy where consumers are more aware and sensitive to the labour conditions in which their products are produced, a company’s public image would be enhanced by demonstrating a commitment to gender equality and workplace ethics.
To effectively introduce gender equality demands at the negotiation table requires the presence of active and informed negotiators, including women. The emphasis should be on their active participation. Unions should make efforts to establish with the management and with all the rank and file members the legitimacy of their female negotiators, as well as the validity of the gender equality demands presented.

There is a tendency to discount gender equality issues at the workplace as of low priority for collective bargaining. Since women negotiators serve as a crucial link between the women constituents of a union and their workplace, these negotiators should be assisted to adequately and effectively raise gender concerns in the negotiations. The union should organize surveys, open dialogue sessions, women-only meetings, etc. to enable the negotiators to become aware of the pertinent issues within their workplace, to compile solid evidence of the need for gender provisions within work contracts, as well as to establish the support of the union constituency for such demands. The access of the women negotiators to solidarity networks is also important – so that they have opportunities to acquire technical cooperation or assistance from other unions or equality groups, exchange information, compile data, etc.

The active support of the male leadership is also critical for establishing the legitimacy of the women negotiators. When entering a bargaining scenario, each negotiator, male and female, should be introduced to the management as equally qualified representatives of the union.

In the course of bargaining, it must be ensured that women negotiators are given an equal opportunity to speak and contribute to the proceedings. If a situation transpires in which this does not occur, female representatives should be directly asked for their views and encouraged to contribute their perspectives. When female negotiators do present a gender issue for bargaining, other male representatives should express their complete support for the demand. A divided bargaining team is a weak bargaining team. It would be even more impressive if the male representatives could be the ones to raise the gender equality demands – and this can very easily happen if all members have been well gender sensitized.

Guidelines:
To effectively include gender issues in collective bargaining, unions should:

- Promote the active participation of women on the negotiation teams;
- Establish the legitimacy of the female negotiators and strengthen their voice at the bargaining table by ensuring that:
  - they have been properly trained not only in negotiation techniques and procedures but also in gender equality issues;
  - they have been able through surveys, meetings, dialogue sessions, etc. to gather evidence of the concerns of the members and their support for gender issues;
  - they have access to solidarity networks for exchanging information and data and gathering support;
  - the support of the male leadership is evident to the female negotiators, the management and the rank and file membership;
- Ensure that each negotiator, male and female, has equal status as a qualified representative at the bargaining table;
- Ensure that female negotiators are given ample opportunities to present their demands and make their views heard at the bargaining table;
- Ensure that any gender equality demand presented is fully supported by all members, male and female, of the negotiating team.

Remember:
Divide and conquer is one of the oldest battle tactics. Do not fall for it;

- Examine collective agreements to ensure that there is no discrimination in the proposed clauses;
- Use gender-aware language in the collective agreement;
- Ensure that the negotiating team is equipped with the facts and arguments to convince the management of the benefits of gender equality in the collective agreement;
- Specify in the collective agreement the resources and mechanisms for effective implementation and monitoring of the gender equality provisions;
- Do not succumb to the temptation to present gender equality concerns as subordinate to other employment issues. Gender equality bargaining can benefit both women and men alike at the workplace.
2.3.3. Follow-up after the negotiations

Promoting gender equality in employment does not end once the collective agreement is signed. Following up the collective bargaining process is essential, otherwise the gains for women workers might exist on paper only.

Firstly, unions and companies must ensure that employees’ rights and privileges under the new agreement are widely publicized. Including gender issues in collective bargaining produces little change if workers are not aware. Such victories at the bargaining table may also be used by unions to further publicize their commitment to promoting the interests of their whole constituency, male and female. Additionally, they may be used by union organizers as a way of attracting new members.

It is essential to ensure that there are mechanisms for achieving and monitoring implementation of the agreement and for collecting and disseminating information on the impact and outcomes of the agreement in practice. Monitoring may be conducted through independent ad-hoc committees, joint ad-hoc committees, as a function of permanent equal opportunity committees, as a function of union women’s committees, etc. Affiliated unions should report to the national centre on progress on equality bargaining. Unions are also recognizing the benefits of joint partnerships with other local human rights and non-governmental organizations in helping to monitor workplace practices based on collective agreements or self-stated corporate codes of conduct [Booklet 6].

The observations and statistics gathered from such monitoring committees could be used to analyse what workplace provisions need to be reviewed and revised to increase their effectiveness, as well as to identify the issues that may be of priority in the next round of negotiations.

A critical aspect is the setting up of a dispute resolution procedure which has the adequate resources and capacity to justly and efficiently address any breach of the collective agreement. The dispute resolution procedure (which may include conciliation, arbitration, reference to labour court, etc.) must be able to deal with sensitive issues such as sexual harassment, discrimination, denials of family leave, unfair dismissals, etc. As such, formal statements ensuring the highest degree of confidentiality possible for the complainant is necessary. Without such assurances, many employees, especially women, making claims on gender provisions might be dissuaded from bringing their claims forward for fear of workplace isolation, ridicule, reprisals, etc. When informing employees of their rights under the collective agreement, they should simultaneously be informed of the proper methods of handling grievances and be assured that confidentiality will be a top priority.
Guidelines:

- Make sure the negotiated policies, rights and benefits are communicated to all workers on a regular basis (including those with non-permanent or atypical status). Such information dissemination should be through various methods: posted at the workplace, made available in lay language through the newsletters, seminars, lunchtime meetings, role play, etc.;
- Establish methods for regularly monitoring the proper implementation and the overall effects of the collectively bargained policies, rights and benefits. Ad-hoc monitoring/research committees, which include female union members could effectively work toward this end;
- Establish grievance procedures to deal with any abrogation of the workplace contract, discrimination or sexual harassment;
- Inform all workers of the proper methods of handling grievances and assure them that their complaints will be treated confidentially and fairly;
- Increase the presence of women in the collective bargaining process through promoting their participation on monitoring committees and grievance boards. In addition, the presence of women may make it easier to bring claims related to discrimination or sexual harassment to the attention of the union and the company;
- Regularly gather statistics. Keep a close eye on the number of women and men who are hired, promoted and dismissed, as well as the numbers in all job categories, salary levels and human resource development programmes. Keep a special eye on equal pay provisions by collecting wage data;
- Always think ahead. Evaluate what workplace provisions need to be improved or reviewed to improve their effectiveness. Such issues could be introduced during the next round of collective bargaining;
- Publicize the work done by the union on behalf of women – as an organizing strategy. It is important for unions to publicize their new bargaining objectives and the strategies they have used or intend to use to achieve them.
Monitoring implementation of gender equality agreements

In most cases, monitoring covers implementation of the entire collective bargaining agreement. However, in some cases, there is specific monitoring of the gender equality clauses, with reporting to an external or higher body. For example:

Belgium:
there is an obligation to submit an annual report on equality measures to the Enterprise Council;

France:
reporting to a Superior Council of Professional Equality;

Finland:
the Central Organisation of Finnish Trade Unions (SAK), together with the other social partners, makes a joint report on the impact of the equality policy;

Ghana:
the Ghana Trade Union Congress (GTUC) collects all collective bargaining agreements from national unions to study them and provide advice and also obtains verbal feedback from women members during quarterly meetings;

Israel:
Histadrut conducts regular visits to workplaces to check implementation and to distribute information so that all negotiated policies, rights and benefits are communicated to all workers;

Kenya:
the Women’s Affairs Coordinator of the Kenya Railway Workers’ Union monitors and reports to the Secretary-General on implementation of the collective agreement provisions;

Italy:
the Office of Equal Opportunities of CGIL monitors progress in equality by following a mainstreaming policy of collecting information, informing and coordinating with other departments, unions, women’s associations, etc.

Honduras:
An independent monitoring team, composed of several local human rights groups, monitors working conditions in a clothing factory. The monitoring agreement was the product of negotiations after workers were unsuccessful in organizing. The agreement allows for unannounced factory visits by the monitoring team, which also holds monthly meetings with management and worker representatives;

NACTU:
Requires affiliates to provide quarterly progress reports on equality bargaining and implementation.
Factors likely to influence the success or failure of gender equality bargaining

Research has identified a number of factors that are likely to encourage or discourage gender equality bargaining:

Factors relating to trade unions include:

- The extent to which women’s voice is heard within the union, including women’s proportion of the membership and their participation in the union;
- The extent to which women have power within the union and the extent to which those in power (men or women) have a commitment to equality;
- The importance attached to equality bargaining in the union;
- The existence and nature of the policies and structures to give this effect.

Factors relating to employers (at the company level) include:

- Labour market and competitive position;
- Workforce composition (including proportion of women);
- Actual or desired employer image;
- Management style and culture;
- Identity and role of key individuals within the organization, including matters of ownership and control.

Factors relating to the nature and structure of collective bargaining within an organization:

- The extent of recognition afforded to the union by the employer;
- The quality of the bargaining relationship;
- The nature, power and discretion of the negotiators;
- The way in which bargaining agendas are constructed;
- Links between equality structures in employer or union organizations on the one hand and negotiation structures on the other, and the relationship between the different bargaining agents/units.

REFERENCES AND ADDITIONAL READING


Websites:
http://www.clc-ctc.ca/woman/bargaining6
http://www.aflcio.org/women/exec99.htm
http://www2.icftu.org/english/equality
http://laborproject.berkeley.edu
http://www.tuc.org.uk
**ANNEX
SOME BASIC CONCEPTS RELATING TO GENDER EQUALITY**

**Gender equality: basic concepts**

*Gender:* refers to the socially determined differences between women and men such as roles, attitudes, behaviours and values.

*Sex:* identifies the biological differences between women and men. While sex is genetically determined, gender roles are learned, vary widely within and between cultures, and are thus amenable to change over time.

**Gender Equality:** Equal rights, responsibilities and opportunities of women and men, girls and boys. Gender equality is not just a “women’s issue”; it concerns men as well. Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female.

*Sameness or difference:* Gender equality does not mean same treatment. If gender equality is seen as requiring men and women to be treated the same, this may lead to women being offered equality only on male terms (eg. only if they can conform to male-centred norms or requirements) and may reinforce the notion that difference = disadvantage. It is also important to address changes in male-gendered (but often taken as neutral) organizational and occupational structures, practices, cultures, norms, value systems, etc. Such changes may require “women-friendly” provisions to help women adapt to, or get on within structures as they currently are, or, alternatively, call for changes in those structures, cultures, etc. to accommodate women.

**Discrimination:** Any distinction, exclusion or preference based on designated criteria such as race, colour, sex, religion, political opinion, national extraction, social origin or other designated criteria which have the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. The existence of discrimination in fact (in reality or in practice) is *de facto discrimination* (a legal expression). The existence of discrimination in law is *de jure discrimination* (a legal expression).

**Direct or indirect discrimination:** Sex discrimination can be overt or direct discrimination or more subtle, indirect discrimination. Employers may discriminate against women directly by limiting applications for certain jobs to only men or only women. Discrimination is indirect when employers impose criteria for applicants or specify characteristics which are not closely related to the inherent requirements of the job, as a screening device. The purpose of the screening is either to exclude women or to obtain workers of a certain type. Many jobs are still seen as exclusively ‘male’ jobs or ‘female’ jobs.
The promotion of gender equality: basic policy and programme concepts

Gender-blind and gender neutral policies and programmes

‘Gender-blind’ policies and programmes do not distinguish targets, participants or beneficiaries by sex or gender.

‘Gender-blind’ policies and programmes are not necessarily ‘gender-neutral’ in impact, that is they do not necessarily affect men and women in the same way.

Gender analysis

The systematic effort to identify and understand the roles and needs of women and men in a given socio-economic context. To carry out gender analysis, it is necessary to collect statistics by sex, identify gender differentials in the division of labour and the access to and control over resources, identify the practical and strategic gender needs of women and men, identify the constraints and opportunities facing women and men and assess the institutional capacities to promote gender equality.

Gender planning

Gender planning consists of developing and implementing specific measures and organizational arrangements for the promotion of gender equality, identifying how to incorporate gender concerns into mainstream activities and ensuring that adequate resources are earmarked.

Gender mainstreaming

A strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres and at all levels, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.

Positive or affirmative action

To eliminate the current direct and indirect consequences of past discrimination, special measures may need to be designed in order to achieve de facto equality of opportunity and treatment. Such positive measures (also termed affirmative measures) are intended to be temporary; once the consequences of past discrimination have been rectified, the measures should be removed. Positive action is seen as essential for the achievement of genuine equality between women and men in the world of work and society. Positive action may encompass a wide range of measures, including corrective actions such as setting targets for women’s participation in activities from which they have previously been excluded, or promotional measures designed to give women access to wider opportunities.
Conducting Gender-based Analysis

To ensure that their policies and programmes are gender-sensitive and responsive, unions may wish to conduct gender analysis by:

1. **Identifying the issues:**
   - in what ways are both women’s and men’s experiences reflected in how issues are identified?
   - How is diversity taken into account?

2. **Defining desired/anticipated outcomes:**
   - what does the union want to achieve with this policy, and how does this objective fit with a commitment to gender equality?
   - who will be affected: How will the effects of the policy be different for women and men?

3. **Gathering information:**
   - what types of gender-specific data are available? Is there information on other designated equity groups of workers?
   - how is the union enabling women to express their needs and concerns?
   - how will the research you consult or conduct address the differential experiences of gender and diversity?

4. **Developing and analysing options:**
   - how will each option disadvantage some, or provide advantage for others? Does each option have differential effects on women and men within the union and at the workplace?
   - how can innovative solutions be developed to address the gender equality or women’s issues identified?
   - what are the solutions that the affected groups have suggested?

5. **Making recommendations:**
   - in what ways is gender equality a significant element in weighing and deciding upon options?
   - how can the policy be implemented in an equitable manner?

6. **Communicating the policy:**
   - how will communications strategies ensure that both male and female union members have access to information?
   - is gender-aware language used?

7. **Evaluating the results:**
   - how will gender equality concerns be incorporated into criteria the union uses to evaluate its effectiveness?
   - what indicators does the union use to measure the effects of a policy on women and men?

Adapted from: Status of Women Canada, Gender-based analysis: a guide for policy making. Website: http://www.swc-cfc.gc.ca/
PROMOTING GENDER EQUALITY

A Resource Kit for Trade Unions

BOOKLET 3

THE ISSUES AND GUIDELINES FOR GENDER EQUALITY BARGAINING
BOOKLET 3
THE ISSUES AND
GUIDELINES FOR GENDER
EQUALITY BARGAINING

Gender Promotion Programme
International Labour Office
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3.1. AIMS AND STRUCTURE OF THE RESOURCE KIT

This resource kit is intended to provide background information, practical guidelines and checklists, case studies and examples of “good” and “bad” practice and reference materials:

- to assist and enhance the efforts of trade unions to promote gender equality and protect vulnerable women workers; and
- to improve the understanding and appreciation of the role of trade unions.

The main target audience is trade unionists, especially officials, both women and men. But it is hoped that the information will also be of interest and use to all trade union members and to individual workers who are currently not organized. The resource kit is also more broadly addressed to those concerned with the elimination of discrimination or interested in the role of unions and the potential for collaboration or joint action with unions – including non-governmental organizations and other civil groups (importantly, women’s organizations and women activists), government agencies, employers and employers’ organizations, research and academic institutions and the media.

The resource kit is comprised of a number of booklets. There is also an accompanying report1 that provides the empirical perspective based on a survey and case studies of the actual experiences of trade unions and some “lessons learnt”. The survey and this resource kit represent the results of the collaboration between the Gender Promotion Programme (GENPROM) and the Bureau for Workers’ Activities (ACTRAV) of the International Labour Office, the Women’s Committee of the International Confederation of Free Trade Unions (ICFTU) and the International Trade Secretariats (ITSs), in particular the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and Public Services International (PSI). At a validation workshop, trade unionists discussed the relevance, user-friendliness, presentation style and appropriateness of the different booklets and made suggestions for revisions. The resource kit now incorporates the suggested revisions.

Booklets 1 to 6 cover different areas of trade union activities and interactions for the promotion of gender equality and the protection of vulnerable workers. There are, necessarily, some areas of overlap or repetition in the different booklets. Where issues are dealt with in more than one section or booklet, cross-references are provided.

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**Booklet 1**

*Promoting gender equality within unions*

Deals with what trade unions can do within their own internal structures and policies to recruit more women members, enhance women’s participation in all union structures and activities, and promote equality and solidarity among union members.

**Booklet 2**

*Promoting gender equality through collective bargaining*

Explains the importance of promoting gender equality through the collective bargaining process. Focuses on the process of gender equality bargaining (preparing for negotiations, at the bargaining table, and follow-up).

**Booklet 3**

*The issues and guidelines for gender equality bargaining*

Focuses on negotiating to avoid sex discrimination and to promote equality of opportunity and treatment for men and women workers, and provides bargaining guidelines for a number of key gender equality issues.

**Booklet 4**

*Organizing the unorganized: informal economy and other unprotected workers*

Highlights the diversity of informal and atypical workers and the difficulties and challenges of organizing and protecting such workers — who are mainly women, outside the scope of legal and social protection and vulnerable to poor working conditions and abuses of workers’ rights. They include workers in the informal economy, part-time workers, home workers, domestic workers, workers in export-processing zones and migrant workers.

**Booklet 5**

*Organizing in diversity*

Illustrates how trade unions can “share the table and create space” for diverse groups including youth, older workers, workers with disabilities, lesbian and gay workers.

**Booklet 6**

*Alliances and solidarity to promote women workers’ rights*

Explains why community unionism and solidarity within the labour movement are crucial in today’s global context and shows how trade unions are forging alliances and working with non-governmental and other civil organizations at the local, national, international and global levels on a broad social agenda. The range of alliances is large and the bases for such alliances very wide and varied, but the booklet attempts to highlight only those with particular relevance to women workers’ rights and gender equality.
Each resource booklet is structured essentially to:

- **Highlight the issues and concerns relating to the promotion of gender equality and the protection of vulnerable workers**, so as to stimulate and inform the thinking of trade unions and other social actors, identify the tasks and challenges facing trade unions and present the case why their role is critical;

- **Present guidelines and practical tools for action**. The “how to” information is especially addressed to trade unions and is presented in various forms: as ideas, issues, checklists, guidelines, examples of what might be possible or effective, international instruments, etc. But the information is not intended to represent “best practices” or even necessarily “good practices” that should be adopted in all situations or be used in any definitive manner.

- **Facilitate learning from the experience of others** by providing actual examples of action and operational strategies that have succeeded or failed, and, where possible, by identifying the factors making for success or failure in particular contexts; and

- **Indicate the scope for, and the advantages of, cooperation and collaboration** between trade unions and employers’ organizations, governmental and non-governmental organizations and other groups in civil society.
3.2. HOW TO USE THE RESOURCE KIT

It is very important to emphasize that the booklets do not form a modular training package. They are not intended to be used in total for any step-by-step, how-to-do training programme. Rather, the various booklets are intended to serve as an information resource to be used flexibly by a range of users.

Institutional or individual users can select particular booklets and topics and utilize or adapt the materials according to their specific needs and contexts. The resource kit can serve for:

- **Awareness raising or sensitization**: to improve understanding and appreciation of gender equality issues and the challenges confronting trade unions. For example, trade union officials might use the kit as the basis for stimulating discussions, motivating action or organizing campaigns to promote gender equality;
- **Advocacy and publicity**: as material for media campaigns, to inform or educate other social actors and the wider public about the role of trade unions and innovative initiatives in the elimination of discrimination and the promotion of equality;
- **As a practical tool for action**: users might obtain ideas and inspiration for discussion, debate or action; go through the checklists to ensure that they have taken into account all relevant factors; follow planning steps or guidelines; adopt or adapt examples or models for implementation; and assess the likelihood of success or failure in particular contexts;
- **Training and educational purposes**: as background or reference material for educational seminars or study groups, for training organizers, etc.;
- **As a networking tool**: to help provide a basis for discussion or interaction between workers and employers, give ideas for promoting solidarity within and between unions, suggest bases for forging alliances with other social actors, etc.

To aid users, the materials are presented in different formats:

| Statements in bold italics: | key ideas and facts; |
| Text boxes in italics: | gender equality issues and the case for trade unions to promote gender equality and protect vulnerable workers; |
| Shaded text boxes in small print: | examples or case studies of actual measures that have been undertaken to promote gender equality. Also relevant international Conventions. Additional examples and case studies are also provided in the Annex; |
| guidelines for action; | checklists or steps for action – however, these are not intended to be instructional; |
| measures to be avoided, negative factors; | elaboration or explanation of the suggested guidelines, checklists, etc. |
| references, additional reading. | |

The Kit has also been incorporated into an Information Base on Equal Employment Opportunities for Women and Men available on CD-ROM and Internet website: [http://www.ilo.org/genprom/eeo](http://www.ilo.org/genprom/eeo)
Unions are nearly unlimited in the types of issues which they might present for negotiations. Every worker, irrespective of sex, race, colour, religion, political opinion, national or social origin, age, sexual orientation, disability has the right to an equitable, fair and safe work environment as well as the right to be able to fulfil responsibilities relating to their personal and family life. As such, any issue which is identified as eliminating direct or indirect discrimination, promoting equality of opportunity and treatment or more effectively balancing work and family responsibilities is a legitimate issue for collective bargaining. Unions are only limited in practical terms by restrictions which are articulated through national or local legislation or by employer attitudes.

Gender equality bargaining can be a powerful mechanism through which unions can either reinforce existing rights under legislation or previous collective agreements through devising practical methods of implementation, or extend workplace rights on issues which have traditionally been ignored. Unions may strategically choose which issues they will present for negotiations. Their choice will depend on those factors which may affect their bargaining leverage and success, such as the state of the local or national economy, the current state of the labour market, the economic situation of the company, or the public image of the company. The list below of issues that a union may want to raise from a gender perspective is not set out in any particular order.

### Non-discrimination and dignity at the workplace
- trade union activities
- sex discrimination
- sexual harassment
- violence at the workplace
- equal opportunities in hiring and promotion
- equal access to education and training programmes
- affirmative action to give women a voice at all levels of the establishment

### Wages and benefits
- Equal Pay
- Job classification
- Pensions
- Transport benefits
- Medical benefits
- Overtime entitlements
- Bonus systems
- Housing benefits
- Dependent allowances
Maternity protection and family responsibilities

Maternity
- non-discrimination against pregnant and nursing women
- maternity leave and cash benefits
- job security
- reproductive health care
- leave for prenatal checkups
- rights of pregnant and nursing mothers
- adoption

Family responsibilities
- paternity leave
- parental leave
- family leave
- child care facilities
- care of the elderly or disabled
- reproductive health services
- protection against discrimination or victimization

Hours of work
- Basic hours and overtime
- Night work
- Part-time work
- Flexible working time
- Job sharing
- Expectant and nursing mothers
- Time off for family responsibilities

Leaves of absence
- paid annual leave
- compassionate or bereavement leave
- maternity/paternity/parental leave
- medical or sick leave
- paid education or training leave
- other personal leave (for marriage, etc.)
Health, safety and the work environment
- health and environmental hazards
- ergonomics
- health and safety committees and safety representatives
- personal protective equipment
- welfare facilities and services
- disabled workers
- duty to accommodate
- reproductive health
- HIV and AIDS information
- impact of new technologies

Defending rights of non-permanent and vulnerable workers
- categories – casual, temporary, task workers, seasonal, contract, part-time, rural, homeworkers, domestic, migrant, indigenous and tribal
- extend general conditions to such workers
- eliminate child labour
- avoid non-permanent status for permanent work
3.4. BARGAINING CHECKLISTS FOR KEY GENDER EQUALITY ISSUES

3.4.1. Ending discrimination and promoting equal opportunities

**a. Sex discrimination** [Olney et al. 1998, Booklet 5]

Just as trade unionists may be discriminated against merely for being trade unionists, some women face discrimination merely because they are women or because of their marital status or family responsibilities. Women may face discrimination in areas such as recruitment, promotion, training opportunities, job assignments, dismissal and lay-offs.

Sex discrimination can be overt or direct discrimination or more subtle, indirect discrimination. Employers may discriminate against women directly by limiting applications for certain jobs to only men or only women. Discrimination is indirect when employers impose criteria for applicants or specify characteristics which are not closely related to the inherent requirements of the job, as a screening device. The purpose of the screening is either to exclude women or to obtain workers of a certain type. Many jobs are still seen as exclusively ‘male’ jobs or ‘female’ jobs.

**Relevant ILO Standard:**

*Discrimination (Employment and Occupation) Convention, 1958 (No.111)*

*Discrimination (Employment and Occupation) Recommendation, 1951 (No.111).*

**ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111)**

**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’ organisations, 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.
Unions can negotiate for provisions in collective agreements to protect women against direct and indirect discriminatory practices:

**Checklist:**

- General equal opportunities clause, expressing the commitment of the union and the employer to promoting equal opportunities for women and men;
- Opportunities for women, including those with non-permanent contracts, to apply for all positions and to benefit from training programmes;
- Non-discrimination against workers with family responsibilities, in particular with respect to promotion and advancement;
- Avoid informal systems of recruitment that often prejudice women;
- Carefully determine what training, education or past experience is actually needed for a position, as well as whether age limits or mobility requirements are absolutely essential;
- Job application forms should include only those questions relevant to the job;
- If the candidate is successful, then questions such as marital status and number of children can be asked if linked to particular benefits;
- Neutral job descriptions -- if they are gender-specific, stereotypes are enforced. Women may also feel excluded;
- Gender-inclusive language in the collective agreement -- if possible avoid saying ‘the worker, he shall.....’. Gender-inclusive language shows a commitment to equality;
- Equality officer or women’s committee to implement objectives and review progress;
- Training in equal opportunities issues for all those involved in recruitment and negotiations;
- Reversal of burden of proof -- once a worker can show she/he was disadvantaged, it is for the employer to prove that it was not on the basis of sex.

The burden of proof is an important issue in the context of sex discrimination and should be discussed in negotiations. Especially since discrimination tends to be indirect, it may be important to negotiate for the reversal of the onus of proof. Once a worker can show that she/he was disadvantaged, it is for the employer to prove that it was not on the basis of sex.

In Italy a law promoting equality between the sexes and abolishing all forms of discrimination between men and women at the workplace was unanimously approved by Parliament in 1991. A significant feature of the law is that where there is an allegation of discrimination, the onus is on the alleged discriminator to prove his or her innocence. Charges may be brought against an employer, or other organization, without having to prove a specific instance of discrimination. All that is necessary is to provide coherent factual or statistical evidence in such areas as recruitment, pay rates, task and job assignments, transfers, promotions or dismissal showing that one sex is, directly or indirectly, more favoured by the policy than the other. The organization will then have the burden of disproving the evidence.

b. Equal opportunities agreement

To protect workers from both overt and more subtle forms of discrimination and victimization, unions can negotiate an equal opportunities policy and agreement. Persuading employers to adopt a general statement of intent is the first step that unions can take towards negotiating a workable equal opportunities agreement. Equal opportunities is about the right of all workers to be treated fairly regardless of their sex, race, sexual orientation, marital status or other characteristics such as age, colour, religion, disability, political or other opinion, national or social origin. It is about getting rid of discrimination and prejudice at work and in the union, and about making sure that no workers are treated unjustly.

When preparing to negotiate or review an equal opportunities agreement with employers, union negotiators may find the following questions useful:

**Checklist:**

- Do you have an equal opportunities agreement?
- Do all members and prospective members know about it?
- Is it published or advertised?
- Is it monitored?
- Is it reviewed by management and union representatives? If so, how and how often?
- Does it deal with job segregation, or lack of promotion for women?
- Does it commit management to take positive action where the policy is not working? If so, what positive action has been taken and is it showing results?
- Are management and employees trained on the policy? Is the training regularly updated?
- Is there a joint union/employer equal opportunities committee? Does it meet on a regular basis?
- Is there an agreed procedure for investigating complaints about recruitment, appointments and promotions?
- Can staff get paid time off to attend union training on equal opportunities?
- Does the agreement demand that all collective agreements are reviewed to eliminate any sex bias?

It may also be very useful for negotiators to bear in mind the following points about equal opportunities.

**Remember:**

- Equal opportunity measures should have a focus which extends beyond women. Gender equality also concerns men. Men can also suffer discrimination;
- Some provisions which are often taken at face value to be equal opportunity provisions, in fact, may be double-edged, with negative as well as positive potential in terms of promoting true equality.

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Example:
Enhanced maternity or child care leave for women may facilitate their continued participation in wage work, but may reinforce the premise that women have, and should continue to have, primary responsibility for childcare (and other dependent care) with a consequent intermittent (and less ‘committed’) attachment to the workforce than men. It would be better to have provisions targeted at men, such as paternity leave, to foster greater sharing of social responsibilities.

Example:
The existence of part-time work or other flexible work arrangements may enable workers to combine domestic responsibilities and paid work. But gender equality is unlikely to be achieved where part-time work is ghettoised into low graded ‘women’s jobs’ or detached from a company’s internal labour market and remuneration system. Negotiators need to know not simply that there is provision for part-time work but at what occupational levels such work exists, to whom it is available and on what conditions;

‘Women’ and ‘men’ are not homogeneous categories. Differences exist in terms of ethnicity, education, age, etc. Therefore, equal opportunity provisions may be concerned with a particular group of women rather than women in general.
Equal opportunity measures

The equal opportunities policy and agreement can cover four main types of measures:

1. **Barrier elimination measures** to remove or change policies and practices which cause a particular sex or group of workers to be excluded from certain occupations or which limit them to a small unrepresentative number. Such measures could include:
   - posting or advertising jobs in a variety of media;
   - restricting testing and other selection criteria to ‘bona fide’ job requirements;
   - fair assessment of prior learning, foreign credentials, work/volunteer experience and skills;
   - leave of absence provisions to accommodate needs of all workers;
   - workplace documentation, notices provided in all workers’ languages and on tape for visually impaired workers.

2. **Positive or affirmative action measures** or special efforts which are put in place over a period of time to offset imbalances due to past discrimination. These measures reflect the understanding that without temporary measures to alter past discriminatory structures, efforts to achieve equality will be unjustifiably slow, and also that economic efficiency is impaired by the under-utilization of the potential of a large segment of the workforce. There are normally four components:
   - corrective action, such as setting numerical targets for women’s participation in activities from which they had been excluded;
   - promotional measures, designed to redress the cause of discrimination, such as giving women wider access to opportunities for vocational training and employment in non-traditional sectors;
   - a time table to attain set objectives and to apply measures;
   - supervisory machinery to monitor progress, assess difficulties and make the necessary adjustments.

3. **Supportive measures** which are similar to positive measures, except that they also benefit all employees, whether or not they are a designated sex or group member. These measures could include:
   - policies to address balancing of family and work responsibilities;
   - anti-discrimination and anti-harassment policies, including provision of training and education for all workers;
   - education and communication programmes to dispel myths and promote acceptance and understanding of equal opportunities;
   - mentoring programmes.

4. **Accommodation measures** to ensure that jobs, tools and workplaces “fit” women or members of the designated group. They could include:
   - work related assistive devices and access to updated and appropriate technology and software required to perform job duties;
   - flexible hours, modified job duties;
   - ensuring accessibility of buildings and all facilities and areas within buildings;
   - accessible work areas appropriately equipped;
   - dress codes which accommodate women and cultural minorities.

TUC Model Equal Opportunities Clause

“The parties to this agreement are committed to the development of positive policies to promote equal opportunities in employment regardless of workers’ sex, marital status, sexual orientation, creed, colour, race, ethnic origins or disability. This principle will apply in respect of all conditions of work including pay, hours of work, holiday entitlement, overtime and shift work, work allocation, guaranteed earnings, sick pay, pensions, retirement, training, promotion and redundancy.

The management undertake to draw opportunities for training and promotion to the attention of all eligible employees, and to inform all employees of this agreement on equal opportunities. The parties agree that they will revise from time to time, through their joint machinery, the operation of this equal opportunities policy. If any employee considers that he or she is suffering from unequal treatment on the grounds of sex, marital status, sexual orientation, creed, colour, race, ethnic origin or disability, he or she may take a complaint which will be dealt with through the agreed procedures for dealing with such grievances”.

Source:
c. Training and Promotion

Women are often denied access to training and promotion which limits their ability to meet the challenges of changing technologies and to advance in their jobs.

Employers often perceive that women are more likely to leave employment because of family responsibilities and hence do not invest in upgrading their skills and fully developing their capacities. Women are also under-represented in senior positions both because of stereotyped assumptions and interrupted work histories. Without the opportunity to upgrade their skills and qualifications, women will continue to be denied the opportunity to move to higher paid jobs. Unions can negotiate to:

**Checklist:**

- Press for greater training and richer task-assignment opportunities for women, including those in non-permanent positions;
- Ensure that women workers have access to information on training opportunities;
- Make company training programmes more flexible and responsive, so that women workers can be more adaptable and multi-skilled, rather than having traditional stereotyped vocational and sex-segregated skills. It is important that there are provisions to ensure that women are able to avail themselves of training opportunities, eg. through flexible training schedules and childcare facilities;
- Where necessary, provide reserved places for women in training and retraining opportunities, and set targets or quotas, with clear timetables, for recruitment or promotion;
- Ensure that training programmes have the following objectives:
  - meeting the skills needs of new and growing occupations *(Remember: occupations in information and communications technology)*;
  - enhancing the skills of workers to cope with changes in equipment, job specification and work organization;
  - multi-skilling to improve flexibility;
  - retraining for workers whose jobs have been abolished or redesigned;
- Ensure that skill upgrading and job-enrichment are duly recognized in individual evaluation procedures and calculation of pay and for career progression;
- Make all selection and promotion systems transparent and establish union participation in procedures;
- Ensure that women receive credit for work-related experience and that they do not lose their seniority due to career breaks.
1. In Sweden, the Trade Union Confederation (LO) reached agreement with the Employers’ Confederation to test out an ideal training model for women workers, offering increased protection against unemployment. The training took place in an area with a high concentration of industries employing poorly qualified women workers. It was coordinated by the vocational training centre of the town. The course ran for 18 weeks, including a first week of guidance to overcome a number of psychological obstacles. The technical elements were adapted in line with the needs of five participating local companies. The evaluation of the initiative showed that the existence of a local coordinator contributed to its success. At any point, a participant could speak to the coordinator about a personal problem. During the course, zero absenteeism was registered and all the trainees subsequently found interesting jobs.

2. The trade union in Ferrero, a confectionary company in Belgium, signed a collective agreement with management defining a number of objectives in the area of equality of opportunity. One of the issues covered was the training of forklift truck drivers. Correct handling of the machinery is vital to the company and can bring access to more interesting jobs. Women initially had reservations about driving a forklift. The positive actions working group set up within the company consequently decided to train women as forklift drivers. They began by training an in-factory instructor. An in-factory instructor meant the women did not have to travel for training, and also benefited the men taking the course. Although the initiative was by the union, the company has also come to see the advantages as insurance statistics show that women drivers tend to be more careful and to cause fewer accidents.

Source:

 Relevant ILO Standard:
Human Resources Development Convention, 1975 (No.142) and Recommendation, 1975 (No.150)
VIII. Promotion of Equality of Opportunity of women and Men in Training and Employment

(1). Measures should be taken to promote equality of opportunity of women and men in employment and in society as a whole.

(2) These measures should form an integral part of all economic, social and cultural measures taken by governments for improving the employment situation of women and should include, as far as possible –

(a) educating the general public and in particular parents, teachers, vocational guidance and vocational training staff, the staff of employment and other social services, employers and workers, on the need for encouraging women and men to play an equal part in society and in the economy and for changing traditional attitudes regarding the work of women and men in the home and in working life;

(b) providing girls and women with vocational guidance on the same broad range of educational, vocational training and employment opportunities as boys and men, encouraging them to take full advantage of such opportunities and creating the conditions required for them to do so;

(c) promoting equality of access for girls and women to all streams of education and to vocational training for all types of occupations, including those which have been traditionally accessible only to boys and men, subject to the provisions of international labour Conventions and Recommendations;

(4) promoting further training for girls and women to ensure their personal development and advancement to skilled employment and posts of responsibility, and urging employers to provide them with the same opportunities for extending their work experience as offered to male workers with the same education and qualifications;

(5) providing day-care facilities and other services for children of different ages, in so far as possible, so that girls and women with family responsibilities have access to normal vocational training, as well as making special arrangements, for instance in the form of part-time or correspondence courses, vocational training programmes following a recurrent pattern or programmes using mass media;

(6) providing vocational training programmes for women above the normal age of entry into employment who wish to take up work for the first time or re-enter it after a period of absence.
d. Sexual harassment

Sexual harassment is a serious, although often misunderstood, form of sex discrimination. It is also a safety and health issue at the workplace.

Legal definitions vary from country to country, but the one paramount principle is that sexual harassment refers to sexual conduct which is unwanted by the recipient. In the Collective Agreement on the Prevention and Resolution of Harassment-related Grievances between the International Labour Office and the ILO Staff Union [ILO website http://mirror/public/english/staffun/docs/harassment.htm], sexual harassment is defined as:

“any unwanted or unwelcome conduct of a sexual nature, in a workplace or in connection with work, which makes a protected person feel humiliated, intimidated, discriminated against or offended. The distress caused by the act or series of acts may be intentional or unintentional. Sexual harassment can be coercive sexual behaviour used to control, influence or affect the job, career or status of a protected person. It can also be manifested when one or more persons submit a protected person, at any level, to offensive behaviour or humiliation on the basis of that protected person’s sex or sexuality, even though there may be no apparent impact on the career or employment of the protected person concerned”.

Sexual harassment can take many forms and may include:
(1) deliberate and unsolicited physical contact or unnecessarily close physical proximity;
(2) repeated sexually-oriented comments or gestures about the body, appearance or life-style of a protected person;
(3) offensive phone calls, letter or e-mail messages;
(4) stalking;
(5) showing or displaying sexually explicit graphics, cartoons, pictures, photographs or Internet images;
(6) questions or insinuations about a protected person’s private life;
(7) persistent invitations to social activities after the protected person has made it clear they are not welcome; and
(8) sexually explicit jokes or propositions.

Men may be victims of sexual harassment, but most often it is women who suffer – because of societal attitudes and their often precarious employment position. Those in low-status jobs or with precarious employment contracts find it difficult to complain or seek support for fear of jeopardizing their job. Sometimes women who complain about being harassed are shunned, victimized or told they “cannot take a joke”. Sexual harassment can result in:
the victim leaving a job rather than face the harassment;
biased job evaluations or poor personal recommendations;
demotion, transfer, dismissal and loss of opportunity for training or promotion prospects and job security;
stressful and hostile working environment that can lead to mental and physical illness for the victim and an uncomfortable atmosphere for other workers. Victims of sexual harassment suffer tension, anger, anxiety, depression, insomnia, stress-related medical problems such as headaches, digestive disorders, etc.;
victims often suffer loss of face and social rejection, leading to family hardship and even break-up;
the harasser jeopardizes the victim’s future job opportunities by giving the victim a bad reference or bad reputation.

With increasing recognition that sexual harassment needs to be tackled as a labour-management issue, it is being included more and more on the collective bargaining agenda. Provisions in collective agreements could include measures, such as:

**Checklist:**

- The issuing and publicizing of strong policies against sexual harassment. Many companies now have a “zero tolerance” message that sexual harassment is not only an affront to equitable treatment but also a serious form of misconduct that will not be tolerated:

  “The Company will not tolerate, condone or allow sexual harassment, whether engaged in by fellow employees, supervisors, clients or other non-employees who conduct business with this Company. The Company encourages reporting of all incidents of sexual harassment, regardless of who the offender may be.”

- Information and education campaigns drawing attention to the various forms of sexual harassment and the fact that it will not be tolerated;
- The provision of information, education and training for all employees and management on what constitutes unacceptable behaviour. Awareness raising and sensitization is often the single most important preventive measure that can be taken against sexual harassment in the workplace;
- The establishment of specific measures to deal appropriately with sexual harassment complaints:
  - The complaints procedure should enable and encourage the victim to raise the issue of harassment in a supportive, expeditious and confidential context;
  - All information concerning harassment related grievances should be handled in such manner as to protect the privacy of all concerned;
  - There should be rapid, thorough and confidential treatment of all complaints, and a clear disciplinary procedure concerning proven sexual harassment;
Where harassment is proven, the harasser must be dealt with seriously and the victim should not be prejudiced in any way in an attempt to separate the two workers from the same working environment (eg. transferring the harasser not the complainant).

Dealing with sexual harassment: a trade union guide

1. Sexual harassment will be eradicated most effectively if there is joint employer/union action. A policy statement can be drawn up in consultation with the union and a model clause included in collective agreements and a grievance procedure established.

2. Sample clause in a collective agreement: “The union and the employer recognize the problem of sexual harassment in the workplace and are committed to ending it. Sexual harassment shall be defined as:
   - unnecessary physical contact, touching or patting;
   - suggestive and unwelcome remarks, jokes, comments about appearance and deliberate verbal abuse;
   - leering and comprising invitations;
   - use of pornographic pictures at the workplace;
   - demands for sexual favours;
   - physical assault.
Grievances under this clause will be handled with all possible speed and confidentiality. In settling the grievance, disciplinary action will be taken against employees and supervisors who engage in any activity prohibited under this clause. Every effort will be made to relocate the harasser, not the victim.

3. Grievance procedure: Grievances can be handled through the normal grievance procedure. However, unions may want to negotiate special grievance provisions to handle the unique circumstances of sexual harassment cases. Such a procedure would guarantee confidentiality and promptness and be handled by someone outside the immediate workplace on the management side.

4. Shop stewards and local officials should receive special training in the handling of sexual harassment cases. They should ensure that these are treated seriously and that they are supportive of the worker involved. Because of the nature of sexual harassment, it is important for officials to recognize that women workers may find it easier to talk to a woman rather than a man about the problems they are experiencing. A woman steward, representative or adviser could be nominated or elected to handle complaints at the earliest stage of action.

5. The nature of sexual harassment means that in many cases it will be the word of the harasser, who is often in a more influential position, against the victim. Such cases need to be handled sensitively and in a painstaking manner.
6. When a case of sexual harassment is notified to the union representative, the representative should: encourage the worker to record details of each occurrence of harassment and monitor any changes in work patterns or attitude of the harasser; find out if other workers have experienced similar problems and ask them for details; discuss with the worker concerned how the case should be pursued; seek the support of other workers for the victim as there may be witnesses to some incidents.

7. The exact steps to be taken will depend on the nature of the case and the procedures negotiated. A resolution should be obtained which best satisfies the complainant. It should be the harasser who is transferred or, if necessary, dismissed and not the victim.

8. It is extremely important that women members are not afraid to report cases of sexual harassment and that they are given support and help once they have reported their problem. It is vital that women feel confident that their local trade union officials and their union at national level take the matter seriously and deal with it effectively.

Source:
ICFTU Equality Department: *Sexual harassment at work: a trade union guide*
3.4.2. Wages and benefits

a. Equal Pay

In the survey of trade unions [accompanying report], equal pay was the second most common gender matter (after maternity protection) included in collective agreements. Worldwide, women continue to earn 20-30 per cent less than men. In the recent ICFTU Ask a Working Woman Survey, equal pay ranked eighth and higher pay ranked first among the respondent’s priorities [Booklet 2, p. 14].

Relevant ILO Standard:
Equal Remuneration Convention, 1951 (No.100) and Recommendation, 1951 (No.90).

Equal Remuneration Convention, 1951 (No.100)

Article 1
For the purpose of this Convention
1. 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;
2. 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
Each Member shall, by means appropriate to the methods in operation for determining rates of remuneration, promote and .... ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.

To bargain for equal pay for work of equal value, unions could:

Checklist:
As a first step, gather information to establish a general picture of gender and pay. For example, the Commission of the European Communities has issued a Code of Practice on the Implementation of Equal Pay for Work of Equal Value. The code sets out a list of key indicators of potential sex bias. Unions could use this code to review their workplace to determine if:

- Women have lower average earnings than men with the same job title;
- Women have lower average earnings than men in the same grade;
- Women in female-dominated jobs are paid less than the lowest male-dominated job;

Jobs predominantly occupied by women are graded or evaluated lower than jobs predominantly occupied by men at similar levels of effort, skill or responsibility;

Women are paid less than men with equivalent entry qualifications and length of service;

Where separate bargaining arrangements prevail within one organization, those dominated by men receive higher pay than other bargaining groups dominated by women;

The majority of men and women are segregated by different grading, classification and evaluation systems;

Part-time or temporary workers, who are mainly women, have lower average hourly earnings than full-time or permanent employees in the same job or grade;

Part-time or temporary workers, who are mainly women, have access to fewer pay and other contractual benefits;

Different bonus arrangements, piece rate and other “payment by result” systems, apply in different areas of production, disproportionately affecting one gender;

Different overtime rates apply in different departments, disproportionately affecting one gender;

Holiday entitlements vary between jobs in the same grade disproportionately affecting one gender.

Ensure that job evaluation systems are gender neutral [Section below]
The price of unequal pay

Working families pay a steep price for unequal pay:

1. America’s working families lose a staggering $200 billion of income annually to the wage gap -- an average loss of more than $4,000 each for working women’s families every year because of unequal pay, even after accounting for differences in education, age, location and the number of hours worked;

2. If married women were paid the same as comparable men, their family incomes would rise by nearly 6 per cent, and their families’ poverty rates would fall from 2.1 per cent to 0.8 per cent;

3. If single working mothers earned as much as comparable men, their family incomes would increase by nearly 17 per cent, and their poverty rates would be cut in half, from 25.3 per cent to 12.6 per cent;

4. If single women earn as much as comparable men, their incomes would rise by 13.4 per cent, and their poverty rates would be reduced from 6.3 per cent to 1 per cent.

Unequal pay hurts men too:

1. Both women and men pay a steep price for unequal pay when they do “women’s work”. The 25.6 million women who work in these jobs lose an average of $3,446 each per year; the 4 million men who work in predominantly female occupations lose an average of $6,259 each per year -- for a whopping $114 billion loss for men and women in predominantly female jobs;

2. For men in female dominated jobs, state average increases would range from $3,533 annually in the district of Columbia to $8,958 in Delaware if pay inequality was eliminated.

Union representation is a proven and powerful tool for raising workers’ wages, particularly for those most subject to labour market discrimination: women and minorities:

1. The typical female union member earns 38 per cent more per week – $157 – than a woman who does not belong to a union;

2. Women represented by unions earn almost 84 per cent as much as union men.

Source: Equal pay for working families; national and state data on the pay gap and its costs. AFL-CIO Website: http://www.aflcio.org/women/exec99.
b. Job evaluation

Job evaluation (also called job appraisal or job assessment) is important to ensure equal pay, particularly in situations where women and men do not normally work alongside each other. Job evaluation is a comparison of the relative value of different jobs in terms of the level of demand the work makes on the average worker. The abilities of the individual workers are not measured. Where sex stereotypes are used in the process of evaluation, this can result in the undervaluation of the jobs mainly held by women. For example, traditional schemes tend to measure only the physical and mental aspects of work and do not include factors that adequately measure dexterity, caring functions, organizing or coordinating activities of people. Or where market rates are used to establish the relative weight of factors, these may simply reflect historical discrimination in the labour market.

Unions should, therefore, bargain for the use of gender neutral job evaluation criteria that define and value factors in an objective manner -- taking into account only those aspects required to perform the work to the expected level of accuracy and efficiency, without being influenced by feminine stereotypes or bound by traditional criteria; and that conceptualize work as having human relations skills and emotional aspects, as well as mental and physical aspects.

Gender neutral job evaluation criteria

I. Objective job evaluation criteria:
   1. Knowledge and Skills
   2. Physical Skills
   3. Mental Skills
   4. Communication Skills
   5. Human Relation Skills

II. Effort:
   1. Physical demands
   2. Mental demands
   3. Emotional demands

III. Responsibility (for):
   1. Information and material sources
   2. Direct supervision over other employees
   3. Direct responsibility for the well-being including health and safety of other people
   4. Planning, organisation and development

IV. Working Conditions:
   1. Hazards - exposure, risk of injury, diseases
   2. Environment exposure to disagreeable working environment etc

Source: Equity at Work: An Approach to Gender-Neutral Job Evaluation, States Services Commission, New Zealand
c. Pensions

Pensions are deferred pay – pay a worker gets after he/she retires. So the right to a decent pension is important for women. It is another aspect of equal pay. The social security offered by pensions is also important because women are making up the majority of the over 60 years population in almost every country of the world. In addition, more and more women in the world today can expect to be single, separated, divorced or widowed and need a pension in their own right.

But women are often disadvantaged regarding pension schemes because:

- The types of work women are involved in often do not have pension plans;
- Many women work on a part-time basis and tend to be excluded from employer pension plans;
- Even when they are covered by pension plans, women’s lower wages result in lower pension benefits;
- More women than men have interrupted work histories due to family responsibilities or women enter the workforce later having had their families;
- Pension schemes are often designed assuming contributions based on continuous full time working life, so that those who have interrupted employment or delayed entry may not receive an adequate pension upon retirement.

Unions need to monitor and counter these trends through collective bargaining to ensure that older women workers have financial security upon retirement. They should also take into account that more and more workers are changing employment over the course of their lives. Portability of pensions is extremely important, and unions need to ensure that pensions are valued fairly at the time of transfer from one employer to another. In negotiating a pension scheme, unions should:

**Checklist:**

- Start off by ensuring that women receive equal pay and equal opportunities;
- Ensure that employer pension schemes are available to all employees, including part-time workers;
- Ensure that women can be given pension credits to allow for the fact that they are likely to have periods outside paid employment;
- Reduce the theoretical working life of women to allow for likely interruptions. Thus fewer but greater pension payments can be paid for women workers to ensure that women receive the same pension on retirement as their male colleagues;
- Link pension contributions to maternity leave to ensure continuity of provision (Remember, however, that this is harder with longer periods of absence);
- Allow for voluntary contributions enabling workers to make up any shortfall in their pension. (But again, this may not be an ideal solution as women are literally forced to pay for any interruption in their employment history).
The Trades Union Congress (TUC) United Kingdom recommends the following scheme improvements to enhance equal opportunities for women in pensions:

- an equalized pension age with the opportunity to work on for an enhanced pension;
- the admission of part-timer workers to the scheme;
- improved widow’s and widower’s pensions at a level above the minimum required by recent law;
- dependents’ pension and a lump sum for financial dependents of all scheme members regardless of sex;
- equalized and improved death benefits;
- recognition of all maternity leave in the calculation of pensionable service;
- no exclusion from the occupational scheme on the grounds of age.

3.4.3. Family-friendly policies

Harmonising working life and family responsibilities is a challenge for both women and men. Yet it is often women who bear the biggest burden of earning an income while still assuming the care of children and other family members and taking care of domestic chores. This double burden is acutely felt in many countries where domestic roles are perceived as entirely feminine yet the need for cash income is forcing more and more women to seek paid work. Changing economic, demographic, social and migration patterns also mean that women are increasingly becoming heads of households, solely responsible for income generation and running their homes.

Trade unions have a crucial role in easing this burden through bargaining for ‘family-friendly’ polices at the workplace, benefiting both men and women workers, their families and communities. There is a broad range of family-friendly measures which trade unions can include in collective agreements, such as childcare, elder care, maternity protection and benefits, family leave and alternative work schedules.

Advantages of family friendly policies

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<thead>
<tr>
<th>Employers benefit from:</th>
<th>Employees benefit from:</th>
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<tr>
<td>improved employee commitment</td>
<td>improved level of communication with family members</td>
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<tr>
<td>improved retention of skilled workers</td>
<td>enhanced career and development opportunities</td>
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<tr>
<td>increased returns on training and investments</td>
<td>maintenance of skills</td>
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<tr>
<td>reduction in absenteeism and unplanned absences</td>
<td>greater focus and energy at work, along with increased motivation and job satisfaction</td>
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<tr>
<td>reduction in costs associated with staff attrition and workers’ compensation</td>
<td>increased job security arising from the knowledge that a commitment to family will not be viewed as lack of commitment to the organization</td>
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<tr>
<td>improved staff morale</td>
<td>reduction in stress as a result of flexible and more suitable working arrangements</td>
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<td>improved occupational health and safety performance</td>
<td>maintenance of physical and emotional health</td>
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<td>enhanced public image and competitive edge in recruiting</td>
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Source: Australian Public Service Division pamphlet, 1994.
Relevant ILO standard:
Workers with Family Responsibilities Convention, 1981 (No.156) and Recommendation, 1981 (No. 165).

ILO Workers with Family Responsibilities Convention, 1981 (No.156)

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.

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 who 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 –
(1) to enable workers with family responsibilities to exercise their right to free choice of employment; and
(2) to take account of their needs in terms and conditions of employment and in social security.

Article 8
Family responsibilities shall not, as such, constitute a valid reason for termination of employment.
Parental rights agreement

The South African commercial, Catering and Allied Workers’ Union (SAC-CAWU) has successfully negotiated a far-reaching parental rights agreement with the commercial chain Macro. The general principles of the agreement are:

- The parties commit themselves to the elimination of discrimination based on sex, race and gender;
- The agreement aims to ensure that women are not unfairly discriminated against on the grounds of pregnancy, and that male and female employees who are parents of young children are able to exercise their parental responsibilities;
- The parties acknowledge the equal right of men and women to combine a job and family life, to work under safe and healthy conditions and to give their children the necessary care and attention;
- The Company agrees that it has a social responsibility towards its workers and their children;
- The parties acknowledge the right of parents to decide freely and responsibly on the number and spacing of their children.

The agreement provides guarantees against dismissal for being pregnant, forbids retrenchment while on parental leave, guarantees all women employees 12 months maternity leave, with 9 months paid, provides for 14 days paid paternity leave for male employees, with the right of parents to divide up the leave time if both are employed by the company, guarantees the right to return to employment after parental leave, and provides for special health and safety protection for pregnant mothers as well as time off for pre- and post natal care.

Source: Women at Work, Spring 1993

a. Childcare

Childcare is a necessity for working parents. Childcare provisions are not only about full-time daycare for pre-school children. Working parents also need care for school-age children before and after school; back-up for sick children or in emergencies; and care for children during evenings, weekends, holidays and when parents are working non-standard hours. Unions can negotiate for various options to solve these child care problems:

- day care
- creche
- after school care
- child care allowance
- holiday pay scheme
- child care information services.
Allocations or facilities may be provided by the employer, the State or in some cases co-sponsored by unions and employers. Unions are finding innovative solutions to provide child care for their members through bargaining. Childcare bargaining strategies could include:

- **Website**: [http://laborproject.berkeley.edu/bargcld.html](http://laborproject.berkeley.edu/bargcld.html)

- **Resource and referral**: finding high quality, reliable and affordable care can be very difficult for working parents. Resource and referral services can help employees with appropriate and available child care providers, taking into consideration the special needs of each family. An employer may contract with an outside agency or handle referrals in-house. Resource and referral services also can help develop child care resources in an area if no appropriate child care exists.

International Brotherhood of Electrical Workers Local 1245 bargained with Pacific Gas and Electric to establish a Child Care Resource and Referral Program, available to all employees. The program helps parents find the right solution for their specific needs: a child care centre in their community, an in-house caregiver or a child care provider for sick children. The program provides a child care referral hot-line and information to help employees evaluate caregivers.

- **Child care tax programmes and funds**: Such programmes or funds can be in the form of tax programmes, such as a dependent care assistance plan or flexible spending account, a child care fund or a direct financial assistance arrangement.

The International Union of Electrical Workers and General Electric contractually established a Dependent Care Reimbursement Account allowing eligible employees to designate up to $5,000 a year to be deducted from their pay on a pre-tax basis. Funds in the account can be used to reimburse employees for day care for children under 15 or for dependent care for another dependent of the employee who is mentally or physically unable to care for himself or herself.

The Health and Human Services Union negotiated in 1989 for a child care fund which, by 1992, had been expanded to cover 168 hospitals and health care facilities and 39,000 members. Employers contribute a percentage of gross payroll to the fund. A labour/management committee at each institution decides what benefits to offer at that site. Benefits offered include cash vouchers for child care and after-school care, summer camp subsidies, child care resource and referral services, a holiday program, a cultural arts program and a child care centre.
Providing child care (centres, networks of family day care homes and subsidized slots): Setting up a child care centre is a costly and time-consuming process. Before negotiating for a child care centre, the union needs to consider the needs of members: do they prefer in-home or centre care, what shifts do they work, are their children pre-school age? If the union decides to set up a centre, some important questions are:

1. will the centre be profit or non-profit,
2. will the centre be funded through employer contributions, parent fees or other sources,
3. who will manage and operate the centre and how will the standards be monitored,
4. what will the terms and conditions of work of the child care workers in the centre?

The American Federation of State, County and Municipal Employees, Public Employees Federation and Union of University Professors negotiated with the State of New York to develop the Empire State Child Care Network, which included 50 on-site child care centres serving children of state employees. A labour-management child care advisory committee administers a fund to set up non-profit centres and to support and expand the network of centres. Families are charged on a sliding scale for use of the services. Some centres also provide kindergarten, summer and after-school care for school-age children.

Canadian Autoworkers Union bargained with Chrysler, Ford and General Motors for a Child Care Fund that funds both extended-hour child care centres and a network of family day care homes for shiftworkers who want their children in a more home-like setting. The employers contribute four cents per hour worked. A non-profit agency set up by the CAW directly employs the child care providers, who receive benefits including paid vacation and sick time, health care, pension and overtime pay.

Backup and sick child care: Backup care can be provided for mildly sick children, on days when normal care arrangements fall through or in other unusual situations. Parents of school-age children may need child care during summer vacations and on holidays. Backup care can be provided through a special programme, such as employer subsidies for in-home care or a backup centre, or by allowing parents to use their sick time to care for sick children.

Local chapters of the Service Employees International Union negotiated a fund with Alameda County to provide emergency reimbursement for parents whose children are mildly sick or who, for some emergency reason, are unable to use their regular care provider. Employees receive reimbursement for 90 per cent of up to $80 a day, to a maximum of $350 a year. The employer also provides resource and referral services for families who need sick or emergency care.
Extended hours/before and after school care: Many working parents need child care before 9am and after 5pm, including before and after school hours and during extended hours when parents are working shifts.

The United Automobile, Aerospace and Agricultural Implement Workers of America worked with businesses in Tonawanda, NY to create a child care consortium. The consortium developed day care programmes that are available in the daytime, before and after school and during holidays and vacations. The consortium also has an emergency backup telephone network to provide care for families whose regular provider becomes unavailable.

b. Maternity protection and benefits
Maternity protection and benefits represent the gender equality issue most frequently included in collective agreements [accompanying report, also Booklet 6 on the ICFTU campaign on maternity protection]. Although pregnancy and maternity are uniquely biologically specific to women, reproduction itself is a social function which should be protected for both women and men. Pregnancy and maternity should not restrict women from their right to work and should not constitute grounds for discrimination against them. Collective bargaining should therefore ensure that:

- Statutory rights to maternity protection are observed;
- Improvements are made to the protection and benefits provided by law;
- Maternity protection is covered in the collective agreement in those countries where there are still no legal provisions.

Maternity protection and benefits should be viewed as a package including non-discrimination, job security, maternity leave, cash benefits, health protection measures and nursing breaks. Unions can bargain to ensure:

Checklist:
- Prohibition of pregnancy testing for recruitment or while on the job;
- No victimization or loss of job due to pregnancy;
- All women employees receive sufficient maternity leave to ensure the recovery of the mother and development of the child;
- Any illness related to maternity will warrant extra leave as well as in the case of multiple births such as twins, or other exceptional deliveries such as caesarean delivery;
- Maternity leave does not result in decreased job security;
- The right to return to the same or similar job after maternity leave, parental or extended leave;
- Leave for miscarriage or still birth.
Unions can use collective bargaining to also ensure that pregnant and nursing women are able to continue to work and to cope with their pregnancy and meet family responsibilities by ensuring that they have:

- The right to lighter and non-hazardous work, especially where chemicals are used or heavy weight lifted by workers manually;
- Flexible working hours so that they can avoid travelling during peak hours, particularly when public transportation is inadequate;
- Shorter working hours;
- Additional rest breaks;
- The ability to move from night work to day work;
- The right to nursing breaks without reduction in pay.

**Relevant ILO standard:**
*Maternity Protection Convention, 2000 (No.183)*

**ILO Maternity Protection Convention, 2000 (No.183)**

**Scope** Article 2
1. This Convention applies to all employed women, including those in atypical forms of dependent work.

**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 women to whom this Convention applies shall be entitled to a period of maternity leave of not less than 14 weeks.

**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.
7. Medical benefits shall be provided for the woman and her child in accordance with national law 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.

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 with 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.
c. Family Leave

Family leave allows employees to take time off work to care for their families or recuperate from serious illnesses with a guaranteed job when they return. Unions can bargain for [Website: http://laborproject.berkeley.edu/bargfam.html]:

**Paternity Leave:** A male worker whose spouse/partner has a baby requires time off from work to attend to the pressing family needs surrounding birth. Paternity leave also gives an opportunity for the father to bond with the new child and to accept family responsibilities. This might entail taking the woman to and from hospital, attending to the other children during her absence and giving emotional support to the new mother. The union can negotiate for paternity leave (perhaps one to two weeks). It is important that the rate of pay for such leave is considered. Rather than calculating paid leave on the basis of basic pay, average earnings (including average overtime pay) could be used. Paternity leave can be negotiated not just in the event of birth but also to cover the adoption of a child. Leave might also be given in the case of miscarriage or a stillbirth.

**Parental leave (paid and unpaid):** Parental leave is taken by mothers and fathers to care for newborn, newly adopted or foster care children. It is very effective in reducing turnover, training costs and absenteeism. The best parental leave language provides for paid leave, but many contracts offer unpaid leave as well.

American Federation of Musicians Local 6 negotiated for 13 weeks paid maternity leave for female employees after the birth of a child. Birth fathers and adoptive parents receive one week paid leave after the birth or adoption of a child.

**Family Leave:** Family leave is broader in scope than parental leave in that it gives an employee the right to take time off from work not only to care for a newborn or newly adopted child but also to care for a family member who is seriously ill or for other family related reasons.

United Steelworkers of America Local 12075 negotiated an agreement with Dow Chemicals Company allowing for up to 24 weeks of unpaid family leave for full-time employees who had worked at least 1,000 hours during the previous year. This leave may be taken by parents of newborn or newly adopted children or by employees who need to take care of seriously ill family members including natural, adopted or stepchildren, spouses or an employee’s or spouse’s parents.
Part-time return to work: Many new parents want to work part-time after children are born or adopted. Unions have bargained for part-time return to work for new parents. Unions can also negotiate for a parent to work part-time for a defined period, for example, up to two years at the end of which time the worker decides whether he or she wants to remain permanently part-time or to return to full-time.

The Newspaper Guild Local 52 negotiated a contract allowing a new mother or father to work part-time until his or her child is in kindergarten.

Short-term leave: Working families often need the flexibility to take short periods of time off from work, such as a day or two, a half day or just a few hours. Unions can bargain contracts allowing members to take time off for various personal reasons, including school-related activities and adoption proceedings.

Service Employees International Union Local 790 bargained for paid time off for parents and legal guardians to attend conferences with teachers about their children. The benefit allows for release time of up to two hours per semester without loss of pay, if supporting documentation is provided.

Donated leave and leave banks: Some union contracts allow employees to donate their own leave directly to another employee who has used all of his or her own leave or to a leave bank. Donated leave and leave banks usually are reserved for employees experiencing serious family or personal crises.

New York State Nurses Association negotiated to create a policy allowing an employee to donate his or her unused sick leave to another employee suffering from a catastrophic illness.

Expanded definition of “family”: The traditional idea of “family” as composed of a mother, father and several children does not describe many of today’s working families. The definition of family in leave clauses is being broadened to include many different kinds of relationships.

The Public Employees Union of Berkeley bargained to define immediate family as: the mother, father, grandmother or grandfather of the employee or of the spouse of the employee; the spouse, domestic partner, son or daughter of the domestic partner; the son, son-in-law, daughter, daughter-in-law, brother or sister of the employee; or any relative living in the immediate household of the employee.
3.4.4. Hours of work [Olney et al. 1998, Booklet 2]

a. Flexible working time

Flexible working time agreements allow employees to start and end work during some range of hours. Management could be persuaded to be flexible on working hours, for example, core working hours of six hours per day with flexible working hours on either side, as long as a certain number of hours are covered per week. In other cases, there is an averaging of annual hours. Working only during the school term is also becoming a trend in some countries. The benefits of flexibility for both management and workers should be identified. The union can negotiate the terms and methods of monitoring flexi-time.

Checklist:

- Bargain for flexible working hours, including the terms and methods of monitoring flexi-time;
- Ensure that management arranges the workload so that work is evenly distributed throughout the “flexible” workday;
- Negotiate compressed work weeks where employees work extra time over a certain number of days and have a day off;
- Negotiate salary deferral and personal leave plan whereby workers bank a proportion of their salary in preparation for a paid leave;
- Negotiate sabbaticals for those who require regular updating in their fields. While sabbaticals are not designed to address family responsibilities, they could be scheduled to coincide with a family event;
- Conduct educational sessions with members about work and family issues that address co-worker resentments about those working non-standard days;
- Give workers with heavy family responsibilities preference in the selection of hours and holiday schedules.

b. Part-time work with benefits [Booklet 4]

The majority of part-time workers tend to be women. For some women, part-time work is a necessity because of their family responsibilities and the lack of dependent care facilities. But many women have no choice because there are no full-time jobs available. All too often, part-time workers are disadvantaged in terms of:

- earning lower hourly rates of pay (this is contrary to the principle of equal pay for equal work);
- ineligibility for pensions and other benefit schemes;
- ineligibility for various forms of leave;
- limited training and promotion possibilities;
- the perception that they are less committed workers, thus affecting career development.
Bargaining can be used to ensure that:

**Checklist:**
- Various types of part-time work arrangements (not just 50 per cent of full-time) are possible;
- There is equal treatment for part-time and full-time workers, including the same basic hourly and overtime pay rates;
- Part-time employees receive the same benefits and have the same conditions as full-time employees;
- Where benefits, such as medical care and access to welfare facilities, are not appropriate for pro-rating, part-time workers are entitled to full benefits (Transport benefits and other cash benefits which are unsuitable for systematic pro-rating may be more appropriately awarded to all workers on a needs basis);
- Part-time workers have rights with respect to lay-off, including severance pay;
- Avoid thresholds built into eligibility requirements and qualifying conditions, such as minimum number of hours worked or earnings.

**Relevant ILO standard:**
*Part-time Work Convention, 1994 (No.175)*

**Part-time Work Convention, 1994 (No.175)**

**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 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.
c. Other types of alternative work schedules

Alternative work schedules allow men and women to balance the responsibilities of working life and family life. Women especially may have difficulties keeping to fixed schedules because of family responsibilities. Unions can develop many creative strategies to give workers, especially women, greater control over their work lives, and bargain for a broad range of alternative work schedules:

**Checklist:**

- **Telecommuting:** is working from a site other than the central worksite, usually home. Unions have traditionally opposed telecommuting because work at home is difficult to regulate and could easily become “sweatshop” labour. Another union objection is that workers who telecommute become isolated from each other and difficult to organise. However, telecommuting can offer workers a great deal of flexibility. Women are much more likely than men to be engaged in telecommuting [Booklet 5 on homeworkers]

Service Employees International Union Local 660 negotiated telecommuting standards for county employees under which workers telecommute voluntarily, while spending some days each week at the office. Employees working at home receive all benefits including overtime and are eligible for workers’ compensation for job-related accidents.

International Brotherhood of Electrical Workers Locals 827 and 1944 bargained with Bell Systems for a telecommuting arrangement allowing clerical staff to work from home. Bell Systems pays for telephone lines and other necessary equipment. Under the contract, the employer also compensates employees for 30 minutes of time monthly to attend union meetings and provides voice mail to allow the union to communicate with telecommuting members.

- **Job sharing:** is increasingly a solution for certain kinds of work to allow the combining of work and family responsibilities. Under a job-sharing arrangement, two part-time employees share one full-time job, taking responsibility for the tasks to be done. The two employees divide the full-time salary between them according to hours worked. Benefits and seniority often are pro-rated according to hours worked, although in some job-sharing situations both may receive full benefits and/or seniority. Job sharers may be in the same legal position as employees who work part-time. Unions can negotiate to ensure that:
  - employee’s right to enter into a job share arrangement is protected. Job sharing should be available to those who want it and at all levels of employment, not just in low-grade jobs;
  - standards are established for job sharing. Job sharers should have the same conditions and access to pay and benefits as full-time workers.
**Compressed work week:** Compressed work schedules allow full-time workers to work all their hours in fewer than five days per week. Common examples of this are schedules allowing workers to work four 10-hour days for an extra day off per week, or eight 9-hour days and one 8-hour day for an extra day off every two weeks.

**Making overtime voluntary:** For many working families, being forced to stay at work past the regularly scheduled end time can be very stressful, particularly for working mothers who do not have backup arrangements for child care. Unions can negotiate to make overtime voluntary and thereby protect employees from this loss of power over their daily schedules.

**Shift swaps:** A shift swap provision in a collective bargaining agreement allows workers to exchange shifts or workdays voluntarily to accommodate family needs, such as attending school events or medical appointments.

**Voluntary reduced time:** allows an employee to reduce the number of hours she or he works in a week in order to have extra time to take care of personal or family needs.
3.4.5. Health and safety of workers

Historically, occupational safety and health concerns have focussed on male-dominated occupations, a practice established before the influx of women into the paid labour force. Women’s work was assumed to be safe because the more obvious dangers inherent in many male occupations do not exist. However, women are exposed to health and safety hazards in the workplace. For example, female industrial workers in highly competitive export-oriented industries, tend to be exposed to a range of physical safety and health problems in the work environment, as well as psychological stress. Women are also more likely than men to work in smaller establishments where occupational safety and health standards are often poor.

Unions need to negotiate health and safety processes and procedures which take women into account and which include access to information and training, workplace joint committees in which women are members, and special provisions for women who are pregnant or nursing. Relying on legislation and labour inspections is not sufficient. Unions should negotiate to ensure:

Checklist:

- Access to information regarding what chemicals or dangerous substances workers are using, and proper instructions, information, labelling and disposal procedures are provided;
- Adequate protective equipment and clothing and training on safety procedures are provided;
- Adequate ventilation and lighting are provided;
- Workers are protected from exposure to extreme temperatures;
- Noise does not exceed legally admissible levels;
- Proper ergonomic principles are adhered to regarding workstation design and working positions, including provisions for work performed seated and/or standing;
- Better designed workstations and tools and improved work organization to reduce the risk of repetitive strain injuries;
- Annual employer-paid eye examinations, especially for those working with computers;
- Separate toilet and rest room facilities for women workers;
- Special health and safety provisions to protect pregnant women and foetuses, including:
  - not assigning pregnant women to heavy manual tasks, night work or arduous tasks;
  - ensuring adequate access and space for movement around machines and equipment;
  - providing sitting facilities;
  - granting sufficient rest periods;
  - possibility for pregnant or nursing women to transfer to other work where necessary.
a. HIV/AIDS

“A climate of discrimination and lack of respect of human rights leaves workers more vulnerable to infection and less able to cope with AIDS because it makes it difficult for them to seek voluntary testing, counselling, treatment or support; they will also not be in a position to take part in advocacy and prevention campaigns”.

“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”.

The ILO formally launched a Code of Practice on HIV/AIDS and the World of Work at the United Nations General Assembly Special Session on HIV/AIDS in New on 25-27 June 2001. The Code focuses on the world of work because of the 36 million people infected with HIV worldwide, it is estimated that at least 23 million, or three-quarters, are working people aged 15-49 years. HIV/AIDS is a workplace issue and should be treated like any other serious illness/condition in the workplace. This is necessary not only because it affects the workforce, but also because the workplace, being part of the local community, has a role to play in the wider struggle to limit the spread and effects of the pandemic. In the spirit of decent work and respect for the human rights and dignity of persons infected or affected by HIV/AIDS, there should be no discrimination against workers on the basis of real or perceived HIV status. Discrimination and stigmatization of people living with HIV/AIDS inhibits efforts aimed at promoting HIV/AIDS prevention.

The Code emphasizes the gender dimension. HIV/AIDS affects women and men differently in terms of vulnerability and impact. There are biological factors which make women more vulnerable to infection than men, and structural inequalities in the status of women that make it harder for them to take measures to prevent infection, and also intensify the impact of AIDS on them:

- Many women experience sexual and economic subordination in their marriages or relationships, and are therefore unable to negotiate safe sex or refuse unsafe sex.
- The power imbalance in the workplace exposes women to the threat of sexual harassment.

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6 Ibid. p.4
Poverty is a noted contributing factor to AIDS vulnerability and women make up the majority of the world’s poor; in poverty crisis, it is more likely to be a girl child who is taken out of school or sold into forced labour or sex work.

Women’s access to prevention messages is hampered by illiteracy, a state affecting more women than men worldwide - twice as many in some countries.

Women make up a substantial proportion of migrants within countries and, together with children, they represent over three-quarters of refugees; both of these states are associated with higher than average risks of HIV infection. In conflict situations, there is an increasing incidence of the systematic rape of women by warring factions.

The burden of caring for HIV-infected family and community members falls more often on women and girls, thus increasing work loads and diminishing income-generating and schooling possibilities.

Sexist property, inheritance, custody and support laws mean that women living with HIV/AIDS, who have lost partners or who have been abandoned because they are HIV positive, are deprived of financial security and economic opportunities; this may in turn, force them into ‘survival sex’; the girl child is especially vulnerable to commercial sexual exploitation.

Studies show the heightened vulnerability of women, compared to men, to the social stigma and ostracism associated with AIDS, particularly in rural settings, thus leaving them shunned and marginalized; this again increases the pressure on them to survive through sex.

The work that women carry out – paid or unrecognized – is more easily disrupted by AIDS; for example, women dominate the informal economy where jobs are covered neither by social security nor by any occupational health benefits.

Fewer women than men are covered by social security or occupation-related health benefits.

Men are often victims of stereotypes and norms about masculine behaviour which may lead to unsafe sex and/or non-consensual sex.

Men are over-represented in a number of categories of vulnerable workers, and may also find themselves through their employment in situations which expose them to unsafe sex between men.

Given the prevailing power relations between men and women, men have an important role to play in adopting and encouraging responsible attitudes to HIV/AIDS prevention and coping mechanisms.

The 17th World Congress of the ICFTU in April 2000 established a Programme of Action to address HIV/AIDS [also Booklet 6, Section 6.6.2] which calls for trade unions to:

- engage their respective governments and employers to support the strengthening of occupational health and safety programmes for informing and protecting groups at work, eliminate the stigma and discrimination attached to HIV/AIDS, fight the culture of denial of HIV/AIDS, help remove the cultural prejudices and barriers related to HIV/AIDS, maintain HIV/AIDS affected workers in social protection systems, and develop social and labour programmes that can mitigate the effects of HIV/AIDS;

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run preventive action programmes such as awareness raising campaigns, information dissemination activities and educational courses and seminars;
actively support the treatment action campaign for access to low-cost, good quality essential medicines by building solidarity across national borders and initiating and facilitating these campaigns in countries where it has not yet begun;
campaign for the provision of low-cost life saving drugs;
campaign for the elimination of discrimination in access to insurance, medical and pension schemes for persons with HIV or AIDS;
support efforts to address the special needs of women. Efforts must be made to overcome existing cultural barriers, ignorance and inequality, as well as the economic burdens which are placed upon women because of HIV/AIDS.

In areas where there is a known high incidence of HIV/AIDS in the general population, unions can play an active role in providing appropriate health education to workers and their families, even where the risk is not necessarily occupational. The workplace is an excellent forum for combatting the pandemic because it unites large numbers of the age group at risk and provides an environment for people to learn about and discuss the issue. The work councils/health and safety committees (comprising both management and workers) in many workplaces can launch HIV/AIDS awareness campaigns and educational programs. Confidential counselling services can also be provided quite effectively. A written workplace policy on HIV/AIDS should be developed.

A workplace HIV/AIDS policy should include the following:

**Checklist:**

**Definition and facts:**
- Definition of HIV infection and AIDS;
- Explanation of how HIV is transmitted and stages of the illness.

**Human rights:**
- Respect for the human rights and dignity of persons infected or affected by HIV/AIDS and no discrimination against workers on the basis of real or perceived HIV status;
- Employees with HIV/AIDS have the right to fair and compassionate treatment;
- HIV/AIDS is not a cause for termination of employment;
- As with many other conditions or illnesses, employees with HIV/AIDS are entitled to work as long as their condition permits and must be given reasonable accommodation regarding their schedule, duties or conditions of work;
- Employees with HIV/AIDS have the right to equal benefit coverage.
Safety:

Employers have a legal obligation to provide a safe and healthy working environment;
Employers shall institute universal safety procedures where exposure to blood and body fluids is likely to occur.

Confidentiality:

There is no justification for asking job applicants or workers to disclose HIV-related personal information;
Nor should co-workers be obliged to reveal such personal information about fellow workers;
Infected employees have the right to confidentiality concerning their medical status.

Accommodation:

Employers and unions have an obligation to make reasonable accommodations to schedules, duties and conditions of work for infected employees.

Support:

Solidarity, care and support should guide the response to HIV/AIDS in the world of work;
All workers, including workers with HIV, are entitled to affordable health services;
Employees with HIV infection shall be given information on where they can have access to counselling, support and treatment.

Non-Discrimination:

Harassment and discriminatory or stigmatizing acts against an employee with HIV infection shall not be tolerated;
HIV/AIDS screening should not be required of job applicants or persons in employment;
There should be no discrimination against workers with HIV and their dependents in access to and receipt of benefits from statutory social security programmes and occupational schemes.

Education:

Ongoing education shall be provided to dispel myths about HIV/AIDS, explain the workplace care and compassion policy and human rights legislation and promote safe work practices.

Review:

The employer shall regularly review and update the policy to reflect current knowledge and circumstances in the workplace.
Collective agreement covering HIV/AIDS

Agreement between the National Union of Mineworkers and the Chamber of Mines of South Africa

Objective:
The objective of this agreement is to provide industry-level guidelines:
1. to minimize the effect of HIV in the mining industry;
2. to prevent the spread of HIV infection; and
3. for the management of HIV infection in the employer/employee relationship.

Policy:
1. **General Principle:** Whilst recognizing that there are circumstances unique to HIV infection, the fundamental principle to be applied is that HIV infection and AIDS should be approached on the same basis as any other serious condition.
2. **Rights of the individual employee:**
   2.1. Rights of employees who are HIV-positive: HIV positive employees will be protected against discrimination, victimization or harassment.
   2.2. Testing: No employee should be required to undergo an HIV test at the request, or upon the initiative of management or an employee organization, provided that where HIV testing is intended in specified occupations on medical grounds.
   2.3. Employment opportunities and termination: No employee should suffer adverse consequences, whether dismissal or denial or appropriate alternative employment opportunities which exist, merely on the basis of HIV infection.
   2.4. Counselling: Appropriate support and counselling services will be made available to employees.
   2.5. Benefits: Employees who are clinically ill or medically unfit for work will enjoy benefits in terms of the relevant conditions of employment as negotiated from time to time between the parties.
3. **Epidemiological testing (see agreement)**
4. **Testing standards (see agreement)**
5. **Awareness and education programmes:**
   5.1. In the absence of vaccine or cure, information and education are vital components of an AIDS prevention programme because the spread of the disease can be limited by informed and responsible behaviour.
   5.2. Appropriate awareness and education programmes will be conducted to inform employees about AIDS and HIV which will enable them to protect themselves and others against infection by HIV.
   5.3. The involvement of employees and their recognized representatives is of key importance in awareness, education and counselling programmes to prevent the spread of AIDS as well as in the support for HIV-positive employees.
   5.4. The employer will consult with employees and their recognized representatives on current and future programmes and their implementation, at mine level.
6. **Lifestyle changes:**

6.1. It is acknowledged that it is the role of each individual to prevent the transmission of HIV through informed and responsible behaviour and the parties also recognize that socio-economic circumstances can influence disease patterns in communities.

6.2. The parties agree to consider at mine level the socio-economic environment and lifestyles in relation to the effective prevention of HIV infection.

7. **Health care workers:**

7.1. The policy recognizes the professional and ethical guidelines for health care workers as stipulated by the relevant statutory bodies.


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**b. Violence in the workplace**

[Website: http://www.clc-ctc.ca/woman/bargain5.html, also ICFTU Trade Union Action Programme on Violence Against Women ]

Violence in the workplace may occur between co-workers or workers may be subjected to violence from customers or clients.

Firstly, there is an increasing number of attacks on workers in general, especially in the service sectors, both public and private. Some workers are more at risk because of the nature of their work. Workers that handle money or valuables, workers that work in care giving institutions, deal with complaints or work with people in distress, those who work alone and those involved in inspecting or enforcing legislation and policies tend to be at highest risk of encountering violence. Workers in banks, post offices, retail stores, government offices, health care, social work, education, public housing and transportation are most at risk.

Women are concentrated in many of these sectors, particularly as teachers, social workers, nurses or other healthcare workers and bank and shop workers. They often bear the brunt of violence and physical and verbal abuse at work.

Secondly, violence at work, including sexual harassment, can also take the form of a power display, intimidation or abuse from a supervisor or co-worker. Violence between co-workers should be treated as a serious disciplinary (or even criminal) offence and perpetrators disciplined accordingly. Violence can be physical or emotional and include abuse, assault or threats. Particular forms of violence are harassment, bullying or mobbing.
“Harassment” encompasses any act, conduct, statement or request which is unwelcome to a worker and could, in all the circumstances, reasonably be regarded as harassing behaviour of a discriminatory, offensive, humiliating, intimidating or violent nature or an intrusion of privacy [ definition of sexual harassment in section 3.4.1 d above].

“Bullying/mobbing” can be defined as “repeated or persistent aggression, by one or more persons, whether verbal, psychological or physical, at the workplace or in connection with work, that has the effect of humiliating, belittling, offending, intimidating or discriminating against a worker. Bullying/mobbing can include:

- measures to exclude or isolate a worker from professional activities;
- persistent negative attacks on personal or professional performance without reason or legitimate authority;
- manipulation of a worker’s personal or professional reputation by rumour, gossip or ridicule;
- abusing a position of power by persistently undermining a person’s work or setting objectives with unreasonable and/or impossible deadlines, or unachievable tasks;
- unreasonable or inappropriate monitoring of a person’s performance; and
- unreasonable and/or unfounded refusal of leave and training.

Women are more vulnerable to such violence, due to their position in the labour market. The continued segregation of women in low-paid and low-status jobs, while men predominate in better-paid, authoritative and supervisory positions contributes to the problem.

Women migrants are particularly at risk. Domestic workers who are often migrant workers, suffer gross mistreatment including physical and sexual abuse and forced labour [ Booklet 4, Sections 4.7 and 4.8]. These women are doubly vulnerable because of their gender and their being foreigners and often working illegally.

Protecting employees from violence and sexual harassment is a fundamental responsibility of employers and should be seen as a gender discrimination issue and a mainstream health and safety issue. In many countries, incidents involving violence at work fall outside the scope of reporting requirements for accidents at work and other health and safety requirements. Often, employers do not have in place appropriate mechanisms and procedures to deal effectively with the problem of violence to their employees. Unions and employers should together develop and put into practice policies and procedures for reporting, investigating and dealing with violence. These should be evaluated and monitored.
Model collective agreement provisions on violence at work

1. **Definition of violence:** Violence shall be defined as any incident in which an employee is abused, threatened or assaulted during the course of his/her employment. This includes the application of force, threats with or without weapons, severe verbal abuse and persistent sexual and racial harassment.

2. **Violence policies and procedures:** The employer agrees to develop explicit policies and procedures to deal with violence. The policy will address the prevention of violence, the management of violent situations and the provision of legal counsel and support to employees who have faced violence. The policies and procedures shall be part of the employer's health and safety policy and written copies shall be provided to each employee.

3. **Measures and procedures to prevent violence to employees:** The employer agrees that, in all cases where employees or the union identify a risk of violence to staff, the employer shall establish and maintain measures and procedures to reduce the likelihood of incidents to the lowest possible level. It is understood that the measures and procedures are in addition to and not a replacement for a training programme about dealing with violence. In developing measures and procedures to prevent violence, priority will be given to options such as job redesign, adequate staffing levels and improving the working environment, before considering the need for personal protection or alarms.

4. **Function of workplace union-employer health and safety committee:** All incidents involving aggression or violence shall be brought to the attention of the health and safety committee. The employer agrees that the health and safety committee shall concern itself with all matters relating to violence to staff, including but not limited to: (i) developing violence policies; (ii) developing measures and procedures to prevent violence to staff; (iii) receiving and reviewing reports of violent incidents; and (v) developing and implementing violence training programmes. Where no union-employer health and safety committee has been established, the employer agrees to consult with the union.

5. **Staffing levels to deal with potential violence:** The employer agrees that, where there is a risk of violence, an adequate level of trained employees must be present. The employer recognizes that workloads can lead to fatigue and a diminished ability both to identify and to subsequently deal with a potentially violent situation.

Source: CUPE Health and Safety Department, 1994: Violence at Work Campaign.
REFERENCES AND ADDITIONAL READING


**Websites:**
- [http://www.clc-ctc.ca/woman/bargntc.html](http://www.clc-ctc.ca/woman/bargntc.html) (Canadian Labour Congress, on Bargaining for Equality)
- [http://www.clc-ctc.ca/woman/bargain5.html](http://www.clc-ctc.ca/woman/bargain5.html) (CLC, on violence at the workplace)
- [http://www.aflcio.org/women/exec99](http://www.aflcio.org/women/exec99) (AFL-CIO, on equal pay for working families)
- [http://www.vl28.dial.pipex.com/women05.htm](http://www.vl28.dial.pipex.com/women05.htm) (TUC, on sexual harassment)
- [http://laborproject.berkeley.edu/bargcld.html](http://laborproject.berkeley.edu/bargcld.html) (AFL-CIO Labor Project, on childcare)
- [http://laborproject.berkeley.edu/bargfam.html](http://laborproject.berkeley.edu/bargfam.html) (AFL-CIO Labor Project, on family leave).
- [http://laborproject.berkeley.edu/bargalt.html](http://laborproject.berkeley.edu/bargalt.html) (AFL-CIO Labor Project, on alternative work schedules.)
ANNEX
SOME BASIC CONCEPTS RELATING TO GENDER EQUALITY

Gender equality: basic concepts

**Gender**: refers to the socially determined differences between women and men such as roles, attitudes, behaviours and values.

**Sex**: identifies the biological differences between women and men. While sex is genetically determined, gender roles are learned, vary widely within and between cultures, and are thus amenable to change over time.

**Gender Equality**: Equal rights, responsibilities and opportunities of women and men, girls and boys. Gender equality is not just a “women’s issue”; it concerns men as well. Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female.

**Sameness or difference**: Gender equality does not mean *same treatment*. If gender equality is seen as requiring men and women to be treated the same, this may lead to women being offered equality only on male terms (eg. only if they can conform to male-centred norms or requirements) and may reinforce the notion that difference = disadvantage. It is also important to address changes in male-gendered (but often taken as neutral) organizational and occupational structures, practices, cultures, norms, value systems, etc. Such changes may require “women-friendly” provisions to help women adapt to, or get on within structures as they currently are, or, alternatively, call for changes in those structures, cultures, etc. to accommodate women.

**Discrimination**: Any distinction, exclusion or preference based on designated criteria such as race, colour, sex, religion, political opinion, national extraction, social origin or other designated criteria which have the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. The existence of discrimination in fact (in reality or in practice) is *de facto discrimination* (a legal expression). The existence of discrimination in law is *de jure discrimination* (a legal expression).

**Direct or indirect discrimination**: Sex discrimination can be overt or direct discrimination or more subtle, indirect discrimination. Employers may discriminate against women directly by limiting applications for certain jobs to only men or only women. Discrimination is indirect when employers impose criteria for applicants or specify characteristics which are not closely related to the inherent requirements of the job, as a screening device. The purpose of the screening is either to exclude women or to obtain workers of a certain type. Many jobs are still seen as exclusively ‘male’ jobs or ‘female’ jobs.
The promotion of gender equality: basic policy and programme concepts

Gender-blind and gender neutral policies and programmes
‘Gender-blind’ policies and programmes do not distinguish targets, participants or beneficiaries by sex or gender. ‘Gender-blind’ policies and programmes are not necessarily ‘gender-neutral’ in impact, that is they do not necessarily affect men and women in the same way.

Gender analysis
The systematic effort to identify and understand the roles and needs of women and men in a given socio-economic context. To carry out gender analysis, it is necessary to collect statistics by sex, identify gender differentials in the division of labour and the access to and control over resources, identify the practical and strategic gender needs of women and men, identify the constraints and opportunities facing women and men and assess the institutional capacities to promote gender equality.

Gender planning
Gender planning consists of developing and implementing specific measures and organizational arrangements for the promotion of gender equality, identifying how to incorporate gender concerns into mainstream activities and ensuring that adequate resources are earmarked.

Gender mainstreaming
A strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres and at all levels, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.

Positive or affirmative action
To eliminate the current direct and indirect consequences of past discrimination, special measures may need to be designed in order to achieve de facto equality of opportunity and treatment. Such positive measures (also termed affirmative measures) are intended to be temporary; once the consequences of past discrimination have been rectified, the measures should be removed. Positive action is seen as essential for the achievement of genuine equality between women and men in the world of work and society. Positive action may encompass a wide range of measures, including corrective actions such as setting targets for women’s participation in activities from which they have previously been excluded, or promotional measures designed to give women access to wider opportunities.
Conducting Gender-based Analysis

To ensure that their policies and programmes are gender-sensitive and responsive, unions may wish to conduct gender analysis by:

1. Identifying the issues:
   - in what ways are both women’s and men’s experiences reflected in how issues are identified?
   - how is diversity taken into account?

2. Defining desired/anticipated outcomes:
   - what does the union want to achieve with this policy, and how does this objective fit with a commitment to gender equality?
   - who will be affected: How will the effects of the policy be different for women and men?

3. Gathering information:
   - what types of gender-specific data are available? Is there information on other designated equity groups of workers?
   - how is the union enabling women to express their needs and concerns?
   - how will the research you consult or conduct address the differential experiences of gender and diversity?

4. Developing and analysing options:
   - how will each option disadvantage some, or provide advantage for others? Does each option have differential effects on women and men within the union and at the workplace?
   - how can innovative solutions be developed to address the gender equality or women’s issues identified?
   - what are the solutions that the affected groups have suggested?

5. Making recommendations:
   - in what ways is gender equality a significant element in weighing and deciding upon options?
   - how can the policy be implemented in an equitable manner?

6. Communicating the policy:
   - how will communications strategies ensure that both male and female union members have access to information?
   - is gender-aware language used?

7. Evaluating the results:
   - how will gender equality concerns be incorporated into criteria the union uses to evaluate its effectiveness?
   - what indicators does the union use to measure the effects of a policy on women and men?

Adapted from: Status of Women Canada, Gender-based analysis: a guide for policy making. Website: http://www.swc-cfc.gc.ca/
ADDITIONAL EXAMPLES AND CASE STUDIES

Equal opportunities agreements

1. **IUF/Nestle Sweden**
   “We shall actively and resolutely:
   - work to ensure that work places, the organization of work, the working environment and working conditions are generally organized so as to suit both women and men;
   - work to ensure that paid employment can be combined with parental responsibilities;
   - ensure that women and men have equal pay in similar positions with comparable qualifications and generally have the same conditions of employment;
   - work to ensure that all employees in the Group know what the equal opportunities legislation means and what Svensksa Nestle is aiming for;
   - work to ensure that women and men have equal opportunities in employment, training, promotion and further development; ie. to work against all gender discrimination;
   - work to ensure that no employee is subjected to sexual harassment or to harassment for making complaints about gender discrimination;
   - work to ensure constructive consideration of the differences between women and men. Thereby we will reach maximum effectiveness and profitability for successful joint development.”

2. **International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) Asia Pacific**
   IUF Asia Pacific has prepared a charter of clauses relating to women workers’ issues, including:
   “Management agrees to establish a programme jointly with the union within 3 months of the signing of this agreement to undertake a review of the company’s employment practices in order to remove discriminatory practices and to introduce positive measures to assist the disadvantaged group ie. female employees, to overcome past and current discrimination and to provide a written report of the de facto situation in the company with respect to gender equality as well as the remedial measures adopted”.

3. **CFDT and CGT with Eurotec-Manducher**
   A Professional Equality Plan has been signed by the CFDT and CGT with one of the leading French companies in the manufacture of plastic technical parts, with the aim of giving maximum career opportunities to its women workers. Under the agreement, equality of opportunity is broadly interpreted. The initiatives are intended to help both women and men to develop their career opportunities. Training is provided to ease the access of women to jobs traditionally held by men. The training focuses on their technical knowledge and on their career evolution prospects. But each worker, male and female, is encouraged to find something that suits him or her in the much wider range of opportunities offered. At the same time and in light of the difficulties encountered in changing mentalities, courses promoting knowledge of the equality strategy are run for supervisory managers and heads and for staff managers. Everyone in the company is involved. The training courses under the agreement have been paying off. Almost as many women as men have been taking the courses, and women are now to be found in the traditionally male-dominated jobs.

4. **IUF/Nestle Austria**

“The Company declares its conviction to implement equal opportunities for female staff at all levels, to uphold all laws and statutes pertaining to equal treatment and to uphold the participation rights of the works council laid out in the Constitutional Labour Act. Support for the development of our female staff is an important element of our Personnel Policy. It is our goal to increase the proportion of women at levels and in the jobs in which they have been under-represented. Equal opportunities does not mean unlimited preference for women regardless of their qualifications.

Equal opportunity will become a permanent item of the Central Works Council’s Meetings agenda, where its implementation progress will be reviewed and discussed. The following binding principles which have been agreed upon and documented with the labour representatives are to be implemented:

- equal pay for identical or equivalent employment within the framework of the collective agreement and within the framework of the Company’s special statutes
- equal working conditions in any field of activities
- support for promotion through the involvement of female staff in all personnel development activities and training measures. Further development is subject of the performance talks between superior and subordinate, whereby women are not to be discriminated
- exploitation of all possibilities for part-time employment. Job openings are to be offered to part-time female employees whenever possible in order to provide them with the opportunity to switch to full-time employment
- avoidance of obstacles that may possibly have a negative effect on hiring and promoting women
- encouragement of women to apply for positions traditionally considered male occupations (e.g., sales field staff, production staff)
- new staff appointments through recruiting from inside or from outside will be solely based on the applicant’s qualifications and merits regardless of sex
- our job application forms and job interviews will continue to be free of any discrimination questions
- female staff who are on maternity leave will be contacted regularly by their departments and be sent the Company magazine”.

5. A collective agreement between the social partners at **ENEL**, the Italian public electricity board defined the various aims in the area of equal opportunities. The wide range of measures include information, training and also social schemes for women employees such as full pay during maternity leave. The agreement is part of a rational policy to instigate change by influencing the corporate culture. The company is also counting on a snowball effect, whereby the youngest employees help change attitudes. All new graduates joining the company start out by taking a special training course. This includes a module on equality of opportunity. Regardless of sex, all new employees are informed of the working conditions of women, the legislation on equal opportunities and company policy in favour of equality. While collar women employees are given the same training courses as their male colleagues. But special courses have been set up for women secretaries, so as to foster a new approach to the profession of secretary, less mechanical and more participatory.

Collective agreements on violence at work

1. In Norway, the basic agreement of 1994 between the **Norwegian Confederation of Trade Unions (LO)** and the **Confederation of Norwegian Business and Industry** establishes the express right for workers to refuse to work with persons who have exhibited such improper conduct:
   “Employees have the right to refuse to work with, or under the management of, persons who have shown such improper conduct that, according to the norms of working or social life generally, it ought to justify their dismissal. Discussions between employers and shop stewards should be held immediately if such situations arise. If they fail to reach agreement, there shall not be any stoppage or other forms of industrial action”.

2. In the United Kingdom, **UNISON** has developed a Model Agreement on Tackling Violence in the National Health Service. The development and implementation of policies to tackle violence must be the subject of negotiation and agreed at all stages between management and trade union representatives. Full use must be made of the safety and representatives and safety committees. This must include adequate information and opportunities for additional union-approved training for safety representatives; adequate arrangements to investigate cases of violence and assault; and provision for safety committees to review the effectiveness of anti-violence policies.

3. The **Manufacturing, Science and Finance Union (MSF)** in the United Kingdom has published a Guide to Prevention of Violence at Work, which stresses that a successful strategy in this area can only be achieved if employees are fully involved in its development. The employer must consult fully with safety representatives over the strategy, and over the planning and organization of any training provided as part of that strategy.

BOOKLET 4

ORGANIZING THE UNORGANIZED: INFORMAL ECONOMY AND OTHER UNPROTECTED WORKERS

A Resource Kit for Trade Unions
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4.1. AIMS AND STRUCTURE OF THE RESOURCE KIT

This resource kit is intended to provide background information, practical guidelines and checklists, case studies and examples of “good” and “bad” practice and reference materials:

- to assist and enhance the efforts of trade unions to promote gender equality and protect vulnerable women workers; and
- to improve the understanding and appreciation of the role of trade unions.

The main target audience is trade unionists, especially officials, both women and men. But it is hoped that the information will also be of interest and use to all trade union members and to individual workers who are currently not organized. The resource kit is also more broadly addressed to those concerned with the elimination of discrimination or interested in the role of unions and the potential for collaboration or joint action with unions – including non-governmental organizations and other civil groups (importantly, women’s organizations and women activists), government agencies, employers and employers’ organizations, research and academic institutions and the media.

The resource kit is comprised of a number of booklets. There is also an accompanying report ¹ that provides the empirical perspective based on a survey and case studies of the actual experiences of trade unions and some “lessons learnt”. The survey and this resource kit represent the results of the collaboration between the Gender Promotion Programme (GENPROM) and the Bureau for Workers’ Activities (ACTRAV) of the International Labour Office, the Women’s Committee of the International Confederation of Free Trade Unions (ICFTU) and the International Trade Secretariats (ITSs), in particular the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and Public Services International (PSI). At a validation workshop, trade unionists discussed the relevance, user-friendliness, presentation style and appropriateness of the different booklets and made suggestions for revisions. The resource kit now incorporates the suggested revisions.

Booklets 1 to 6 cover different areas of trade union activities and interactions for the promotion of gender equality and the protection of vulnerable workers. There are, necessarily, some areas of overlap or repetition in the different booklets. Where issues are dealt with in more than one section or booklet, cross-references are provided.

Booklet 1  
**Promoting gender equality within unions**  
Deals with what trade unions can do within their own internal structures and policies to recruit more women members, enhance women’s participation in all union structures and activities, and promote equality and solidarity among union members.

Booklet 2  
**Promoting gender equality through collective bargaining**  
Explains the importance of promoting gender equality through the collective bargaining process. Focuses on the process of gender equality bargaining (preparing for negotiations, at the bargaining table, and follow-up).

Booklet 3  
**The issues and guidelines for gender equality bargaining**  
Focuses on negotiating to avoid sex discrimination and to promote equality of opportunity and treatment for men and women workers, and provides bargaining guidelines for a number of key gender equality issues.

Booklet 4  
**Organizing the unorganized: informal economy and other unprotected workers**  
Highlights the diversity of informal and atypical workers and the difficulties and challenges of organizing and protecting such workers – who are mainly women, outside the scope of legal and social protection and vulnerable to poor working conditions and abuses of workers’ rights. They include workers in the informal economy, part-time workers, home workers, domestic workers, workers in export-processing zones and migrant workers.

Booklet 5  
**Organizing in diversity**  
Illustrates how trade unions can “share the table and create space” for diverse groups including youth, older workers, workers with disabilities, lesbian and gay workers.

Booklet 6  
**Alliances and solidarity to promote women workers’ rights**  
Explains why community unionism and solidarity within the labour movement are crucial in today’s global context and shows how trade unions are forging alliances and working with non-governmental and other civil organizations at the local, national, international and global levels on a broad social agenda. The range of alliances is large and the bases for such alliances very wide and varied, but the booklet attempts to highlight only those with particular relevance to women workers’ rights and gender equality.
Each resource booklet is structured essentially to:

- **highlight the issues and concerns relating to the promotion of gender equality and the protection of vulnerable workers**, so as to stimulate and inform the thinking of trade unions and other social actors, identify the tasks and challenges facing trade unions and present the case why their role is critical;

- **present guidelines and practical tools for action**. The “how to” information is especially addressed to trade unions and is presented in various forms: as ideas, issues, checklists, guidelines, examples of what might be possible or effective, international instruments, etc. But the information is not intended to represent “best practices” or even necessarily “good practices” that should be adopted in all situations or be used in any definitive manner.

- **facilitate learning from the experience of others** by providing actual examples of action and operational strategies that have succeeded or failed, and, where possible, by identifying the factors making for success or failure in particular contexts; and

- **indicate the scope for, and the advantages of, cooperation and collaboration** between trade unions and employers’ organizations, governmental and non-governmental organizations and other groups in civil society.
4.2. HOW TO USE THE RESOURCE KIT

It is very important to emphasize that the booklets do not form a modular training package. They are not intended to be used in total for any step-by-step, how-to-do training programme. Rather, the various booklets are intended to serve as an information resource to be used flexibly by a range of users. Institutional or individual users can select particular booklets and topics and utilize or adapt the materials according to their specific needs and contexts. The resource kit can serve for:

- **Awareness raising or sensitization**: to improve understanding and appreciation of gender equality issues and the challenges confronting trade unions. For example, trade union officials might use the kit as the basis for stimulating discussions, motivating action or organizing campaigns to promote gender equality;
- **Advocacy and publicity**: as material for media campaigns, to inform or educate other social actors and the wider public about the role of trade unions and innovative initiatives in the elimination of discrimination and the promotion of equality;
- **As a practical tool for action**: users might obtain ideas and inspiration for discussion, debate or action; go through the checklists to ensure that they have taken into account all relevant factors; follow planning steps or guidelines; adopt or adapt examples or models for implementation; and assess the likelihood of success or failure in particular contexts;
- **Training and educational purposes**: as background or reference material for educational seminars or study groups, for training organizers, etc.;
- **As a networking tool**: to help provide a basis for discussion or interaction between workers and employers, give ideas for promoting solidarity within and between unions, suggest bases for forging alliances with other social actors, etc.

To aid users, the materials are presented in different formats:

<table>
<thead>
<tr>
<th><strong>Statements in bold italics:</strong></th>
<th>key ideas and facts;</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Text boxes in italics:</strong></td>
<td>gender equality issues and the case for trade unions to promote gender equality and protect vulnerable workers;</td>
</tr>
<tr>
<td><strong>Shaded text boxes in small print:</strong></td>
<td>examples or case studies of actual measures that have been undertaken to promote gender equality. Also relevant international Conventions. Additional examples and case studies are also provided in the Annex;</td>
</tr>
<tr>
<td><strong>Guidelines for action:</strong></td>
<td>measures to be avoided, negative factors;</td>
</tr>
<tr>
<td><strong>Checklists or steps for action – however, these are not intended to be instructional:</strong></td>
<td>elaboration or explanation of the suggested guidelines, checklists, etc.</td>
</tr>
<tr>
<td><strong>References or additional reading:</strong></td>
<td>references, additional reading.</td>
</tr>
</tbody>
</table>

The Kit has also been incorporated into an Information Base on Equal Employment Opportunities for Women and Men available on CD-ROM and Internet website: http://www.ilo.org/genprom/eeo
4.3. THE CHALLENGE OF THE INFORMAL ECONOMY FOR TRADE UNIONS

4.3.1. The growth of the informal economy

“Today the reality of a restructured and fragmented economy and the individualization of employment relationships makes trade union organizing more difficult. Organizing does not mean just recruiting new members in the workplace and providing them with services. It is equally about connecting with current members, potential members and other groups in society who share less and less a commonality of interests in order to build a strong social movement. Organizing therefore means that unions need to refocus on workers, regardless of their employment status or link to a particular workplace”.

“Organizing the informal sector should be a priority for unions in view of the ever increasing number of workers in the sector, both in developing and industrialized countries. Strategies are needed to defend and promote the rights of the ever-growing number of informal sector workers – the majority of whom are women – and to get them to become members of and fully integrated into the trade unions”.

One of the greatest challenges facing trade unions today is the growth of the informal economy. A large and growing share of the world’s labour force, especially in developing countries and especially the female section of the labour force, is working in the informal economy, marginalized or excluded from the mainstream economy and not covered by labour law and regulations.

Workers in the informal economy face serious deficits in decent work – they are engaged in poor quality jobs, with low productivity and incomes, poor working conditions and occupational health and safety standards and limited access to knowledge, technology, finance and markets. Although not a homogeneous group, the common bond of informal workers is that they are usually low paid, low status, and they have little job, employment or income security and are vulnerable to abuses of workers’ rights. Since they are normally outside a country’s framework of laws and regulations and are not covered in official statistical enumeration, they are unrecognized, unregistered, unprotected and socially excluded. Their problems are compounded by their lack of organization and voice at work.

Women are much more likely than men to be in the informal economy. In developing countries, the majority of economically active women work in the informal economy. For example, the relative proportions by sex of the non-agricultural labour force in the informal economy between 1991/97 were 97 per cent female to 83 per cent male in Benin, 97 to 59 per cent in Chad, 83 to 59 per cent in Kenya, 74 to 55 per cent in Bolivia, 67 to 55 per cent in Brazil, 91 to 70 per cent in India, 88 to 69 per cent in Indonesia.

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The Resource Kit uses the term “informal economy” rather than “informal sector”. The term “informal sector” is, in fact, increasingly inaccurate or even misleading because:

- “Sector” gives the notion of a specific kind of economic activity (for example, the agricultural sector or the tourism sector). But the economic activities and workers in the informal “sector” are very varied in both rural and urban areas – they range from mostly survival-type to some dynamic activities, from street vendors to “disguised wage workers” (where an employer treats a worker as being self-employed or own-account who really should be treated as an employee) and other unprotected workers to micro entrepreneurs;

- There is no simple dividing line between formal and informal economic activities. The production of goods and services is increasingly outsourced or subcontracted by large, formal firms to smaller or micro enterprises, household-based production units and homeworkers;

- The line between formal and informal activities is also increasingly blurred because enterprises often operate by using a small number of formal workers with full labour rights together with a growing proportion of workers with informal employment arrangements and limited or no labour rights;

- Individual workers in many poor countries often have more than one job with different employment or contractual status. They combine formal and informal work to make a living.

The earlier expectation that the informal economy would be progressively absorbed by the formal economy through economic growth has been proven wrong. Today, the informal economy is expanding rapidly in nearly every corner of the globe, not only in developing countries but also in industrialized and transition economies. The informal economy is no longer a residual or temporary phenomenon.

The growth of the informal economy can be attributed to a lack of, or decline in economic growth, to jobless growth, to barriers and constraints on workers’ access to the formal job market, to impoverishment and household survival strategies. National policy reforms and global developments in recent years have contributed to the expansion of the informal economy. For example, structural adjustment programmes in most developing countries have slowed down aggregate demand, cut back public sector employment and severely contracted employment in the formal economy. Processes of trade liberalization and technological developments have prompted the adoption of new production systems and the increased use of more flexible employment arrangements. Increasing numbers of jobs are outsourced or subcontracted by formal firms to smaller enterprises, household-based production units and homeworkers in the informal economy.
Enterprises and workers may be “informal” because they are outside the legal and regulatory framework. But the reasons can be very different and need to be clearly distinguished. Enterprises may be informal because:

- they find commercial law or the administrative procedures for business registration too difficult or costly or unsuitable in the context of new information and communications technology;
- the taxation system or social security system is too cumbersome;
- they see no benefit in registering their business;
- the labour code is too restrictive or burdensome for small or micro enterprises to operate profitably; or
- they outright intend to not observe labour standards in order to reduce labour costs.

Workers in certain types of work may be informal because:

- they are working in such informal enterprises;
- they are outside the coverage of current labour legislation because
  - labour law has failed to keep up with changes in the labour market or economic organization, e.g., new types of employment relationships and forms of atypical work may not be adequately provided for in traditional labour legislation;
  - the law does not apply because it has not been tested in a given situation, e.g., where an employer treats a worker as being self-employed who really should be treated as an employee.
- the enforcement mechanisms are lacking or too weak to register, inspect or protect them.

4.3.2. The challenge for trade unions

In principle, unions are concerned with all workers, regardless of employment status or link to a particular workplace. However, the heterogeneity of the workforce and employment relationships in the informal economy pose a number of challenges to unions attempting to organize and represent such workers because:

- Such workers do not represent a uniform group and may have obvious differences of interests;
- They may not share common interests with the bulk of current union members. For example, ethnic, family and kinship ties may be stronger among such workers than working class solidarity;
- They are often so caught up in the daily struggle for survival that they are not inclined to join in collective action, especially since they cannot see how such action or membership in a union can help them solve their practical problems and basic needs;
- The highly precarious nature of their work means that they are often too worried about losing their jobs to join a union;
They are often not covered by existing labour legislation;

Informal workers, especially homebased workers and those in micro enterprises, may be hard for unions to contact and to mobilize – organizing drives can be costly and difficult, and time and resource consuming;

Unions may find that it is hard to retain such workers as members because of the precariousness of their employment, and would, therefore, have to consider whether it is an efficient use of their human and financial resources to try to organize such workers;

Many unions do not have tested strategies for organizing them;

Current union members may not see the rationale for organizing such workers and may object to the necessary changes in policies and resource allocation required to reach out to such workers. The challenge is for the unions to reach out to new groups without undermining their traditional support base.

In spite of these challenges, more and more unions are recognizing the importance of organizing informal workers – not only in the workers’ interests but also for strengthening the trade union movement as a whole. Women trade unionists have played a leading role in bringing up informal economy issues and pressing for the definition of a clear trade union position on these issues.

Mandated by the 17th ICFTU World Congress in Durban in 2000, a Task Force on Informal or Unprotected Work, composed of ICFTU affiliates from the different regions, from the IT’s and Secretariat staff, was set up to develop stronger and more effective strategies to help vulnerable workers help themselves and to “respond to the deterioration of conditions and protections and informalization of the economy in the context of globalization”.
4.4. ORGANIZING INFORMAL AND OTHER UNPROTECTED WORKERS

“The central issue in organizing is the effective protection of the right of all workers to organize. It is up to workers themselves to decide whether they want to form their own trade unions or other organizations or join existing unions, but it is wrong and counter-productive to confuse the right of workers to organize with the obligation of trade unions to organize”.

Freedom of association is a protection of the right to organize of people who perform work. Rights are to be guaranteed to workers not trade unions. If the right of workers to organize is violated, it is not the fault of trade unions if workers are unable to form or join their own organizations. Therefore, it is important to properly frame the responsibilities of trade unions in the area of organizing in the informal economy.

A common mistake begins by thinking of trade unions as already established institutions and not as something workers can bring into existence themselves through a process. It is up to workers themselves to decide whether they want to form their own trade unions or other organizations or join existing unions. There are many examples of how informal operators and workers have themselves mobilized and organized in one way or another, at grassroots or community level, in self-help groups or in trades-based organizations. It is also worth remembering that the history of the trade union movement is one of unprotected workers joining together to affirm their rights before employers and governments.

Organizing strategies would therefore differ, depending for example, on whether workers are setting up their own new membership based organizations or existing trade unions are reaching out to organize and represent them. Even when an existing union is not directly organizing informal workers, it can still assist informal or unprotected workers in several ways. The strategies required would of course also depend on the specific groups of workers and their particular situations and needs. Subsequent sections in this booklet will focus on specific groups and will highlight measures particularly relevant for each. However, there are some 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 and alliances and coalition building.

ICFTU 2001. Informal or unprotected work. Unpublished paper. This point also reflects the wording of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No.87) that workers and employers have the right to form and join organizations of “their own choosing”.


Special Outreach

One of the most difficult challenges is to reach informal or atypical workers. Some workers are homebased, others are scattered over small production units that are often invisible and hard to locate and contact. In practice, this means going out and looking for them:

Guidelines:

Ensure the ‘organizing model’ of trade union organization in order to empower workers to find solutions to their problems. This approach devotes particular attention to empowering rank and file members to do the work of organizing their co-workers [Booklet 1 on the differences between the organizing and service models of trade unionism];

Keep track of unions members. In today’s labour markets, workers are very likely to change jobs, employment, work status or workplace or become unemployed several times over their working life. Therefore, it is very important for unions to not lose touch with their members;

Make access to information about the location of workers and details of ‘contracting out’ a priority. Unions should establish mechanisms to systematically collect information that tracks the contracting out process and the flow of work along the production chain from the point of sale of the final product or service down to the basic unit of production. This information can be used by unions to identify potential members and also for media campaigns about the employment conditions of contract workers and homeworkers;

Use a community-based approach in conjunction with other proven ‘shop-floor’ organizing methods. With many types of atypical workers, their uncertain hours of work and their dispersed workplaces mean that the main point of access to them may be at the community level. This means working intensively in particular communities and linking with community organizations which have contacts with these workers. Building alliances with like-minded organizations and movements can be an important way of spreading trade union ideals and raising the trade union profile [Booklet 6 on “community unionism”]. Community-level women’s groups and NGOs can be very useful allies, both for establishing contacts with atypical workers and for joint action on a range of social and human rights issues. Some unions have also established community centres to provide advice, counselling and training services and thereby attract such workers;

Build ‘bridges’ between the trade union movement and informal or unprotected workers. For example, trade union members who are employed in the formal economy but who have relatives or friends in the informal economy can serve as the link between the union and the workers concerned. The union experience of members and activists who have been forced out of the formal economy into atypical work should be capitalized on;

Take care to ensure that the places and times of activities to reach out to informal workers suit their heavy and uncertain work schedules. Often this may mean holding evening sessions or on Sunday afternoons, and it may also mean organizing informal child care where necessary.
Awareness raising and education campaigns

Once contact is made, unions need to motivate informal or unprotected workers through:

Guidelines:

- Awareness raising campaigns: that focus not only on their legal rights but also, and very importantly, on the benefits of unionization. Especially since the most important reason why women do not join unions is that they do not understand how unions can help them, such sensitization activities are crucial. A comprehensive communications strategy is crucial; awareness raising campaigns and rallies, radio and television or announcements, street theatre, musical performances may be more effective than print media to transmit information to workers, especially women, in the informal economy;
- Widely publicize union successes in improving the position of such workers;
- Use innovative ways of educating and mobilizing workers, bearing in mind that in some types of atypical work, women may have a low level of education and literacy. Trade unions in some African countries have indicated that alternative communication tools such as role playing, drama and songs are particularly effective communication tools within education programmes addressing women.

From 1987 to 1997, the IUF ran an education project with the IFPAW and the ILO to increase the participation of rural women workers within affiliated unions in Ghana, Uganda, Zambia and Zimbabwe. The education programme was initiated after IFPAW drew attention to the total absence of women in leadership positions and their very low participation in union activities. An important and innovative approach was the use of songs, drama and role playing to teach rural (male and female) workers about trade union and gender issues. Group work at seminars included performances around given topics. Video recordings were made of the performances and used as a means of self-analysis and development. Drama groups were established to enable workers to explore subjects such as women’s rights, labour laws, health and safety and environmental hazards. The evaluation found that the drama, songs and role play component enhanced the participatory effect and cost-effectiveness of the project. By the end of the project, female membership had increased in all the unions involved, as had the number of women office bearers.

Implement comprehensive education programmes, with the aim of developing real leadership potential among atypical and informal workers. A holistic education approach appears to work best – covering normal union issues such as collective bargaining and also other issues addressing the specific needs of such workers, such as legal literacy, how to apply for loans, etc.
Consider the *choice of education techniques* to use in dealing with informal workers. One method that has proved successful is study circles. Trade unions use study circles to enable informal workers to acquire skills in organizing training sessions and meetings, and this method has helped to build mutual respect, dialogue and unity among workers.

*Participatory methods* are also important. For example, soliciting the views of atypical women workers and listening to their concerns in women-only forums where they can express themselves freely can be a more effective strategy than merely informing them of their rights.

**Changes in union statutes and internal structures**

Some unions may not have the constitutional provisions and mandate to organise workers outside the formal economy. Changes in union constitutions and internal restructuring are often required to enable recruitment of workers outside the formal economy.

**Guidelines:**

- **Amend the union constitution or statutes to include informal or atypical workers.** Such amendments may cover the right to membership, participation in negotiating teams, inclusion in collective agreements and, in many cases, the provision of special services. For example, to open up union membership to atypical workers unions could adjust subscription rates according to earnings of different types of workers. Unions can also adopt a policy not to differentiate between workers with different work patterns. They could change their rules on mutual health schemes and cooperatives to allow atypical workers to become members;
- **Conduct union campaigns directed at government to reform labour legislation or extend the scope of coverage to workers outside the traditional formal economy.** Since there are often legal barriers, changes in labour legislation are necessary before unions can adequately represent atypical workers or include them in collective agreements. The union movement can play an important role in advocacy and lobbying of governments on this issue;
- **To more effectively mobilize and organize atypical workers, unions may need to change their internal structures**, including creating special departments or units and having specific budget allocations.
The informal economy has become a reality within the Democratic Union of Workers of Senegal (UDTS). Since 1998, informal workers been represented within the national centre by an autonomous federation, the Informal and Rural Workers’ Federation (FETRI).

Unions in Ecuador and Panama have established departments for rural and indigenous workers.

In Benin and Ghana, there are secretariats/full-time officials responsible for the informal economy.

The Confederation of Workers of Colombia (CTC) has set up a secretariat for self-employed workers.

In Canada, unions have appointed both male and female Special Programme Union Representatives (SPUR) with the mandate to organize atypical workers.

Women’s sections in trade unions can also play a critical role in reaching out to informal and other unprotected workers. They can develop services that are relevant to such women workers, for example targeting young women who make up the bulk of new entrants into the labour market by assisting them to find jobs and offering workshops on issues such as sexual harassment and adjustment to working life.

After the mass-lays following the closure of many state institutions in Colombia during the mid-1990s, the Women’s Department of the Single Confederation of Workers (CUT) devised strategies to retrain women for occupations in great demand. This led in 1995 to the creation of the Centre for Women Workers who are Heads of Households (Casa de la Mujer Trabajadora Jefa de Hogar). The Casa has launched a number of programmes to assist women complete secondary education, gain access to national programmes of apprenticeship, find employment caring for elderly people, etc. Universities and other training institutions have also extended their programmes to the Casa.


Funding is a critical issue for campaigns targeting workers outside full time formal work, and international trade unions can play an important role in assisting resource-strapped trade unions in the developing world.
Special services for informal and other unprotected workers

Interest representation, lobbying, advocacy and collective action remain at the heart of trade union activities. But to make themselves more relevant to the lives of atypical and informal workers, unions can provide or extend the range of “special” services as a tool to address the immediate economic and social needs of these workers and as a recruitment strategy:

“These services should not be regarded as a substitute for collective bargaining nor as a way to absolve governments from their responsibilities. Rather, the special services should be seen as a complementary organizing activity aimed at improving trade unions’ leadership role in society at large and helping to raise their profile in civil society”.

Such special services can be:

- establishing job placement centres, telephone helplines to assist such workers in job search or employment related problems;
- helping such workers to regularize their employment status;
- assistance to deal with bureaucracies, for example, assisting women in the informal economy to deal with banks, creditors and local authorities to obtain licenses, subsidies, market places, and so forth;
- setting up of cooperatives: The organization of cooperatives is often a first step towards unionization. Cooperatives generally pursue both economic and social objectives and have proven to be successful in both empowering women and increasing their awareness of the benefits of unionization. “The big advantage of being a member of a trade union-cum-cooperative organization is that a casualized worker begins to perceive herself gradually as a proper ‘worker’ entitled to rights similar to those that the State offers to workers of the organized sector”;
- facilities for atypical workers, including medical insurance, health funds, unemployment benefits, educational grants, loans, community-based childcare facilities, etc.;
- providing training for such workers, such as in legal literacy, occupational safety and health issues, family planning, etc.

To aid women in Burkina Faso’s informal economy, the Organisation Nationale des Syndicats Libres (ONSL) created an integrated development centre at Ouagadougou in 1993. This centre offers women market traders engaged in weaving, dressmaking, embroidery, knitting and soap production the chance to join forces and to have better working conditions. The centre also offers literacy, hygiene and nutrition courses which have enabled women to keep a health record of their children - an essential element in a country where the mortality rate of children under 5 years is 50 per cent. The centre also runs training courses in basic accounting and administration. As a result of these activities, the women have organized themselves, formed a cooperative and joined ONSL.

Source: ICFTU, Claiming our rights - Women and trade Unions
ICFTU Website: http://www.icftu.org

**Inclusion in collective agreements** [Booklet 3]

An important aim is for unions to include atypical workers or workers outside the formal economy in collective agreements. There can be two basic approaches:

**Extension of collective agreements to cover atypical workers**, so as to overcome some of the disadvantages suffered by such workers, such as exclusion from statutory benefits, unequal pay or lack of employment security.

In the United Kingdom, **UNISON** has been successful in getting specific reference to equal treatment for part-time and temporary workers in the local government ‘single-status’ agreement. UNISON’s “Positively Part-Time Campaign” has also been successful in negotiating recognition agreements with agencies employing such workers.

In **Canada**, part-time employees have their own bargaining unit or positions within the bargaining team of the union.

**Bargain for the regularization of the employment status of atypical workers**, so as to bring them closer to ‘core’ union members.

The **Swedish Union of Folk High School Teachers** has a provision in its collective agreement for regulating how long workers can be employed on a temporary basis before becoming permanent.

The **Zimbabwe Textile Workers Union** has negotiated for contract workers to become permanent employees after renewing their contract more than three times over twelve months or after serving a contractor for twelve months.

**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 upon should have the clear endorsement of current union members. These options are:
Guidelines:

Amend the trade union constitution or statutes to include informal or atypical workers as direct members. This means the union will 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 union would have to consider:

- how such workers should be integrated into existing union structures. For example, should such workers be able to play their part in the management structure on the same basis as other members?
- whether such workers should pay regular membership fees. Since for many such informal workers the fees may be a constraint, the union should find alternative solutions, such as setting lower rates or offering a ‘grace period’.

Help informal or unprotected workers to establish their own union-type, membership-based associations and forge close relations with them. Where there are major constraints to 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 enhance the capacity of such workers to organize themselves. The unions could then form close partnerships or affiliations with these self-organized groups. This kind of initiative can be instrumental in developing mutual trust and in overcoming reservations that atypical workers may have in joining existing unions. The related issues to consider are:

- If these informal workers set up their own union, how should the new union be formally affiliated to the existing national structure?
- If they establish other types of associations that are not formally affiliated to the national union structure, how can the existing trade unions forge linkages and close alliances with them? [Booklet 6 on alliances and community unionism];
- The importance of lobbying on behalf of these informal organizations and fighting for their recognition. Remember: Informal workers often organize with the help of unions or NGOs but after the initial stages, they face difficulties of sustaining and developing their organizations. A major problem is that these organizations usually remain unrecognized by those with whom they need to negotiate -- public authorities, contractors, employers, etc. Established trade unions have a critical role to play to assist these organizations to achieve recognition, bargaining power and legal protection.
In Benin, two federations, CSA-B and UNSTB with the help of the African Regional Organization (AFRO) and the ICFTU and with financial support from the European Union, launched a project in 1998 called “Support to Strengthen Unionization in the Informal Sector”. Craftsmen, market vendors, farmers, butchers, delicatessen owners, mechanics, taxi drivers, dressmakers, barbers and hairdressers, artists, mattress makers, plumbers, bakers, photographers, unemployed graduates are often organized into either a cooperative or a local or regional association. These associations wish to become national groups but their development is often hampered by unstructured and inefficient organization, financial problems, failure on the part of members to pay their dues, lack of availability of certain officials or the low level of members’ education. The project assisted these groups to better understand the validity of the trade union approach, form trade unions, negotiate with the authorities. Several of the informal groups reported “More solidarity, more exchanges, a better working method, payment of dues: in less than a year, people’s behaviour has changed radically......The method of training using study circles has enabled us to completely change our approach to human relations. More democracy, seeking consensus, tolerance .. this is a powerful method... Defending both the formal and informal sectors by giving a voice to the most interested parties”.


Build coalitions with appropriate informal economy organizations which already exist and which share the basic principles and objectives 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, and, 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. Issues-based alliances can be an effective measure [Booklet 6].
4.5. PART-TIME WORKERS [Booklet 3 on part-time work with benefits]

Part-time employment has been expanding relative to full-time employment. Women represent the majority of part-time workers, accounting for 80 per cent or more in several Western European countries. A key issue that unions should consider is whether part-time work is a “bridge” or a “trap” in terms of labour market participation.

Part-time work is a “bridge” when it facilitates gradual entry into, participation in or retirement from the labour market; and can be particularly important in offering women an effective way to divide their time between paid work, household responsibilities and child rearing. However, it can also be a marginalized form of cheap labour that entraps workers in precarious employment. This is especially the case where women go into part-time work because no full-time jobs are available and where missing out on training and promotion pushes these workers into a peripheral labour market in terms of qualifications and income, or lower lifetime accumulation of pension entitlements.

It is useful to distinguish three main categories of part-time work:

- contingent participants to the labour market who are not seen as prime or independent income earners. In many countries, such part-timers have restricted rights to unemployment benefits, pensions and/or sick pay, particularly when they fail to meet earnings or hours thresholds or when combining work with other activities such as education and caring;
- continuous participants working reduced hours temporarily and voluntarily. This category consists mainly of women who reduce hours of work over the period of pregnancy and child-rearing while remaining permanent participants in the labour market. The right to work part-time is seen as a privilege. The employer or the State does not compensate for the gap in income between full and reduced hours;
- part-time work for full-time continuous participants in the labour market. This may refer, for instance, to short-time work with earnings compensation to avoid redundancy, but is usually targeted at male manual workers. There are very few situations where women would receive compensation for hours not actually worked.

To organize part-time workers, some specific guidelines are:

**Guidelines:**

- Negotiate for permanent status for workers who are hired on a continuous basis or in a job that is not temporary in nature;
- Extend the general conditions (pay, benefits, leave, rights with respect to termination of employment) of full-time workers to part-time workers to the greatest extent possible;
- Avoid thresholds built into eligibility requirements and qualifying conditions, such as minimum number of hours worked or earnings;
- Ensure that training opportunities are open to part-time workers so that they can improve their employment status and enrich their jobs;

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The “Positively Part-Time” Campaign

One union that has made significant headway in recruiting part-time workers is UNISON in the United Kingdom. Of its more than 1.3 million members working in the public services and utilities, more than half work part-time.

The success of UNISON’s campaign is based on a strategy of portraying part-time work as a positive choice, and one where workers are entitled to equal treatment and all the rights and benefits of full-time work. Through its Positively Part-Time campaign, the union has achieved numerous victories for part-timers including equal rights for:

- equal pay
- shift allowances
- bank holidays
- maternity rights
- pensions
- sick pay
- redundancy rights
- bonuses and other pay enhancements
- access to quality training and protection
- employment protection

Through negotiation and legal action, the union deals with many types of individual problems and grievances, and in some cases has taken the issues right through to the House of Lords and the European Court of Justice.

The union uses posters, brochures and other publicity materials to disseminate information about its work and services. UNISON believes that its success in recruiting atypical workers is a result of offering its members who are working part-time the same benefits as its other members, including career training and education, free legal advice for problems at work or outside, reduced insurance rates for homes and cars, lowered mortgage rates, confidential help and financial assistance from its welfare officers, and a range of information from their experts on employment law, social security and bargaining agreements. One of the most effective strategies to encourage membership of the union has been the policy of linking membership fees to earnings, so that, in effect part-time workers may pay less but still receive full benefits.

Source: UNISON’s “Positively Part-Time” campaign pamphlet.

Relevant ILO standard:
Part-time Work Convention, 1994 (No.175)
[refer to box in Booklet 3, p.40]
4.6. HOMEWORKERS

Home-based work has been expanding, especially as a consequence of developments in information and communications technology. Home-based workers are in an extraordinary diversity of occupations, payment systems and contractual arrangements, in a wide range of service and manufacturing industries. Industrial-type homework covers the traditional sectors such as textiles and clothing and also newer activities such as sorting, cleaning, packaging and labelling of high-technology manufacturing and electrical, plastic and light metal goods. Such work is labour-intensive and is often contracted out on a piecework basis. Homework in the service sector is also expanding, especially in teleworking and “back offices” for word and data processing, invoicing, editing and translating.

Women account for 70 to 80 per cent of home workers in both developed and developing countries; they make up an “invisible” and “captive” workforce, often tied to the home because of family responsibilities. Homeworkers are often migrant or ethnic minority women who are unable to find work outside their homes, because of discrimination or prejudices against migrants or barriers such as lack of knowledge of the host country’s language.

Homeworking generally involves low pay, invisibility, long hours and poor working conditions. Compared with in-factory workers, who produce goods of the same quality and quantity, homeworkers are paid considerably less. Most have no networks or other organizational basis for bargaining or comparing the current wage rates. They are subject to insecurity of work availability, receiving income only when work is available. There is also the danger that home-based workers may use their children as part of the family labour force and withdraw them from school. Health and safety conditions may be poor in the home. Access to social benefits and protection is also a problem, since homeworkers normally are not covered by the national labour legislation.

Homeworkers were traditionally seen as “outlaws or scab labour” by the unions, so that the early response was to advocate a total ban of homework. But now many unions have moved towards organizing such workers. Instead of blaming homeworkers for the growth of homework, many unions have tried to understand the reasons why women take up homework and to help these women. Union can:

Checklist:

- Establish contact with homeworkers. Conventional methods may not be effective. Unions may need to:
  - work intensively in some communities with community organizations, including migrant community organizations, to contact such workers at their homes;
  - organize special events which allow homeworkers to come out of their isolation, come into contact with each other, make factory visits, etc.;
  - establish a telephone hotline or free inquiry line so that homeworkers have a contact point where they can seek advice;
  - set up information or support centres at the community level;
In the Netherlands, the **Women’s Union** set up independent **Home Work Support Centres (HSCs)** to provide advice and support service to homeworkers and, through their contacts, collect information and develop policy about homework. The HSCs were funded by the national government but worked closely with the unions, and were successful in bringing some homeworkers into union membership. For example, the HSC liaised with relevant trade unions where possible, in order to build contacts between homeworkers, the organized workforce within the factory and the relevant trade union; and to persuade the unions to adapt some of their practices to encourage homeworkers to join, eg. by having some flexibility in membership dues.


**Collect information about homeworking**, once contact has been established. Since most homework is invisible, information can be collected only through contact with the workers themselves.

**Publicize the information**, carry out campaigns to make homework visible and to generate support for activities to improve the situation of homeworkers.

The **Clothing and Allied Trades Union of Australia (CATU)** organized a major publicity campaign in 1986 to directly inform outworkers about the union’s policies on homework. It used the “ethnic media” ie. both newspapers and the radio to reach such workers. It also collaborated with the state government to set up a multilingual hotline for advice and help to outworkers, and to produce thousands of leaflets in 14 different languages. The union also employed a project worker to deal with inquiries from outworkers. In a period of about 1 year, over 6000 workers contacted the union for advice. “Prior to this information campaign being implemented, the union scarcely heard from any outworkers”


**Lobby for legal reform for homework.** Especially where homeworkers are not covered by labour legislation, such reform is a pre-condition for improving their situation. It is important to lobby for recognition of the “employee status” of homeworkers since this enables them to have the same rights and to be covered by the same awards as in-factory workers in the same industry, rather than being treated as “independent contractors”.
In Australia, the initial step was to advocate the legalization of homework by campaigning for the permit system to be changed to enable homeworkers to come forward. It was then followed by a major campaign for employment rights for homeworkers. Once the move to establish legal rights was successful, the Clothing and Allied Trades Union (CATU) was able to fight numerous claims on behalf of homeworkers. Its successes were widely publicized.

Organize the homeworkers - either by recruiting them directly as members of the union (eg. through keeping membership dues low enough to be accessible to homeworkers) or by encouraging them to set up their own associations that are affiliated with the union.

Include homeworkers in the terms of the collective agreement.

Relevant ILO Standard:
Home Work Convention, 1996 (No.177)

Home Work Convention, 1996 (No.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 produce 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.

Article 4
1. The national policy on homework 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.
The Homeworkers’ Code of Practice

Fair Wear Code of Practice
The Homeworkers’ Code of Practice was developed by the TCFUA together with representatives of the textile and clothing retail and manufacturing industries. The Code is a self regulatory system that intends to regulate and monitor the production chain from the retailer to the homeworker. It also attempts to simplify the reporting requirements of manufacturers, building solidly on award entitlements to workers. There are two parts to the Code:

Part I is relevant to retailers:
**The Statement of Principles regarding Homeworkers’ Wages and Conditions:**
- This includes ten principles that outline the intent of the parties to the Agreement;
- The acceptable work conditions and pay rates homeworkers should receive;
- Parties to the agreement will ensure that manufacturers comply with these standards;
- Retailers who purchase products not produced by exploited labour may identify these products with a logo or other sign of compliance;
- Retailers commit not to sell products which have been produced by exploited labour, this may include terminating a relationship with a supplier;
- The Code will lead to garments carrying a sign that they are manufactured ethically and shops will carry a logo if they stock such clothing. Retailers may promote the fact that they only deal with accredited manufacturers who do not exploit homeworkers.

**Part II The Code of Practice:**
this part sets out the criteria for participating manufacturers:
- A Code of Practice Committee will oversee the setting up and ongoing management of the Code;
- It involves an accreditation procedure whereby manufacturers who give work to contractors or directly to homeworkers seek accreditation.
- The accreditation process will ensure that from the retailer down to the homeworker the chain is transparent;
- This will be achieved by the following steps:
- Retailers signatory to the Code will provide to the union lists of their suppliers;
- Retailers will require their suppliers in their purchase contracts to comply with all laws and regulations including payment of the sewing garment rate relevant to homeworkers;
- Manufacturers or suppliers to retailers will seek accreditation;
- Accredited suppliers will provide documentation to the Code Committee verifying that the subcontractors they use are keeping all appropriate documentation and paying their homeworkers according to the agreed garment sewing time manual standard.
Pay rate for homeworkers:
The Code introduces a timing manual for classifying the sewing of garments into three levels of complexity and for setting the standard for fixing sewing time rates translated into pay rates for homeworkers.
The minute sewing time per garment provided to the homeworker to sew will be adjusted with percentages for annual leave and public holidays. Homeworkers must receive with each batch of work, documentation which identifies that the homeworker is being paid correctly according to the standard.
The code also specifies the minimum garments (total amount of work) as well as the maximum work load a homeworker can receive from a contractor over a two week period.
Manufacturers will risk losing accreditation and contracts with retailers if their contractors fail to pay homeworkers correctly.

Code of Practice Committee:
The Committee will undertake an education and information programme to educate and inform manufacturers, homeworkers and consumers about the Code.

4.7. DOMESTIC WORKERS

One of the most hidden forms of work is domestic service. Isolated in individualized situations in other people's homes, the labour of domestic workers goes unrecognized, unseen, undervalued and not covered by a country’s labour inspection system. There are no proper job descriptions for domestic work and no recognition of necessary skills or qualifications. Since the majority of domestic workers are migrants from rural areas or even other countries, they stay in the employers’ home where they are often expected to be on demand for any chore at any time of day or night, and are trapped by the employers’ argument that since they are housed and fed they need only a minimum wage. Domestic work is normally characterized by low wages, excessive hours of work with no extra pay, overwork, lack of benefits or social security, unfair termination of employment and employer abuse. Sexual harassment of domestic workers is a common complaint.

As early as 1965, the International Labour Conference adopted a Resolution which considered it an “urgent need to provide for domestic workers in all member countries the basic elements of protection which would assure them a minimum standard of living, compatible with the self-respect and human dignity which are essential to social justice”. In 1967, on the basis of a worldwide survey, the ILO concluded that domestic workers the world over were underpaid and unprotected. The Report of the Committee of Experts stated that “it would be unadvisable from the standpoint of social policy to ignore the problem of domestic workers and permit this sector to remain a forgotten one”.

The most vulnerable domestic workers tend to be women who are migrants and especially illegal migrants from other countries. Many migrant women, because they cannot find other jobs, work as domestics. Asian women – from the Philippines, Thailand, Indonesia and Sri Lanka – have been heavily involved in international contract migration to work as domestics in developed countries. Their vulnerability to exploitation by unscrupulous employment agents in both sending and receiving countries and by employers is well-known.

Most domestic workers tend to be young and unmarried, to be from rural areas, and in many countries include child workers. Child labour in domestic service has been identified as one of the worst forms of child labour under the ILO Convention on the Worst Forms of Child Labour, 1999 (No.182).

Unions in several countries have successfully organized domestic workers and defended their rights. Organizing is essential to obtain protection for domestic workers through legislation, to inform the public of their conditions, and to provide them with an understanding of their rights as workers and a sense of dignity in their occupation. In the case of child domestic workers, unions have been supporting the ILO International Programme on the Elimination of Child Labour (IPEC) efforts to work towards the elimination of this hazardous form of child labour.
Guidelines:

Organizing domestic workers who are isolated by the nature of their work and who may have no awareness of belonging to a specific labour group is an obvious challenge but can be tackled by:

1. Working with other civil groups – women’s associations, religious groups, social assistance organizations, NGOs – to encourage and assist domestic workers to come together to form their own associations (Many of the most active organizers of unions for domestic workers have been domestic workers themselves).

2. Providing special services for domestic workers, including employment exchanges, telephone support networks, a place to congregate on days off, counselling and advisory services (both legal and general advice).

The Jamaica Household Workers’ Association (JHWA) has established a drop-in centre at its central office for domestic workers and employers to voice complaints or concerns. Based on this, the JHWA is compiling a database on workers and their employers. It also provides counselling services and makes referrals to the crisis centre and other organizations dealing with domestic violence and sexual abuse. A hotline for domestic workers has also been established and the JHWA also runs an employment agency which seeks to provide employers with trained helpers and domestic workers with responsible employers.


Ensuring that domestic workers can easily contact the union.

With the help of COSATU, the South African Domestic Service and Allied Workers Union (SADSAWU) has rapidly managed to organize thousands of domestic workers. “One has to know how to approach them, speak to them in a friendly tone, because at the end of the day they are very tired. We discuss things with them, and we give them literature on their rights and a membership form to fill in. Most of them phone us within a couple of weeks. My phone is ringing all the time, here at the office and at home, day and night. People are angry, they are very motivated to build a stronger union that will make things change”. In practice, the method consists in setting up one committee per street with one representative per committee who meets up with the union to discuss the problems of all the domestic workers in that street.

Source: ICFTU website: http://www.icftu.org
Conducting publicity and media campaigns to make domestic workers aware of their rights and to sensitize the public to the exploitation of such workers.

The **National Union of Domestic Employees of Trinidad and Tobago (NUDE)** has received extensive media coverage of its efforts to draw attention to the low income of domestic workers. NUDE called for enforcement of the Minimum Wage Order in which domestic workers are the lowest paid and also for their inclusion in the National Insurance Scheme. The exposure of NUDE in newspapers, radio and television led to an increase in membership.


It is crucial to **lobby for national legislation to cover domestic workers**. Unless domestic workers are officially recognized as employees, they would be excluded from the operation of labour laws and would not be able to use the services of labour administration or the industrial court to resolve disputes.

The **National Union of Domestic Employees of Trinidad and Tobago (NUDE)** has been campaigning for the recognition of domestic workers within the Industrial Relations Act so that they will have full protection of the labour legislation and be able to resort to the industrial court where necessary.

The **South African Domestic Service and Allied Workers Union (SADSAWU)** was active in lobbying for the new Labour Relations Act in South Africa which not only provides for compulsory employment contracts for domestic workers but also gives them the right to appeal to a court of arbitration.

Assist domestic workers to **lobby for legislation to improve their terms and conditions of work**, including:

- stipulated hours of work;
- a minimum wage, adequate to support basic living needs, with extra pay for skilled work such as childcare, taking care of the elderly and persons with disabilities, when in addition to housework;
- additional pay for sleep-in domestics;
- severance benefits;
- sick leave, vacation pay and public holidays;
- overtime pay;
- maternity protection;
- prevention, prosecution and compensation for sexual harassment and wrongful dismissal;
a requirement that employers enter into written contracts with domestic workers;
prevention, prohibition and abolishment of child labour in domestic work.

A legal requirement that domestic workers must have written contracts would help ensure their terms and conditions of work.

In Argentina, all domestic workers must have a work book (obtainable through the Ministry of Labour) containing their name, sex, age, photo, the governing legislative texts, their monthly wage, the place of residence of the household worker, dates of commencement of the contract, dates of weekly rest and annual leave, and the signatures of the employer and the worker. There is a requirement that the employer give the domestic worker notice and a length of service grant when terminating the contract, unless the domestic worker is guilty of a ‘breach of obligations’.

In Denmark, once the worker has worked for the employer for at least six months, either party may request that the contract be put in writing with the wages, conditions of work and duration specified. The contract may not be longer than one year. A domestic worker may terminate without notice if the employer fails to pay wages, fails to provide time off, provides insufficient lodging, endangers her health, threatens physical violence, or changes residence. The domestic worker has the right to salary compensation.

Raise awareness of the link between unpaid domestic work and the low status of paid domestic work. Unpaid domestic work should be recognized as work and an accurate measure of the quantity and economic value of this work should be included in a country’s gross domestic product using satellite accounts.

Provide training for domestic workers. Different types of training are required:
• to improve their skill levels and standard of work through in-class and practical training and provide certification as a means of increasing their wages;
• to help raise their self confidence and the dignity of their work;
• to expose them to skills other than those related to domestic work so as to enhance their employment options.
4.8. MIGRANT WORKERS

There are more than 120 million migrants around the world. Migrant workers are an increasingly important target group for union organizing drives [ accompanying report]. The protection of migrant workers is also part of the larger trade union fight against racism, racial discrimination, xenophobia and related intolerance. The ICFTU No to Racism and Xenophobia! Plan of Action for Trade Unions has a section specifically devoted to migrant workers. In the United States, the AFL-CIO recently announced a new initiative to bring respect and dignity to immigrant workers. “All workers – immigrant, native-born, documented or undocumented – should have the full protection of our system of workplace rights and freedoms” [ AFL-CIO Website, http://www.aflcio.org]

**No to Racism and Xenophobia! Plan of Action for Trade Unions**

The ICFTU No to Racism and Xenophobia! Plan of Action has a section specifically on migrant workers that states that trade unions must:

- urge governments to legalize undocumented workers;
- lobby for legislation to protect those working in the underground economy;
- work with communities to provide support and legal assistance for undocumented workers;
- undertake special campaigns to organize migrant workers, including those who are undocumented;
- be actively involved in shaping immigration and migration policies in order to protect the interests of working peoples and their families;
- if from the sending and receiving countries, work jointly to protect and defend rights of migrant workers.

In permanent immigration countries, migrant women tend to be disproportionately represented in under- and un-employment. They may have inadequate education and training or their qualifications may not be recognised by the host country. Often they have inadequate command of the host language and may be subject to discrimination of grounds of not only sex but also nationality, colour, race, ethnic origin. Wives of immigrant male workers tend to be at a disadvantage, because they are cut off from networks of social support and information, do not have access to education and training facilities, may not have the right to work, etc. Many of these women then end up working illegally in ‘sweatshops’ for unscrupulous employers.

In the past, women moved as part of family migration. But increasingly, women are involved in temporary labour migration; they are migrating independently for overseas employment. However, the temporary female labour migrants tend to go into a very limited range of female-dominated occupations – often described as the ‘3D (dirty, dangerous and difficult) jobs’: as domestic helpers, entertainers, helpers in restaurants and hotels, sales girls and assembly line workers in labour-intensive manufacturing.
Because of their marginalised and often illegal status, migrant women tend to be subject to exploitation by unscrupulous employment agencies and employers. In both sending and receiving countries, there have been countless cases of women cheated by recruitment agents promising fictitious jobs for a fee, withholding information or providing false information on the nature of the job and the conditions of employment, charging fees above the legal maximum and the real cost of recruitment. In the host countries, the jobs that the migrant women go into may not be covered by labour legislation. For example, those who go into domestic service are in individualized situations in homes where there is greater isolation and lower likelihood of establishing networks of information and social support. Therefore, they are more vulnerable to exploitation and abuse, as compared to male migrants who commonly work in groups, such as on construction sites or agricultural farms.

Growing proportions of these women are illegal migrants who have been trafficked. Trafficking in women and girls has risen to such alarming levels that it is now high on the international political agenda. Many of those trafficked end up in forced prostitution and other forms of exploitative employment. Their situation has been described as: “a continuum ranging from slavery or slavery-like treatment of trafficking victims on one end to criminal exploitation of smuggled economic migrants including fair labour and safety standard violations on the other. In the worst cases of involuntary servitude, violence and human rights abuses, trafficked women work anywhere from sixteen to twenty hours per day, and often live in conditions of captivity. They are kept in situations of forced labour through sexual, physical or psychological abuse, threats of violence to themselves and/or their families, bonded labour, enforced isolation and/or seizure of their passports, travel or identity documents”.

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10 A global instrument, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children was adopted in November 2000 as a supplement to the United Nations Convention Against Transnational Organized Crime and is now open for signature by countries. The final outcome document of the special session of the United Nations General Assembly on Women 2000 (the Beijing+5 session in June 2000) also strongly emphasizes “national, regional and international strategies to reduce the risk to women and girls, including those who are refugees and displaced, as well as women migrant workers, of becoming victims of trafficking.”

Migrant workers: union issues

**Migrant-sending countries**
- maintaining statistics on the number of women migrants who are members of the union
- establishing a welfare fund for migrant workers and their families
- promoting the education of children and other family members
- encouraging the regular flow of remittances
- improving access to national legislation on migrant workers
- maintain close liaison with government
- maintaining close liaison with other bodies dealing with migrant workers
- negotiating for internationally accepted employment contracts for migrant workers
- representing migrant workers at all fora at the national level
- assisting returnee migrants
- linking trade unions of migrant-supplying and migrant-receiving countries

**Migrant-receiving countries**
- arranging for the reception of new entrants
- promoting equal opportunities and elimination of discrimination at the workplace
- promoting training and education services
- ensuring desirable living conditions
- promoting cultural identity
- educating national workers about the contribution of migrant workers to the economic development of the host country
- improving access to national regulations on migrant workers
- maintaining close liaison with government
- ensuring that the legal rights of migrant workers are accepted and providing legal advice where necessary
- developing a network with other organisations concerned with migrant workers
- promoting ratification of ILO Conventions
- promoting racial harmony and peaceful coexistence between nationals and migrants
- representing migrant workers on all relevant platforms in the host country (not permitting language to be a bar)
- ensuring equality of treatment and avoidance of discrimination at the national level

In both sending and receiving countries, unions have established programmes to protect and organize these vulnerable workers. Some of the specific measures that unions can adopt to assist migrant workers, in particular female migrant workers, are:

**Checklist:**

- Inform migrants of their rights and provide information materials in local languages;
- Provide migrant workers a list of contacts/addresses, such as trade unions, NGOs and embassies, where they can seek refuge or assistance in the event of abuse or exploitation;
- Establish networks between trade union organisations in the host countries and the countries of origin;
- Provide vocational training for migrant women so that they can diversify their skills and have access to better jobs;
- Include the concerns of migrant women in collective bargaining;
- Condemn countries which exploit migrants, particularly host countries which ban the creation of unions by migrant workers;
- Demand rigorous checks on the use of clandestine labour and the condemnation of employers using clandestine labour;
- Negotiate equal pay for migrant workers;
- Provide potential migrants with realistic information on working conditions overseas;
- Encourage governments to keep proper and strict checks on the activities of recruitment agents and employment agencies;
- Help women migrants to form their own organisations in both sending and receiving countries;
- Lobby for the appointment of gender-sensitive labour attaches in host countries to help look after the welfare of the migrant women workers;
- Lobby for changes in legislation to protect the rights of migrant labour.
The Italian trade union Confederazione Generale Italiana del Lavoro (CGIL) set up a department on migration policies in the late 1980s, in response to the increasing waves of immigration into Italy. The Department works closely with NGOs representing the immigrants. For example, it organized together with the associations of Filipino and Sri Lankan women a course to inform migrants about the national collective agreement on domestic work. In 1997, CGIL Lazio created a special committee for migrant women. In 1998, the CGIL developed a national initiative called the New Work Identity (NIDIL) to organise and protect the rights of various categories of workers including prostitutes, homosexual and transsexual workers as well as workers of different languages, religions, ethnic origins etc. ‘Via Amica’ is a project that the union developed to protect migrant prostitutes, involving NGOs and local and national authorities. NGOs work with the union and train special educators called ‘Street Units’ who work in the areas where prostitutes operate, making contact and winning their trust. Some of these educators are cultural mediators, meaning that they know the languages, cultural habits and ways of thinking of the nationalities and ethnic groups of migrant prostitutes. Migrant prostitutes are given information on healthcare, work and residency permits, and housing. They are taught hygiene and reproductive health and are provided with condoms. They are also provided with information on their rights under the law to prevent abuse and exploitation. CGIL also plays an important role mediating between the prostitutes and the local community, the public authorities and the police. The project offers shelter to those migrant prostitutes who want to change jobs, until they find new work and accommodation. While the goal is not to turn prostitutes into regular workers, the union does, when asked, assist the women to find new jobs. For example in 1998, 20 prostitutes were able to find other types of work including domestic service and the setting up of small businesses.

Relevant ILO standards:
Convention concerning Migration for Employment (Revised), 1949 (No.97);
Recommendation concerning Migration for Employment (Revised), 1949 (No.86);
Recommendation concerning the Protection of Migrant Workers in Underdeveloped Countries and Territories, 1955 (No.100);
Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975 (No.143);
Recommendation concerning Migrant Workers, 1975 (No.151);
Globalization has seen a dramatic growth in production chains which now stretch around the world. Export processing zones (EPZs) house many of the enterprises involved in these chains. Foreign investment is a crucial component of zone investment and governments are increasingly competing with each other in offering generous incentives and privileges to attract investors and entrepreneurs. Zone-operating countries hope that the EPZs will contribute to overall economic development and employment creation. However, they often encounter social and labour problems in the process, particularly in situations where investors have been allowed to depart from basic labour standards.12

There are very few countries which openly and officially exclude zones from the national labour legislation and system of labour-management relations. With a few notable exceptions, unions are legally permitted to operate in the zones, but their overall effectiveness is curtailed by subtle or explicit obstacles imposed by either governments or employers.

Unions face a number of challenges in their efforts to organize workers in the EPZs:

- Some 27 million people work in at least 2,000 EPZs worldwide; between 60 to 90 per cent are women. They tend to be young (16-25 years of age) and in their first job and, therefore, have little experience or exposure to the labour movement;
- There also tends to be high worker mobility; drop-out rates are often high and workers do not expect to develop careers in the zones – so unions may have problems retaining members;
- The special characteristics of EPZs can make traditional collective bargaining difficult. Given the size and breadth of most large multinationals, unions in a developing country may find it impossible to gain access to the ‘real decision makers’. Major decisions affecting local plants might be taken at head office several thousand miles away, without either union or local employer input;
- Similarly, the ‘footloose’ nature of some multinationals can undermine union effectiveness. Faced with a strike, a company might threaten to relocate. Unions are forced to make tough concessions when faced with relocation or closure threats;
- There have also been many reported cases of employer actions against union leaders, including intimidation, dismissals, black lists, and collective dismissals upon union registration or when union activities are noticed;
- Lack of support from the government to enforce labour legislation weakens the credibility of the union movement and the capacity to organize.

Unions enhance productivity in EPZs

Some governments may ban trade unions in the zones, or turn a blind eye when companies refuse to allow trade unions to operate in their factories. They use the argument that employment creation and economic development are more important for the country than the right to join a union or to strike. But such a view is short-sighted because banning unions has major long-term implications for the well-being and potential of a society’s workforce. Banning trade unions is counterproductive because this may serve to attract “bad” companies that break other national laws or are interested only in short-term profits.

In the 1960s, when the country was mounting a strong campaign to attract foreign investments, Singapore still rejected international blue chip companies that refused to allow unions.

Some companies may argue that without unions, they can keep costs low and protect jobs. They may use strong-arm tactics to keep unions out, such as intimidation, blacklisting and dismissal of workers involved in unions. Some firms use more subtle union avoidance strategies, such as emphasizing firm-centric cooperation or worker representation teams. But a union-free zone often involves a sluggish, unfocused workforce. Unions can enhance worker motivation and satisfaction, translating into increased productivity and decreased worker turnover for most firms.

“Where governments of host countries offer special incentives to attract foreign investment, these incentives should not include any limitation of the workers’ freedom of association or the right to organize and bargain collectively” 13

To deal with the power of multinationals – which is often greater than that of unions – at the negotiating table, unions can:

Guidelines:

Organize workers at the industry level and regional level, rather than at the enterprise-level:

Because of the problems related to the continuous formation and dissolution of enterprise-level unions resulting from collective dismissals, FUTRAZONA in the Dominican Republic has been forming unions at industry level by city through a process of mass affiliation. In addition to grouping existing unions in each city, FUTRAZONA has created Union Support Teams which work intensively in neighbourhoods where most women workers are concentrated.

Central American unions have also planned more concerted action through regional organization since many zone enterprises are present in more than one country.

Engage in company-wide labour coordination:

The **IG Metall Union** at the German Volkswagen firm has created the first global enterprise committee in the sector, in which some 30 delegates represent over 300,000 salaried employees based at 40 production sites worldwide. The new workers “solidarity without borders” raises the prospect of company-wide labour coordination, no matter where a production plant is located.

Source: Agence France Press in the Tribune de Geneve, 22 June 2000

Promote company-wide worker-management consultations and collective agreements:

Since 1988, the **International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers Associations (IUF)** and the multinational Danone have agreed to commit themselves to promote four themes within the enterprises of the entire Danone group:

1. a training policy which allows employees to anticipate the effects of the introduction of new technologies or of industrial restructuring;
2. the transmission to unions and to representatives of the employees, information adequate for the purpose of reducing the existing disparities between one country and another or between one enterprise and another because of different legislative or contractual obligations;
3. equality between women and men in the enterprises of the Danone group, both in salaries and in working conditions and in respect of their equality of opportunity and chances for promotion;
4. implementation of trade union rights that take into account issues of the exercise of union rights in the different countries and of access to union training.

On these four themes, recommendations and guidelines are elaborated at the international level and taken back to the national level and to each enterprise of the group. Union and management representatives meet every year. The practice of regular meetings for information sharing and consultations was formalized by a written agreement in 1996.

Carry out high profile campaigns, together with consumer groups, NGOs, etc., to inform the public of companies that do not allow unions in their plants or do not observe proper working conditions. Such campaigns can include boycotts of the products of the companies [Booklet 6].

Help companies develop, implement and monitor multinational codes of conduct [Booklet 6]. Correctly applied and independently monitored, such codes of conduct can help prevent the more serious abuses of workers’ rights and promote gender equality. Union involvement in such initiatives could help ensure that codes of conduct promote social dialogue and do not become a substitute for the right to freedom of association and collective bargaining.
Women workers make their own code

In Nicaragua, the Maria Elena Cuadra Women’s Movement started in 1993 a campaign around the rights of women workers in the free trade zones. In 1997, a mass meeting was held where women workers developed a Code of Ethics to introduce their main demands. There were training courses for women leaders and a massive information campaign so that workers would be aware of the demands and use them as instruments to press for their rights.

As a result, on February 1998, in front of an assembly of 500 women workers, the Minister of Labour of Nicaragua signed the Code of Ethics. The next day, the owners of all 23 factories in the zone agreed to comply. The Code obliges them to:

- not discriminate on the grounds of pregnancy, race, religion, age, disability or political orientation;
- guarantee work stability; pregnant and post natal women cannot be fired;
- not engage in physical or psychological abuse;
- have working conditions which guarantee health, hygiene, well-being and the reduction of risks;
- register all workers on the national social security system;
- respect working hours and overtime pay according to law;
- allow workers to organize and negotiate collective agreements;
- employ no workers under the age of 14.

The Code will be monitored by the women workers and the Network.

Website: http://www.poptel.org.uk/women-ww..._workers_and_codes_of_conduct

Because the majority of workers in export zones are young women, unions should emphasize their special concerns. These include long working hours, low wages, compulsory overtime, inability to obtain leave, severe norms of punctuality, toilet restrictions, insecure employment, easy dismissal and unreasonable production expectations. Workers are punished or humiliated for the smallest offenses. They often suffer health problems like respiratory ailments, urinary infections, headaches, allergies and burnout. There are also reports of toilets without doors, compulsory pregnancy testing and the use of sterilisation certifications in some zones. On the job training periods can be lengthy and workers are often not paid a regular wage during the training period.

The lack of advancement and the lack of job security for women in most zone operations often mean that women can never lift themselves out of grinding poverty. Not only do the zones not lead to job openings for women in higher skilled, higher wage positions but as soon as the work becomes more technologically intensive, women tend to be laid off in large numbers. Likewise, once women begin earning a higher wage, men often take over their jobs. Occupations tend to be segregated by sex, with women performing low skill, low wage jobs and men undertaking higher skill and better paid jobs. Women workers in EPZs are often relegated to boring, repetitive tasks requiring little skill or training. In the worst cases, a woman may only know how to sew one part of a garment, without ever learning how to assemble the entire garment. Without life-skill or job enhancement training, women rarely enjoy good work opportunities upon leaving EPZs.
To organize such workers, the following types of measures have been found useful:

**Guidelines:**

Approach workers away from the enterprise, through personal contacts. Especially in zones where employers are not receptive to unions, the strategy often used is to approach workers outside of the workplace.

In Costa Rica, FENATI approaches maquildora workers in their homes through friends and neighbours.

In the Dominican Republic, FENETRAZONAS has used raffles as a way of collecting workers’ addresses and also approaches workers on buses.

In the Philippines, the TUCP has trained a group of organizers composed mainly of young women who go door to door after working hours to contact workers in the EPZs.

Establish linkages with neighbour associations or committees. The organization of workers in neighbourhood committees can be a strategy preliminary to or coordinated with the formation of unions in zone enterprises. This method of organizing near workers’ homes facilitates the participation of women, is a way of informing workers of their rights and helps prepare them for unionization, especially in zones where there is no opportunity for such action in the enterprise. Before initiating such a strategy, it is necessary to identify which neighbourhoods have a concentration of zone workers. Unions should also identify organizations with which they can collaborate to reach the women, eg. youth organizations, daycare centres, religious groups, neighbourhood improvement groups, etc.

FENETRAZONAS in the Dominican Republic created EPZ Neighbourhood Women’s Committees in various cities to group both unionized and non-unionized workers, with the objective of raising their union awareness and forming a platform for the development of unions.

Provide services for the zone workers. In many cases, unions have found that it is more effective to first respond to the immediate needs and concerns of the workers, without projecting the aim of forming unions in the short term. For example, the establishment of cooperatives is often a complementary organizing activity as well as a tool to address workers’ economic needs. Savings and loans cooperatives as well as consumer cooperatives are popular among zone workers. Services enabling workers to better balance their work and families responsibilities can also
be important, eg. collective laundry facilities, daycare centres, family planning and other health services, etc. Since zone workers tend to have few opportunities for low-cost recreation with their families, some unions have invited workers and their families to recreational centres and social events.

Unions can raise the following issues in gender equality bargaining for EPZ workers:

**Checklist:**

- fair remuneration;
- health and pension benefits;
- job security;
- enhanced job classification and regular opportunities for promotions and career advancement;
- reasonable production targets;
- voluntary overtime;
- fully paid training periods;
- vocational and life-skill training – perhaps by establishing a skills development fund based on payroll levies and establishing skills development centres linked to EPZs;
- the abolishing of compulsory pregnancy tests, forced contraception and forced sterilization;
- harassment-free and violence-free workplaces;
- improvement of occupational health and safety facilities in the factories (eg. proper ventilation and lighting and access to unlocked exits);
- proper toilet facilities with doors that can be locked;
- improved zone infrastructure, including affordable and decent accommodation;
- cheap and accessible transportation to the workplace.

It is important that unions recognize that there are EPZ companies, mainly in high-tech industries, that provide good working conditions and competitive pay and implement advanced human resource management policies. Managers in such companies understand the importance of workers agreeing with changes, improvements and new developments and realize the advantages of receiving employee inputs and ideas. The introduction of workers’ participation at the level of work organization, the reduction of hierarchical levels and the resulting increase in worker responsibility, job enrichment and team work call for different responses on the part of trade unions. Many trade unions are not familiar with these employer practices, so that their organizing strategies are not tailored to such a context. In order to succeed in organizing zone workers in high-tech industries with modern human resource management policies, unions could:
Guidelines:

- Investigate zone enterprises with more advanced human resource management and industrial relations policies, and learn from these;
- Play the role of a valid interlocutor with the workers in day-to-day operations, as well as when the employer is introducing longer-term reforms, such as technological changes or modifications in pay structure;
- Examine how they can contribute to these improvements at the enterprise level and develop a strategy to ensure that workers benefit;
- Find good practices of labour relations at the firm level, and use the information to counter those who argue that the presence of unions is disruptive or adversely affects production or productivity or raises costs.
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Gender equality: basic concepts

**Gender:** refers to the socially determined differences between women and men such as roles, attitudes, behaviours and values.

**Sex:** identifies the biological differences between women and men. While sex is genetically determined, gender roles are learned, vary widely within and between cultures, and are thus amenable to change over time.

**Gender Equality:** Equal rights, responsibilities and opportunities of women and men, girls and boys. Gender equality is not just a “women’s issue”; it concerns men as well. Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female.

**Sameness or difference:** Gender equality does not mean same treatment. If gender equality is seen as requiring men and women to be treated the same, this may lead to women being offered equality only on male terms (eg. only if they can conform to male-centred norms or requirements) and may reinforce the notion that difference = disadvantage. It is also important to address changes in male-gendered (but often taken as neutral) organizational and occupational structures, practices, cultures, norms, value systems, etc. Such changes may require “women-friendly” provisions to help women adapt to, or get on within structures as they currently are, or, alternatively, call for changes in those structures, cultures, etc. to accommodate women.

**Discrimination:** Any distinction, exclusion or preference based on designated criteria such as race, colour, sex, religion, political opinion, national extraction, social origin or other designated criteria which have the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. The existence of discrimination in fact (in reality or in practice) is *de facto discrimination* (a legal expression). The existence of discrimination in law is *de jure discrimination* (a legal expression).

**Direct or indirect discrimination:** Sex discrimination can be overt or direct discrimination or more subtle, indirect discrimination. Employers may discriminate against women directly by limiting applications for certain jobs to only men or only women. Discrimination is indirect when employers impose criteria for applicants or specify characteristics which are not closely related to the inherent requirements of the job, as a screening device. The purpose of the screening is either to exclude women or to obtain workers of a certain type. Many jobs are still seen as exclusively ‘male’ jobs or ‘female’ jobs.
The promotion of gender equality: basic policy and programme concepts

Gender-blind and gender neutral policies and programmes
‘Gender-blind’ policies and programmes do not distinguish targets, participants or beneficiaries by sex or gender.
‘Gender-blind’ policies and programmes are not necessarily ‘gender-neutral’ in impact, that is they do not necessarily affect men and women in the same way.

Gender analysis
The systematic effort to identify and understand the roles and needs of women and men in a given socio-economic context. To carry out gender analysis, it is necessary to collect statistics by sex, identify gender differentials in the division of labour and the access to and control over resources, identify the practical and strategic gender needs of women and men, identify the constraints and opportunities facing women and men and assess the institutional capacities to promote gender equality.

Gender planning
Gender planning consists of developing and implementing specific measures and organizational arrangements for the promotion of gender equality, identifying how to incorporate gender concerns into mainstream activities and ensuring that adequate resources are earmarked.

Gender mainstreaming
A strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres and at all levels, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.

Positive or affirmative action
To eliminate the current direct and indirect consequences of past discrimination, special measures may need to be designed in order to achieve de facto equality of opportunity and treatment. Such positive measures (also termed affirmative measures) are intended to be temporary; once the consequences of past discrimination have been rectified, the measures should be removed. Positive action is seen as essential for the achievement of genuine equality between women and men in the world of work and society. Positive action may encompass a wide range of measures, including corrective actions such as setting targets for women’s participation in activities from which they have previously been excluded, or promotional measures designed to give women access to wider opportunities.
Conducting Gender-based Analysis

To ensure that their policies and programmes are gender-sensitive and responsive, unions may wish to conduct gender analysis by:

1. Identifying the issues:
   - in what ways are both women’s and men’s experiences reflected in how issues are identified?
   - how is diversity taken into account?

2. Defining desired/anticipated outcomes:
   - what does the union want to achieve with this policy, and how does this objective fit with a commitment to gender equality?
   - who will be affected: How will the effects of the policy be different for women and men?

3. Gathering information:
   - what types of gender-specific data are available? Is there information on other designated equity groups of workers?
   - how is the union enabling women to express their needs and concerns?
   - how will the research you consult or conduct address the differential experiences of gender and diversity?

4. Developing and analysing options:
   - how will each option disadvantage some, or provide advantage for others? Does each option have differential effects on women and men within the union and at the workplace?
   - how can innovative solutions be developed to address the gender equality or women’s issues identified?
   - what are the solutions that the affected groups have suggested?

5. Making recommendations:
   - in what ways is gender equality a significant element in weighing and deciding upon options?
   - how can the policy be implemented in an equitable manner?

6. Communicating the policy:
   - how will communications strategies ensure that both male and female union members have access to information?
   - is gender-aware language used?

7. Evaluating the results:
   - how will gender equality concerns be incorporated into criteria the union uses to evaluate its effectiveness?
   - what indicators does the union use to measure the effects of a policy on women and men?

Adapted from: Status of Women Canada, Gender-based analysis: a guide for policy making. Website: http://www.swc-cfc.gc.ca/
Informal workers as members of trade unions

The Textile, Clothing and Footwear Union of Australia (TCFUA) has successfully organized homeworkers in its sector.

Following the adoption of a resolution, the Timber and Woodworkers Union (TWU) in Ghana began organizing self-employed woodworkers in the sector. Four informal sector organizations are now affiliated to the union, and are fully represented in the structures of the TWU and their needs are serviced by full-time officials employed from among the ranks of informal sector wood workers. UNITE in Canada also organizes homeworkers in the garments industry.

SIBTTA, the embroiders’ union in Madeira, has been organizing homebased workers for over 25 years.

The Federation of Free Workers in the Philippines amended its constitution in 1998 to admit non-traditional members as part of the FFW thrust to become a “trade union social movement”.

The Trade Union Congress of the Philippines (TUCP) amended its constitution in 1987 to include informal workers within its membership.

More than half UNISON’s members work part-time.

Helping informal workers establish their own organizations

In Caracas, Venezuela, the Coordinating Body of Informal Sector Retail Workers (CONIVE), an umbrella organization comprising various associations of informal economy retail traders, obtained the legal advice and political endorsement of two regional trade unions, the Latin American Central of Workers (CLAT) and the Latin American Federation of Retail Workers (FETRALCOS). This has enabled CONIVE to strengthen its bargaining position vis-a-vis local authorities.

Informal sector organizations

In Hong Kong, the HKCTU assisted in the establishment of the Asian Domestic Workers Union which is made up mainly of Thai and Filipino migrant women.

In Senegal, informal sector workers are represented within the national centre, the Democratic Union of Senegal (UDTS) by their own autonomous federation, the Informal and Rural Workers’ Federation (FETRI). The creation of FETRI represented the end of a long process in the evolution of the UDTS informal sector organizing, which commenced in 1994.

The Self-Employed Women’s Association (SEWA) is a trade union of poor self-employed women in India. It has a yearly paid-up membership of some 225,000 self-employed women. Women first join the union and then go on to form their own producers’ groups or cooperatives. It has created an infrastructure of flanking services: a bank providing microcredit, an academy for vocational and trade union training, a housing trust, producers and service cooperatives. SEWA is affiliated to three International Trade Secretariats - ICEM, ITGLWF and IUF. It has joined with other unions to establish a national trade union centre in India focusing on informal sector workers.

In South Africa, the Self-Employed Women’s Union (SEWU) is organized along the same lines as SEWA. Created in 1994, SEWU now has some 25,000 members from a wide range of professional activities, street and market traders and home-based workers, most of whom live in rural areas. The minimum age for membership is 18 as SEWU encourages younger women and girls to return to school and has a resolution prohibiting child labour. SEWU develops the negotiating capabilities of women workers to enable them to deal directly with local councils, the police, small contractors and middlemen, community organizations and political groups. The union facilitates access to other organizations providing vocational training and also offers the women credit, legal aid, advice and assistance in health matters, and support and counselling for victims of attacks, particularly in the case of rape. SEWU has exchange of delegations with SEWA in India and is also a member of Homenet, a global network of homeworkers’ associations. In its own country, it has good relations with COSATU and NACTU.

A number of International Trade Secretariats have been providing valuable guidance, resources and training for informal sector workers at the international level. International networks of informal sector workers have developed. The International Alliance of Street vendors, StreetNet, includes organizations or support groups in eleven countries. Another is HomeNet, a network of unions such as SEWA, SEWU, SIBBTA and others which represent homeworkers. StreetNet, HomeNet, certain other unions and support groups at universities and international organizations have also formed another international network, WIEGO (Women in Informal Employment Globalizing and Organizing), which seeks to work at different levels of research, policy proposals and coalition building.
Organizing in the informal sector: the SEWA example

The **Self-Employed Women’s Association (SEWA)** in India is a model of a trade union created specifically to organize informal sector women. Registered in 1972, it now has a membership of some 225,000 poor self-employed women. SEWA members earn a living through their own labour or small businesses. They include homeworkers, street vendors, paper pickers, refuse collectors, etc.

“SEWA’S thrust has been organizing workers for economic empowerment. Organizing—this is the slow process of coming together for common goals and interests—has been the crux of our approach. It is our firm belief that poor women’s empowerment is only possible when we put aside our differences, unite and work towards our own development, through women’s leadership. SEWA is a membership-based organization, a trade union. Women first join the union and then form their own producers’ group or cooperative. Rather than equipping ourselves with a ready blueprint, our approach has been to start with our members’ needs, demands and priorities. These have overwhelmingly pointed us to the following goals: Full Employment and Self-Reliance”.

SEWA has been particularly successful in organizing for the rights of widely diverse and dispersed women workers. No two SEWA groups are alike, but the principles of organizing are the same:

- Women organizing women-only groups – this helps to build confidence and allows women to share their needs;
- Keeping in touch to build up trust – members keep in touch with each other, meet often and see their organizer regularly;
- Finding out about women’s needs – members of SEWA groups are asked about their needs, these are discussed and form the basis of group plans;
- Training the leaders – leaders and members of SEWA groups are trained to organize, negotiate, speak in public and recruit others;
- Small groups build confidence – in small groups, women find that they can speak out, many for the first time in public, and express their ideas and needs;
- Campaigns – publicity events and campaigns make the groups visible, attract others and give union members self confidence and pride in their organization.

Source: various SEWA publications and brochures
The **UK Kalayaan organisation**, a self-help network of migrant domestic workers affiliated to the **Transport and General Workers Union (T&G)** campaigned intensively for the protection of migrant domestic workers. Over 3,000 workers, mainly women, had sought help from Kalayaan after fleeing intolerable conditions ranging from unpaid wages and denial of time off to regular beatings, imprisonment and rape. When a worker tried to escape abuse to find another job she faced immediate deportation. After 11 years of struggle for the rights of migrant domestic workers and one year of intense negotiations, government action has been secured to end the abuse of overseas domestic workers in Britain, with the agreement that such workers now have the right to change employers and that overstayers have the opportunity to regularise their status.

T&G’s support in the campaign was unwavering. It invited migrant domestic workers to join the union, even though they were unrecognised as workers in the UK, and campaigned ceaselessly with the workers and through Kalayaan for establishment of their rights. T&G continues to assist migrant workers by helping to process applications under the new rules and monitoring the impact of the new government policies.
Company code of conduct on women workers’ rights

The Workers’ Rights Consortium (WRC) verifies and inspects conditions in factories producing apparel for colleges and universities. The WRC was developed by United Students Against Sweatshops in consultation with workers and human rights groups around the world. The WRC does not provide for the certification of factories or companies. Rather, the WRC seeks to open up conditions in the apparel industry to public scrutiny and to respond to the needs of the workers sewing licensed products for institutions of higher education. Member schools and colleges may adopt the Workers Rights Consortium Code of Conduct as the standard they will require of licensees. The Worker Rights Consortium will use this code of conduct as the basis for its investigations.

The Code states the following on women worker rights:

Article 10
a. Women workers will receive equal remuneration, including benefits, equal treatment; equal evaluation of the quality of their work; and equal opportunity to fill all positions open to male workers.
b. Pregnancy tests will not be a condition of employment, nor will they be demanded of employees.
c. Workers who take maternity leave will not face dismissal nor threat of dismissal, loss of seniority or deduction of wages, and will be able to return to their former employment at the same rate of pay and benefits.
d. Workers will not be forced or pressured to use contraception.
e. Workers will not be exposed to hazards, including glues and solvents, that may endanger their safety, including their reproductive health.
f. Licensees shall provide appropriate services and accommodation to women workers in connection with pregnancy.

Source: http://www.workersrights.org/
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5.1. AIMS AND STRUCTURE OF THE RESOURCE KIT

This resource kit is intended to provide background information, practical guidelines and checklists, case studies and examples of “good” and “bad” practice and reference materials:

- to assist and enhance the efforts of trade unions to promote gender equality and protect vulnerable women workers; and
- to improve the understanding and appreciation of the role of trade unions.

The main target audience is trade unionists, especially officials, both women and men. But it is hoped that the information will also be of interest and use to all trade union members and to individual workers who are currently not organized. The resource kit is also more broadly addressed to those concerned with the elimination of discrimination or interested in the role of unions and the potential for collaboration or joint action with unions – including non-governmental organizations and other civil groups (importantly, women’s organizations and women activists), government agencies, employers and employers’ organizations, research and academic institutions and the media.

The resource kit is comprised of a number of booklets. There is also an accompanying report 1 that provides the empirical perspective based on a survey and case studies of the actual experiences of trade unions and some “lessons learnt”. The survey and this resource kit represent the results of the collaboration between the Gender Promotion Programme (GENPROM) and the Bureau for Workers’ Activities (ACTRAV) of the International Labour Office, the Women’s Committee of the International Confederation of Free Trade Unions (ICFTU) and the International Trade Secretariats (ITSs), in particular the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and Public Services International (PSI). At a validation workshop, trade unionists discussed the relevance, user-friendliness, presentation style and appropriateness of the different booklets and made suggestions for revisions. The resource kit now incorporates the suggested revisions.

Booklets 1 to 6 cover different areas of trade union activities and interactions for the promotion of gender equality and the protection of vulnerable workers. There are, necessarily, some areas of overlap or repetition in the different booklets. Where issues are dealt with in more than one section or booklet, cross-references are provided.

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Geneva: ILO Gender Promotion Programme.
Booklet 1  Promoting gender equality within unions
Deals with what trade unions can do within their own internal structures and policies to recruit more women members, enhance women's participation in all union structures and activities, and promote equality and solidarity among union members.

Booklet 2  Promoting gender equality through collective bargaining
Explains the importance of promoting gender equality through the collective bargaining process. Focuses on the process of gender equality bargaining (preparing for negotiations, at the bargaining table, and follow-up).

Booklet 3  The issues and guidelines for gender equality bargaining
Focuses on negotiating to avoid sex discrimination and to promote equality of opportunity and treatment for men and women workers, and provides bargaining guidelines for a number of key gender equality issues.

Booklet 4  Organizing the unorganized: informal economy and other unprotected workers
Highlights the diversity of informal and atypical workers and the difficulties and challenges of organizing and protecting such workers – who are mainly women, outside the scope of legal and social protection and vulnerable to poor working conditions and abuses of workers' rights. They include workers in the informal economy, part-time workers, home workers, domestic workers, workers in export-processing zones and migrant workers.

Booklet 5  Organizing in diversity
Illustrates how trade unions can “share the table and create space” for diverse groups including youth, older workers, workers with disabilities, lesbian and gay workers.

Booklet 6  Alliances and solidarity to promote women workers’ rights
Explains why community unionism and solidarity within the labour movement are crucial in today’s global context and shows how trade unions are forging alliances and working with non-governmental and other civil organizations at the local, national, international and global levels on a broad social agenda. The range of alliances is large and the bases for such alliances very wide and varied, but the booklet attempts to highlight only those with particular relevance to women workers’ rights and gender equality.
Each resource booklet is structured essentially to:

- **highlight the issues and concerns relating to the promotion of gender equality and the protection of vulnerable workers**, so as to stimulate and inform the thinking of trade unions and other social actors, identify the tasks and challenges facing trade unions and present the case why their role is critical;

- **present guidelines and practical tools for action**. The “how to” information is especially addressed to trade unions and is presented in various forms: as ideas, issues, checklists, guidelines, examples of what might be possible or effective, international instruments, etc. But the information is not intended to represent “best practices” or even necessarily “good practices” that should be adopted in all situations or be used in any definitive manner.

- **facilitate learning from the experience of others** by providing actual examples of action and operational strategies that have succeeded or failed, and, where possible, by identifying the factors making for success or failure in particular contexts; and

- **indicate the scope for, and the advantages of, cooperation and collaboration** between trade unions and employers’ organizations, governmental and non-governmental organizations and other groups in civil society.
5.2. HOW TO USE THE RESOURCE KIT

It is very important to emphasize that the booklets do not form a modular training package. They are not intended to be used in total for any step-by-step, how-to-do training programme. Rather, the various booklets are intended to serve as an information resource to be used flexibly by a range of users. Institutional or individual users can select particular booklets and topics and utilize or adapt the materials according to their specific needs and contexts. The resource kit can serve for:

- **Awareness raising or sensitization**: to improve understanding and appreciation of gender equality issues and the challenges confronting trade unions. For example, trade union officials might use the kit as the basis for stimulating discussions, motivating action or organizing campaigns to promote gender equality;

- **Advocacy and publicity**: as material for media campaigns, to inform or educate other social actors and the wider public about the role of trade unions and innovative initiatives in the elimination of discrimination and the promotion of equality;

- **As a practical tool for action**: users might obtain ideas and inspiration for discussion, debate or action; go through the checklists to ensure that they have taken into account all relevant factors; follow planning steps or guidelines; adopt or adapt examples or models for implementation; and assess the likelihood of success or failure in particular contexts;

- **Training and educational purposes**: as background or reference material for educational seminars or study groups, for training organizers, etc.;

- **As a networking tool**: to help provide a basis for discussion or interaction between workers and employers, give ideas for promoting solidarity within and between unions, suggest bases for forging alliances with other social actors, etc.

To aid users, the materials are presented in different formats:

- **Statements in bold italics**: key ideas and facts;

- **Text boxes in italics**: gender equality issues and the case for trade unions to promote gender equality and protect vulnerable workers;

- **Shaded text boxes in small print**: examples or case studies of actual measures that have been undertaken to promote gender equality. Also relevant international Conventions. Additional examples and case studies are also provided in the Annex;

- **Guidelines for action**;

- **Checklists or steps for action – however, these are not intended to be instructional**;

- **Measures to be avoided, negative factors**;

- **Elaboration or explanation of the suggested guidelines, checklists, etc.**;

- **References, additional reading**.

The Kit has also been incorporated into an Information Base on Equal Employment Opportunities for Women and Men available on CD-ROM and Internet website: [http://www.ilo.org/genprom/eeo](http://www.ilo.org/genprom/eeo)
5.3. SOLIDARITY IN DIVERSITY

“As unionists, we must strive to learn, to teach and to accept the diversity that enriches the fabric of our society and to fight for equal rights for all”.

The labour force is increasingly diverse. Yet the norm for a “worker” is the able-bodied, masculine, heterosexual member of the dominant cultural group. Those who do not fit this norm – women, young people, older workers, people with disabilities or different abilities, gays and lesbians, ethnic minorities, indigenous people – all tend to be labelled as different and to be subject to sexist, ageist, racist, xenophobic, homophobic or other forms of overt or indirect discrimination in the workplace. As people who are different, they also challenge the labour movement’s normal form of democracy and representation. Their call for equality is often seen as wanting special rights, so that they are discounted as special interest groups.

Unions, by virtue of their essential characteristics – solidarity and universality – have an extraordinary power to instill new values and change assumptions about diverse types of workers. By action and example, they can influence change in their members, employers and society at large. Their openness and acceptance of difference will challenge the oppression of silence that reinforces discrimination and prejudice in many workplaces today.

At its 17th World Congress in Durban in April 2000, the ICFTU formally adopted a resolution to “make sure action to overcome discrimination at work – including against migrants or on the basis of race, colour, national extraction, sexual orientation, disability or age – is given the highest political commitment and the financial resources to match. The ICFTU will lead by example, acting as a catalyst for change in the trade union movement, to promote solidarity in diversity, as all workers must have their place in our organizations”.

In accordance with the Congress resolution, an International Workshop on `Trade Unions Fighting Racism and Xenophobia’ (Aylmer, Canada, 5-9 May 2001) drew up a Plan of Action for trade unions at national, regional and international levels to fight racism and xenophobia more effectively in communities, in the labour market, in the workplace and within trade unions:

The basic principles of the ICFTU No to Racism and Xenophobia! Plan of Action for Trade Unions are worth noting:

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ICFTU No to Racism and Xenophobia! Plan of Action for Trade Unions

Trade unions stand against racism and xenophobia as a matter of fundamental principle. The promotion of human rights, equality and diversity is an integral part of the trade unions’ daily struggle for freedom, equality and justice for all.

Trade unions take an explicitly anti-racist approach in the development and implementation of their policies, programmes and action.

Trade unions recognize the central role to be played by those affected by racism, xenophobia and ethnic discrimination in developing, implementing and monitoring relevant policies, programmes and activities, paying special attention to the most vulnerable groups: women, youth and persons with disabilities.

Trade unions recognize the crucial importance of integrating a gender perspective when developing and implementing policies, programmes and activities in the fight against racism and xenophobia, in order to address more effectively the issue of multiple discrimination against women.

To promote solidarity in diversity, unions can:

* Adopt a ‘rights-based’ rather than a ‘needs-based’ approach.

Satisfying basic needs and creating basic rights

A needs-based approach entrenches the perception of a particular group as the passive recipients of services, aid and charity – or a burden. Within this approach, the needs of a particular group may be progressively satisfied through welfare benevolence, resource allocation and administrative and policy planning. But they are not treated as having a right to enforce the satisfaction of those needs. Unions should, of course, assist diverse groups of workers to satisfy and meet their basic human needs. But within a needs-based framework, there is little scope for the empowerment of these groups.

More recently, there has been an enormous shift in policy direction from the passive to the active. The rights-based framework recognizes the right of, for example, older workers or workers with disabilities or workers with different sexual orientation, to non-discrimination and to equality of opportunity and treatment in the provision of services and the pursuit of decent work. Such an approach creates entitlements for rights-holders. An older worker is entitled to equality of opportunity and treatment, and there is a corresponding obligation on the part of States, employers, unions to ensure that this occurs.


Promote the capacity to name, blame and claim. At the heart of the rights-based approach is the ability of workers to define an experience as unfair and possibly even subsequently lodging a grievance:

Naming, blaming and claiming

Unions can encourage and teach their most vulnerable members to adopt a “name, blame and claim” approach to violation of a basic right or discrimination. This involves three important steps:

1. Name the discriminatory action for what it is, e.g. sexism, racism or homophobia. A worker’s fundamental right cannot be claimed unless it is recognized as a right, which has been wrongly violated. “Naming” is the recognition that an experience has been injurious or wrong.

2. Blame the oppressor, not the victim. Once “naming” has taken place, the next step is to go from determining responsibility to determining blame. The person suffering discrimination must not only recognize that the behaviour was wrong but also blame the oppressor and not accept the discrimination as simply “bad luck” or the “way things are”.

3. Claim equal rights at the workplace and under the law. “Claiming” involves two distinct processes: the first involves the capacity of the wronged person to actually lodge a claim; while the second depends on the availability and effectiveness of legislation and machineries or frameworks within which to pursue the claim.

By identifying the action, blaming the oppressor, and claiming equal rights, people become accustomed and eventually empowered to respond responsibly to discrimination in the workplace.

Educate, educate, educate:

- Unions should learn more about diverse groups, their rights and needs;
- Build up the self esteem and knowledge of workers, who must be able to identify that discrimination is unacceptable and not simply the “way things are”. The ability to name and blame and the capacity to at least consider lodging a claim is essential for a rights-based approach to benefit diverse groups of workers;
- Establish education and sensitization courses and programmes to dispel myths and counter deep-seated prejudice;
- Integrate equality principles into union leadership courses.

Foster community outreach:

- Work with other civil groups to help stop discrimination against specific target groups;
- Improve labour market research and collection of gender disaggregated statistics, particularly relating to designated diverse groups.
Use innovative organizing techniques to reach out to diverse groups:
- Organize special events or activities to seek out different groups;
- Use innovative means: e-mail, websites, etc.;
- Use the media to take up themes of concern to diverse groups.

Build diversity within union structures:
- Establish internal union equity programmes that include goals and timetables for the purpose of increasing the representation of designated diverse groups;
- Ensure that all groups are represented at all levels of union staff and leadership positions.

Empower the targets of discrimination:
- Support self organization for diverse groups of workers;
- Help ensure that these groups receive sufficient funding and resources for their organizing activities;
- Support and implement the recommendations and ideas of these groups;
- Set timetables to eliminate workplace harassment, including member-to-member harassment against women, people with disabilities, visible minorities, aboriginal peoples, gay men and lesbians.

Ensure that the interests of diverse groups are taken into account in collective bargaining:
- Include members of minority groups in collective bargaining negotiations;
- Integrate the views of minority groups in collective bargaining positions;
- Incorporate anti-discrimination clauses in collective agreements.

Establish zero tolerance policies for workplace violence:
- Together with employers, draw up strong policies to avoid, condemn and punish any form of workplace violence;
- Widely publicize these policies.

Use the law to fight discrimination:
- Campaign for stronger national and local legislation against hate crimes and the vigorous prosecution of hate criminals;
- Fight for stronger anti-discrimination laws;
- Support and fund non-discrimination test cases.
Transforming unions through equality in diversity

At the national level, trade unions must:

1. be aware at all times of the primary role of those directly affected by racism in developing, implementing and monitoring trade union anti-racism policies, strategies and programmes;
2. integrate anti-racism awareness sessions in all trade union training and education policies, programmes and activities at all levels;
3. democratize union structures for the full integration of people of colour, migrants, ethnic minorities and indigenous peoples at all levels in order to strengthen union policy development, organization and mobilization of workers, and implementation of policies and programmes;
4. develop and implement positive action programmes to remove barriers to access to leadership positions of workers of colour, migrants, ethnic minorities and indigenous peoples;
5. set up and strengthen special structures to combat racism and xenophobia;
6. develop and implement mentoring programmes for target members to give them support and integrate them into the movement;
7. implement positive action measures – including internal equity audit – of union staff, both executive and administrative;
8. coordinate strategy for affiliates to carry out joint work with anti-racist groups at the community level.

Source: ICFTU No to Racism and Xenophobia! Plan of Action for Trade Unions.
5.4. YOUNG WORKERS

Over one billion young women and men live in the world today. One person in five today is aged between 15 and 24 years; this means that youth comprise almost 18 per cent of the world’s population. Eighty-five per cent of young people live in developing countries, with 54 per cent in Asia and the Pacific alone. During the current decade, the size of the youth population is expected to grow by 116 million or about 11 per cent, reaching almost 1.2 billion by 2010.3

Some 628 million young people work, accounting for about 22 per cent of the global labour force. But youth employment problems are serious. Around 66 million young people are unemployed. This means that young people account for about 41 per cent of the world’s 160 million unemployed. In countries as diverse as Colombia, Egypt, Italy and Jamaica, more than one in three young persons are without work, actively looking for work and/or available for work. Youth are two to three times more likely to be unemployed than adults. Youth are often the last hired and the first fired. This is partly because firms spend less on training young workers, and they tend not to be covered by protective legislation since they often do not meet the requisite qualifying time, thus they are cheaper to dismiss. Faced with recession, firms will usually cease recruitment before commencing redundancies. Young workers are disproportionately affected by both.

Disproportionately large numbers of young women and men are exposed to long-term unemployment or are limited to precarious or short-term work. As a result, many drop out of the labour force or fail to enter it successfully in the first place and become inactive. In developing countries, where very few can afford to be openly unemployed, the youth employment problem is more one of under-employment and low-pay and low-quality jobs in the informal sector.

Youth employment problems tend to track adult employment problems over time. Failure to find or maintain a job at an early age can have lasting effects on occupational patterns and incomes. Unemployed youth may very well have difficulty finding work throughout their entire lives, as, without some solid experience at a relatively young age, their chances of employability continue to slide – thereby perpetuating a vicious cycle of poverty and social exclusion.

Young women (like their older sisters) normally experience higher unemployment rates than their male counterparts. A review of 97 economies revealed that young women are more likely to be unemployed in two-thirds of them. In many cases the differences are marginal, but in others they are indeed significant. Over a quarter of industrialized countries have female youth unemployment rates exceeding those of the males by more than 20 per cent. And of the 34 economies surveyed in the Caribbean and Latin America, more than half have female youth unemployment rates more than 50 per cent higher than male rates. Access to education and training is fundamental to enabling young women to compete on the basis of objective criteria for recruitment and promotion. While more and more young women are having access to schooling and are often outperforming the men, they are still not going into the types of education and

vocational training relevant for labour market needs. Particularly in developing countries, young women are often unable to take advantage of training opportunities due to barriers to entry, discrimination in selection and gender stereotyping.

The importance of these issues has been acknowledged in the recent launch of a high-level policy network on youth employment [box below]. Unions have been active in reaching out to the young and championing youth employment concerns. In April 1999, the ICFTU launched a campaign “The Future Starts Now - Join a Union” to inform young people, to organize them in trade unions and to campaign for proper policies on employment and education for young people. On May Day 2000, the Youth Campaign was relaunched, targeting in particular young women. The campaign is seen as vital for the renewal and ultimately the survival of the trade union movement. Union leaders are also part of the High-Level Panel of the Youth Employment Network.

“Young people will join unions when trade unions wake up, rethink their strategies and work hand-in-hand with their young members to organize young people into unions and to develop an effective response to the tremendous dilemma young people are facing now. Building solidarity between generations will be for the benefit of the young and for the benefit of the trade union movement as a whole”.

*ICFTU, “Youth: Starting our Future Now”. Decisions adopted by the 17th World Congress of the ICFTU, Durban, 3-7 April, 2000.*
The unemployment of youth – accounting for 41 per cent of the world’s unemployed – has become a focus for UN concerted action. Following from the UN Secretary-General’s Millennium Summit Report, the Director-General of the ILO joined with the Secretary-General of the United Nations and the President of the World Bank in convening a high-level policy network that draws on the most creative leaders in private industry, economic policy and civil society. Unions are involved in the Network, as are youth groups. The objectives of the Youth Employment Network are to present recommendations on innovative ways to meet the youth employment challenge that the Secretary-General will present to the General Assembly during its fifty-sixth session; to disseminate information on good practices; and to promote and sponsor the creation of jobs for young people.

The High Level Panel of the Youth Employment Network which met on 16th July 2001 called for:

- a new approach that focuses on youth as an asset, not a problem;
- a new political commitment to promote decent and productive work for young people everywhere;
- a new way of policy making, based on a clear recognition of the different responsibilities and of the different roles of the UN system, national governments, social partners and the civil society for employment policies.
- three top priorities for all national action plans on youth employment:
  - employability;
  - equal opportunities between men and women; and
  - entrepreneurship and job creation.

See: www.ilo.org/youth

Trade unions need to:

- intensify actions to organize and recruit young people;
- integrate young people into unions;
- ease the transition from school to work for young people;
- address the problem of youth unemployment and help provide more and better jobs for youth.

**Intensify actions to organize and recruit young people**

Because young people are entering later and later into the labour market and finding jobs in sectors where trade unions are poorly represented and because trade unions in the past did not give them the space they deserve, young people often have a rather negative image of the trade union movement. Young people tend to perceive unions as too traditional, bureaucratic and hierarchical. Unions need to change their image and start to work hand-in-hand with young unionists to make the unions an attractive and an open place for the young. Instead of waiting for
young people to come, unions should reach out to the young so as to better understand their concerns and needs and what they expect from unions. Unions should organize regular activities and special campaigns to inform young people and organize them. Particular attention should be given to the needs and concerns of young women.

**Guidelines:**

Unions should be there on the spot, to prove how effective they can be to those they wish to win over to the trade union movement. Organizing and recruitment strategies tend to be more effective when:

- they take place in areas where trade unions are not traditionally present: at school, on university campuses, in new jobs (informal sector, flexible and part-time jobs), at recruitment or employment centres, at places where young people who are unemployed and/or in the transition from school to work can be found (youth clubs, sports clubs, student organizations, festivals and concerts, cultural events);
- cooperation is sought with student organizations and various youth NGOs, which will enlarge the scope of the activities;
- specific publications for young people are developed;
- media is used which is popular with young people. The use of e-mails and websites are important examples;
- trade union members are encouraged to contact and organize young workers at the workplace.

The **Australian Council of Trade Unions** has developed teaching kits to inform students about unionism.

The **British Trade Union Congress** issues a “trainee’s rights” card with the British National Union of Students and sets up booths at recruitment fairs.

**Provide young people with information** about:

- the fact that their problems related with work and education are areas where trade unions do undertake action and do provide support;
- young people’s rights, not only when they are already working but also when they are trying to enter the labour market;
- the role of trade unions within the society: that collective action is necessary to convince employers and governments that workers of all ages have a right to decent jobs, a good education and training, normal working hours and proper working conditions, etc.
The Brazilian national confederation, **Força Sindical (FS)** has a well structured programme carried out by its youth department. In collaboration with other national centres, FS set up “campaign teams” equipped with a working document in the form of a Brazilian youth declaration, which operates by making use of the key dates in the calendar, such as the National Youth Day. FS has linked up with a major radio station and organizes meetings with students, bringing well-known singers and musicians onto university campuses. It has also focussed its campaigns on issues which it sees as a priority, eg. since the worst discrimination is suffered by young blacks under 24 years, FS efforts are directed at this group. Providing training and a meeting place for young unemployed is also part of the strategy.

**Target specific groups of young people who may have a particular interest in joining unions, such as:**
- students in the last year of their education who are almost ready to enter the labour market and are deciding on the kinds of jobs they wish to have;
- students with part-time jobs;
- students whose education is a combination of work and training, eg. those in apprenticeship schemes.

In agreement with the **European Trade Union Confederation (ETUC)**, the LO has been exporting part of its grassroots recruitment/organizing model to Eastern European countries. In St. Petersburg and other tourist towns, it has trained young people for summer jobs; they are sent into the hotels, restaurants and bars to contact new recruits. LO has also been making use of international trade union networks between parent and subsidiary companies. For example, if a Norwegian company fails to respect the rights of young workers in its Lithuanian subsidiary, the Norwegian LO trains the young workers in Lithuania and Norway to share information by e-mail to defend their rights.

**Create an attractive trade union membership which is accessible to all young people:**
- by providing special services and publications and training for young members on young workers’ rights, career planning and job search;
- by offering special trade union membership to students and unemployed young people;
- ensure that young people benefit from trade union membership through incorporation of their issues in trade union policies and programmes.
In France, the *Force Ouvriere* is trying to reach out to young workers in precarious jobs by adapting its services (giving legal advice without any obligation to join the union) and lowering its membership subscription.

In *India*, the HMS distributed postcards with text demanding proper social safety nets, vocational training, education and jobs for young people. The signed cards were sent to members of Parliament and international financial institutions. They also highlighted the problems of young women workers by organizing training sessions specially for them. They also organized a 1000 kilometre march to encourage unionization among young people.

### Integrate young people into unions

Unions need to give youth the means to make their voices heard within the labour movement. The new generation in the trade union movement is often hardly seen and their voices not heard – because they are hardly represented at the decision-making level, and they do not receive sufficient support to set up youth structures and youth committees or to implement youth policies and activities. Trade unions need to change their culture and procedures to ensure the full integration of youth in the trade union movement.

**Checklist:**

- Establish youth structures and youth committees. These are important for identifying the needs and problems of young members and for developing and implementing adequate policies and activities;
- Do not group youth with other special groups. Have separate structures/departments for youth, women, the disabled, etc. otherwise issues of specific concern to one group may tend to be lost/ignored;
- Appoint youth on union executive boards, with speaking and voting rights;
- Enhance the image of the “beginner” within unions;
- Listen and learn from young people;
- Support issues and recommendations identified by young trade unionists;
- Include youth issues in important political documents of the union.

The *Youth Committee of the ICFTU* developed two Youth Action Plans which were adopted by the ICFTU Executive Board in November 1999. The Action Plans are for:

(i) organizing and increasing the participation of young people in unions; and (ii) youth employment and education. The Youth Committee also submitted a resolution on “Youth: Starting our Future Now” which was adopted by the 17th World Congress of the ICFTU in April 2000.
Ease the transition from school to work for young people

The transition from school to work is a critical part of the life of every young person. Young people entering the labour market are hampered by their lack of experience and all too often they have inadequate education or skills, either because they left school too early or because the education and training they received was not suited to the requirements of the labour market. Often, when they do manage to find a job, it is subject to low wages, a low level of job security and an equally low level of social protection – which sets the affected youth on the path towards a vicious cycle of poverty and social exclusion. Young women are much more likely than young men to be adversely affected. Unions should, therefore work with the government, public and private sector training providers, employment/recruitment services, employers to:

Checklist:

- Campaign for more public funds to be earmarked for education and skills training, especially targeting young women and early school leavers and dropouts;
- Work closely with educational institutions and employers’ organizations to update school curricula and skill profiles. Ensure that school curricula provide a broad-based education which adequately equips young people for changing labour market demands;
- Provide vocational and on-the-job training for young people, giving special attention to the most disadvantaged;
- Call for positive action strategies to ensure equal access for girls and young women to education, vocational guidance and training and retraining;
- Develop national qualifications frameworks. Young people should be recognized for their skills and qualifications, whether learned at school or on the job. Help design systems of skills recognition that facilitate job transferability;
- Lobby for and assist in the creation of more effective labour market information systems and vocational guidance to enable students, first-time job seekers and unemployed young people – with special attention to young women – to make informed choices concerning their education and working lives, and to enhance their opportunities for a good entrance into the labour market;
- Encourage school/work combinations which can enhance students’ motivation and educational attainment while allowing them to gain valuable work experience. Methods to encourage work experience while in education include apprenticeships, short ad hoc stages in enterprises while in school, linking part-time work with classroom studies;
- Set up special youth training centres to provide guidance and training to school dropouts and young job seekers;
- Provide young people advice and counselling services to help them cope with social and personal problems, including on the dangers of drugs, sex education, coping with the independence of earning their own income and living away from home, etc.
In Spain, the CCOO has published a free guide which it distributes in vocational training centres. The guide sets out various techniques for finding a job, gives an overview of workers’ rights and describes the services provided by trade unions.

In Brazil, the Forca Sindical (FS) has opened the doors of its five workers’ solidarity centres to young people who, once they have received training, can register to look for work. In a single month, more than 27,000 persons aged between 18 to 29 registered and more than half found work.

**Address the problem of youth unemployment and help provide more and better jobs for youth**

“Job creation and special measures in the labour market are still the keys for young people to get proper access to employment. Trade union action is required to put job creation for young people at the centre of the political agenda during collective bargaining procedures and at the tripartite level”\(^{5}\). On their own, trade unions cannot create jobs for young people; commitment and involvement of the social partners is essential. At tripartite level and in collective bargaining procedures, trade unions could urge for:

**Checklist:**

- Employment protection laws and the strengthening of legislation governing the employment of young people;
- Measures – such as a system of subsidies and incentives for employers, shorter working hours and reduction of overtime work – to increase the number of entry level positions for youth;
- Appropriate skills and entrepreneurship training and a system of cheap loans for self-employed young people;
- Training and retraining facilities for unemployed young people, young people in precarious jobs with specific emphasis on young women, young people with disabilities and those from minority groups;
- Replacement of child labourers with young unemployed adults;
- A specific system of subsidies and incentives for employers to hire young people;
- The abolition of “last hired, first fired” practices which heavily penalize young people;
- Rejection of the concept of cutting youth wages in order to create jobs, which would mean a further deterioration of young people’s jobs;
- Better working conditions, fighting wage discrimination against young workers and promoting the principle of equal pay for work of equal value;
- Social protection for all, including young people. Young people need a level of basic security to enable them to develop their skills and creativity, and to take advantage of labour market opportunities.

\(^{5}\) ICFTU Youth Action Plan: Starting Now with more and better jobs for young people.
At the international level, trade unions should:

- Participate in and support the recommendations of the Youth Employment Network that has been launched by the ILO’s Director-General, the United Nations Secretary-General and the World Bank’s President [description of the network in the box above];

- Assist in the collection and dissemination of good practices from different parts of the world for the creation of decent work for youth.

Forca Sindical (FS) has achieved the introduction of tax incentives for companies hiring young people. It also negotiated a collective agreement with a Brazilian subsidiary of the Caterpillar Company which stipulates that the employer should take on young workers on a part-time basis (as part of an apprenticeship scheme) at the same rate of pay as other workers.

In Lithuania, unions have waged a campaign against multinationals that were playing the employment card to drive down wages paid to young workers in a situation where jobs are limited. The youth section of the national centre, LPSS demanded that collective agreements be respected and that foreign employers be obliged to translate the terms of any contract into the national language.
5.5. OLDER WORKERS

“We envisage a world where elderly women have decent pensions and are not reduced to misery and want; where they are not forced to do menial jobs in order to meet their daily needs. We see a society which does not consider older people useless and insignificant, but values them for the contribution they have made and continue to make”.

The rights of older persons

<table>
<thead>
<tr>
<th>Independence</th>
<th>Older persons should have access to food, water, shelter, clothing, health care, work and other income-generating opportunities, education, training and a life in safe environments.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation</td>
<td>Older persons should remain integrated into community life and participate actively in the formulation of policies affecting their well-being.</td>
</tr>
<tr>
<td>Care</td>
<td>Older persons should have access to social and legal services and to health care so that they can maintain an optimal level of physical, mental and emotional well-being. This should include full respect for dignity, beliefs, needs and privacy.</td>
</tr>
<tr>
<td>Self-fulfilment</td>
<td>Older persons should have access to educational, cultural, spiritual and recreational resources and be able to develop their full potential.</td>
</tr>
<tr>
<td>Dignity</td>
<td>Older persons should be able to live in dignity and security, be free of exploitation and physical or mental abuse and be treated fairly regardless of age, gender and racial or ethnic background.</td>
</tr>
</tbody>
</table>


Over the last half century, some 20 years have been added to the average life span. Longevity is one of the great achievements of the twentieth century. However, the ageing of the world’s population is producing unprecedented challenges to citizens, policy makers and the labour movement – relating not only to the protection of the economic and social security of older persons but also to the elimination of discrimination on the grounds of age – and, importantly, the elimination of double discrimination on ageist and sexist grounds.

The number of persons aged 60 years or older is currently estimated to be about 600 million and is projected to grow to almost 2 billion by 2050, at which time the population of older persons will be larger than the population of children for the first time in human history. Although the proportion of older persons is now highest in industrialized countries, the major growth of the world’s oldest population will be in developing countries.

Women account for the bulk of the over 60 years population in almost every country of the world. The feminization of later life is occurring at a much more rapid rate in the less developed regions, and will be compressed into a much shorter time frame. Within the next twenty-five years, nearly three-quarters of the world’s older women will be living and working in the developing world, particularly in Asia. Poverty in old age also has a strong gender dimension; since female life expectancy is higher women tend to stay in poverty longer at the end of their life. Older women have less economic security in old age, because they have been working in the household or informal economy, have interrupted working lives, have lower-paid or part-time jobs, have weaker property rights, benefit less from pension schemes.

In the world of work, the “older worker” is, however, not defined only by chronological age. For “older women”, other sociocultural factors associated with the loss of “youthful” beauty appear to also play a significant role in determining when a woman worker is considered old. There is mounting evidence that ageist and sexist stereotypes are effectively withdrawing women as young as 35 years from the labour force on the grounds that they are “too old” for work. In a growing number of countries, women as they approach their mid-thirties are more likely to be made redundant, less likely to find alternative employment, than other groups within the labour market.

Sexist and ageist discrimination means that women become increasingly vulnerable over their life cycle and many do not have basic economic security in their old age. Women face a much higher risk of a drastic drop in living standards when they retire. “Poverty among women in old age is not the result of a random or accidental process. It is in large part a result of the fact that most societies relegate women to inferior economic positions throughout their lives.”

As part of its commitment to supporting “a society for all ages”, the trade union movement has been looking at the issues of its older members and the role of older people in society in general. The main concerns have been the establishment or maintenance of a system of social protection for such workers and the elimination of discrimination on the grounds of age. Unions are also exploring how older and retired workers can actively contribute to the labour movement. Not only can older persons’ experience be a valuable resource, but their presence in the movement can also give trade unions wider public appeal. In particular, trade unions are recognizing that the position of older women is an urgent one for action. Trade unions can:

1. Raise awareness of the issues concerning older workers, in particular older women workers;
2. Adopt a rights-based approach to address the issues of older workers;

Support “a society for all ages” to ensure that no one group is excluded from society’s benefits on the grounds of age;

Reform union constitutions and structures to actively involve older workers and retirees;

Include the concerns of older workers, particular older women workers, in collective agreements;

Provide services aimed at older workers, especially older women workers.

Raise awareness of the issues concerning older workers, in particular older women workers

With human capital – the knowledge and know-how embodied in people – now a dominant determinant of national economic performance and enterprise productivity, discrimination against older workers involves a heavy economic price through wasting or limiting their human resource potential:

“The union movement simply cannot afford to waste a resource as precious as the combined experience, knowledge and dedication of its retired members”

Unions could, therefore:

Guidelines:

Help to educate society, including lobbying political leaders, employers and their own union members, about the capabilities of older workers, in particular older women workers – emphasizing their contributions to society and their potentials, rather than their neediness;

Broaden the base of the union’s public appeal by conducting public awareness campaigns about the special issues and problems faced by older people, in particular older women, in their communities;

Tackle negative societal stereotyping about the abilities, preferences and roles of older workers; for example through awareness raising seminars and workshops for employers and workers, and programmes to forge better understanding and solidarity between workers of different ages;

Tackle sexist and ageist stereotypes that doubly discriminate against women workers:

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John Barry, President of the Electrical Workers and Chair of the AFL-CIO Senior Action Committee. Quoted in AFL-CIO: America@work – Retired and Ready to go. Website: http://www.aflicio.org/articles/retired/index.html
In the past, airline companies could legally require airline attendants, at that time all female, to cease in-flight work at age 35 on the grounds that they were no longer considered attractive enough to please the predominantly male customers. While this is now mainly outlawed, evidence suggests that it remains common for many women over 35 to be restricted or denied employment opportunities in “public image” positions, such as receptionists, secretaries, waitresses, television anchor women, because they are no longer considered attractive enough to please the public.

Undertake out-reach programmes beyond retired union members to make other older workers, in particular older women workers, aware of their rights and entitlements – so that they have the capacity to “name, blame and claim” [\[ Box above\].

**Adopt a rights-based approach to address the issues of older workers**

There are essentially two main approaches to addressing the concerns of ageing. One is a needs-based approach, focussing on meeting the needs of the old, in particular for pensions and health care. But such an approach tends to perpetuate the stereotype of the old as unable or unwilling to participate in and contribute to their own support. It entrenches the perception that as a group, they are inactive recipients of services, aid and charity – or a burden.

In contrast, the rights-based approach recognizes the right of older persons to non-discrimination and to equality of opportunity and treatment in the provision of services and the pursuit of decent work. The rights-based framework also shifts the perspective from regarding older people, especially women, as helpless and vulnerable, to a greater emphasis on their contributions to society (largely invisible and unrewarded) and on their productive potentials.

Unions should adopt the rights-based approach and support policy reform, including international legal reform, to promote the right of older persons to non-discrimination and to equality of opportunity and treatment in the provision of services and the pursuit of decent work.⁹

Currently, there exists no legally binding universal instrument directly calling for national policies to eliminate and outlaw discrimination in access to employment, training and work conditions on the grounds of age. For example, many countries have ratified the ILO Discrimination (Employment and Occupation Convention, 1958 (No. 111) and the United Nations Convention on the Elimination of Discrimination against Women (CEDAW). But age is not listed as one of the seven grounds upon which discrimination is prohibited by these conventions.

And for a woman, it has been suggested that as she grows older or is perceived to
be older, her access to rights within the scope of these international instruments
tends to diminish, for example because of misconceptions reinforced by a youth-
obssessed media and society’s lack of recognition of the significant economic
contribution of older women workers.

Therefore, trade unions are urged to monitor closely and to support a
proposed Optional Protocol to the ILO Discrimination (Employment
and Occupation) Convention, 1958 (No. 111), as it represents a crucial
opportunity to create a comprehensive legal basis in international law to
promote the rights of older workers in general and older women workers in
particular.

Moving towards international legal reform

The Committee of Experts, which in 1996 examined the issue of emerging new
grounds of discrimination in the world of work, has recommended that the ILO
consider the adoption of a Protocol to be annexed to the fundamental ILO
Discrimination (Employment and Occupation) Convention, 1958
(No.111). The Convention currently lists seven prohibited grounds of discrimina-
tion – race, colour, sex, religion, political opinion, national extraction and social
origin.

Age has been identified as an emerging new ground to be included in the Optional
Protocol. If such a Protocol would be adopted, there would be greater clarity of
legal obligation to combat age discrimination, which will be as unacceptable as the
other specified grounds of discrimination. It would also highlight the double
discrimination that an older woman worker may face.

In promoting the rights of older workers, especially older women workers, unions
should give particular attention to:

Guidelines:

The right of older workers to opportunities for decent work. In contrast to the
stereotype of the frail, dependent older person, many men and women of “retire-
ment” age are still fit, able and willing to work. The concept of “retirement” is
linked to the idea of an “active working life” – that after a certain age, people are
no longer fit or able to work, that older workers are “worn out” and should retire,
and that there is a related inherent desirability of not working. Older women in
particular tend to have their active working life cut short through various forms of
discrimination, despite the fact that they still want and need to work.
The entitlement of older workers to an adequate level of social protection. Retirement can mean opportunities for more leisure and not involve a substantial drop in standard of living only if older workers are able to support themselves financially and maintain a reasonable level of healthcare provision. With globalization, more flexible labour markets and an increasing informal sector, growing numbers of women are unsupported by formal social protection at different stages of their life cycle, particularly in old age and adversity. At the same time, many governments have been reforming existing social security systems within the context of an ageing population. But such reform is often undertaken without gender considerations, leading to high social costs especially for older women. For example, many pension schemes are based on the idea that employment has been continuous throughout an individual’s active working life. But women take breaks to raise children or look after other dependents. Women also are in lower-paid jobs which are often not part of occupational pension schemes. They also tend to have longer life expectancy than men, but when their spouses die, widows often get reduced pension support or may lose it altogether.

Promoting purposeful lifelong learning as a pro-active measure to support the right of older workers, especially older women workers, to decent work. Lifelong learning is a long-term, preventive strategy that is far broader than just providing “second chance” education for those adults, especially older women, who were not provided with initial quality education and training in their childhood or youth. Lifelong learning is about delivering job-relevant learning and continuous training to enhance the employability of older workers, in particular older women, and to enable them to adapt to more flexible working lives. Lifelong learning rejects the notion of an age-structured society, where education is, in the main, a one-off event experienced early in life. Rather, it embraces a learning society where everyone is motivated, able and actively encouraged to learn throughout life. Lifelong learning is, therefore, an effective solution to avoid a vicious cycle of poverty and social exclusion.

Policies to balance work and caregiving are crucial for mid-life and older workers, especially older women. Recent reductions in public health care expenditures combined with society’s continuing expectation that women are responsible for the “care economy” make it increasingly difficult for mid-life and older women workers to access and maintain decent work. Hence, it is very important for unions to lobby for and negotiate collective agreements for work-life policies which include not only child care but also elder care and other forms of caregiving for both men and women workers. Provisions for elder care are especially relevant for mid-life and older women workers, given the increase in their caregiving duties.

The American Federation of Labor-Congress of Industrial Organisations (AFL-CIO) appreciates that elder care is one of the least recognized needs of working people. In particular, the AFL-CIO notes that nearly three-quarters of all informal caregivers are women, and that many of these working women not only provide elder care but at the same time are also responsible for the care of children. In response to this, the AFL-CIO has produced a Fact Sheet on Bargaining for Elder Care, which provides strategies and examples of successfully negotiated agreements. Strategies include:

**Strategy 1: Resource and referral service:** Finding high-quality, reliable, affordable care can be difficult for working people. Resource and referral services can help match employees with appropriate and available care givers, taking into consideration the special needs of each family. Employers can either contract with outside referral agencies or handle referrals in-house;

**Strategy 2: Elder care tax programmes and funds:** Tax programmes in the United States, such as the Dependent Care Assistant Plan, allows an employee to set aside up to $5,000 of his or her earnings in a tax free account to pay for elder care or child care. The only cost to an employer is in its administration. Information on such options, or variations of such options depending on the tax programmes available, can be disseminated to employees and negotiated on their behalf;

**Strategy 3: Family leave:** Negotiating flexible working schedules, including time off, to care for an elderly or dependent is often helpful for meeting working families’ elder care needs. Accessing family leave is, however, often thwarted by the attitudes of managers who approve the leave or flexible working arrangements. Thus creating an environment conducive to the taking of family leave is as critical as negotiating the leave benefits in the first place;

**Strategy 4: Support services:** Some unions directly provide, or work with employers to provide, information and support as a way of addressing their members’ elder care needs. This strategy can help working people make decisions about elder care strategies and reduce personal stress. Such services include counselling, information and referral services, seminars, support groups, handbooks and videos and the formation of work and family committees.

Source: AFL-CIO Fact Sheet: Bargaining for Elder Care www.paywatch.org/women/f_elder.htm
Support “a society for all ages”

“We may think of a society for all as one that adjusts its structures and functioning, as well as its policies and plans, to the needs and capabilities of all, thereby releasing the potential of all, for the benefit of all. A ‘society for all ages’ would enable the generations to invest in one another and share in the fruits of that investment, guided by the twin principles of reciprocity and equity”.

To support a society for all ages, trade unions must, importantly, ensure that no one group is excluded from society’s benefits on the grounds of age, neither old nor young. However, unions are often confronted with the dilemma of balancing the contradictory issues of high unemployment, particularly among the young, with the needs of an ageing workforce. Unions can:

Checklist:

Negotiate more flexible working practices that benefit the workforce of all ages, including:

1. Programmes to prepare people for retirement;
2. Developing policies of retirement that are linked to recruitment whereby older workers can gradually move towards retirement by going part-time, at the same time passing on their knowledge and skills to new, younger workers who will eventually take their place;
3. Ensuring lifelong learning and continuous training opportunities for workers of all ages. Lifelong learning rejects the notion of an age-structured society. The aim should be to motivate, enable and encourage everyone to learn throughout life;
4. Policies to enable care givers (who are normally women) to have time to look after elderly relatives;
5. Promote solidarity between the generations, eg. through mentoring programmes between older experienced workers and young workers;
6. Ban age discrimination in collective agreements. Give particular attention to protecting women workers from sexist and ageist discrimination;
7. Lobby for a legal basis, including supporting international legal reform, for outlawing age discrimination [Box above on the proposed Optional Protocol to the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111)].

Reform union constitutions and structures to actively involve older workers and retirees

The active participation of older workers, in particular older women, in advancing their rights is an essential mechanism to guard against those rights becoming burdens. Providing older workers with a collective voice – through the right to organize and collective bargaining – is pivotal to facilitating meaningful participation.

While associations of retirees and retired trade unionists are relatively common in industrialized countries, it has only been in more recent years that trade unions in developing countries have been giving attention to organizing older people as a separate and special category. To organize older workers and retirees, trade unions can:

**Checklist:**
- Keep statistics on the proportion of union membership that is retired.
- Allow retired workers to retain membership of their union. Often this involves retired workers paying reduced dues and having reduced rights of participation:

  In Iceland, the **Federation of State and Municipal Employees (BRSB)** offers continued membership to its retired members, although with reduced rights of membership. They cannot vote for agreements or strikes but they have three representatives in the congress of the BRSB. The union represents its retired members, making agreements and rules on pension funds, etc.

- Adapt union constitutions to include the setting up of an organization or branch for older and retired workers:

  In Italy, there is a large confederation with branches all over the country and more than 5 million retirees and pensions who are members of three trade union organizations, **Sindicato Pensionati Italiana-Confederazione Generale Italiana Lavoro (SPI-CGIL)**, **Federazione Nazionale Pensionati-Confederazione Italiana Sindacati Lavoratori (FNP-CISL)** and **Unione Italiana Lavoratori Pensionati-Unione Italiana Lavoratori (UILP-UIL)**. Membership is on the basis of a formal or individual request and the contribution is a percentage of the pension.

- Give particular attention to older women workers, for example through specific union structures that enable them to project an independent voice. Helping older women to organize will increase the likelihood that their specific concerns may be heard by the social partners. But their ability to instigate change through organization is limited unless they understand their rights and entitlements. Capacity building programmes for older women workers are crucial if they are to be able to “name, blame and claim”;

- Take advantage of the pool of retirees’ experience and expertise when conducting union campaigns.
Unions are reaching out to their most experienced members for organizing, legislative and political action and community activities. Retiree involvement can be a catalyst to boosting organizing efforts, electing pro-worker candidates, winning family-friendly legislation and improving labour’s image in the community.

The experience of different local unions of the AFL-CIO has shown that:

- Union retirees who have experienced the ‘union difference’ are in a unique position to aid in organizing by explaining to non-union workers how unions benefit working families by gaining higher wages, better benefits and larger pensions. For example, one woman retiree-organizer makes house calls to non-union nursing home workers, her 28 years working in that field gives her strong credibility with the workers she visits.

- Local unions that fully involve their seniors improve the chances of electing pro-worker candidates and gaining vital labour legislation. For example, when the Hatch Act barred federal employees from participating in political action, federal and postal retirees were their unions’ front-line political activists. Largely because of retirees’ activism, the law’s restrictions were eased. Federal and postal union retirees continue to provide their unions with extensive political groundwork, including phone banking, membership mailings, leafleting, attending candidate forums, registering voters, writing letters, poll watching and getting out the vote on Election Day.

- Unions are most successful at involving retirees in legislative action when they target issues that have a direct impact on retirees’ lives and when they actively work to maintain retirees’ continued participation. For example, Social Security and Medicare, both critical issues in 1999, provided ample opportunity for local unions to mobilize their retirees for action. The key to mobilization is motivation. “Seniors will turn out if you give them some stake in the outcome. Let them know how legislation may affect them or their children or grandchildren.

- Local unions that seek community support for organizing, bargaining, political and legislative efforts know that enlisting local groups as partners is not a one-way street: You have to give to get. Retirees often have long term community ties and the time and desire to offer hands-on volunteer support that can strengthen the union’s ties to local food banks, soup kitchens, hospitals, schools, libraries, civil rights groups and other community organizations.

Source: AFL-CIO: America@work—Retired and Ready to Go.
Website: http://www.aflcio.org/articles/retired/index.html
Include the concerns of older workers, in particular older women workers, in collective agreements

Checklist:
- Ban age discrimination in collective agreements;
- Negotiate for promoting and protecting the rights of older workers. Among the important provisions for older workers, in particular older women workers, would be pensions, healthcare, lifelong learning and measures for balancing work and caregiving;
- Where rules of recognition do not permit the membership of retirees or pensioners, the union should take their interests into account during negotiations or negotiate on their behalf.

Provide services aimed at older workers, especially older women workers

Unions can provide a range of services or facilities to help address the economic and social needs of older workers, in particular older women workers. These services should not be a substitute for collective bargaining nor a substitute for the responsibilities of the State. Rather, the special services are a way of making unions more relevant to the lives of older workers and can be regarded as an organizing strategy. The services can include:

Guidelines:
- Setting up advisory and information networks for older workers, especially older women workers, to enable them to access legal and social services;
- Helping retirees to set up mutual aid programmes and mutual aid funds;
- Setting up low-cost medical insurance schemes for older workers;
- Setting up programmes of physical education and sports events to help retired people maintain a reasonable state of physical health;
- Providing for other cultural and recreational events and programmes;
- Campaigning for and with widows and widowers;
- Helping mid-life and older women workers have access to elder care arrangements.
5.6. WORKERS WITH DISABILITIES

“Making sure that workers with disabilities have the same right to dignity, autonomy and to reach their full potential must be part of trade union strategy”  

Some 600 million people or one tenth of the world’s population today and an estimated 386 million of the world’s working age population have some form of disability – physical, intellectual or sensory impairment, medical conditions or mental illness. Such impairments, conditions or illnesses may be permanent or transitory.

Nowadays, disability is regarded not merely as an individual condition but is defined by the relationship between disabled people and their environment. The British Trades Union Congress (TUC), for example, emphasizes the social definition of disability: “Although disabled people have mental, sensory and physical impairments, these impairments do not cause their disabilities. People with impairments face unjustifiable discrimination, and consequent exclusion from employment, education, housing and transport. This discrimination, not the impairment, is the disability”. The Standing Committee on Equal Opportunities has recommended to Education International Europe a change in terminology from “disabled” to “differently-abled” persons to help break down some of the attitudinal barriers towards disability.

Unemployment rates for people with disabilities are twice as high as those for non-disabled people. The duration of joblessness is around three times that of people without disabilities. Even those who are employed confront ignorance and discrimination not only from employers but also their own workmates.

Throughout the world, women bear the main burden, not only in dealing with their own disabilities, but as the main carers for those with disabilities. In caring for the disabled, the work burdens of women inside and outside the home increase accordingly. Women with disabilities:

- are more likely to be poor or destitute;
- are more likely to be illiterate and without vocational skills;
- are more likely to be unemployed;
- have fewer appropriate services available to them, and compared to men with disabilities, have less access to rehabilitation services;
- have less chances of finding a partners and founding a family;
- are often physically and sexually abused or left alone by the father of their children;
- are more likely to be without family or community support (including physical, financial and emotional support);
- suffer greater social isolation due to the stigma of disability and related myths and fears.

12 Bill Jordan, General Secretary of the ICFTU, speaking at the launch of the ICFTU publication, A Lame Excuse A Fight for the Rights of Workers with Disabilities, April 2000.
Disabled women are often serious victims of “double discrimination”. Statistics speak for themselves. In India, for example, women make up 22 per cent of the workforce but disabled women just 0.3 per cent. In the Congo, illiteracy among disabled women in rural areas runs at 30 per cent. In the United States, a government survey found that only 3.8 per cent of women with disabilities had college degrees, compared with 20 per cent of non-disabled women. In Latin America, disabled women earn less than half of their male counterparts’ income.¹⁶

Relevant ILO Standards:
Vocational Rehabilitation (Disabled) Recommendation, 1955 (No.99);
Convention concerning Vocational Rehabilitation and Employment (Disabled Persons), 1983 (No.159); and
Recommendation concerning Vocational Rehabilitation and Employment (Disabled Persons), 1983 (No.168)

Convention concerning Vocational Rehabilitation and Employment (Disabled Persons), 1983 (No.159)

Article 1
1. For the purposes of this Convention, the term “disabled person” means an individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognized physical or mental impairment.

Article 3
The said policy shall aim at ensuring that appropriate vocational rehabilitation measures are made available to all categories of disabled persons, and at promoting employment opportunities for disabled persons in the open labour market.

Article 4
The said policy shall be based on the principle of equal opportunity between disabled workers and workers generally. Equality of opportunity and treatment for disabled men and women workers shall be respected. Special positive measures aimed at effective equality of opportunity and treatment between disabled workers and other workers shall not be regarded as discriminating against other workers.

Article 5
The representative organizations of employers and workers shall be consulted on the implementation of the said policy, including the measures to be taken to promote cooperation and coordination between the public and private bodies engaged in vocational rehabilitation activities. The representative organizations of and for disabled persons shall also be consulted.

The rights of `differently-abled' persons

Education International/Europe has adopted a policy on `differently-abled' persons in the education sector based on the following principles:

- All persons have a right to dignity and respect.
- Differently-abled persons have the right to make their own decisions about their lives and to be consulted fully over policy development and implementation.
- EI/E believes disability should be defined in terms of rights and entitlements and an accommodation for difference. This definition requires action for full social inclusion rather than segregation and exclusion.
- Differently-abled persons have equal rights to education, training and employment.
- All persons have a right to work and learn in a safe, secure and healthy environment.
- Differently-abled persons have entitlement to such social security benefits and social services as is necessary to empower them to live, learn, work and participate in the civil, economic, political, social and cultural aspects of society.
- All differently-abled persons have the right of access to free health care according to their needs.
- For high quality teaching and learning to take place, arrangements, including working conditions, accommodation and class sizes, must take account of the needs of both students and teachers.

Trade unions have a fourfold responsibility towards workers with disabilities:

- at the union level – to recruit, organize and integrate workers with disabilities into the labour movement, making it clear that each individual `differently-abled' person is as important as any other member, with as much right to have his or her voice heard;

- at the national level – to campaign for and participate in the elaboration of comprehensive national policies and the definition and adaptation of laws and regulations concerning people with disabilities; and to ensure that people with disabilities are fully consulted and involved in the development and implementation of such policies;

- at the enterprise level – to negotiate collective agreements and to be actively involved in “disability management” to enable workers with disabilities to obtain, keep, advance in or return to work; and

- at the level of individual workers with disabilities – to provide concrete assistance through union-sponsored services, such as for vocational training, recruitment and hiring assistance and help with the countless and difficult procedures that must be completed by persons with disabilities.
Recruit, organize and integrate workers with disabilities into unions

Workers with disabilities should enjoy the right to participate fully in trade union structures and functions as in any other societal institution. To promote equality for persons with disabilities within their own internal structures, unions should:

**Guidelines:**

Directly consult members with disabilities, and offer better support and information, such as through the setting up of special committees of departments.

In Italy, **CGIL** followed up the establishment of its Department on Disability with a permanent office for women with disabilities.

In Cote d’Ivoire, **DIGNITÉ** has an internal unit for persons with disabilities.

In the United Kingdom, **MSF** has a national disability officer and publishes regular bulletins and factsheets to inform members with disabilities and raise awareness among the general membership.

**UNISON, UK** has a National Disabled Members Committee which works with other national committees and outside organizations to further the cause of persons with disabilities.

Create opportunities for networking to enable members with disabilities to find a unified voice. People with disabilities themselves are placed best to formulate their own needs and wishes, and unions need to consult and involve people with disabilities and their organizations and establish networks at international, national and local levels. But unions ought to take care not to isolate or “ghettoise” people in any of such structures. The Charter of Fundamental Rights of the European Union, Article 24 states that people with disabilities are themselves best placed to determine their own needs and how to “ensure their independence, social and occupational integration and participation in the life of the community”.

In the United Kingdom, **UNISON** provides for a national conference of members who are disabled persons. The direct involvement of persons with disabilities is known as self-organization. The conference proposes policy and identifies campaign priorities. It links with the national committee and with the union policy-making forums. It also links with other self-organized sectors in the union, such as lesbians and gays, women workers and black workers. For example, the lesbian and gay structure has a caucus for lesbian and gay members who are also disabled persons. UNISON initiatives on behalf of people with disabilities are carried out in cooperation with disability associations and specialists, such as sign language interpreters.
Educate trade union members and conduct awareness raising courses to change outdated attitudes towards people with disabilities – this is vital for promoting their integration into unions.

Make unions a more welcoming place for persons with disabilities by changing language and changing attitudes. Trade unions should provide guidance to their members to use language that is sensitive and inclusive when talking to – or talking about – persons with disabilities. They can consider changing their terminology from ‘disabled’ to ‘differently-abled’ persons so as to help break down attitudinal barriers toward disability.

They should also reject stereotypes which accentuate false notions of ‘normality’ and build barriers between ‘them’ and ‘us’. For example, there are English words that are offensive and inaccurate and have therefore become unacceptable, such as ‘cripple’ or ‘spastic’ or ‘mongol’. Persons with disabilities or ‘differently-abled’ persons do not necessarily regard themselves in a negative light as ‘victims’ or ‘sufferers’. Trade unionists who use offensive or outdated language to talk to or about people with disabilities, immediately send out the message that they are ignorant or unprofessional. Unionists should not become unnaturally self-conscious or awkward in relating to ‘differently-abled’ persons. Such actions would discourage workers with disabilities from believing the movement can represent their interests.

Since trade unions are employers in their own right, they should not overlook their role as model employers in the recruitment and retention of staff who have disabilities.

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17 Refer, for example, to ILO and Rehabilitation International. 1994. Working Together with the Media A Practical Guide for People with Disabilities. Written by B. Kolacki. Geneva: ILO.
Checklist to assist unions to represent their members with disabilities

The Trade Union Congress (TUC) United Kingdom has issued a ‘non-exhaustive’ checklist to assist unions to represent their members with disabilities:

- Have you and your officers undergone training in the new law?
- What disability awareness training does the union provide its officers and members?
- Does the union or branch know how many members with disabilities it has?
- Do you monitor applications from persons with disabilities?
- Are persons with disabilities adequately represented at all levels of the union organization?
- What is the union’s record as an employer of persons with disabilities?
- Have the union rules or by-laws been reviewed in the light of the new law?
- Does the union encourage applications from persons with disabilities and, if so, how?
- Do your membership application procedures cause any difficulties for applicants with disabilities?
- Is the union’s recruitment and other literature available in alternative formats (Braille, large print, audio-visual material)?
- Do persons with disabilities feature in the published images of the union?
- Have you carried out (and acted upon) a disability audit of union premises?
- Are all buildings and rooms in which union meetings at all levels are held accessible to persons with mobility impairments?
- Do you select venues for union events (which are not owned or controlled by the union) with the needs of members with disabilities in mind?
- What arrangements do you make at conferences, training seminars or meetings for the needs of members or delegates with sensory impairments?
- Do you include disability as an issue in shop steward training or collective bargaining and equal opportunity policy making?
- If the union provides welfare benefits or insurance-related services, are these open to full participation by members with disabilities?
- What adjustments might you make to other benefits, facilities or services that you offer to members in order to ensure equal participation by members with disabilities?
- Does the union or section have an equal opportunities policy and what does it say about persons with disabilities both as members and as union employees?
- Does the union or branch office have a Minicom telephone service or similar communication aid?
- If union premises are used for functions by outside bodies, what arrangements do you make to meet the needs of persons with disabilities who might wish to attend those functions?

Campaign in society for the rights of people with disabilities to dignity, autonomy, self-respect and to reach their full potential in life and work

Trade unions have a crucial role to play in campaigning for the implementation of existing legislation which assists workers with disabilities and for an enhanced legal framework and public policies and initiatives that take account of the problems facing workers with disabilities and promote their full participation in the workplace and in society. Trade unions, on their own behalf or in alliance with other players in the civil society and fully consulting and involving workers with disabilities, can take action as part of “social unionism” to:

Guidelines:

- Campaign for the ratification and application of the ILO Convention on Vocational Rehabilitation and Employment (Disabled Persons, 1983 (No.159);

- Push for existing legislation to be fully implemented and campaign for improved public policies benefiting persons with disabilities. To promote the employment of people with disabilities, a whole arsenal of public policies and initiatives are possible, including financial incentives, improved recruitment procedures, assistance in adapting workplaces, incentives for work-related disability prevention, awareness raising campaigns, statutory quota systems for filling jobs and training places with disabled persons or levies and funds directed at assisting workers with disabilities and penalizing employers who fail to adhere to quota requirements, etc. Trade unions have a responsibility to push for more encompassing strategies which should include improved educational opportunities, vocational training and guidance, better access throughout society, and especially to public transport and social facilities;

- Help promote education and raise awareness both to inculcate positive public attitudes and to boost confidence and self-esteem among persons with disabilities. Give particular attention to the double discrimination faced by women with disabilities;

- Help publicize examples of good practices involving partnerships of the State, employers and workers’ organizations for the integration of persons with disabilities into the workplace and society. Emphasize that the integration of ‘differently-abled’ persons, far from representing additional costs, is a potential asset to the enterprise and society;

- Campaign to ensure that legislation and social protection regulations empower workers with disabilities and offer them real choice rather than restricting their opportunities. Many governments have set up special segregated workshops or factories. While offering opportunities to those who are unable either temporarily or definitely to operate in the usual work environment, sheltered employment also creates a number of problems, importantly the greater isolation of workers with disabilities from the rest of society.18

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18 In China, where there has been a transition since 1990 from sheltered workshops to integration into the mainstream labour market, the following benefits have been noted: (i) more convenient employment nearer the worker’s home; (ii) greater choice of jobs for disabled workers; (iii) integration of disabled and ‘non-disabled’ persons leads to better mutual understanding; (iv) conformity with the principle that all employers have a public duty to offer jobs to disabled people.
Campaign together with political leaders, consumers, people with disabilities, their carers and organizations to ensure that innovations in information and communications technology (ICT) benefit, rather than further marginalize, people with disabilities. Innovations such as teleworking, voice recognition, vibrating mice, braille keyboards and scanners should in theory make it easier for people with disabilities to play an active role. But employers may choose to avoid the perceived cost or inconvenience of adapting workplaces. Also, advanced technology is often out of the price range of people who need it. Or new technology may not be differently-abled user-friendly. Trade unions should campaign to ensure that the development of technology meets social needs. In particular, women have a dual interest in the development of differently-abled user-friendly technology — as members and as carers of the population with disabilities.

The Portuguese government issued a Green Paper in April 1997 concluding that information technologies offer major potential for helping people with disabilities to integrate with the rest of society. This led to the setting up of the National Initiative for People with Special Needs, designed to help people with physical or mental disabilities, elderly people or those confined to their homes to use new ICT to improve the quality of their lives. The initiative was guided by five principles:

1. development of economically accessible products and services;
2. the concept of ‘universal design’ to create products and environments to be used by the greatest number of people;
3. research and development of knowledge and skills to promote integration;
4. more dynamic cooperation between the public and private sectors and users in developing technologically advanced products tailored to peoples’ requirements;
5. promoting greater awareness about integrating people with special needs.


**Promote equality of opportunity and treatment in employment for workers with disabilities**

Enabling people with disabilities to work is part of basic workers’ rights and social justice. For workers with disabilities, especially women with disabilities, work is crucial for economic independence and key to social integration. To promote equality of opportunity and treatment for all persons with all types of disabilities to secure, perform and retain suitable employment and to achieve satisfactory occupational integration, trade unions should:

**Guidelines:**

Work with Governments and employers to implement the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities and also relevant ILO standards:
UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities

Rule 7. Employment
States should recognize the principle that persons with disabilities must be empowered to exercise their human rights, particularly in the field of employment. In both rural and urban areas, they must have equal opportunities for productive and gainful employment in the labour market.

1. Laws and regulations in the employment field must not discriminate against persons with disabilities and must not raise obstacles to their employment.

2. States should actively support the integration of persons with disabilities into open employment. This active support could occur through a variety of measures, such as vocational training, incentive-oriented quota schemes, reserved or designated employment, loans or grants for small business, exclusive contracts or priority production rights, tax concessions, contract compliance or other technical or financial assistance to enterprises employing workers with disabilities. States should also encourage employers to make reasonable adjustments to accommodate persons with disabilities.

6. States, workers’ organizations and employers should cooperate to ensure equitable recruitment and promotion policies, employment conditions, rates of pay, measures to improve the work environment in order to prevent injuries and impairments and measures for the rehabilitation of employees who have sustained employment-related injuries.

8. Measures should be taken to include persons with disabilities in training and employment programmes in the private and informal sectors.

9. States, workers’ organizations and employers should cooperate with organizations of persons with disabilities concerning all measures to create training and employment opportunities, including flexible hours, part-time work, job-sharing, self-employment and attendant care for persons with disabilities.

ILO Recommendation concerning Vocational Rehabilitation and Employment (Disabled Persons), 1983 (No.168)

7. Disabled persons should enjoy equality of opportunity and treatment in respect of access to, retention of and advancement in employment which, wherever possible, corresponds to their own choice and takes account of their individual suitability for such employment.

8. In providing vocational rehabilitation and employment assistance to disabled persons, the principle of equality of opportunity and treatment for men and women workers should be respected.

9. Special positive measures aimed at effective equality of opportunity and treatment between disabled workers and other workers should not be regarded as discriminating against other workers.

10. Measures should be taken to promote employment opportunities for disabled persons which conform to the employment and salary standards applicable to workers generally.
Trade unions and their members with disabilities should press for and be involved in the drawing up and implementation of company-based “disability management” programmes. Because of their intimate knowledge of the enterprise milieu, because they develop information-sharing networks within it and being abreast with the problems of work organizations, trade unions can play an invaluable role in “disability management”.

“Disability management” refers to the strategies implemented at enterprise level, which sometimes fall within the framework of codes of good practices jointly worked out by management and labour, which aim to:

- meet the needs of enterprises stemming from their statutory obligations with respect to the hiring and recruitment, promotion and advancement, retention or return to work of persons with disabilities; and
- promote innovation by combining financial considerations (how the enterprise can minimize the costs entailed) with social goals of improved occupational health and safety and disability prevention.

Trade unions can play an invaluable role in helping to make workplaces accessible to persons with disabilities so that they may pursue and gain employment in the same way as other people. Trade unionists are also best placed to make recommendations on how jobs may be restructured to accommodate the special needs of differently-abled persons.

Trade unions should push for the adoption of an equal opportunities policy by the enterprise:

**Equal opportunities policy for workers with disabilities**

The basic elements of a company equal opportunities policy should include:

- Advertising for staff in ways that will reach and attract differently-abled candidates;
- Never questioning interviewees with disabilities about their condition unless it is strictly relevant to the task;
- Creating opportunities for training, promotion and career development;
- Monitoring disability in the workforce;
- Identifying jobs which are suitable for people with disabilities;
- Offering more flexible working patterns, including part-time work, and paid time off for medical reasons;
- Resolving in a non-divisive way, the specific problems of workers with disabilities.

Trade unions should use the collective bargaining system to promote equal opportunities for workers with disabilities. Contract language in collective agreements can cover the following measures:19

- job retention and the right for an adequate vocational rehabilitation programme for persons with disabilities – whatever the cause of their disability;
- no discriminatory practices are directed against persons with disabilities;
- a supplement to workers’ compensation benefits provided wherever necessary;
- the provision of technical mechanisms or workplace modifications to accommodate differently-abled persons; and
- a greater variety of entry level positions made available to persons with disabilities who are unable to perform “non-essential” duties of entry level positions.

Trade unions should address harassment of differently-abled people coming from management or colleagues at work. They should take action to protect the dignity of differently-abled people at work:

The Graphical, Paper and Media Union (UK) has a policy on Dignity at Work which defines disability harassment as a form of disability discrimination—“it may be defined as any hostile act or expression by a non-disabled person(s) against a disabled person”. The policy notes that “disabled people may experience staring and/or uninvited touching, exclusion from social events, people speaking to others rather than directly to them as the disabled person. They may also be asked intimate questions about their impairment, have assumptions made about their lifestyles, for example, that they do not have a social, sexual or private life. They may be the recipient of physical abuse or intimidation, questioning of their work capacity and/or ability by making inappropriate demands or requirements, for instance overzealous scrutiny of sickness records, assumptions or speculation about their impairment”.

The policy also draws attention to the employer’s responsibility not merely to adopt a general equal opportunities policy but to take specific steps to outlaw harassment and bullying, including a complaints procedure and staff training.

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5.7. LESBIAN AND GAY WORKERS

“It is the year 2000 and still not one country has managed to guarantee the same rights to homosexuals as to heterosexuals. Most of the discrimination occurs in the world of work. Given that the trade union mission is to defend workers and that the rights of homosexuals are trampled on at work, it is normal that the unions should come to the assistance of this minority. The fight by women to make their voice heard within the trade unions has had a decisive impact. It is often within the ‘women’s’ or ‘equal opportunities’ departments of trade unions that the first demands from minority groups, increasingly from homosexuals, emerge.”

Homophobia describes any negative personal attitudes or behaviours about homosexuality. Homophobia is reinforced by heterosexualism, which defines the systematic belief that everyone is heterosexual and that heterosexuality is inherently superior to homosexuality. However, heterosexuality is but one thread within the complex weave of human sexuality. Those who are attracted to members of the opposite sex are heterosexual; people who are attracted to members of the same sex are lesbians or gay men, and those who are attracted to both opposite and same-sex partners are bisexual—all are sexual orientations. Homophobia manifests itself in many ways, ranging from social intolerance and cultural exclusion, to criminalization of homosexual acts. In many countries, homosexuality is still taboo; at best it is viewed as abnormal, at worst a crime punishable by death. It is still illegal in some 86 countries, those where lesbians and gays are most oppressed.

In the workplace, lesbians and gays are harassed, discriminated against in hiring and promotions, and possibly fired without cause (Being lesbian or gay is not a justified cause). Their unmarried partners cannot get the same benefits that heterosexual partners receive as a matter of course. Homophobic attitudes may be just as prevalent among co-workers as among employers. Work colleagues, union members, can be equally mean and vicious to lesbian and gay workers. Shop stewards do not always want to take up blatant discrimination or harassment cases. Homophobic comments or jokes by fellow workers reinforce the feeling that lesbians and gays are different and do not belong.

The lives of lesbians and gay men are incomparably more difficult than those of heterosexuals. Isolation is a very common problem for lesbians and gays; often to be anonymous is to be safe from discrimination. Many do not ‘come out’ or acknowledge their sexual orientation publicly in the workplace, even if they forego rights for possible same-sex partners. They fear repercussions ranging from the loss of respect to the open hostility of colleagues and employers. They cannot get health benefits for their partners. They pay more taxes as they are not eligible for spousal deductions. Since they are not always considered family members, they might be refused paid leave to take care of, or even entry into hospital rooms to visit sick or dying lifetime partners. They are not entitled for survivors' benefits under pension plans. Children are taken away from lesbian mothers in custody battles by courts for whom the traditional patriarchal family structure is the norm.

Violations of the rights of gays and lesbians

*Education International* found from the information it collected that contempt for or breaches of the human or labour rights of gay and lesbian teaching and non-teaching staff and students are common. The offenders may be school, work or local authorities, colleagues, classmates, students or parents. In a considerable number of cases, discrimination based on sexual orientation is aggravated by other kinds of discrimination, eg. on grounds of ethnic or national origin, socio-economic condition, handicap, which multiply the risks of aggression and ill-treatment. The most common violations are:

- psychological pressure and threats;
- harassment and stigmatisation;
- isolation and exclusion;
- practical jokes and contemptuous humour;
- physical violence, sometimes with serious consequences;
- direct and/or indirect discrimination;
- promotion refused or delayed based on sexual orientation;
- unfair transfers or job changes;
- unequal work conditions;
- arbitrary dismissals;
- unwritten obstacles impeding access to the profession or to work under equal conditions;
- the spread of negative stereotypes including via the educational process itself;
- non-renewal of contracts for part-time staff following the revelation, voluntary or forced, of the sexual orientation of the personnel in question;
- various types of aggression, sometimes of a very serious nature, against gay and lesbian teachers suffering from HIV/AIDS.


Unions can fight homophobia in a number of ways. The first step of course is that unions themselves must be alert and sensitive to the numerous difficulties faced by women and men whose only ‘offence’ is to love differently. Within union ranks, lesbian and gay participation should be encouraged and promoted. Education, awareness raising and sensitization of union rank and file to confront and eliminate discrimination against lesbians, gay men and bisexuals in unions, in the workplace and in society should be a union priority. It is also crucial that unions negotiate collective agreement provisions that ensure that all workers have the same rights and receive the same benefits and that sexual orientation is squarely placed in all anti-discrimination clauses. Unions should, together with employers, have the responsibility to ensure that the workplace is kept free of homophobic harassment. Unions can also engage in public campaigns and legal and political action to eliminate discrimination on the grounds of sexual orientation.
In the struggle for lesbian and gay rights, trade unions can: [PSI and Education International, Working for Lesbian and Gay Members]

Guidelines:

**Take action to reduce the isolation of lesbians and gays by:**

- making lesbian and gay issues visible, eg. by publishing articles, producing leaflets, posters, etc;
- publishing the union’s policy on lesbian and gay issues and making it clear that harassment or discrimination on the grounds of sexual orientation will not be tolerated;
- providing opportunities for lesbian and gay members to meet and discuss issues;
- making sure that there is readily accessible information about lesbian and gay community groups;
- nominating a contact officer for lesbian and gay members, and making the contact details widely known amongst members.

**Strengthen lesbian and gay participation in trade unions:** Make the labour movement a welcoming place for lesbian sisters and gay brothers. Create an inclusive environment in the union. Groups working on equality issues in unions can provide support and are natural allies as they have experienced discrimination themselves. Unions must be places where members are not scared to approach their representatives for fear of prejudice and discrimination. Research has shown that among the five major reasons lesbian and gay workers gave for being able to be openly lesbian or gay at work was their union’s commitment to lesbian and gay issues. Such commitment can be underscored through:

- Support from the leadership. It is important that the leadership understands why lesbian and gay issues are important and strongly supports equality for homosexual workers;
- Issuing official policy statements, convention resolutions, etc. supporting lesbian and gay rights and including sexual orientation as prohibited grounds for discrimination;
- Ensuring that union staff are supportive of lesbian and gay members and understand that confidentiality is the cornerstone of building the trust of lesbian and gay members;
- Giving lesbians and gay men a voice within unions through having their own structures, holding caucuses, etc.
- Facilitating the development of an active network of members who are lesbian, gay or bisexual.

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Education International carried out a survey of trade union policy and action in respect of gay and lesbian members. Seven of the 47 organizations which responded to the first questionnaire in 1999 and 13 of the 35 organizations which responded to the second in 2001 reported some kind of policy which refers specifically to sexual orientation. In some cases, it falls within those policies relating to human rights and non-discrimination. Explicit statements may also be included in the articles of by-law or the ethical/professional codes of conduct. Some of them, although a minority, have begun to implement measures of positive action, such as reserving positions for gay and lesbian colleagues on human and trade union rights or equal opportunity committees. Official policies in general terms question and confront personal and institutional homophobia.


Provide space for lesbian and gay members. It is important that lesbian and gay members have a chance to meet together and discuss issues that affect them. Often, this can be difficult within a mainstream union meeting, particularly if there is still hostility to homosexuals. Unions can:

- hold special forums such as workshops, training sessions, meetings, conferences;
- establish a lesbian and gay committee or caucus;
- establish self-organization structures, eg. elected structures within the union for lesbian and gay members;
- allow for lesbian and gay representatives to be elected to other appropriate levels of the union’s organization, eg. in the collective bargaining committee, equality committee;
- provide resources for activities, eg. an adequate and agreed budget, education and training, publicity and communication resources.

Encourage and promote the active participation of union rank and file members in confronting and eliminating discrimination on the grounds of sexual orientation. Fighting homophobia is not the responsibility of lesbian and gay members alone, it is the responsibility of every member. Unions should:

- Ensure that the culture of the union is supportive of all its diverse members, including lesbian and gay members.
- Inform and sensitize union members on the issues. The discrimination lesbians and gay men experience both in and outside the workplace is often little understood and misconceptions are common;
- Integrate lesbian and gay rights issues in union education programmes, not only in human rights courses but as an integral part of the education process from steward training onward;
Negotiate collective agreement provisions to ensure that lesbians and gays have the same rights and receive the same benefits as all other workers. Unions should:

- Put sexual orientation into anti-discrimination clauses. Contract language should ensure that lesbian, gay and bisexual issues are included in employment equity and ensure protection for and recognition of members in same-sex spousal relationships and their families; and ensure benefits, including pensions, are given to same sex partners;
- Ensure that such contract provisions are and remain a priority during the collective bargaining process. They must not be seen as bargaining chips to be given up for advances in other areas. Contract negotiations should not divide the membership at the very time that unity and solidarity are most called for;
- Recognize, however, that no-discrimination clauses are only a first step; they do not in themselves solve the problem of discrimination in the workplace, either by managers or, regrettably, by union representatives. No-discrimination clauses may not prevent the denial of many employment benefits to same-sex spouses and their families;

**Remember:** Because lesbian and gay members are denied benefits based upon marital or family status as a result of the heterosexual definition of the word ‘spouse’, they are in fact subsidizing other members with their dues.

- Ensure that contract language referring to benefits such as family-related leave, bereavement leave, adoption leave, care and nurturing leave, relocation expenses, and so on, are made equally applicable to lesbian and gay members;
- Include lesbian and gay representatives in negotiations on issues that directly affect them.

Ensure that union services are available to all members. It is important that union representatives responsible for these services understand the needs of lesbian and gay workers and other diversity issues within the membership. Unions can:

- undertake an audit of all union services to ensure that they do not directly or indirectly discriminate against lesbian and gay members;
- adopt a confidentiality policy which is communicated to all union staff;
- amend job descriptions to include a requirement to be sensitive to issues of concern to members with diverse backgrounds;
- provide compulsory training for staff at all levels (including elected officials) on diversity issues, including sexual orientation;
- monitor the number of complaints made on discrimination on the grounds of sexual orientation.
In response to requests from local unions and staff for contract language and information, the Canadian Union of Public Employees (CUPE) Pink Triangle Committee produced an employment benefits kit (In Nazi Germany, homosexuals were identified by a pink triangle and thousands wore the symbol to the gas chambers. Today, it stands as a reminder of the continuing struggle against homophobia). The kit aims to ensure that lesbian and gay members, instead of losing out, are winning out at work. The kit defines and provides details on bargaining to include benefits coverage for lesbian and gay workers. The kit is divided into three areas:

- Bargaining and contract coverage: deals with negotiating inclusive contract language. No-discrimination clauses do not always guarantee equal treatment and protection. Examples of unsuccessful grievance arbitrations illustrate the problems that can result. The kit therefore discusses expanded definitions of ‘spouse’ and criteria for describing relationships. Examples of negotiated definitions are provided.
- Insurance issues: Some insurance carriers resist providing coverage. This section of the kit outlines how to find responsible insurers. Information sharing among CUPE bargaining units is important. Openness helps expose the conspiracy of silence which perpetuates discrimination. A list of companies that have provided insurance coverage is given.
- Legal challenges: Canada’s laws are changing. This part of the kit summarizes relevant court, human rights and arbitration decisions involving recognition of same sex partnerships. It outlines evolving Canadian case law and the potential impact on lesbian and gay members of bargaining units.

Source: CUPE brochure on “Winning out at work: employment benefits for gay and lesbian workers and their families”.

Ensure that the workplace is kept free of homophobic harassment. While the employer is legally liable to maintain a harassment-free workplace, it is the responsibility of the union to ensure that this obligation is upheld:

- Sensitize members to the issues of homophobia and heterosexism to help create an atmosphere of tolerance and mutual respect;
- Read anti-harassment statements, which include sexual orientation as prohibited grounds, at conventions, conferences and all union functions;
- Union representatives and local officers should be available to assist lesbian, gay and bisexual members suffering harassment – not be part of the problem themselves;
- Ensure that complaints of harassment are investigated and dealt with expeditiously.
Take public action to promote equality of opportunity and treatment for lesbians, gay men and bisexuals. One cannot be equal in the workplace but unequal outside it. Therefore, labour must play a role in helping to create a context in which lesbians, gay men and bisexuals can achieve equality in society. Unions should:

- Work closely with organizations representing lesbians, gay men and bisexuals and other equality-seeking groups to lobby for legislative changes which would remove discrimination on grounds of sexual orientation;
- Ensure that sexual orientation is included in employment equity programmes;
- Initiate or support court challenges to biased, heterosexist legislation;
- Be prepared to allocate resources to carry on the struggle in the legal sphere as a necessary part of an overall strategy for change;
- Participate actively in public campaigns to defend the rights of gays and lesbians.
REFERENCES AND ADDITIONAL READING


Website: http://www.clc-ctc.ca/human-rights/sexualorientation.html


IMPACT, the ICFTU newsletter for trade union youth. Available also on the ICFTU website: http://www.icftu.org


_____________________________ (undated). *Youth and the Trade Unions Common Interests.* Brussels: ICFTU.

ICFTU Youth Action Plan: Our future starts with integrating young people today.

ICFTU Youth Action Plan: Starting now with more and better jobs for young people.


Useful Websites:
http://mirror/public/english/employment/skills/targets/youth
http://mirror/public/english/employment/gems
http://www.aflicio.org/studentactivism/
http://www.aflicio.org/articles/retired/index.html
http://www.icftu.org
http://www.iyfnet.org
http://www.unison.org.uk
http://www.clc-ctc.ca/human-rights/sexualorientation.html
Gender equality: basic concepts

**Gender:** refers to the socially determined differences between women and men such as roles, attitudes, behaviours and values.

**Sex:** identifies the biological differences between women and men. While sex is genetically determined, gender roles are learned, vary widely within and between cultures, and are thus amenable to change over time.

**Gender Equality:** Equal rights, responsibilities and opportunities of women and men, girls and boys. Gender equality is not just a “women’s issue”; it concerns men as well. Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female.

**Sameness or difference:** Gender equality does not mean *same treatment*. If gender equality is seen as requiring men and women to be treated the same, this may lead to women being offered equality only on male terms (eg. only if they can conform to male-centred norms or requirements) and may reinforce the notion that difference = disadvantage. It is also important to address changes in male-gendered (but often taken as neutral) organizational and occupational structures, practices, cultures, norms, value systems, etc. Such changes may require “women-friendly” provisions to help women adapt to, or get on within structures as they currently are, or, alternatively, call for changes in those structures, cultures, etc. to accommodate women.

**Discrimination:** Any distinction, exclusion or preference based on designated criteria such as race, colour, sex, religion, political opinion, national extraction, social origin or other designated criteria which have the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. The existence of discrimination in fact (in reality or in practice) is *de facto discrimination* (a legal expression). The existence of discrimination in law is *de jure discrimination* (a legal expression).

**Direct or indirect discrimination:** Sex discrimination can be overt or direct discrimination or more subtle, indirect discrimination. Employers may discriminate against women directly by limiting applications for certain jobs to only men or only women. Discrimination is indirect when employers impose criteria for applicants or specify characteristics which are not closely related to the inherent requirements of the job, as a screening device. The purpose of the screening is either to exclude women or to obtain workers of a certain type. Many jobs are still seen as exclusively ‘male’ jobs or ‘female’ jobs.
The promotion of gender equality: basic policy and programme concepts

Gender-blind and gender neutral policies and programmes
‘Gender-blind’ policies and programmes do not distinguish targets, participants or beneficiaries by sex or gender.
‘Gender-blind’ policies and programmes are not necessarily ‘gender-neutral’ in impact, that is they do not necessarily affect men and women in the same way.

Gender analysis
The systematic effort to identify and understand the roles and needs of women and men in a given socio-economic context. To carry out gender analysis, it is necessary to collect statistics by sex, identify gender differentials in the division of labour and the access to and control over resources, identify the practical and strategic gender needs of women and men, identify the constraints and opportunities facing women and men and assess the institutional capacities to promote gender equality.

Gender planning
Gender planning consists of developing and implementing specific measures and organizational arrangements for the promotion of gender equality, identifying how to incorporate gender concerns into mainstream activities and ensuring that adequate resources are earmarked.

Gender mainstreaming
A strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres and at all levels, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.

Positive or affirmative action
To eliminate the current direct and indirect consequences of past discrimination, special measures may need to be designed in order to achieve de facto equality of opportunity and treatment. Such positive measures (also termed affirmative measures) are intended to be temporary; once the consequences of past discrimination have been rectified, the measures should be removed. Positive action is seen as essential for the achievement of genuine equality between women and men in the world of work and society. Positive action may encompass a wide range of measures, including corrective actions such as setting targets for women’s participation in activities from which they have previously been excluded, or promotional measures designed to give women access to wider opportunities.
Conducting Gender-based Analysis

To ensure that their policies and programmes are gender-sensitive and responsive, unions may wish to conduct gender analysis by:

1. **Identifying the issues:**
   - in what ways are both women’s and men’s experiences reflected in how issues are identified?
   - How is diversity taken into account?

2. **Defining desired/anticipated outcomes:**
   - what does the union want to achieve with this policy, and how does this objective fit with a commitment to gender equality?
   - who will be affected: How will the effects of the policy be different for women and men?

3. **Gathering information:**
   - what types of gender-specific data are available? Is there information on other designated equity groups of workers?
   - how is the union enabling women to express their needs and concerns?
   - how will the research you consult or conduct address the differential experiences of gender and diversity?

4. **Developing and analysing options:**
   - how will each option disadvantage some, or provide advantage for others? Does each option have differential effects on women and men within the union and at the workplace?
   - how can innovative solutions be developed to address the gender equality or women’s issues identified?
   - what are the solutions that the affected groups have suggested?

5. **Making recommendations:**
   - in what ways is gender equality a significant element in weighing and deciding upon options?
   - how can the policy be implemented in an equitable manner?

6. **Communicating the policy:**
   - how will communications strategies ensure that both male and female union members have access to information?
   - is gender-aware language used?

7. **Evaluating the results:**
   - how will gender equality concerns be incorporated into criteria the union uses to evaluate its effectiveness?
   - what indicators does the union use to measure the effects of a policy on women and men?

Adapted from: Status of Women Canada, Gender-based analysis: a guide for policy making.
Website: http://www.swc-cfc.gc.ca/
ADDITIONAL EXAMPLES AND CASE STUDIES

Youth and Unions: Organizing and Recruitment

1. With limited financial resources, the ICFTU’s African Regional Organization (AFRO) has been resorting to “home-grown” strategies for recruiting young people. For example, older trade union colleagues promised to include a paragraph on the youth campaign every time they make a public speech. In Kenya where the youth committee was just established, the recruitment and sensitization work takes place through events of a more festive nature – beauty competitions, concerts and sports meetings – which are popular with the young people.

2. The Trade Union Congress of the Philippines made it a priority to unionize young people working in the export processing zones. It chose 25 of its best staff and trained them specially to penetrate these zones. The union believes that young people should organize themselves and it is the 9 young women in the team who focussed especially on other young women workers.

3. The AFL-CIO recruits and trains young union organizers through its student arm, “Frontlash”. In the “union summer programme”, young trade unionists and students are assigned to union summer sites for three weeks to work on local organizing campaigns and other union projects.

4. The Youth Committee of the Canadian Workers’ Congress (CTC) has been working with student groups to make tomorrow’s workers more aware of the realities of the labour market, using appealing documentation and actions ‘in the field’. When the authorities made sizeable cuts in public education budgets, the Youth Committee supported the student protests.

Promoting more and better jobs for youth

1. Three Italian confederations have signed tripartite agreements promoting “work and training contracts” for people under 32 years. Employers are allowed social security exemptions and permission to pay lower wages (than specified in collective agreements) to hire young workers.

2. In the face of wage discrimination against young workers, the British TUC campaigned for a national minimum wage throughout 1998. On 1 April 1999, the government responded to this demand by establishing different minimum wages depending on age. While the union recognized this measure as giving nearly 2 million low wage workers immediate pay rises, it felt that the hourly rate for younger workers was unfair and distorted the labour market.

3. In France the introduction of a youth rate for the SMIC (minimum wage) aroused the indignation of young trade unionists. They received the support of older workers.
Global Partnership for Youth Development

The International Youth Foundation (IYF) was established in 1990 to bring worldwide support to the many exceptional local efforts that are changing young lives in every corner of the globe. The IYF serves as the secretariat for the Global Partnership for Youth Development (GPYD), which brings together business, government, NGOs, trade unions and people in new ways to assist youth to build a better, more productive future. The four pillars of the GPYD are:

- learning about what works and improving existing models;
- building the infrastructure, both global and national;
- mobilizing new resources, both global and national; and
- investing in scaling up and strengthening best practices in youth development.

The GPYD operates within the framework of the Business Partners for Development (BPD) programme with the active participation of partners from the private sector, civil society, government and the international development community. As pressure increases on companies to deliver value not only to their stockholders but also to the communities in which they work, corporate social responsibility becomes as integral to a company’s success as the bottom line. Some projects that the GPYD has been involved in are:

Enhancing economic and social opportunities for out-of-school youth in the Philippines (Ayala Corporation and the Children and Youth Foundation of the Philippines): supports a programme combining school, training and work opportunities for the 11.2 million Filipino out-of-school youth.

Supporting entrepreneurship for underprivileged youth, India (Business and Youth Starting Together): is fostering entrepreneurship and employment generation for youth by providing business mentors and loans.

Rural Career Programme, Thailand (Shell International): aims to create agricultural career opportunities for young people returning to their home villages from large cities.

Cisco Networking Academy Programme, Philippines (Cisco System): trains youth to design, build and maintain computer networks. Through a web-based curriculum and extensive exercises, students acquire skills that are critical to success in the 21st century.

Source: brochure of the International Youth Foundation, website: http://www.iyfnet.org
Examples of good practices for job creation for youth

1. **Denmark** offered several options to young people aged under 25 who had been unemployed for more than six months: 18 months of education, 18 months of on-the-job training or a 2-year subsidy while they set up their own businesses.

2. In 1997, **France** launched a jobs for youth (“emplois-jeunes”) scheme offering non-renewable 5-year contracts for jobs in the public sector, the semi-public sector and the non-commercial sector. The government pays 80 per cent of the salary and the employer the remaining 20 per cent.

3. The **United Kingdom’s** New Deal programme, which is aimed at young people who have been unemployed for 6 months or more, offers them four alternatives, each of which is supported by extensive help in seeking a permanent job: a subsidized job with an employer, a job for six months with an environmental protection team, a job for six months with an employer in the voluntary sector, or full-time training to gain a recognized qualification.

4. The **United States** “Jobs Corps” is a national programme for underprivileged young people. Administered by the Labor Department, it combines training, advice, remedial education and other support mechanisms thereby giving young people a chance to find a regular job.

Union structures for older and retired workers

1. The **Irish Congress of Trade Unions (ICTU)** organizes its retired members through the Retired Workers’ Committee of the ICTU, which is a sub-committee of the Executive Committee. Within individual unions of the ICTU, some unions have established a National Association, others have a special section or provide services through a part-time administrator.

2. Older persons or retirees can have their own separate clubs which may be within the unions, affiliated to the national trade union movement or distinct and not affiliated. In Britain, the **British Pensioners and Trade Unions Action Association (BTPUAA)** is a broadly based association of retirees and pensioners affiliated to the Trade Union Congress (TUC).

3. In countries such as Malaysia and India where the rules of recognition of trade unions do not permit retired persons as members, they have their own associations separate from the unions.

4. The **Congress of Union Retirees of Canada (CURC)** has around half a million members from the **Canadian Labour Congress (CLC)** affiliated organizations – local branches, club or chapters of union retirees. CURC also sets up provincial federations and regional councils of union retirees.
Social Partnerships to Promote Equality for Workers with Disabilities

1. Trade unions at SAP, a German software manufacturer, worked in partnership with the company in recruiting and integrating eight blind people into the labour force. Special Braille equipment was used to train them in computer programmes. SAP also set up and supported the ‘Stevie Wonder Prize’ with special awards for ‘vision pioneers’ – individuals who introduced innovative ways to make technology accessible to visually disabled people – as well as ‘outstanding products’ and ‘role model organizations’.

2. Trade unions at the electrical car component manufacturer Yazaki Saltano in Portugal have supported the firm in recruiting 50 disabled staff members, including 32 women. Seven of them took part in a training programme funded by the Portuguese government and the European Union. All the recruits were offered indefinite contracts with the same pay and conditions as other staff. Some practical alterations were made to the production line, including the installation of screens to provide information for people with hearing difficulties. The company’s human resources department also offers ongoing, individual support for the disabled workers and their families.

3. Trade unionists and management at the Spanish services group Eulen worked with three disabled people’s organizations to set up a scheme to recruit workers with physical, visual and hearing impairments. Spanish law obliges employers to allocate 2 per cent of jobs to disabled workers. The group has adapted workstations and introduced more flexible working hours. When a job is carried out by two workers, a disabled person is always accompanied by a non-disabled colleague, and portable telephones and coded displays have been introduced. The company now employs 90 disabled people, gaining tax deductions and improving its customer image.

4. In Uruguay, public service workers’ representatives started to hold regular meetings with disabled people’s organizations in 1996, to exchange information and plan activities. This led to the establishment of COMINT, the Inter-social Committee on Disability, Employment Integration and Social Security. As a result, in 1997, delegates from 73 trade unions, disabled people’s bodies and other organizations took part in a seminar on rehabilitation and reintegration, and drew up a 32 point action plan.

Source: ICFTU. 2000 A Lame Excuse A Fight for the Rights of Workers with Disabilities. Brussels: ICFTU.
1. In 1984, the Trade Union Congress (TUC) introduced a Charter on Equality for Lesbian and Gay Workers. By 1992, 21 unions representing about two-thirds of TUC affiliated membership had a policy supporting lesbian and gay rights or a reference to equal opportunities regardless of sexual orientation included in an equal opportunities policy statement or in the union constitution.

2. As early as 1980, a Convention of the Canadian Labour Congress passed a resolution calling for the inclusion of sexual orientation in provincial human rights codes, the Canadian Human Rights Act and the Canadian Bill of Rights, and encouraging its affiliates to bargain for the inclusion of sexual orientation in the no-discrimination clauses of their collective agreements. In 1986, another Convention resolution called for the CLC to work with other organizations to seek human rights amendments on sexual orientation, and to develop a policy on lesbian and gay rights. In 1994, the CLC issued a Policy Statement on Sexual Orientation.

3. UNISON, which is UK’s largest trade union and the largest public service union in Europe, recognizes four groups for self-organization alongside other mainstream union structures but within the framework of the union. These groups are lesbians and gay men, women, black members and members with disabilities. Through self organization, lesbians and gays are encouraged to have a voice within UNISON. The union stresses that self organization is not equated with separatism, but rather it is about empowerment.

4. The National Pink Triangle Committee of the Canadian Union of Public Employees (CUPE) was established in 1991 by Convention resolution. This committee, which is composed of representatives from various regions of the country as well as staff, works towards eliminating homophobia and heterosexism and promoting the human rights of lesbian, gay and bisexual members.
Promoting Gender Equality

A Resource Kit for Trade Unions

Booklet 6
Alliances and solidarity to promote women workers’ rights

Gender Promotion Programme
International Labour Office
Promoting Gender Equality
A Resource Kit for Trade Unions

Alliances and Solidarity
to Promote Women Workers’ Rights

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6.1. Aims and structure of the resource kit

This resource kit is intended to provide background information, practical guidelines and checklists, case studies and examples of “good” and “bad” practice and reference materials:

# to assist and enhance the efforts of trade unions to promote gender equality and protect vulnerable women workers; and

# to improve the understanding and appreciation of the role of trade unions.

The main target audience is trade unionists, especially officials, both women and men. But it hoped that the information will also be of interest and use to all trade union members and to individual workers who are currently not organized. The resource kit is also more broadly addressed to those concerned with the elimination of discrimination or interested in the role of unions and the potential for collaboration or joint action with unions – including non-governmental organizations and other civil groups (importantly, women’s organizations and women activists), government agencies, employers and employers’ organizations, research and academic institutions and the media.

The resource kit is comprised of a number of booklets. There is also an accompanying report ¹ that provides the empirical perspective based on a survey and case studies of the actual experiences of trade unions and some “lessons learnt”. The survey and this resource kit represent the results of the collaboration between the Gender Promotion Programme (GENPROM) and the Bureau for Workers’ Activities (ACTRAV) of the International Labour Office, the Women’s Committee of the International Confederation of Free Trade Unions (ICFTU) and the International Trade Secretariats (ITSeS), in particular the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and Public Services International (PSI). At a validation workshop, trade unionists discussed the relevance, user-friendliness, presentation style and appropriateness of the different booklets and made suggestions for revisions. The resource kit now incorporates the suggested revisions.

Booklets 1 to 6 cover different areas of trade union activities and interactions for the promotion of gender equality and the protection of vulnerable workers. There are, necessarily, some areas of overlap or repetition in the different booklets. Where issues are dealt with in more than one section or booklet, cross-references are provided.

Booklet 1  Promoting gender equality within unions
Deals with what trade unions can do within their own internal structures and policies to recruit more women members, enhance women’s participation in all union structures and activities, and promote equality and solidarity among union members.

Booklet 2  Promoting gender equality through collective bargaining
Explains the importance of promoting gender equality through the collective bargaining process. Focuses on the process of gender equality bargaining (preparing for negotiations, at the bargaining table, and follow-up).

Booklet 3  The issues and guidelines for gender equality bargaining
Focuses on negotiating to avoid sex discrimination and to promote equality of opportunity and treatment for men and women workers, and provides bargaining guidelines for a number of key gender equality issues.

Booklet 4  Organizing the unorganized: informal economy and other unprotected workers
Highlights the diversity of informal and atypical workers and the difficulties and challenges of organizing and protecting such workers – who are mainly women, outside the scope of legal and social protection and vulnerable to poor working conditions and abuses of workers’ rights. They include workers in the informal economy, part-time workers, home workers, domestic workers, workers in export-processing zones and migrant workers.

Booklet 5  Organizing in diversity
Illustrates how trade unions can “share the table and create space” for diverse groups including youth, older workers, workers with disabilities, lesbian and gay workers, ethnic minorities and indigenous people.

Booklet 6  Alliances and solidarity to promote women workers’ rights
Explains why community unionism and solidarity within the labour movement are crucial in today’s global context and shows how trade unions are forging alliances and working with non-governmental and other civil organizations at the local, national, international and global levels on a broad social agenda. The range of alliances is large and the bases for such alliances very wide and varied, but the booklet attempts to highlight only those with particular relevance to women workers’ rights and gender equality.

Each resource booklet is structured essentially to:

# highlight the issues and concerns relating to the promotion of gender equality and the protection of vulnerable workers, so as to stimulate and inform the thinking of trade unions and other social actors, identify the tasks and challenges facing trade unions and present the case why their role is critical;
present guidelines and practical tools for action. The “how to” information is especially addressed to trade unions and is presented in various forms: as ideas, issues, checklists, guidelines, examples of what might be possible or effective, international instruments, etc. But the information is not intended to represent “best practices” or even necessarily “good practices” that should be adopted in all situations or be used in any definitive manner.

facilitate learning from the experience of others by providing actual examples of action and operational strategies that have succeeded or failed, and, where possible, by identifying the factors making for success or failure in particular contexts; and

indicate the scope for, and the advantages of, cooperation and collaboration between trade unions and employers’ organizations, governmental and non-governmental organizations and other groups in civil society.
6.2. **How to use the resource kit**

It is very important to emphasize that the booklets do not form a modular training package. They are not intended to be used in total for any step-by-step, how-to-do training programme. Rather, the various booklets are intended to serve as an information resource to be used flexibly by a range of users.

Institutional or individual users can select particular booklets and topics and utilize or adapt the materials according to their specific needs and contexts. The resource kit can serve for:

- **Awareness raising or sensitization**: to improve understanding and appreciation of gender equality issues and the challenges confronting trade unions. For example, trade union officials might use the kit as the basis for stimulating discussions, motivating action or organizing campaigns to promote gender equality;

- **Advocacy and publicity**: as material for media campaigns, to inform or educate other social actors and the wider public about the role of trade unions and innovative initiatives in the elimination of discrimination and the promotion of equality;

- **As a practical tool for action**: users might obtain ideas and inspiration for discussion, debate or action; go through the checklists to ensure that they have taken into account all relevant factors; follow planning steps or guidelines; adopt or adapt examples or models for implementation; and assess the likelihood of success or failure in particular contexts;

- **Training and educational purposes**: as background or reference material for educational seminars or study groups, for training organizers, etc.;

- **As a networking tool**: to help provide a basis for discussion or interaction between workers and employers, give ideas for promoting solidarity within and between unions, suggest bases for forging alliances with other social actors, etc.

To aid users, the materials are presented in different formats:

- **Statements in bold italics**: key ideas and facts;
- **Text boxes in italics**: gender equality issues and the case for trade unions to promote gender equality and protect vulnerable workers;
- **Shaded text boxes in small print**: examples or case studies of actual measures that have been undertaken to promote gender equality. Also relevant international Conventions. Additional examples and case studies are also provided in the
Annex

guidelines for action;

checklists or steps for action – however, these are not intended to be instructional;

measures to be avoided, negative factors;

elaboration or explanation of the suggested guidelines, checklists, etc.

references, additional reading.

The Kit has also been incorporated into an Information Base on Equal Employment Opportunities for Women and Men available on CD-ROM and Internet website: http://www.ilo.org/genprom/eeo
6.3. Alliances and partnerships between unions and other elements of civil society

"The broader social agenda of the labour movement could be advanced only through the building of broad popular coalitions, with the trade union movement at their centre, but bringing together many civil groups, issue-oriented movements and other popular groups that perceive, each in their own way, the social threat that corporate power represents and whose areas of concern overlap, in different degrees, with that of the labour movement"  

Trade unions are increasingly reaching out beyond the traditional workplace, whether at enterprise or industry level. They are connecting with other elements of civil society and building alliances and partnerships at community, national, regional, international and global levels [accompanying report]. Unions are:

- engaging in 'community unionism' with other elements of civil society including local women’s groups, consumer groups, health groups, citizens groups, human rights groups, research organizations, religious organizations, political organizations;
- forming coalitions at both national and international levels with non-governmental organizations (NGOs) which are “more and more into the arena of social governance and advancement”  
- participating as members of national bodies dealing with equality issues, such as a country’s national machinery for the advancement of women, or in formal coalitions or joint action committees, for example to combat child labour or the trafficking of women and children;
- vigorously taking their place as counterparts to employers to participate in bipartite or tripartite structures that work with and keep an eye on governments;
- promoting social dialogue, importantly through the tripartite structure of the International Labour Organization;
- strengthening solidarity within the international trade union movement, in particular among unions in different countries which share the same transnational employer; and between national centres and the international trade secretariats; and
- making the voice of working women and men heard at international fora and dialoguing with inter-governmental and international institutions, including the United Nations and the international financial and trade organizations.

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The characteristics of successful union alliances and partnerships with other elements of civil society include [ accompanies report]:

# a common cause for joint action and solidarity by organizations whose basic interests may differ or even conflict. The areas of common concern and shared values include: the defence of human rights and workers' rights, the rule of law, the promotion of equality and anti-discrimination, responding to the challenges posed by globalization and international trade, getting women into politics, corporate accountability, consumer protection, environmental protection, protection of vulnerable groups such as child labour and trafficked women and children – the list is a long and varied one;

# the organizations in the alliance clearly derive mutual benefit (for example through the force of joint action, combined and, therefore, enhanced capabilities and resources, mutually beneficial exchange of information);

# the alliance or partnership results in action that wins the support of the wider public opinion;

# the union is able to capitalize on the fact that its members are not only workers but also important consumers who can make their voices heard through their purchasing power, and members of society with political, religious views, etc.;

# the union itself demonstrates its own democratic credentials. A union cannot successfully enter into alliances to promote democracy and social justice unless its own internal structures give women equal participation and voice as men;

# there is an established institutional structure or framework for such alliances (For example, many unions now have units - often their women's wing/ committee/ department -- specifically mandated to seek out alliances with other groups);

# there is some initial human or financial resource investments by all parties for joint action;

# there are opportunities for involvement of the general union membership;

# the alliance or partnership leads to better understanding of the perspectives of different social actors and helps build mutual respect and trust;

# there is an open and honest relationship, with the maximum of information sharing and reciprocal transparency and accountability;

# the alliance or partnership is a means of reaching otherwise difficult-to-reach groups. For example, collaboration with local member-based organizations enable unions to tap into the networks that the NGOs have developed at grassroots level, especially with women in the informal

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These alliances and partnerships provide opportunities to significantly build support for trade union positions and make gains in the struggle for human and trade union rights, social justice and equality. They represent an important strategy for unions to meet the pressures generated by globalization of the world economy and its social consequences.

But the relationship with new partners is often not an easy one. Alliances or partnerships work best when other actors in civil society recognize the unique role, legitimacy and mandate of trade unions as mass organizations which represent workers, characteristics which make unions different from organizations that are not based on associative principles, such as churches, charities or institutions providing support services to vulnerable groups. NGOs have to recognize that they cannot replace trade unions or their specific legitimate role.

At the same time, unions must accept that entering into coalitions with NGOs or other social actors on one or more issues does not mean that disagreements or differences will disappear. It is not unusual for unions to formulate a common vision with a partner but still pursue distinctive objectives. Unions would need to be careful to remain independent from potential partners and not fuse agendas.

All partnerships and alliances, whether or not specifically addressing gender issues, should have a gender perspective. This means continually asking whether and how the activities and goals of the alliance differentially impact on women and men. Do they improve the lives of women? Are women empowered to play an important and active role in the alliance?

Women are ideal partners in most alliances, partly because they are used to banding together with like-minded individuals around specific issues. In many societies, women have been at such a disadvantage that they need the strength in numbers to achieve their goals. Although lacking both power and financial resources, women have often been able to design innovative, enterprising and cost-effective strategies for joint action.

To make alliances and partnerships work, unions and other social actors should:

Guidelines:

Treat each partnership as an opportunity to allow people from very different organizational backgrounds to learn from each other. Make every effort to understand the perspectives of others involved in the partnership. Set aside preconceptions and prejudices and be open, so that others can understand what unions are able or unable to bring into the

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5 Ibid.
Identify the different stakeholder groups and take appropriate action to ensure that they do not feel alienated or threatened. Partnerships often falter because key players were not involved;

Develop a campaign slogan or mission statement that will bring all the partners around an agreed set of aspirations; and outline the specific targets and goals of the partnership;

In forming a partnership involving civil action or protest movements, take account of users'/consumers' concerns and the public interest so as to ensure that the partnership has the support of public opinion and is able to apply pressure on companies or governments;

Consider clearly how the partnership will impact on women in the labour movement and in society at large. Will the partnership differently impact on women and men, and how will women benefit?

Ensure that women union members can actively participate in the partnership;

Be ready to question the continuing viability of an initiative beyond the intended lifespan. Partners must be prepared to ask: “has the partnership done what it set out to do?”
6.4. Community level alliances and partnerships

Community unionism and partnerships are good for unions and for women

The potential benefits of forging partnerships and alliances at the community level are:

- They build the credibility and presence of unions in the community;
- Unions are seen as taking a leadership role in the community;
- They open new channels for communications and dialogue with the community;
- They forge understanding and enhance the support of public opinion for unions;
- They transform unions into a social movement of working people;
- Unions become engaged in community concerns and interests and the provision of community services, including those of special benefit to women workers;
- They raise the political horizons of unions;
- They represent a crucial organizing strategy, particularly in terms of reaching out to informal sector and atypical workers, most of whom are women;
- They can help gain geographically-encompassing (for example, through citywide bargaining), rather than enterprise- or industry-level, collective agreements for atypical workers.

Community unionism is critical for expanding the union membership base, building solidarity across communities and diversities and keeping the gender equality agenda alive. Importantly, union efforts to reach out to atypical workers and those in the informal sector, the majority of whom are women, commonly are community-based, rather than centred on the workplace. In community-based organizing, for instance in the areas where workers live, unions often act in close cooperation with institutions providing support services, including local authorities, religious organizations, charities, organizations providing training or assistance to job seekers, women’s groups.

Many unions recognize the need for strong partnerships between labour and the community, whether around organizing drives or pushing for improved community facilities and services or mobilizing against social programme cuts or fighting discrimination or racism at the community level. Union members are not just workers but also community members, consumers, members of religious, political groups. Important worker concerns like childcare facilities, education and training, health and social security cannot be resolved solely at the workplace. Many industrial actions like strikes and pay hikes have a direct impact on families and communities. In these actions, the support of public opinion or consumer pressure is often critical. It is easier to win public support when the union joins forces with groups sharing similar social concerns.

Local community alliances can substantially assist unions to attract and retain women members. Because their lives are so closely grounded in their families and communities, women have long been key proponents of a wider trade union agenda.
Clean Clothes Communities is a new initiative of the Clean Clothes Campaign (CCC) in the Netherlands. The CCC is a coalition of consumer organizations, trade unions, human rights and women’s rights organizations, researchers, solidarity groups and activists. The aim of the coalition is to draw attention to labour rights issues in the garments industry; it targets multinational enterprises that do not observe minimum standards in the production of clothes. The campaign normally involves international action that includes the importing and exporting countries.

The CCC has launched community level initiatives. Organizing on a local level gives consumers more opportunities to get involved in the campaign – because consumers increasingly want not only to be informed but also to actively participate. The aim is to create opportunities for local involvement, e.g. local organizations will target local authorities, while groups such as local sports clubs will target local branches of national or even multinational department stores. Website: http://www.cleanclothes.org/intro.html

Guidelines:

✓ Civil action on issues of common concern. Issues-based alliances tend to be most common. The gender-related and anti-discrimination issues that can be the basis for joint action by trade unions and other civil groups include: violence against women and children, sexual harassment, lesbian and gay rights, implementation of equal opportunity legislation, getting women into politics, elimination of child labour, fighting hate crimes, defending and promoting rights of migrants, refugees, asylum seekers and ethnic minorities. The joint actions can involve public campaigns, lobbying the government, supporting other civil groups in demonstrations, issuing joint communiques or public statements, launching awareness raising campaigns.

Events-based alliances. Unions often cooperate closely with other local groups to jointly organize specific events, such as celebrations for Women’s Day, Women’s World March or the Million Moms’ March. Although such events are time-bound, they can serve to widen union contacts and, importantly, to raise their public profile. Unions can also sponsor or participate with other groups in seminars, workshops on gender equality or women’s issues – these are often useful for reaching out to potential members.

✓ Providing direct services to communities. Unions often use their particular expertise or experience and resources to build up community unionism. They can provide direct services or facilities which help to bridge the gap
The Immigration Rights Advocacy, Training and Education Project (IRATE) is a coalition of 10 unions in the Boston area working to help immigrant workers and promoting organizing among them. The main goal of IRATE is to bring together unions and immigrant workers. IRATE has established the Immigrant Workers’ Resource Centre in Boston to provide information, referrals and direct services, from filing claims to workplace abuse problems. Through its advocacy work, IRATE has been able to create goodwill among immigrant workers’ communities towards the labour movement. The Centre has also initiated workers’ committees in different communities to campaign for retraining programmes. The idea behind such core groups “is for the unions to participate in training workplace advocates in each of these communities which means that those workers will be leaders in their workplaces and potential contacts for workplace organizing”.


Improving community support structures and services. As members of a community, unions have a direct interest in working with both government and non-government organizations and other civil groups to improve community facilities and services – for community-based care facilities for children, the aged or disabled, for improved transportation, meals on wheels arrangements, ensuring health and safety in the community, supporting schools and education programmes, etc.

In the suburbs of Kuala Lumpur, the women members of the ICFTU affiliate, the Malaysian Trade Union Congress (MTUC) managed two hostels/centres for women workers in the EPZs for twenty years. These centres provided a focal point for organizing the largely female labour force of the zone. Through their life in the centre, the women shared their problems and were made aware of trade union work. Proof of the success of this ICFTU-supported initiative is that a group of women who had spent time at the centre went on to create their own hostel, and five of the women participated in the foundation of a new trade union for male and female electronics workers.

Promoting local economic development. Trade unions have a vested interest in local economic development, and can make an important contribution in terms of helping to determine and push for the kinds of jobs a community wishes to attract. Communities should seek employers committed to following ‘high road’ strategies, that pay a living wage.
compete on the basis of efficiency and quality, promote gender equality and have anti-discrimination policies, and secure jobs with effective lifelong training. In a virtuous circle, a community with a motivated and skilled workforce can build a strong industrial base and thereby attract investment from other good companies.

Organizing the unorganized. Collaboration with local NGOs enable unions to tap into the networks that NGOs have developed at grassroots level, especially with women in home-based production and other atypical forms of work, and introduce them to the benefits of union membership.

The Service Employees International Union (SEIU) successfully organized tens of thousands of home care workers, including 74,000 workers in Los Angeles County, many of whom are immigrant women who speak little English. The SEIU overcame the obstacle of not having a common employer by building an alliance of workers, customers and public officials to change the employer-employee structure. A new agency was formed as the employer of record, the Public Authority for In-Home Supportive Services. This agency is an official arm of the county government. It centralizes the public funds that pay for the salaries of the home care workers and it coordinates their employment registry. It also negotiates labour contracts with the union.

Taking legal action. Legal action can be an effective though expensive way to achieve equality rights, both within and outside the workplace. Unions can join with like-minded parties to use the courts to implement, overturn or clarify the meaning of specific legislation, force public officials to undertake or prevent certain acts, or seek new or better precedents to improve the position of women at the workplace or in society.

The first case of sexual harassment filed in the Dominican Republic was in 1994 and occurred in the export processing zone of Bonao. An alliance between two local women's rights NGOs, the local union and its affiliate, the National Federation of Zone Workers (FENETRAZONAS) widely publicized the case and mobilized public opinion. At the time, the 1992 Labour Code prohibited sexual harassment but did not set out a definition nor a sanction. As a result of the joint action and solidarity, the first collective agreement in a Dominican Republic EPZ was concluded with the company where the sexual harassment incident had taken place. Although the NGOs disagreed with the course of action chosen by the union and with the final form of settlement out of court, they considered that this had been a good test case with a chance of setting a legal precedent in favour of women.
6.5. National Level Alliances

Trade unions have always held that a consistent defence of their members’ interests over the long term requires them to work for political, social and industrial democracy, civil and democratic rights for all, the elimination of poverty, equality and the rule of law. As one of the largest, most organized and often most articulate groups in civil society, unions can play a major role in the economic, social and political direction of a nation. Building alliances with other civil groups is an essential part of this process, enabling unions to broaden their scope and strengthen their capacity to undertake issues of concern relating not just to employment but to the wider society and economy.

Social dialogue between trade unions, governments, employers and other representative bodies is necessary to build consensus over national development goals and means of action. Strong social institutions, including free trade unions, are vital to the development of human resources and the allocation of resources in a country. Social dialogue and a sound industrial relations system are crucial not only at the national level but also at the regional and international levels for establishing a social framework for globalization and some rules for the global market.

A number of strategies are available to trade unions at the national level to pursue the wider interests of working people, including protecting the rights of vulnerable women workers, through alliances and partnerships with other elements of civil society:

- participating in tripartite structures and promoting social dialogue;
- promoting democratization and defending human rights;
- launching national campaigns on gender equality and women’s issues;
- taking legal action;
- participating in national socio-economic development strategies;
- working with the academic and research community.

Participating in tripartite structures and promoting social dialogue

Tripartite institutions with representation of workers’ and employers’ organizations and the State are an essential measure for ensuring that the labour movement has a strong and clear voice in the economic and social policies of a country. While not exactly an ‘alliance’ as such, they provide the forum for unions to negotiate and influence policy with the private sector and government and are, therefore, a
In South Africa, the National Economic Development and Labour Council (NEDLAC) was established in 1994 as part of an attempt to reach consensus on economic and social policy among representatives of employers' organizations, trade unions, the State and community and development organizations. It comprises four chambers: public finance and monetary policy; commerce and industry; labour market and development. Among its achievements, NEDLAC prompted the creation of an agency to promote national investment and a fund for the development of small and micro enterprises. It was also consulted on the adoption of the Small Business Act 1996 and plays an important role in the new system of labour relations put in place by the Labour Relations Act 1995.

In some countries, tripartite cooperation and dialogue have led to comprehensive Social Pacts. In Europe, for example, unions have used social pacts to preserve jobs, promote investments and combat unemployment. It is important to note, however, that critics of social pacts argue that unions are required to make too many concessions, such as wage restraints, in exchange for assurances that jobs will be created or at least maintained.

Countries where tripartite institutions are weak and where there is a lack of social dialogue are often prone to economic, political and social instability. The countries that tend to have the strongest and most effective tripartite institutions are those where the labour movement is well developed and has had a long history of representing the rights of working women and men.

National unions involved in tripartite institutions need to ensure that the equality agenda is fully integrated into the process of social dialogue. To do this, unions can:

**Checklist:**

- Ensure that accurate and up-to-date information, particularly about the situation and implications for women vis-a-vis men, is provided as the basis for social dialogue;
- Ensure that information is disaggregated by sex, and lobby national and local labour market institutions to establish systems for providing this type of disaggregated data;
- Establish indicators to assess the impact on women of policies and programmes agreed upon through social dialogue;
- Ensure that equality issues are not lost in wider national goals;
- Ensure that women are adequately represented in the tripartite institutions and are able to participate actively in social dialogue.

Promoting democratization and defending human rights
At the national level, trade unions can play a central role in defending and promoting human rights, women's rights and democratization. Not only because civil and political liberties are essential preconditions for exercising labour rights, but also because it is most often workers – especially women workers – who bear the brunt of human rights violations.

Union priorities include:

# Developing public opinion on the role of labour and trade union rights as the critical catalyst for the promotion of human rights and democratic institution building;
# Defining the role of unions in the promotion and monitoring of human rights and democracy;
# Exploring appropriate action programmes on human rights issues, in particular those relating to gender equality, child labour, social protection; and
# Ensuring that women's issues and concerns in civil liberties and human rights struggles are not lost in the broader agenda for social transformation.

To fulfil these priorities, trade unions need to collaborate with other civil society actors, including:

Checklist:

✓ Establishing and maintaining contacts with national and international human rights and women's rights organizations and other civic institutions;
✓ Keeping national and international media informed about human rights abuses against workers;
✓ Providing accurate and up-to-date information about violations to all partners in the campaign, international solidarity networks, and international trade union structures;
✓ Publicizing abuses using brochures, pamphlets, posters, media articles, press statements, the internet;
✓ Establishing good contacts with the media in general and making good use of broadcast media - keeping them informed about particular developments and, where possible, making sure that they are on hand, together with other social partners, to record violations or abuses;
✓ Organizing letter writing, petition signing, faxes, e-mails, phone-ins, pickets, boycotts;
✓ Lobbying international agencies, development organizations, donor governments to condemn particular human rights abuses;
✓ Reporting violations of trade union rights to international trade union structures and organizations, such as the ILO;
✓ Ensuring that women play a central role in the campaigns and actions, and continually monitoring the impact on women – unless this is done,
Many trade unions throughout the world have been instrumental in accelerating political transformation through their support and solidarity with the struggle to establish democratic institutions. In several African and Asian countries, the trade union movement played an important part in the struggle for the country’s political independence. Women have been very active in these struggles, taking their place in the forefront of many of the civil actions. In a number of Latin American countries, there have been close political ties between trade union confederations and political parties.

However, the capacity of unions to campaign for greater democracy can only be credible if they demonstrate their own democratic credentials. This requires unions to continually assess and, if necessary, reconstruct their own representative capacity and internal processes of agenda building and decision-making. Promoting women’s leadership within the union and ensuring that women’s concerns are an integral part of the union agenda are essential prerequisites for deepening democracy within union structures.

Alliances for national campaigns on gender equality and women’s issues

National campaigns, whether on reforming legislation, pressuring governments or awareness raising on issues of national concern, can give unions greater visibility and lend legitimacy to their claims of representing the broad interests of the country. While unions often take the lead, such campaigns cannot be undertaken by the labour movement alone and require active partnerships with other groups in the society.

National campaigns to promote gender equality and women workers’ rights are commonly of two types:

- campaigns for legislative reform; and
- campaigns for national awareness raising.

Many countries have gaps in legislation with regard to equality issues. Lobbying for and enforcing legislation is often a long drawn out process, but can have wide impact. Unions can use international instruments, such as ILO Conventions, as the basis
The Lithuanian Trade Union Unification had a successful alliance with not only national public agencies and NGOs but also international ones, including Spanish Mujeres and Latvian Women’s Organization, in their campaign to formulate the Equal Opportunities Act and generate proposals for enforcement mechanisms. The Act was passed in 1999.

In 1997, the Women’s Committee of the Union of Autonomous Trade Unions of Croatia (UATUC) launched a highly successful three-stage campaign to raise awareness of Croatian society of the problem of sexual harassment. The UATUC worked closely with the NGO ‘Transition to Democracy’ and other civic groups to formulate the ‘How to say No to the Boss’ campaign. The campaign which started with the preparation of publications, pamphlets, posters and brochures built up to a nation-wide series of seminars, in which representatives from national unions as well as Swedish, Norwegian and Dutch unions, women’s NGOs, political parties and journalists were invited to participate. The Croatian media gave the campaign a high profile with a number of articles in major newspapers and magazines, and on radio and television programmes. The campaign was particularly successful among the youth, and especially in the universities where lively debates and discussions took place. As part of the ongoing campaign, the UATUC and its partners are also pushing for the establishment of mechanisms to deal with the issue in the labour courts, the penalty courts, within legislation and within collective bargaining agreements. Unions and their partners were astonished at the success of the campaign, particularly given the sensitivity of the issue. With the UATUC’s success, other unions in the region including Moldova and Slovenia are launching their own national campaigns against sexual harassment.
to reform national legislation on women’s issues, trade unions can:

Guidelines:

✓ Network and share experiences with unions in other countries which have undertaken similar initiatives. International trade union structures and international trade secretariats (ITSs) have a wealth of information, experience and resources to assist in these types of campaigns;

✓ Appoint a coordinator and/or steering committee for the campaign. Women’s committees of trade unions are often ideally suited to take on such positions;

✓ Compare legislation in other countries on similar issues:

The ILO Gender Promotion Programme (GENPROM) has developed an Information Base on Equal Employment Opportunities (EEO) for Women and Men, which is available on Internet and CD-ROM. The EEO Database contains information on national legislation, national institutions, case law, corporate policies and collective agreements on a wide range of equality issues, such as equal pay, elimination of discrimination against women, training, family-friendly policies, sexual harassment. The website is http://www.ilo.org/genprom/eeo

✓ Keep abreast of international conventions and use national and international fora to pressure governments towards ratification;

✓ Contact and hold discussions with potential national level partners, including women’s groups, law societies, human rights groups, students groups;

✓ Develop a phased plan of action with these partners, beginning with general awareness raising for the public, so as to gain the broad support of public opinion;

✓ Use innovative methods to reach a wider audience. This could be in the form of media and internet campaigns. Develop information materials for use in public institutions, trade union sites and partner agencies:

Sri Lankan activists, working on highlighting violence against women in the home and workplace, rented advertising space on the outside of an intercity train for a year. Colourful murals and catchy slogans on the side of the train ensure a high-profile campaign throughout the country.

✓ Organize seminars for key social actors, and invite key media persons to participate;

✓ Make use of public events, such as International Women’s Day, Labour Day, public festivals, to disseminate information about the campaign;

✓ Network with and lobby key parliamentarians, government ministers and members of the judiciary;
Once the legislation is passed, ensure follow-up, monitoring and awareness raising of the relevant parties.

In the Dominican Republic, the National Confederation of Dominican Workers (CNTD) and members of the umbrella organization coordinating the action of NGOs in the area of gender (Coordinadora de Organizaciones No Gubernamentales en el Area de la Mujer) collaborated in the national process of Criminal Code reform. A working group of lawyers from these organizations produced an analysis of the new law on family violence with the objective of raising the awareness of the judiciary on the realities of the problem.

Taking legal action

In some cases, unions have forged alliances or partnerships with other civil groups to use the justice system and courts in the country to enforce rights, overturn unfair rulings and practices, or highlight gaps in legislation pertaining to gender discrimination or women workers’ rights. While litigation is never free of difficulties, it can be an effective way to resolve a specific legal problem or to focus attention on the plight of a large group of workers.

In Canada, pension plans must be registered under the Income Tax Act in order to receive important tax deferral advantages. When the Canadian Union of Public Employees (CUPE) amended its staff pension plan to provide for survivor benefits for partners of the same sex, Revenue Canada refused to register the amendment and threatened to de-register the whole pension plan. CUPE, with the support of lesbian and gay groups, fought the government through the Courts arguing that this was a violation of the equality rights of lesbian and gay workers, who pay the same amount into pension plans but are denied equal benefits. CUPE won. This was an important legal landmark for gay and lesbian rights in Canada.

Participating in national socio-economic development and employment strategies

The labour movement obviously has the capacity to make a unique contribution to the national development agenda. To become full partners in the development process of the country, trade unions may need to:

Guidelines:  

1. Highlight the potential role of trade unions as development partners so as to change the misconception by the development community of unions

1. Are women the main target group of the project/programme? If not, are women identified explicitly as part of the project/programme?

2. Have women been consulted in the design and implementation, monitoring and evaluation plans for the project?

3. Are barriers to women’s participation identified and have measures been considered for overcoming these?

4. Has the current situation of women and men in relation to the issue/need/problem being addressed by the project been thoroughly investigated?

5. How will the project strengthen women’s position vis-a-vis men?

6. How will the project improve gender awareness of men and women in trade unions?

Source: ICFTU Positive Action Programme for Women in Development Cooperation

- Ensure that projects implemented by local trade unions using development agency funds are regularly monitored and are meeting the stated objectives;
- Provide regular reports and have regular meetings with development and donor agencies.
The Women Workers Unity Group, comprising women trade union leaders, joined with the Labour Congress of Thailand (LCT), NGOs and other civil groups to help workers in Thailand deal with the impacts of the recent Asian financial crisis. The Women Workers Unity Group:

# worked closely with an NGO, the Friends of Women Foundation, on a survey of the impact of the financial crisis on women in the export processing zones and on strategies for assisting retrenched workers;

# participated in a national tripartite body to consider cases of unfair dismissals since some employers appeared to be using the crisis as an excuse to lay off workers;

# cooperated with the Skills Development Department of the Ministry of Labour to help retrenched women workers, particularly older women, to receive training for starting their own businesses;

# in conjunction with the Thai Hill Tribe Fund, set up a trade union scholarship fund for the children of retrenched workers.

Working with the research and education community

Unions have been making increasing efforts to develop linkages with academic and research organizations to carry out research on important women’s issues, such as childcare, maternity rights and pension reforms. More and more unions are recognizing the significance of research for keeping abreast of the shifts in work and the workforce, to determine the priorities of workers, to take a pro-active role in dealing with changes in the workplace, and to understand attitudes of workers and the civil population towards unions.

In many countries, unions and academic institutions jointly conduct labour training programmes. There can also be regular cooperation between independent but labour linked educational institutions and trade unions. This can take the form of provision of services, such as jointly conducting training courses or joint education and organizing programmes.

The International Institute for Labour Studies (ILS), an autonomous research-based institution of the ILO, has set up a global network inviting trade unionists, academics and other interested parties to investigate challenges facing trade unions around the world, to present their varying responses and to identify the policies and activities which have proved successful in different regions around the world. In addition to gathering information, the Institute links research with practitioner participation and academic dialogue, by means of electronic communication. The discussion groups and research papers have included topics on women and young people in unions; transnational industrial relations; collective bargaining and social dialogue; informal sector and marginalised workers; social protection. These discussion forums are complemented by case studies from particular countries around the world and by the archiving of contributions and publications, enabling a sharing of experiences and ideas on the network. See ILO Website: http://mirror/public/english/bureau/inst/project/network/do.htm

“Whether they know it or not, workers who try to organize a trade union or who find themselves in a difficult collective bargaining situation, have trade unions all over the world on their side. International solidarity means more than answering calls for help from workers in desperate situations. International solidarity includes a wide range of mutual assistance. Trade unions can show solidarity by sharing information about the common employer with trade unions in other countries. Trade unions, by consulting with their foreign counterpart before making decisions that affect the members of their counterpart unions, are also showing solidarity. Ensuring that the international activities of a trade union also contribute to the strengthening of the organizations of the international trade union movement is showing solidarity as well”.

The protection of women workers’ rights has to be seen increasingly in the context of globalization, in particular the situation of women in increasingly complex international production chains and their position vis-a-vis increasingly powerful and ubiquitous multinational enterprises (MNEs).

In this context, international labour structures and international alliances and solidarity to influence and direct the internationalization of production, development and trade are very relevant. Trade unions have been opening up their strategies, activities, procedures and structures to the new international dimension and forging international and global alliances with non-governmental and inter-governmental organizations.

International solidarity and alliances can take many forms:

1. Solidarity within the international trade union movement, which essentially involves requesting and providing assistance between:
   a. the international trade union organizations and their national affiliates,
   b. counterpart organizations, especially where they share common affiliation (for example, between trade unions in different countries which have the same multinational employer or are members of the same International Trade Secretariat),
   c. the international trade union movement and other international non-governmental or inter-governmental organizations.

2. Organizing international campaigns or joint action, including with NGOs, and inter-governmental organizations to:

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✓ promote or protect trade union rights, mainly targeting governments;
✓ promote or protect workers’ rights, and mainly targeting multinational corporations;
✓ promote or lobby on broad social issues of global concern, including women’s issues and child labour.

# Participating in international fora and international institutions to:
✓ give working people a voice in the international arena;
✓ highlight the plight of vulnerable groups and raise international awareness of their concerns.

International cooperation can be particularly relevant for women workers. An important aspect is the potential for organizing effective international pressure in support of women workers in countries where they are denied freedom of association or are subject to very poor working conditions or exploitation by multinational enterprises. Especially since women are often the basis of cheap labour policies in developing countries but have little or no recourse vis-a-vis the powerful multinational corporations employing them, the support of international organized or coordinated efforts is often critical [← Booklet 4].
6.6.1. Solidarity within the international trade union movement

To connect and influence workers and their unions across country borders, participation by trade unionists in the international trade union movement is essential. The international trade union organizations are namely the International Confederation of Free Trade Unions (ICFTU), the World Confederation of Labour (WCL) and the International Trade Secretariats (ITSs). There are also the regional trade union bodies such as the regional organizations of ICFTU in Africa (ICFTU-AFRO), in Asia-Pacific (ICFTU-APRO) and the Inter-American Organization of Workers (ICFTU-ORIT), the European Trade Union Confederation (ETUC) and the Trade Union Advisory Committee (TUAC) to the Organization for Economic Cooperation and Development (OECD) 8.

Practical solidarity within the international trade union movement is essentially a matter of requesting and providing assistance—between the international trade union organizations and their affiliates, and between affiliates themselves across national borders. The assistance can be in the form of providing financial or technical assistance, supplying information, conducting education and training, lobbying on behalf of national affiliates or backing up solidarity or organizing campaigns.

International solidarity is not only in times of disputes or campaigns against employers or national governments. International cooperation is also important for organizing workers in multinational corporations (MNEs) and strengthening the trade unions’ capacity to defend and promote their rights. Practical international solidarity should also relate to the day-to-day work of trade unions, “it is building ongoing relationships, support and understanding which will help everybody do better work in our common trade union mission”. 9

But at the international level, it is not always a simple matter for some trade unions to request assistance and for others to provide the assistance. Whether requesting or showing solidarity, trade unions need to remember that:

**Checklist:**

- ✓ Things may work very differently in one country from another. There are differences in systems of industrial relations and labour practices. Lack of understanding by others of specific relevant features of laws or practices can limit the effectiveness of solidarity. Specific activities may be effective in one country and not in another or may not be possible or appropriate. Accurate information will help to identify the most effective tactic;

- ✓ The details of a particular issue or dispute or the company involved may be common knowledge or widely reported in one country but not known

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8 See ibid, Chapters 2 and 5 for more detailed information on the international trade union structures.

9 Ibid, Chapter 7.
in another. Therefore, it is essential to provide full and accurate information in seeking solidarity. The government or MNC could challenge or correct the information, and this would undermine the credibility of the trade union claim and destroy the basis for solidarity;

International activities may take time to organize, especially where there are practical difficulties, such as language differences. Good working relationships also take time to develop. Therefore, it is important to give early notice of requests for support;

The structures of, and the relationships between, trade union organizations at different levels should be respected. In requesting or providing assistance, keep in mind the structure of national centres, ITUC and ICFTU affiliates, and counterpart organizations;

Regular reports must be provided to keep international supporters informed of developments, including significant changes in the situation, precise details of resolutions and terms of settlements. Whether the campaign is won or lost, international partners in other countries must be thanked for their support.

The main strategies for real, practical and effective international solidarity include:

- coordinating solidarity or protest messages;
- sharing and disseminating information and research;
- improving communications across national borders;
- education and training;
- legal action;
- direct cross-border sectoral assistance;
- negotiating framework agreements;
- organizing and supporting international campaigns or joint action addressing governments or employers [\(\text{Section 6.6.2}\).

### Coordinating solidarity or protest messages

Trade union action at the national level is often much more effective when accompanied and supported by international solidarity. In some cases, trade unions depend for their survival on the ability of unions in other countries to deliver solidarity when needed. Women workers, in particular those in export processing zones, have often been supported in their struggles to organize by international solidarity.
“In some countries, the mere threat of action by international trade union organizations has been sufficient to achieve settlements, secure the reinstatement of sacked union leaders or end legal attacks on unions”

One example of the effective use of solidarity messages concerned Coca-Cola in Poland. At the time, efforts were made by the local management to deny that Coca-Cola was an organized company in other countries. This denial met with numerous solidarity messages sent to Solidarnosc, the ICFTU’s Polish affiliate, from affiliates of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Association (IUF) representing Coca-Cola workers. This was all that was needed to gain recognition. Through the intervention of the IUF, Coca-Cola met with Solidarnosc and considerable progress was made, including an agreement to establish health and safety committees in company facilities.


Sharing and disseminating information and research

The international trade union organizations can supply national affiliates with the information and research they need for the international dimensions of their work. In a globalizing world, trade unions need up-to-date and accurate information about: the multinational enterprise (MNE) they are dealing with; what the MNE applies in its operations in different countries; what constitutes good practice or norms in any industry or sector; what trade unions in other countries are already doing; how their proposed actions are likely to have international implications.

The International Trade Secretariats (ITSs) are an important source of information on companies and industries, not only facts and figures but also insights into corporate practices and cultures. They also help by providing tips to affiliated unions about gathering information and contacting other trade unions, friendly organizations, local companies or MNEs.

Improving networking and communications across national borders

An important element of international solidarity is the strengthening of networking and communications between union members, local unions, national unions, national centres and international trade union organizations.

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10 Ibid, Chapter 7.
For women trade unionists, networking strategies both within countries and across borders are particularly important for building up the support structures for their cause, sharing experiences and resources, raising their profile and strengthening their voice in national and international campaigns.

Every four years, between its World Congresses, the ICFTU organizes the World Women’s Conference. The 4-day Conference assesses progress in the implementation of the ICFTU’s gender equality policies and programmes at national, regional and international levels, and draws up appropriate recommendations for consideration of the World Congress. The Conference’s participatory method (panels, group work, regional and sectoral sessions, sharing of tasks) as well as the cultural and social exchanges ensure active and lively networking amongst the 300 women leaders and greatly contribute to the strengthening of women’s solidarity within the trade union movement.

Unions are also making increasing use of new technologies such as e-mail and the internet to boost traditional networking strategies and to speed the flow of information between the international trade union organizations and affiliates and between each other. A recent example is Global Unions, the world trade union movement’s new web site. Another example is the Union Network International’s UNI Journalists Network [http://union-network.org]

Global Unions http://www.global-unions.org

In April 2000, Global Unions, the world trade union movement’s new web site was launched to enable people using the internet to find up-to-date information on what is happening in the international trade union scene from a single site. Global Unions is designed as an aid to trade union activists on how to get involved, as well as giving people working inside trade union organizations the most up-to-date news on what is happening. It also sends a clear message to the media on the current thinking, campaigns and concerns of the international trade union movement, as a united force, or as individual organizations.

Global Unions is jointly owned and run by:
# Education International, http://www.ei-ie.org
# European Trade Union Confederation, http://www.etuc.org
# International Confederation of Free Trade Unions, http://www.icftu.org
# International Federation of Journalists, http://www.ijf.org
# International Metalworkers’ Federation, http://www.imfmetal.org
# International Textile, Garment and Leather Workers’ Federation
# International Transport Workers’ Federation, http://www.itf.org.uk
# International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Association, http://www.iuf.org
# Trade Union Advisory Committee to the OECD, http://www.tuac.org
Education and training

Another way in which international solidarity is practised is through the education and training that the international trade union organizations offer to their affiliates. The international trade union organizations have developed and tested educational materials and training programmes, and they can sponsor training, including covering the financial costs, for unions in less developed countries. Such education and training can be especially useful for enhancing the effective participation of women in trade unions.

The African Regional Organization of the ICFTU (ICFTU-AFRO) and its affiliates implemented a project on Integrating Gender Perspectives into Trade Union Work between 1997-1999. The ten selected national centres that participated in the project were UST-Chad, ONSL-Burkina Faso, UGT-Tunisia, USYN-Niger, UNTM-Mali, COTU-Kenya, NACTU-South Africa, TFTU-Tanzania, ZCTU-Zambia and ZCTU-Zimbabwe. Recognizing that it is not enough to just have official policies on gender equality, the project aimed to promote the full integration of a gender perspective into all aspects of trade union work. To achieve this longer term aim, the project focussed on (a) raising awareness of gender and equality issues among trade union trainers; and (b) bringing about a change of attitudes among union leaders and members.

Men and women trade union educators were the target group for this project, owing to the decisive role they play in changing the attitudes of men and women within the trade unions. The project consisted of training seminars at the national, local, federal and regional levels. In using interactive learning methods and techniques, a woman trainer and a man trainer ran each activity, with an equal number of men and women participants. Gender perspective teams (GPTs) responsible for implementing and monitoring the activities and follow up were established at the international level and within each of the organizations involved in the project.

An evaluation of the project found that the impact had been good in relation to:

- change of attitudes towards gender issues;
- shift in policy in most of the national centres which had participated; most have a gender policy in place;
- issues of equal opportunities in relation to participation, representation and constitutional review are being addressed by various centres;
- some centres have adopted a quota system to ensure that women are always included in various programmes and activities;
- overall, the project established the relevance of the need for trade unions to continue implementing gender programmes which raise awareness among women and men.

Legal action

International solidarity can also be put into practice by trade unions taking up lawsuits on behalf of vulnerable workers in other countries. Such action can also include appeals to international courts to win rights for workers at the national level.
Class action lawsuits filed in California, Hawaii and Saipan in 1999 against high-profile US clothing manufacturers and retailers represent the first-ever attempt to hold US companies accountable for mistreatment of workers in foreign-owned factories operating on US soil. These companies were accused of violating federal law by engaging in a racketeering conspiracy using indentured labour, mainly young women from China, Philippines, Bangladesh and Thailand, to produce clothing on the island of Saipan. Their foreign-owned contractors in Saipan were also charged with failing to pay overtime and on-going intolerable work and living conditions.

Since the migrant contract workers had no recourse on their own and were afraid to seek redress, especially since many paid exorbitant recruitment fees and feared losing their jobs, they needed established trade unions and human rights groups to take up their cause. The lawsuits were filed by the **Union of Needletrades Industrial and Textile Employees (UNITE) and human rights groups** - **Global Exchange, Sweatshop Watch, and Asian Law Caucus**.

Since Saipan is part of the Northern Mariana Islands, a US Commonwealth in the South Pacific, the factories which are mostly run by Chinese or South Korean companies, were able to pay the foreign workers substantially less than the U.S. minimum wage but still export over $1 billion dollars worth of clothes annually to American markets stamped ‘Made in the USA’ and free of duties and quotas. Since they carry the ‘Made in the USA’ label, American consumers could have been deceived into believing that they had purchased a product made by American workers protected by US labour laws.

Some of the companies have settled the lawsuits and agreed to independent monitoring of their Saipan contractors in their future contracts. The settlements put in place detailed employment standards, including overtime, safe food and drinking water and basic civil rights. They also prohibit the use of unlawful ‘recruitment fees’. A Massachusetts based non-profit firm, Verité monitors compliance and has established an ombudsman on Saipan. Verité reports jointly to the US companies, UNITE, Global Exchange, Sweatshop Watch and Asian Law Caucus.

Website: [http://www.sweatshopwatch.org/swatch/marianas/lawsuit.html](http://www.sweatshopwatch.org/swatch/marianas/lawsuit.html)

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**Direct Cross Border Sectoral Assistance**

Unions in developed countries can provide resources, sometimes including financial resources, and support to unions and workers in developing countries, particularly to unions involved in the same sector or working for the same company. This should not be seen as charity but as solidarity. Such cross border action needs to be mindful of possible cultural and language barriers and respectful of democratic structures in other unions.
Negotiating framework agreements

Particularly with the help of the ITSs, unions can coordinate their strategies at the international level to negotiate with specific multinational companies or sectors. In the best of cases, negotiations can lead to framework agreements. Such framework agreements are agreements on certain principles which, while they do not constitute collective agreements in the same sense as agreements reached at the national or local levels, provide rights framework to encourage recognition and bargaining to take place at those levels. The framework agreements can refer to internationally recognized standards, and can incorporate follow-up, review and monitoring mechanisms.

For example, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Association (IUF) has negotiated framework agreements with both the Danone Group and the Nestlé Group that cover all the companies of the two groups and that include strong provisions for the promotion of gender equality [Booklet 3, Section 3.4.1.b].
Negotiations between IUF and the Danone group led in 1988 to a formal joint undertaking. The IUF and Danone management delegates agreed to work together and to commit themselves to promote four areas of concern to all companies in the group:

- a training policy which allows employees to anticipate the effects of the introduction of new technologies or of industrial restructuring;
- the transmission to unions and to representatives of Danone information adequate for the purpose of reducing the existing disparities between one country and another or between one company and another in the group because of different legislative or contractual obligations;
- equality between women and men in the companies of the Danone group, both in salaries and in working conditions and respect of their equality of opportunity or chances for promotion. Formulation of an action plan and joint initiatives to achieve this goal;
- implementation of trade union rights that take into account issues of the exercise of union rights in different countries and of access to union training.

Recommendations and guidelines were elaborated in each of these four areas at the international level and taken back to the national level and to each company in the Danone group. This resulted, for instance, in the identification of the expectations of female employees of Gerveais-Danone in Germany, and agreement on the integration of women during and after absences for maternity. In France, a system for care of children sick at home was established. Since 1988, union and management representatives at Danone meet each year. The practice of regular meetings for information and consultations was formalized by a written agreement in 1996, which covers all the operations of Danone within the countries of Europe and includes the presence of representatives of unions from other regions of the world.
6.6.2. Organizing Campaigns and Joint Actions

Increasingly, international trade union campaigns involve alliances and partnerships with non-governmental and inter-governmental organizations and the support of the wider public and consumers. International campaigns can be reactive in terms of responding to government or company actions or trade union requests for assistance. Several high-profile campaigns have had to do with abuses of women workers’ rights or exploitation of women through “cheap labour policies” linked to foreign investments. Campaigns can also be pro-active, where the long-term objective is to put a human face to globalization, to put in place rules at the international level that will protect the human dignity and freedom of workers and contribute to social and economic progress and justice.

International solidarity and alliances to organize campaigns and joint actions are mainly on the basis of:

- protecting or promoting trade union and women workers’ rights, mainly directed at governments;
- promoting global concerns and action on women’s rights;
- protecting or promoting workers’ rights vis-a-vis the employer;
- developing corporate social responsibility;

Alliances in campaigns to protect or promote trade union and women workers’ rights

Many disputes with companies involve violations of trade union rights. But the ultimate responsibility lies with Governments for respecting or protecting the basic trade union rights of its citizens. These rights are provided for in established international standards, treaty obligations and national legislation.

Trade union rights campaigns are therefore almost always directed at specific governments, and they address interference with the right of workers to organize, including the dismissal or imprisonment of activists and trade union organizers, limits or bans on trade unions, or the suppression of strikes. Campaigns can also address less flagrant violations of trade union rights, such as excessive administrative obstacles or unduly long and complicated procedures for trade union recognition, interference in the internal affairs of a union or failure by the employer to bargain in good faith. Sometimes, too, investment incentives offered by governments to attract international business may contain provisions that infringe the rights of workers to join unions and bargain collectively.
For several years, the ICFTU had been denouncing trade union rights violations in Indonesia. In 1996, the authorities launched an unprecedented campaign of repression against trade unionists. One of those arrested was a young woman trade unionist, Dita Indah Sari, who was sentenced in 1997 to six years imprisonment for leading a demonstration of workers and students groups. The ICFTU launched a major international campaign for her freedom, including getting its affiliates and other human rights and women's organizations to send protest letters to the Indonesian President to call for her release. The Committee on Freedom of Association and Direct Contacts Mission of the ILO considered the charges against her unjustified and derived from legitimate trade union activities, and repeatedly called for all criminal charges to be dropped. In July 1999, in a surprising move by the Indonesian government, Dita Sari was released. When interviewed, she said “my release has proven the effectiveness of international solidarity”.

Source: Labour Alerts: a service of Campaign for Labour Rights, [http://summersault.com](http://summersault.com/)

To conduct a successful trade union and women workers’ rights campaign, unions should:

**Checklist:**

☑ Relate the rights campaign to the obligations of governments. Violations of trade union and women workers’ rights occur where governments do not observe established international standards or even treaty obligations or where they fail to adopt adequate national legislation or do not adequately enforce national legislation;

☑ Be familiar with the international instruments addressing workers rights, in particular women workers’ rights [☞ Booklet 2 on the relevant ILO Standards]:

**Freedom of Association and Protection of the Right to Organize Convention, 1948 (No.87);**
**Right to Organize and to Bargain Collectively Convention, 1949 (No.98);**
**Collective Bargaining Convention, 1981 (No.154) and Recommendation, 1981 (No.163);**
**Discrimination (Employment and Occupation) Convention, 1958 (No.111) and Recommendation, 1958 (No.111).**

☑ Where disputes with companies involve violations of trade union rights, address campaigns also to companies. However, take care to ensure that the government concerned is not absolved of the ultimate responsibility.

☑ Learn how to submit complaints through national centres or the international trade union organizations to the ILO Committee on Freedom of Association [☞ “Stand up for your Rights” on ICFTU Website, [http://www.icftu.org](http://www.icftu.org)]. The ILO Committee on Freedom of Association examines complaints of violations of the international instruments and provides reports with conclusions and recommendations to the ILO Governing Body. The Committee decisions often lead to positive changes because of the international pressure on
national governments.

✓ Provide accurate, complete and well-documented information, so as to ensure that there is a strong basis for complaints that are lodged. To provide such information, good cooperation is needed between local unions and their national centres, between the national centres and the international trade union organizations and other human rights groups.

✓ Maintain good relations and communications with international human rights and women’s groups and the media for the regular sharing of information and coordination of campaign actions and efforts.

The ICFTU has developed an extensive system of information exchange with Amnesty International on cases of specific human rights or trade union rights violations. Amnesty International then conducts an in-depth verification of all allegations. In a reciprocal fashion, the ICFTU both uses Amnesty International information and feeds its own information into the Amnesty verification exercise. In this way, specific cases affecting trade unionists regularly become also Amnesty International campaigns.

✓ Since rapid responses to appeals for solidarity are often critical for the success of a campaign, it is important to have arrangements for an ongoing process of promoting and protecting trade union rights.

The ICFTU has a Committee on Human and Trade Union Rights consisting of representatives from ICFTU affiliates and of the ITUs for the purpose of mobilizing trade unions in various ongoing campaigns to protect trade union rights. The ICFTU Women’s Committee is permanently represented on this Committee.

Promoting global concerns and action on women’s rights

International trade unions, being conscious of the links between the workplace, civil society, the state and global forces, have been increasingly involved in alliances and strategies of issues of global concern. Several of these issues are especially important for women. These include, for example, an action programme on violence against women, a global campaign for ratification of the Convention on the Rights of Migrants, a programme of action to fight HIV/AIDS, and the Maternity Convention Campaign. Since these are broad-based concerns, they can attract a great deal of support and, clearly, alliances are easier to forge around such issues. In addition, since they are high-profile issues, the global programmes and campaigns are an excellent way to enhance public awareness of the social role of unions and that unions have moved well beyond their sectional interest in labour issues.

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Action Programme on Violence Against Women

At the ICFTU 16th World Women’s Conference in the Hague in 1994, a Trade Union Action Programme on Violence against Women was adopted. This followed from the United Nations Declaration on Violence Against Women adopted by the General Assembly in 1993. The ICFTU welcomed the fact that the topic would be on the agenda of the Fourth World Conference on Women (held in Beijing in 1995) and called upon the United Nations to report to the Conference on its efforts to promote and protect women’s human rights. The campaign covered both domestic violence and workplace violence and harassment [Booklet 3 Section 3.4.5 for the types of action proposed in the action programme].

Protecting or promoting workers’ rights vis-a-vis the employer (Company campaigns)

International campaigns targeting companies, especially multinational companies, need not always be related to trade union disputes with an employer. They can be part of a strategic plan to organize workers employed by specific companies in specific countries or to enhance the trade union presence in an MNE.

They can aim to enhance corporate accountability to society. As MNEs are increasingly outsourcing much of their production and services throughout different parts of the world, the result has been far-flung production chains with little central corporate responsibility for worker abuse by smaller companies or contractors along the supply chain. It is commonly women workers in these smaller companies or working for individual contractors who are most exploited or abused.

International solidarity and organizing in MNEs

International trade union cooperation in organizing campaigns, especially where a multinational enterprise (MNE) is involved, has certain obvious advantages:

# provides ties with the home-country trade union;
# shares knowledge of different industrial relations systems;
# facilitates exchange of information, including corporate research;
# international organizations can bring in their expertise when dealing with sophisticated anti-union campaigns by companies;
# trade unions can contribute financial resources or other resources, including training or legal assistance;
# trade unions in other countries can provide leverage with either the parent corporation or with customers or suppliers of the company targeted for organizing.

Company campaigns at the international level can:

# apply pressure to the parent corporation by focusing on the company’s financial relationships or its Board of Directors;
With ever more countries having stock markets, the importance of investments in stocks has grown significantly. Institutionalized investors, such as pension funds, have become an increasingly important source of investment capital in the global economy, owning more and more stocks in companies worldwide. The behaviour of companies on the rights of men and women workers is a legitimate consideration in the investment of capital that comes from the savings of workers. It is often relevant to the stability and performance of a company. Pension funds may be a major source of investment in a particular enterprise and, in some cases, workers and their trade unions may be involved in the investment decisions of these funds. In this context, information about funds and their investments can become an important tool to convince companies to assume social responsibility. As companies usually listen to the concerns of major investors, considerations of ethical labour practices may become more of an integral part of doing business.

Union Network International (UNI) is operating four Union Alliances dealing with specific multinationals: SBC/ Ameritech, Cable & Wireless, Telefonica and Atlantic Alliances. The purpose of the alliances is to increase the leverage of member organizations through greater joint activity; share information and offer solidarity support when any affiliate of the alliance is engaged in collective bargaining; undertake common activity to support organizing; and provide all possible support from the host country union for members of any other affiliate who are working in the host country.

Campaign strategies can include:

- Solidarity work between international and national unions. For example, some ITSs have formed multinational union alliances to systematically coordinate the actions of affiliates to put truly global pressure on MNEs.
Alliances and partnerships with other pressure groups, including consumer, human rights and women’s rights groups. Such partnerships can also apply pressure or lobby governments in support of their campaigns against companies:

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<th>The first collective agreement in the long history of export processing zones in the Dominican Republic was signed in 1994 through a striking example of international alliances and the courage and tenacity of workers, mainly women. An international partnership, consisting of the ICFTU-affiliate National Confederation of Dominican Workers (CNTD), the Federation of Free Zone Workers (FENATAZONAS), the International Textile, Garment and Leather Workers’ Federation (ITGLWF) and its regional organization FITTCC-ORI, the AFL-CIO and its American Institute for Free Labour Development (AIFLD) and UNITE, developed and implemented a well-planned and coordinated strategy. The strategy was based on applying pressure to targeted companies and the government in direct support of aggressive organizing on the ground by trained organizers, followed up with trade union education of new members. The partnership contributed support for union organizers, legal assistance and other technical advice and training. The organizing campaigns were supplemented by pressure on the US-based corporate customers of the targeted companies and by the use of the workers’ rights provisions in the Generalized System of Preferences (GSP) section of US trade law. Faced with the threat of losing their trade privileges, the Dominican Republic reformed its labour code so as to allow trade unions in its EPZS.</th>
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Raising awareness of consumers. An increasingly important aspect of campaigns is the mobilization of purchasing power of consumers. Consumers are not only interested in the quality of the products they purchase, but also the work behind the brand names and the social and environmental conditions under which these items were produced. When informed of violations of minimum standards, consumers are often ready to vote with their wallets by buying alternative products. They will not buy certain products if they know that they have been produced through the exploitation of poor women in developing countries. Investors too are increasingly concerned that they are not putting their money into companies that are not socially responsible [Section below on corporate social responsibility]. Companies, especially large MNEs with markets in developed countries, are very sensitive to adverse publicity and will respond to public pressure. Well coordinated publicity campaigns based on thoroughly researched facts about the unethical practices of MNEs can, therefore, be very effective.
Organizing consumer boycotts of the products of companies. In common circumstances, the campaigns encourage consumers to send messages to companies to use their influence to improve working conditions. For example, the Clean Clothes Campaign organizes consumers to send postcards to companies with questions about their working conditions but they do not call for boycotts. However, in very serious situations, organizing boycotts of the company’s products can have a very major impact on sales and can pressure the company into an urgent review of their policies and practices especially regarding vulnerable women workers.

Multinational sportswear giant NIKE faced a boycott after reports from CBS News and the New York Times highlighted cases of physical abuse, sexual abuse, salaries below minimum wage and a debilitating quota system in their Vietnam subsidiary. A Working Group on NIKE – a broad coalition of NGOs, labour rights organizations, church groups and unions – developed a strategy to persuade NIKE corporation to treat their workers fairly. While not all partners advocated a boycott, the campaign urged consumers to refrain from buying NIKE products until minimum labour standards are observed. Their campaign website has links to letters to the President of the United States asking his help and to the CEO of NIKE to resolve the issue. Web users can simply add their names to the letters. Fact sheets about NIKE are available from the site.

Website: http://www.saigon.com/~nike/

Taking legal action. Campaigns to improve working conditions for women, especially those in export processing zones or the informal economy, can pursue legal possibilities. Various coalitions have filed lawsuits with national or international courts in support of workers in developing countries [For example, Box above in this booklet on the class action suits in support of the women workers in Saipan]. There have also been initiatives based on consumer law:
The Clean Clothes Campaign in the United States filed a case against Nike in the State of California where consumer protection laws exist to protect consumers from false advertising. These laws were used to raise the issue of bad working conditions as evidence of false advertising, on the part of a MNE that claims to take steps to ensure that good working conditions are the norm in the factories that produce their products. Website: [http://www.cleanclothes.org/intro.html](http://www.cleanclothes.org/intro.html)

### Promoting corporate social responsibility

International alliances are also focussing on mechanisms to enhance corporate accountability to society especially in the context of globalization:

“...let us choose to unite the power of markets with the authority of universal ideals. Let us choose to reconcile the creative forces of private entrepreneurship with the needs of the disadvantaged and the requirements of future generations”

A high-profile initiative to promote corporate social responsibility is the Global Compact proposed by the United Nations Secretary-General. At the World Economic Forum in Davos in 1999, he invited the private sector (individual corporations and business associations) to join in a closer and mutually supportive partnership with the United Nations in a “global compact of shared values and principles” in the areas of human rights, labour standards and environmental practices.

### The principles of the Global Compact

#### Human rights:
1. Business should support and respect the protection of internationally proclaimed human rights; and
2. make sure they are not complicit in human rights abuses.

#### Labour:
3. Business should uphold the freedom of association and the effective recognition of the right to collective bargaining;
4. the elimination of all forms of forced and compulsory labour;
5. the effective abolition of child labour; and
6. eliminate discrimination in respect of employment and occupation.

#### Environment:
7. Business should support a precautionary approach to environmental challenges;
8. undertake initiatives to promote greater environmental responsibility; and
9. encourage the development and diffusion of environmentally friendly technologies.

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6.6.2.1. Codes of conduct

The most common form of corporate social responsibility is the adoption of codes of conduct for ethical practices relating to labour practices, human rights and the environment. The two major corporate codes of conduct which international business, as well as governments and trade unions have pledged to support are:

The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy; and
The OECD Guidelines for Multinational Enterprises.

There are also a large and growing number of unilaterally adopted corporate codes of conduct. Major consumer product firms, particularly in the female workforce-dominated garment and sportswear industries, have been engaging with trade unions, religious and non-governmental organizations in the development of multi-company, industry-wide or multisectoral codes of conduct.

Codes of conduct are a series of standards or rules that a multinational company undertakes to apply to its international operations. Codes are meant to address the responsibility of the company for not only its own labour practices but also those of its contractors, sub-contractors and principal suppliers. They are usually barebone text, aiming to limit the worst forms of abuse and exploitation of workers and their labour rights. They generally contain references to working hours and overtime, remuneration and benefits, health and safety issues and the banning of child labour. Some include the right to unionization and collective bargaining.

The Ethical Trading Initiative (ETI, UK) brings together NGOs, companies and unions to identify and promote good practices in the implementation of codes of conduct, including monitoring and independent verification. ETI has developed a multi-sectoral Base Code based on ILO standards. It includes provisions for a living wage, freedom of association and security of employment.

In November 1998, major US apparel companies and some NGO participants in the Apparel Industry partnership (AIP) announced agreement on a multi-company code of conduct, monitoring and certification system. The Fair Labor Association (FLA) will accredit external monitors and certify companies that meet its standards. Labour and religious organizations have withdrawn from the FLA, charging that the standards are too low and the monitoring process is not sufficiently transparent.

Most corporate codes of conduct have not focussed on the special interests and concerns of women workers. While many codes include a reference to non-discrimination according to sex (among other criteria like race and religion), they rarely make reference to other issues of concern to women, such as equal pay for work of equal value, training, family friendly policies, harassment, pregnancy leave and reproductive health.
Furthermore, and very importantly, women workers, especially those in developing countries, are not even aware that their companies have such codes. Project on Women Workers and Codes of Conduct carried out by Women Working Worldwide (WWW) in six Asian countries found that [Website: http://www.poptel.org.uk/women-ww... workers_and_codes_of_conduct]:

“This was the first time that workers knew that their factories were working as subcontractors for foreign companies. They had only been aware that the factory sends its goods abroad. But what are the names of the parent companies, the brand names and the receiving countries? They do not know. They are scared that if they do try to know then the employer can terminate their services. In any case in the factory, every worker thinks only about how to complete her production target. Without awareness workers cannot use a code as a tool for bargaining with management. Workers have to be aware of codes first and then mobilize to put pressure on management for implementation of codes. For bargaining there should be a union. But a great number of workers, especially women workers, have not been given appointment letters so they have no rights. In such a situation, how can a code play an effective role in defending workers’ rights?”

Codes, therefore, have clear limitations and are not a panacea that will force all multinationals to respect labour rights. They are voluntary and can be as inclusive or as vague as a company wishes; they are not legally enforceable. Independent monitoring can be a problem since most monitors or auditors tend to be hired by the company. It is not always clear who is covered by a code of conduct since trading relationships can be quite difficult to untangle. Who works for whom can be difficult to devise.

Corporate codes of conduct should be used hand in hand with other worker rights strategies. They are not a replacement for unions, collective bargaining or the need for strong national labour legislation with effective labour inspectorates. Codes only cover workers producing goods for export; national labour legislation covers also workers producing goods for the domestic market. Codes could also have a negative impact on some workers eg. homeworkers or other informal sector workers who might lose their jobs if production is more formalised; whereas national legislation can be designed to cover and protect the rights and interest of these sectors too.

The value of codes is that they are a clear acknowledgement that multinational companies have a responsibility for their own labour practices and the labour practices of their contractors, sub-contractors and suppliers. Any trade union organization negotiating with companies or working with NGOs in campaigns involving codes of conduct should attempt to ensure that at the minimum, the codes contain:
Checklist:

✔ Minimum International Standards: All of the standards found in the ILO Declaration on Fundamental Principles and Rights at Work should be referenced, if not directly quoted in codes of conduct. These are accompanied by a body of jurisprudence interpreting the meaning of specific words. Encouraging the use of consistent language will help ensure that codes surpass a minimum internationally agreed normative threshold. Codes of conduct that are composed of vague “feel good” language are not transparent nor credible because their words can be construed for different ends.

✔ Language protecting and advancing the interests of women workers: In addition to equality of opportunity and treatment and non-discrimination and equal pay covered in the international standards above, these could include fair remuneration with benefits, limited overtime, adequate housing and transportation, reproductive health issues like abolishing forced contraception or forced sterilization, pregnancy and family leave, child care, safety in the workplace.

✔ The unambiguous right of workers to join trade unions and to bargain collectively: Codes are not a replacement for the universally accepted right of workers to join a union or to bargain collectively. Good collective agreements elaborate and protect more detailed and substantive women workers’ rights than generic codes of conduct.

✔ Provisions to mainstream the implementation code throughout company operations: The overall responsibility for the implementation of the codes should be at the highest levels of the company’s management. The observance of the company code should be both enforceable and an enforced part of the supply contracts of the company. Labour practices must be monitored with the same commitment that is given to monitoring production time lines and quality. Workers should receive a translated copy of the code with clear explanations where necessary and all company personnel should receive training in implementing and adhering to the code.

✔ Ensure high quality independent monitoring: Workers covered by a code should be provided with a confidential and accessible means to report code violations. Companies should accept regular and ongoing monitoring of their codes – these should be done by qualified persons working to agreed processes – including workers and unions. Verification is a more comprehensive process involving checking on both code compliance and implementation systems. Verification should be done by professionals working to defined standards and trained in skills including factory inspection, accountability, health and safety and detection techniques and gender equality. For example, Tommy Hilfiger employed an independent monitoring organisation Verité to perform and audit of its suppliers. Women workers groups were invited to conduct worker interviews as part of the audit process.
Provisions
(Name of company) and its contractors, their subcontractors, principal suppliers and licensees (franchise holders) involved in the production and/ or distribution of products or services for (name of company) shall ensure that:

**EMPLOYMENT IS FREELY CHOSEN:**
There shall be no use of forced, including bonded or involuntary prison, labour (ILO Conventions 29 and 105). Nor shall workers be required to lodge “deposits” or their identity papers with their employer.

**THERE IS NO DISCRIMINATION IN EMPLOYMENT:**
Equality of opportunity and treatment regardless of race, colour, sex, religion, political opinion, nationality, social origin or other distinguishing characteristics shall be provided (ILO Conventions 100 and 111).

**CHILD LABOUR IS NOT USED:**
There shall be no use of child labour. Only workers above the age of 15 years or above the compulsory school-leaving age, whichever is higher, shall be engaged (ILO Conventions 138 and 182). Adequate transitional economic assistance and appropriate educational opportunities shall be provided to any replaced child workers.

**FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING ARE RESPECTED:**
The right of all workers to form and join trade unions and to bargain collectively shall be recognized (ILO Conventions 87 and 98). Workers representatives shall not be the subject of discrimination and shall have access to all workplaces necessary to enable them to carry out their representative functions (ILO Convention 135 and Recommendation 143). Employers shall adopt a positive approach towards the activities of trade unions and an open attitude towards their organizational activities.

**LIVING WAGES ARE PAID:**
Wages and benefits paid for a standard working week shall meet at least legal or industry minimum standards and always be sufficient to meet basic needs of workers and their families and to provide some discretionary income. Deductions from wages for disciplinary measures shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the worker concerned. All workers shall be provided written and understandable information about the conditions in respect of wages before they enter employment and of the particulars of their wages for the pay period concerned each time that they are paid.

**HOURS OF WORK ARE NOT EXCESSIVE:**
Hours of work shall comply with applicable laws and industry standards. In any event, workers shall not on a regular basis be required to work in excess of 48 hours per week and shall be provided with at least one day off for every 7 day period. Overtime shall be voluntary, shall not exceed 12 hours per week, shall not be demanded on a regular basis and shall always be compensated at a premium rate.

**WORKING CONDITIONS ARE DECENT:**
A safe and hygienic working environment shall be provided, and best occupational health and safety practice shall be promoted, bearing in mind the prevailing knowledge of the industry and of any specific hazards. Physical abuse, threats of physical abuse, unusual punishments or discipline, sexual and other harassment, and intimidation by the employer is strictly prohibited.

**THE EMPLOYMENT RELATIONSHIP IS ESTABLISHED:**
Obligations to employees under labour or social security laws and regulations arising from the regular employment relationship shall not be avoided through the use of labour-only contracting arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment. Younger workers shall be provided the opportunity to participate in education and training programmes.
References and additional reading


Useful web sites:

http://www.global-unions.org (Global Unions)
http://www.union-network.org (Union Network International)
http://www.sweatshopwatch.org (Sweatshop Watch)
http://www.cleanclothes.org (Clean Clothes Campaign)
http://www.poptel.org.uk/women-www...workers_and_codes_of-conduct (Women Workers and Codes of Conduct)
Annex

Some basic concepts relating to gender equality

Gender equality: basic concepts

**Gender** refers to the socially determined differences between women and men such as roles, attitudes, behaviours and values.

**Sex** identifies the biological differences between women and men. While sex is genetically determined, gender roles are learned, vary widely within and between cultures, and are thus amenable to change over time.

**Gender Equality**: Equal rights, responsibilities and opportunities of women and men, girls and boys. Gender equality is not just a “women’s issue”; it concerns men as well. Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female.

**Sameness or difference**: Gender equality does not mean *same treatment*. If gender equality is seen as requiring men and women to be treated the same, this may lead to women being offered equality only on male terms (e.g. only if they can conform to male-centred norms or requirements) and may reinforce the notion that difference = disadvantage. It is also important to address changes in male-gendered (but often taken as neutral) organizational and occupational structures, practices, cultures, norms, value systems, etc. Such changes may require “women-friendly” provisions to help women adapt to, or get on within structures as they currently are, or, alternatively, call for changes in those structures, cultures, etc. to accommodate women.

**Discrimination**: Any distinction, exclusion or preference based on designated criteria such as race, colour, sex, religion, political opinion, national extraction, social origin or other designated criteria which have the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. The existence of discrimination in fact (in reality or in practice) is *de facto discrimination* (a legal expression). The existence of discrimination in law is *de jure discrimination* (a legal expression).

**Direct or indirect discrimination**: Sex discrimination can be overt or direct discrimination or more subtle, indirect discrimination. Employers may discriminate against women directly by limiting applications for certain jobs to only men or only women. Discrimination is indirect when employers impose criteria for applicants or specify characteristics which are not closely related to the inherent requirements of the job, as a screening device. The purpose of the screening is either to exclude women or to obtain workers of a certain type. Many jobs are still seen as exclusively ‘male’ jobs or ‘female’ jobs.
The promotion of gender equality: basic policy and programme concepts

**Gender-blind and gender neutral policies and programmes**

‘Gender-blind’ policies and programmes do not distinguish targets, participants or beneficiaries by sex or gender.

‘Gender-blind’ policies and programmes are not necessarily ‘gender-neutral’ in impact, that is they do not necessarily affect men and women in the same way.

**Gender analysis**

The systematic effort to identify and understand the roles and needs of women and men in a given socio-economic context. To carry out gender analysis, it is necessary to collect statistics by sex, identify gender differentials in the division of labour and the access to and control over resources, identify the practical and strategic gender needs of women and men, identify the constraints and opportunities facing women and men and assess the institutional capacities to promote gender equality.

**Gender planning**

Gender planning consists of developing and implementing specific measures and organizational arrangements for the promotion of gender equality, identifying how to incorporate gender concerns into mainstream activities and ensuring that adequate resources are earmarked.

**Gender mainstreaming**

A strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres and at all levels, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.

**Positive or affirmative action:** To eliminate the current direct and indirect consequences of past discrimination, special measures may need to be designed in order to achieve de facto equality of opportunity and treatment. Such positive measures (also termed affirmative measures) are intended to be temporary: once the consequences of past discrimination have been rectified, the measures should be removed. Positive action is seen as essential for the achievement of genuine equality between women and men in the world of work and society. Positive action may encompass a wider range of measures, including corrective actions such as setting targets for women’s participation in activities from which they have previously been excluded, or promotional measures designed to give women access to wider opportunities.
Conducting Gender-based Analysis

To ensure that their policies and programmes are gender-sensitive and responsive, unions may wish to conduct gender analysis by:

1. **Identifying the issues:**
   - # in what ways are both women’s and men’s experiences reflected in how issues are identified?
   - # How is diversity taken into account?

2. **Defining desired/anticipated outcomes:**
   - # what does the union want to achieve with this policy, and how does this objective fit with a commitment to gender equality?
   - # who will be affected: How will the effects of the policy be different for women and men?

3. **Gathering information:**
   - # what types of gender-specific data are available? Is there information on other designated equity groups of workers?
   - # how is the union enabling women to express their needs and concerns?
   - # how will the research you consult or conduct address the differential experiences of gender and diversity?

4. **Developing and analysing options:**
   - # how will each option disadvantage some, or provide advantage for others? Does each option have differential effects on women and men within the union and at the workplace?
   - # how can innovative solutions be developed to address the gender equality or women’s issues identified?
   - # what are the solutions that the affected groups have suggested?

5. **Making recommendations:**
   - # in what ways is gender equality a significant element in weighing and deciding upon options?
   - # how can the policy be implemented in an equitable manner?

6. **Communicating the policy:**
   - # how will communications strategies ensure that both male and female union members have access to information?
   - # is gender-aware language used?

7. **Evaluating the results:**
   - # how will gender equality concerns be incorporated into criteria the union uses to evaluate its effectiveness?
   - # what indicators does the union use to measure the effects of a policy on women and men?

Additional examples and case studies

Improving community support structures and services

1. The **Working Women’s Forum** in India, together with other community groups, organized street demonstrations and exerted public pressure to improve the public distribution system in Madras, including improving access and eliminating hoarding. As a result, government officials appointed 5,000 women to positions in the public distribution system.

2. The **Northern California Work and Family Coalition (NCWFC)** is a broad-based coalition of local labour federations, child care organizations, researchers, senior citizen advocates and other community organizations. Members meet informally to discuss work and family advocacy. The group’s joint agenda includes advocacy for the distribution of new child care subsidies and the preparation of a work and family alternative state budget.

Social pacts

1. Several Western European countries have **social pacts**, which are centralized bi-or tripartite agreements. In these national pacts, the State and social partners attempt to find innovative ways to deal with redundancy and unemployment through solutions which depart from the strict application of the laws of the market. In a sense, these pacts have a political dimension in that they aim both to legitimate innovative solutions and to maintain a stable framework while ensuring the solidarity necessary to tackle certain issues at times of rapid labour market changes. For example, the “Revival of Concertation” Pact was signed in Italy in 1996, to promote employment with special attention to the less developed regions of the country. The pact is tripartite, and includes elements for educational reform, training and reduction of working time.


2. Hungary was the first country in Central and Eastern Europe to create a tripartite body at national level. The **National Council for Reconciliation of Interests (NCRI)** was established in 1988. In 1997, a new agreement was signed within the NCRI aimed at promoting collective bargaining, facilitating the settlement of industrial disputes and strengthening the application of labour legislation. The social partners agreed upon a series of practical measures which were to be implemented to this end.
**Alliances for legislative reform**

1. **STINDE in Guatemala** successfully joined forces with women’s groups to submit a bill on sexual harassment to Parliament.

2. In **Ghana**, there has been a joint union-NGO initiative on the intestate succession law, to protect women’s rights and guarantee them a share in the husband’s estate.

3. In **Benin**, unions submitted comments on the Bill on Family and Persons’ Code and organized seminars and information sessions to raise public awareness of the issues raised in the bill.

**Alliances to campaign for gender equality and women workers' rights**

1. The **Japanese Trade Union Confederation RENGO** has participated in the government’s Council on Equal Participation for Men and Women. The Women’s Group with which RENGO collaborates took part in a convention to follow up on the Fourth World Conference on Women in November 1995. RENGO publicized the Beijing Platform for Action among affiliates, and campaigned to increase the number of female union officials.

2. Three Brazilian unions, **Confederação Geral dos Trabalhadores (CGT), Central Unica de Trabalhadores (CUT) and Força Sindical (FS)** are part of a working group set up by Ministry of Employment to implement measures to combat racial and sexual discrimination at work.

3. An offensive sexist advertisement by multinational giant Mitsubishi was the target of a nationwide campaign spearheaded by the **Thai Airways International State Enterprise Employees Association**. The union allied with the Women’s Foundation of Thailand, staff of various government ministries and the general public, using International Women’s Day 1999 to organise mass demonstrations against the sexist advertisement. Faced with growing outrage from the general public and a flood of telephone calls denouncing the advertisement, Mitsubishi withdrew the commercial and agreed in principle to the union’s demand for full page apologies in five major newspapers and a fifteen second apology aired on television.

4. In the United Kingdom, the **National Group on Homeworking**, has involved NGOs, local authorities and trade unions in the campaign for homeworkers to be included in the national minimum wage. The group has been a major influence on government policy, public awareness and trade union policy on homework.
Alliances and partnerships for national development

1. The **Confédération Générale de Travail (CGT)** is a partner in the project launched by the Ministry for the Advancement of Women known as “Let’s Share Equality”. It has also taken part in policy discussions within the framework of the Committee for Women’s Work: a quadripartite consultative group of the Ministry, also involving NGOs.

2. The **Union Générale des Travailleurs de Côte d’Ivoire (UGTCI)** organized a round table debate with the Minister responsible for women’s issues, drew up a White Paper with United Nations support and joined the group of NGOs and trade unions established in the wake of the Fourth World Conference on Women. Nationally, a new law banning genital mutilation of girls was adopted. Jobs formerly reserved for men have been opening up to women.

3. The **National Organisation of Free Trade Unions (ONSL)** in Burkina Faso established a literacy and production centre for women, with funds from international donor agencies and trade unions. The literacy, education and health programmes run by the centre are confronting the challenges of a country where 95% of women are illiterate, where many do not have access to education and paid employment, where female genital mutilation and polygamy are common practices and where child mortality is among the highest in the world.

International networking of women unionists

The **Coalition of Labour Union Women (CLUW)** represents some 60 American and international trade unions. CLUW’s aims are to increase the number of organised women workers, implement affirmative action policies, work for the passage of legislation favourable to women workers and increase women’s leadership in trade unions. A Center for Education and Research was established in 1978, dedicated to empowering women workers and developing leadership strategies for women within organised labour. The CLUW supports legislation to end wage discrimination and other gender-based inequities. It also supports the implementation of childcare and parental-leave policies. It has advocated for the Equal Rights amendment, a women’s right to choose, pay equity and family leave. The CLUW publishes a number of publications and educational materials to update and educate members about current issues of importance to working women. In accordance with its principles of increasing women’s political involvement in labour issues, the CLUW encourages its members to write letters to legislators and to participate in political demonstrations.
Cyber-campaigns

Since the launch of websites by trade unions all over the world, the potential of this technology has quickly become clear. Around the world, workers and communities have already been illustrating this by using the internet as a tool for campaigning. Cybercampaigns, where the internet is the centrepiece of the campaign, are ideal methods to exchange views, raise public awareness and give union members as well as other interested persons a chance to forward their concerns for a particular campaign.

The International Federation of Chemical, Energy, Mine and General Workers’ Unions (ICEM) has been at the forefront of the cyberpicket techniques. Their campaign sites include:

# links to lobby top executives of companies and governments. For those who want to take part, it is simply a question of adding their name to the protest letters on the site, which are then automatically sent to company management and/or government;
# links enabling web users to put questions to parliamentarians in countries where a particular company is operational;
# links to factsheets with background information about the campaign;
# links to other unions in the alliance or partnership;
# links to press releases, providing up to date information on developments;
# discussion forum;
# an overview of the campaign news;
# an image library; and
# full texts of all relevant reports.

Website: http://www.icftu.org/

International solidarity through education and training

1. The International Federation of Chemical, Energy, Mine and General Workers’ Union (ICEM) has a Latin American project for training women educators who are then expected to train their women colleagues and strengthen their participation in unions.

2. The International Federation of Building and Wood Workers (IFBWW) has succeeded in organizing and training tribal women in forest areas in India, setting up literacy programmes for them, and assisting them to secure better prices for their products.

3. ICFTU-APRO organized a training project in the Pacific for affiliates in Fiji, Papua New Guinea, Vanuatu, Kiribati and Western Samoa. The project provided leadership training, set up and strengthened women’s committees and helped develop intra-regional cooperation and solidarity among women trade unionists.

4. ICFTU-ORIT created a thematic and methodological school (ETM) with a strategy based on the ripple effects of sustainable training of a group of women and youth trainers at regional level. During the first phase of the ETM, ORIT supported a group of continental and subregional trainers from affiliated unions, with the mandate to replicate the ETM at the national level and adapting it to local contexts. The ETM establishes continuity and sustainability by requiring participants to return for higher level courses. The permanent school, ETM/CNTD is in the Dominican Republic and is the result of ORIT’s regional training programme.
**Lawsuits across borders on behalf of women workers**

A European Court of Justice ruling in May 2000 brought to a successful conclusion a long campaign by British unions to win backdated entry to pension schemes for part-time workers. The **Trades Union Congress (TUC)** helped coordinate what was probably the biggest combined legal campaign by UK unions. The court also ruled that excluding part-timers from pension schemes was discrimination - because most part time workers in the UK are women. Now attempts by employers to limit backdated entry to just two years has also been overturned. UK affiliate UNIFI and five public sector unions provided test cases which could give eventual benefit to 60,000 part time and former part time workers.

Website: [http://www.union-network.org/unif](http://www.union-network.org/unif)

**International campaigns for trade union and women workers’ rights**

In May 1997, Human Rights Watch, the International Labour Rights Fund and the Mexican National Association of Democratic Lawyers, which had been alerted by trade unions and women’s associations, filed a complaint with the National Administrative Office of the United States Department of Labour. The grounds for the complaint were infringement of the rules of the North America Free Trade Agreement (NAFTA), because of violations of Mexican labour legislation and sexual discrimination in the maquiladoras. In June 1997, the ICFTU alerted its members about the multinational firms implicated in the violations and asked them to send letters of protest to the management.

Source: ICFTU. Claiming our Rights! Women and Trade Unions. [http://www.icftu.org](http://www.icftu.org)

**Raising awareness of consumers**

The **Clean Clothes Campaigns (CCC)** started in the Netherlands and are now operating in ten Western European countries. In each country, they are coalitions of consumer organizations, trade unions, human rights and women’s rights organizations, researchers, solidarity groups and activists. The campaigns also cooperate all over the world with organizations of garment workers in factories of all sizes, homeworkers and migrant workers. Most of these workers are women. Information on working conditions in the garment industry is distributed via newsletters, the Internet, and in the form of research publications. The CCC is a consumer campaign; the purchasing power of consumers is mobilized on the issue of working conditions in the garments industry.

Website: [http://www.cleanclothes.org](http://www.cleanclothes.org)
### Some major multi-stakeholder code initiatives

1. The Clean Clothes Campaign (CCC) was successful in bringing together Dutch NGOs, labour centrals and associations of apparel retailers and manufacturers in a five-year process of negotiations for an industry-wide code of conduct with provisions for independent monitoring and certification. Unions, NGOs, retailers and manufacturers are represented on the **Fair Wear Charter Foundation** that will hire external monitors, evaluate their reports and certify apparel companies and their supplier factories. Agreement has been reached on a voluntary code that includes strong provisions on freedom of association, hours of work and a living wage.

2. **Social Accountability 8000** (SA8000) is an initiative of the US-based Social Accountability International (formerly the Council on Economic Priorities Accreditation Agency, CEPAA) which calls SA8000 “a comprehensive global verification standard for auditing and certifying corporate responsibility”. Its objective is to bring consistency to labour rights standards in various codes and in procedures for social auditing. SA8000 standards are based on ILO and UN Conventions and the Universal Declaration on Human Rights.

3. The **Textile, Clothing and Footwear Union of Australia (TCFUA)** and its religious and NGO coalition partners in the Fair Wear Campaign have succeeded in pressuring major retailers, manufacturers and fashion houses to sign the **Homeworkers Code of Practice**. This code is unique in addressing the specific problems of homeworkers and in its strong provisions requiring companies to disclose to the union detailed information on contractors, subcontractors and the use of homework. The code requires retailers and manufacturers to ensure that homeworkers sewing for their labels receive minimum wages, benefits and working conditions provided for under Australia’s awards system. The union is mandated to monitor working conditions.

4. The **Worker Rights Consortium (WRC)** grew out of the anti-sweatshop campaigns of the United Students against Sweatshops in the US. The consortium will verify that university-licensed apparel is manufactured according to the WRC Code of Conduct or other university codes with provisions for full public disclosure, a living wage, women’s rights, the right to organize and bargain collectively and basic health and safety rights. WRC informs workers of their rights under the code and provide them with means to report violations securely and confidentially.

5. The **Worldwide Responsible Apparel Production (WRAP)** factory certification programme was launched in January 2000 by the ‘American Apparel Manufacturers Association (AAMA). Its appeal for US apparel manufacturers is its lower standards (relative to the other initiatives listed above) and the fact that responsibility for seeking and paying for certification and achieving compliance lies entirely with local factory owners rather than with North American companies who contract out the manufacture of their products.

Website: [http://www.maquilasolidarity.org/resources/codes/](http://www.maquilasolidarity.org/resources/codes/)
### Global campaigns and action on women’s rights

1. **Global Campaign for Ratification of the Convention on the Rights of Migrants**
   Website: [http://www.migrantsrights.org](http://www.migrantsrights.org)

2. **Fighting HIV/AIDS**
   At its 17th World Congress, the ICFTU together with the ITBs, launched a global campaign to fight HIV/AIDS, requesting affiliates to impress upon their respective governments the urgent need for the international community to intensify an internationally coordinated programme for curative research, prevention and treatment of the disease. The ICFTU has also approached the relevant United Nations institutions with requests for committing substantial resources in programmes for fighting HIV/AIDS, in particular for treatment in Africa, as well as supporting and strengthening similar work by national civil society organizations, including trade unions, for work amongst their members and the community at large. The campaign takes special note of the particular impact the disease has had on women and has advocated for the elimination of existing barriers, ignorance, inequality and economic burdens that confront women affected by HIV/AIDS. [also Booklet 3, Section 3.4.5a].
   Website: [Trade Unions fighting against AIDS, http://www.icftu.org/](http://www.icftu.org/)

3. **Maternity Convention Campaign**
   The campaign was launched in the context of the discussion of the International Labour Conference in June 2000 to adopt a new international standard for maternity protection. The initial debate for the standard, which had started in 1999, raised concerns that some employers and governments were seeking to water down standards of maternity protection. The campaign, therefore, was launched to ensure that the new ILO Convention is strong and reflects the reality of women’s lives. The slogan for the campaign was “Maternity protection benefits everyone: men and women, young and old, employers, workers and governments: Maternity Protection 2000: It’s for All of Us”. The adopted Maternity Protection Convention, 2000 (No. 183) was hailed as a success because it gives greater protection to pregnant and nursing women workers than the earlier proposed text [also Booklet 3, Section 3.4.3b]
THE ROLE OF TRADE UNIONS IN PROMOTING GENDER EQUALITY

A Resource Kit for Trade Unions

REPORT OF THE ILO-ICFTU SURVEY

INTERNATIONAL LABOUR OFFICE GENEVA

GENDER PROMOTION PROGRAMME
THE ROLE OF TRADE UNIONS IN PROMOTING GENDER EQUALITY

A Resource Kit for Trade Unions

REPORT OF THE ILO-ICFTU SURVEY

Gender Promotion Programme
International Labour Office
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This report presents the results of a survey and case studies that were implemented as a collaborative effort by the ILO Gender Promotion Programme (GENPROM) and the Bureau for Workers’ Activities (ACTRAV), the International Confederation of Free Trade Unions (ICFTU) and the International Trade Secretariats (ITSs), in particular the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Association (IUF) and Public Services International (PSI). The members of GENPROM responsible for conducting the research, processing the information and writing the report are Sriani Ameratunga, Sapfo Constantatos, Christine Elstob, Sabrina de Gobbi, Lin Lean Lim, Caroline O’Reilly, Maanic Shergill and Lena Taylor.

The GENPROM team wishes to thank all the trade unionists who collaborated on the survey and case studies. We are grateful to the Women’s Committee and the staff of the Department of Equality and Youth of the ICFTU for their support and assistance in organizing the survey and to the IUF for specially arranging to extend the survey to its members. We would like to make special mention of the efforts of Elsa Ramos of the ICFTU and Babro Budin of the IUF. We would also like to acknowledge the active involvement and generous assistance of the ILO Multidisciplinary Teams and Regional and Area Offices in the survey. Finally, we wish to express our gratitude to the ILO colleagues who provided comments and suggestions on the questionnaire and the report, in particular Amrita Sietaram, Robert Kyloh, Satoro Tabusa, Auret van Heerden, Shauna Olney, Pekka Aro and Werner Sengenberger.
1. INTRODUCTION

1.1. The aims and organization of the report

This report is part of a Resource Kit for the promotion of gender equality and the protection of vulnerable workers by trade unions. The Resource Kit provides information, guidelines and examples to assist and enhance the efforts of trade unions. The Resource Kit is also intended to improve understanding and appreciation of the role of trade unions by individual women and men workers, governments, the social partners and the general public.

As part of this resource kit, this report provides the empirical perspective based on a survey and case studies of trade unions. It describes the practical experience of trade unions in promoting gender equality and protecting vulnerable workers within their own internal structures and policies, at the workplace through gender equality bargaining, and in the broader society at local, national and international levels. The report deals with the current position of women in trade unions; the gender equality issues that are of concern to trade unions; the opportunities, problems and constraints they face; the types of measures and operational strategies they have adopted; the factors making for success or failure; and the scope for collaboration or cooperation between trade unions and other social actors. Since union efforts to promote gender equality obviously hinge on freedom of association, the report also focuses on the impact of globalization and recent changes in the labour market on the ability of unions to organize and represent workers.

Information based on actual union experiences and practical lessons learnt provide invaluable insights for the Resource Kit of “good and bad practices”. Some of the examples cited in this report are elaborated in the Resource Kit.

The rest of the chapter explains why the role of trade unions is pivotal for the promotion of gender equality and describes the main source of information for the report. Chapter 2 shows that, where union membership has increased in recent years, women are more likely than men to be responsible. But overall, women are still under-represented in the total membership of unions and seriously under-represented in decision-making positions. Chapter 3 describes the measures which trade unions have adopted to target women for recruitment and promote gender equality within union structures and positions. Chapter 4 highlights the importance of gender equality bargaining and describes trade union initiatives at the workplace. Chapter 5 emphasizes that the casualization of employment and the growth of the atypical workforce, in which women tend to be over-represented and often more vulnerable to exploitation than men, pose new and difficult challenges for trade unions. But many unions have adopted innovative strategies for organizing the unorganized and protecting vulnerable workers. Chapter 6 identifies a large number of factors in the context of the global economy that are making it harder for unions to organize and represent workers, let alone promote gender equality. In facing the new challenges, trade unions have new opportunities to cooperate and collaborate with other social actors and to reaffirm their role in social dialogue and social action.
1.2. Women need unions ...

“Overall, globalization to date has done too little to minimize gender inequalities. While in some circumstances it may have decreased them (particularly in countries where it had led to an unprecedented employment of female labour) in other cases it has intensified them. Thus, overall globalization, as a new form of intensified market-driven activity, has not yet managed to overturn gender-based discriminatory forces of economic development where they have been traditionally at work”.


For the overwhelming majority of countries, the gap between men’s and women’s labour force participation rates has been falling since 1980. This stems both from reduced rates for men and rising rates for women (International Labour Office, 1999a, p.26). In many countries, women now account for close to half the labour force. But quantitative increases in female labour force participation have not been matched by qualitative improvements – “the quality of jobs which many women hold, particularly in developing countries, is as poor as the attention that is given to their right to organize in order to defend themselves better. In export processing zones (EPZs), in the sweatshops of Asia, in the maquiladoras of Latin America, and even in some of the more vulnerable sectors of Europe or the United States, women are suffering not only inequalities but very often sexual and other types of harassment” (International Confederation of Free Trade Unions, 1998, pp. 3-4).

Occupational segregation by sex has fallen in some parts of the world, but overall women still have very limited labour market choices. In the occupations where many women but few men work, pay levels are low. With so many women concentrated in low-paying jobs, it is no surprise that despite the increasing adoption of equal pay legislation, a large gap exists between male and female earnings. Even for similar jobs, women earn 20-30 per cent less than men. More women have reached middle management, but they are not about to storm the world’s boardrooms. At or near the top, their numbers are still very small. If they want a family as well, the odds against success increase as women struggle to balance work, family and community demands and responsibilities.

The majority of women, especially in developing countries, have found work because they have been prepared to go into “female jobs”, often in the informal sector – with irregular status, insecurity, poor pay and with specific occupational safety and health hazards. Increasingly they are “contingent workers” in a narrow range of industries, doing temporary or casual work involving irregular or unusual hours or done on a contract or piece-rate basis. They are paid less than their non-contingent (male) counterparts and normally are not covered by labour and social security regulations nor by the provisions of collective agreements.
In industrialized countries, the number of part-time women workers has been increasing sharply, but part-timers are still generally regarded as less committed and less valuable than full-timers and treated accordingly. While some women choose part-time work so as to be able to combine work and family responsibilities, the majority do so because they have no choice.

With women accounting for a rising share of the labour force but remaining largely marginalized and highly vulnerable to discrimination and exploitation, it is obvious that trade unions have a critical role to play. If anything, the need for trade unions to organize women workers and represent and protect their interests is stronger than ever. Progress towards the achievement of gender equality in employment has been far from continuous or sustained. In times of economic growth and prosperity, equality is paid more than lip service and resources are devoted to the elimination of discrimination. However, in periods of recession, such efforts are minimized and the measures to better enable women to balance work and family responsibilities are among the first to be abandoned. Moreover, women are less inclined to seek redress for discrimination for fear of retaliation that could result in loss of jobs. Also, and very importantly, freedom of association is under greater threat in troubled economic times. Examples abound all over the world of both overt and more subtle forms of violation of trade union rights and suggest that such violations tend to be more serious for women; those attempting to organize are often subject not only to harassment but also dismissals and even physical violence.

1.3. .... and unions need women

Out of the total membership of the International Confederation of Free Trade Unions (ICFTU) of 125 million, women account for 25 million. While they make up about 35 per cent of global trade union membership, they represent a mere one per cent of decision-making bodies of unions.

The trade union movement is conscious of the critical need to recruit and retain women members, give them a voice in decision-making, promote gender equality and address the problems of vulnerable women workers particularly through the collective bargaining process. The ICFTU Programme of Action for the Integration of Women into Trade Union Organizations covers organizing of women workers, treatment of women as equal members, the participation of women in trade union positions of power and responsibilities, education and training, information and research. It also contains a series of positive action measures designed to overcome obstacles preventing women playing their full role within trade unions. The ICFTU and its affiliates have also adopted resolutions to integrate gender perspectives into all aspects of their work, develop and implement a Positive Action Programme for Women in Development Cooperation, and set up a task force to oversee the implementation and monitoring of the
Programme. The 7th World Women’s Conference of the International Confederation of Free Trade Unions held in Rio de Janeiro in May 1999, which was attended by women from 87 countries and representing 101 trade union international centres and 12 International Trade Secretariats, emphasized that:

“The unions can -- and must -- take up the challenge of transforming the labour market through equality and justice. However, this can only be done if the unions are unified, strong and vibrant. While it is true that women have been swelling the ranks of the unions, much remains to be done to organize them, in particular those belonging to vulnerable groups”

(ICFTU, 1999, p.3).

But the tasks are far from easy, especially since unions find themselves operating in a global environment that is increasingly challenging existing union strategies and even the raison d’être of unions. How unions are responding to these challenges is critical. There could be new opportunities not only to play an enhanced role with regard to women workers, but also to recover lost ground – since there has been a worldwide trend of declining general memberships. There could also be opportunities to reaffirm the role of trade unions in social dialogue and social action. The concern for promoting gender equality and protecting vulnerable workers could provide common grounds and a rallying point for trade unions to forge new alliances with other social actors at the local, national and international levels, to display their relevance in the rapidly changing economic and social order and, thereby, to raise their profile and broaden and strengthen their influence. The extent to which unions are successful in promoting gender equality and protecting vulnerable workers will reflect how successful they are in adapting and adjusting their goals and strategies to the challenges of globalization, to changes in production and communication technologies and the labour market and to the evolving needs of workers.

1.4. The information base for the report

The main source of information for this report was a survey conducted jointly by the ILO’s Gender Promotion Programme (GENPROM), the ILO Bureau for Workers’ Activities (ACTRAV) and the Women’s Committee of the ICFTU. Specially designed questionnaires together with instructions for filling them were sent to all affiliates of the ICFTU (national centres, local trade unions and International Trade Secretariats) at the end of November/early December, 1998. The Public Services International (PSI) also sent the questionnaires to its affiliates. To make the task easier for those filling in the questionnaires, many of the answers were pre-coded. But the respondents were encouraged to attach additional documentation -- reports, pamphlets, descriptions of the functions of the women’s committee/department/officer, constitution of the union, collective bargaining agreements, publicity briefs, newsletters, etc.
To supplement the questionnaires, over 50 case studies were also compiled to obtain more detailed information on the “good”, “bad” and “unsuccessful” measures to promote gender equality, organized unorganized workers or forge alliances with other civil groups. Some of the case studies were, however, brief examples rather than detailed analyses, mainly because the unions did not keep records or were not able to provide detailed information or evaluation.

A preliminary report of the results of the survey and case studies was a major background document for the ICFTU 7th World Women’s Conference. The findings formed the basis of the discussion guide for the group work of the Conference and were widely referred to in the discussions. The views expressed in the Conference discussions and additional information gathered have been incorporated into this final report.

The number of completed survey questionnaires was 319, which were received from 62 national centres, 186 trade unions and 71 affiliates of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF). The breakdown by region is shown in Table 1, while Table 2 indicates the year of establishment of the unions. The regional breakdown shows that roughly half the sample is from developed, industrialized countries, and the other half is from developing and transition countries. Most of the unions established since 1990 are in transition or newly democratic countries, suggesting that political factors are fundamental to freedom of association and the right to organize. The unions represent a very wide range of sectors, from agriculture, manufacturing, finance and insurance to public (utilities, transport and communications, etc.) and community (health, education, broadcasting, etc.) services. They also represent many occupations, some male-dominated (eg. seafarers, waterfront workers, transport workers) and some female-dominated (eg. teachers, nurses, garment workers).
### Table 1: Type of union and region

<table>
<thead>
<tr>
<th>Region</th>
<th>National Centre</th>
<th>Local Union</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa:</td>
<td>13</td>
<td>23</td>
<td>36</td>
</tr>
<tr>
<td>Asia and the Pacific:</td>
<td>10</td>
<td>47</td>
<td>57</td>
</tr>
<tr>
<td>Far East</td>
<td>1</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>South-east Asia</td>
<td>4</td>
<td>19</td>
<td>23</td>
</tr>
<tr>
<td>South Asia</td>
<td>5</td>
<td>18</td>
<td>23</td>
</tr>
<tr>
<td>Pacific</td>
<td>--</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Middle East:</td>
<td>1</td>
<td>--</td>
<td>1</td>
</tr>
<tr>
<td>Europe:</td>
<td>27</td>
<td>75</td>
<td>102</td>
</tr>
<tr>
<td>Western</td>
<td>15</td>
<td>54</td>
<td>69</td>
</tr>
<tr>
<td>Central and Eastern</td>
<td>12</td>
<td>21</td>
<td>33</td>
</tr>
<tr>
<td>Americas:</td>
<td>10</td>
<td>41</td>
<td>51</td>
</tr>
<tr>
<td>United States &amp; Canada</td>
<td>4</td>
<td>12</td>
<td>16</td>
</tr>
<tr>
<td>Central America</td>
<td>3</td>
<td>9</td>
<td>12</td>
</tr>
<tr>
<td>Caribbean</td>
<td>1</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td>Latin America</td>
<td>2</td>
<td>9</td>
<td>11</td>
</tr>
<tr>
<td>International (PSI)</td>
<td>1</td>
<td>--</td>
<td>1</td>
</tr>
<tr>
<td>International (IUF)</td>
<td>71</td>
<td>71</td>
<td>71</td>
</tr>
<tr>
<td>TOTAL</td>
<td>62</td>
<td>257</td>
<td>319</td>
</tr>
</tbody>
</table>

### Table 2: Year of establishment of the unions

<table>
<thead>
<tr>
<th>Type of Union</th>
<th>Before 1950</th>
<th>1950-69</th>
<th>1970-89</th>
<th>1990 on</th>
<th>No answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>National centre</td>
<td>14</td>
<td>13</td>
<td>14</td>
<td>16</td>
<td>5</td>
</tr>
<tr>
<td>Local union</td>
<td>49</td>
<td>31</td>
<td>44</td>
<td>46</td>
<td>16</td>
</tr>
<tr>
<td>IUF affiliates</td>
<td>32</td>
<td>12</td>
<td>10</td>
<td>12</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>95</td>
<td>56</td>
<td>68</td>
<td>74</td>
<td>26</td>
</tr>
</tbody>
</table>
2. THE POSITION OF WOMEN IN TRADE UNIONS

2.1. Changing union membership

Of the unions surveyed, a greater number reported a decrease rather than an increase in total membership since 1995 (Table 3). This trend of declining membership is consonant with worldwide trends. The ILO (1997, p.6) found, for instance, that “of the approximately 70 countries for which there are comparable data, about half have seen a considerable drop in their membership in absolute figures over the last ten years”. This is obviously a serious source of concern: “Decreasing membership levels jeopardize the strength and influence of unions, and call into question their representative nature. Membership losses strike at a union’s credibility and reduce the income available through membership subscriptions. When funds are reduced, the level of services which the unions can provide is also diminished” (Olney, 1996, p.2).

Table 3: Changes in union membership since 1995

<table>
<thead>
<tr>
<th>Change in Membership</th>
<th>NC</th>
<th>TU</th>
<th>IUF</th>
<th>NC</th>
<th>TU</th>
<th>IUF</th>
<th>NC</th>
<th>TU</th>
<th>IUF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>20</td>
<td>71</td>
<td>28</td>
<td>22</td>
<td>74</td>
<td>36</td>
<td>11</td>
<td>19</td>
<td>3</td>
</tr>
<tr>
<td>Male</td>
<td>14</td>
<td>49</td>
<td>22</td>
<td>14</td>
<td>60</td>
<td>30</td>
<td>11</td>
<td>20</td>
<td>4</td>
</tr>
<tr>
<td>Female</td>
<td>18</td>
<td>67</td>
<td>23</td>
<td>14</td>
<td>52</td>
<td>31</td>
<td>7</td>
<td>15</td>
<td>4</td>
</tr>
</tbody>
</table>

NC: national centres  
TU: local unions  
IUF: IUF affiliates

The most significant reasons cited by the unions for the declining membership are retrenchments, growing unemployment, increasing proportions of atypical workers and smaller regular workforce in some industries. The underlying factors are privatization and downsizing particularly in the transition economies, structural adjustment programmes in some developing countries and the recent financial crisis which began in Southeast Asia. Unions in industrialized countries also cited as important reasons for declining employment and consequently declining union density, the impact of new technology and the shift of production to cheap-labour countries.

High retrenchments, mass layoffs, retirements and rising levels of unemployment all over the world have reduced union membership and fuelled fears among workers of losing their jobs because of reprisals from employers if they join unions. The smaller regular workforce in some industries has reduced the traditional support base of the unions. The increasing proportion of atypical workers (part-time, temporary, casual, home-based workers with non-standard employment contracts) with a diversity of needs has brought about greater
divisiveness in the labour market and diminished labour solidarity. Anti-union attitudes among employers or governments have made workers, especially women, even more reluctant to join unions. (These various reasons for declining union membership are also discussed in Chapter 6).

On the other hand, where total union membership has grown, the increases have been mainly due to: aggressive publicity and membership recruitment drives; growth of a particular industry and increases in the size of the labour force; mergers between unions; more credibility and greater awareness of trade unionism among workers. The national centres experience increases in total membership largely because of the addition of new affiliates.

Women are much more likely than men to account for the increases in union membership, or conversely, the fall in membership is more likely to be attributable to men than to women (Table 3). Female union membership has been rising mainly because women make up the bulk of the increase in the workforce or because there have been specific recruitment drives or publicity campaigns targeted at them. Some unions also mentioned that women workers are now better educated and aware of the benefits of trade unionism. A few specifically explained that exploitation by employers and sexual harassment problems actually encourage women to join unions for protection.

“It may be observed that some trade unions which appear to have succeeded more than others in overcoming current difficulties have made a particular effort to organize women (Canada, some American trade unions), to take account of their concerns (Sweden), and to integrate them into their management structures (Uganda, Netherlands, Germany and Sweden)” (ILO, 1997, p.33).

2.2. Why women are still under-represented in unions

In spite of their increasing participation in unions and the fact that they constitute most of the new members, women are still under-represented in the total membership of unions (Table 4). In almost a third of the national centres, less than 30 per cent of the members are women, and in 60 per cent of the unions and IUF affiliates, less than half of the members are women. However, 47 per cent of the unions and 40 per cent of the IUF affiliates claim that their female membership is equal to women’s proportion in the labour force. Close to 13 per cent of unions and IUF affiliates claims that their proportion of female membership is greater (Table 5)—suggesting that the overall low representation of women in these unions may be due largely to their relatively lower participation in the regular labour force as compared to men.
What is very apparent is the under-representation of women in decision-making positions. They do not have proportional representation in trade union leadership. Women account for less than a third of the members of the highest decision-making body in nearly 60 per cent of the unions surveyed. In fact, more than 7 per cent of the unions surveyed do not have a single woman in the highest decision-making body (Table 4): “Clearly women have not achieved equal status with men within the trade union movement. If trade unions are to be credible to women regarding their commitment to promoting equality through collective bargaining, they must be able to show that equality is an integral part of their own policies and structures” (Olney et al., 1998, Booklet 6, p.7).

Table 4: Percentage of women in unions

<table>
<thead>
<tr>
<th>Percentage of Women</th>
<th>NC</th>
<th>TU</th>
<th>IUF</th>
<th>NC</th>
<th>TU</th>
<th>IUF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 30</td>
<td>13</td>
<td>52</td>
<td>19</td>
<td>42</td>
<td>99</td>
<td>48</td>
</tr>
<tr>
<td>30-39</td>
<td>11</td>
<td>22</td>
<td>9</td>
<td>7</td>
<td>22</td>
<td>5</td>
</tr>
<tr>
<td>40-49</td>
<td>15</td>
<td>17</td>
<td>14</td>
<td>4</td>
<td>15</td>
<td>4</td>
</tr>
<tr>
<td>50-59</td>
<td>9</td>
<td>25</td>
<td>6</td>
<td>3</td>
<td>11</td>
<td>5</td>
</tr>
<tr>
<td>60-69</td>
<td>6</td>
<td>8</td>
<td>9</td>
<td>1</td>
<td>10</td>
<td>4</td>
</tr>
<tr>
<td>70-79</td>
<td>1</td>
<td>13</td>
<td>1</td>
<td>--</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>80-89</td>
<td>--</td>
<td>11</td>
<td>2</td>
<td>--</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>90 and above</td>
<td>--</td>
<td>12</td>
<td>0</td>
<td>--</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Do not know</td>
<td>--</td>
<td>4</td>
<td>1</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>No answer</td>
<td>7</td>
<td>22</td>
<td>10</td>
<td>5</td>
<td>7</td>
<td>4</td>
</tr>
</tbody>
</table>

Table 5: Female membership as compared to proportion in the labour force

<table>
<thead>
<tr>
<th>Female membership compared to female proportion in labour force</th>
<th>Number of Trade Unions</th>
<th>Number of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equal to</td>
<td>88</td>
<td>29</td>
</tr>
<tr>
<td>Greater than</td>
<td>25</td>
<td>7</td>
</tr>
<tr>
<td>Less than</td>
<td>48</td>
<td>27</td>
</tr>
<tr>
<td>Do not know</td>
<td>10</td>
<td>3</td>
</tr>
<tr>
<td>No answer</td>
<td>15</td>
<td>5</td>
</tr>
</tbody>
</table>
Box 1: Single most important barrier to female membership in unions

1. Lack of understanding of how unions can help them (19.2 per cent)
2. Fear of reprisals from employers (17.2 per cent)
3. Conflicting family responsibilities (16.2 per cent)
4. Male-dominated culture/activities of the union (9.6 per cent)
5. Religious/cultural norms and constraints (6.6 per cent)
6. Women are in atypical forms of work and therefore difficult to reach and organize (6.6 per cent)
7. Women lack confidence to join unions (6 per cent)
8. Membership dues a problem (5.6 per cent)
9. Women face objections from their spouses or families (5 per cent)
10. Union not sensitive to the special needs of women workers (4.5 per cent)
11. Media portrayal of unions has been negative (2.5 per cent)
12. Legal constraints (1 per cent).

Respondents to the survey were asked to identify all the factors preventing women from becoming union members and also to indicate the single most important factor (Table 6). Box 1 lists these “most important” factors (with the percentage of local unions selecting the factor indicated in brackets).

The most commonly cited factor, and also the factor most frequently identified as most important, is that women do not understand how unions can help them. In some cases, this is because the women themselves are poorly educated (a factor cited by a few unions in developing countries). But the main implication is that unions still have a major publicity campaign task ahead of them -- to improve their public image (especially since more than a quarter of the unions indicated that they are negatively portrayed in the media -- including being seen only as a “strike agent”) and, more importantly, to raise awareness among women workers of the potential benefits of trade unionism to them. Such sensitization efforts are also significant because many unions now recognize that women often lack the self confidence to join.

In the actual work environment, a significant constraint is that women fear reprisals by employers (including losing their jobs). This is particularly the case in the export oriented industries but many of the public service unions also cited this factor. Since women are also increasingly engaged in atypical forms of work, they tend to be more difficult to reach and organize (the challenges of organizing atypical workers are discussed in greater detail in Chapter 6).
Table 6: Factors preventing women from becoming union members

<table>
<thead>
<tr>
<th>Factors</th>
<th>Listing the Factor</th>
<th>Identifying the Factor as most important</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TU</td>
<td>IUF</td>
</tr>
<tr>
<td>Religious/cultural norms and constraints</td>
<td>41</td>
<td>10</td>
</tr>
<tr>
<td>Legal constraints</td>
<td>13</td>
<td>3</td>
</tr>
<tr>
<td>Women face objections from spouses or families</td>
<td>56</td>
<td>21</td>
</tr>
<tr>
<td>Media portrayal of unions has been negative</td>
<td>48</td>
<td>13</td>
</tr>
<tr>
<td>Women do not understand how unions can help them/ women lack education</td>
<td>97</td>
<td>37</td>
</tr>
<tr>
<td>Women lack self confidence to join unions</td>
<td>69</td>
<td>22</td>
</tr>
<tr>
<td>Women do not have the time</td>
<td>100</td>
<td>32</td>
</tr>
<tr>
<td>because of conflicting family responsibilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women in atypical forms of work and therefore difficult to reach and organize</td>
<td>46</td>
<td>33</td>
</tr>
<tr>
<td>Women fear reprisals by employers (including losing their jobs)</td>
<td>77</td>
<td>27</td>
</tr>
<tr>
<td>(including losing their jobs) for joining the union</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male dominated culture/activities of the union</td>
<td>64</td>
<td>17</td>
</tr>
<tr>
<td>Discouragement or hostile reactions from male members</td>
<td>22</td>
<td>5</td>
</tr>
<tr>
<td>The union is not sensitive to the special needs of women workers</td>
<td>38</td>
<td>10</td>
</tr>
<tr>
<td>Membership dues a problem</td>
<td>33</td>
<td>15</td>
</tr>
<tr>
<td>Negative attitudes of government</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>No answer</td>
<td>29</td>
<td>10</td>
</tr>
</tbody>
</table>

The third identified factor is the burden of family responsibilities; women do not have time to join unions because of conflicting family responsibilities. They often also face objections from their spouses or families, or are subject to religious or cultural constraints.

Another set of constraints relates to the internal structures and strategies of the unions themselves. Many unions are recognizing that they are not sensitive to the specific needs and difficulties of women workers. The male-dominated culture or activities of a union or hostile reactions from male members often discourage women from joining. Several unions also indicated that high membership dues are a barrier.
Within the unions, the majority (more than three-quarters of the trade unions, 82 per cent of IUF affiliates and 86 per cent of the national centres) claim that female members participate in all union activities, rather than being confined to some or only women-specific activities (Table 7). But about a third of the unions and national centres and 45 per cent of IUF affiliates feel that women members are less involved in union activities than the men (Table 8).

**Table 7: Participation of women in union activities**

<table>
<thead>
<tr>
<th>Union activities</th>
<th>No. of trade unions</th>
<th>No. of National centres</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>All union activities</td>
<td>142</td>
<td>53</td>
<td>58</td>
</tr>
<tr>
<td>Some union activities</td>
<td>28</td>
<td>6</td>
<td>10</td>
</tr>
<tr>
<td>Women-specific activities only</td>
<td>3</td>
<td>--</td>
<td>2</td>
</tr>
<tr>
<td>No answer</td>
<td>13</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>

**Table 8: Participation of women as compared to participation of men in union activities**

<table>
<thead>
<tr>
<th>Participation in union activities</th>
<th>No. of trade unions</th>
<th>No. of National centres</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women more active than men members</td>
<td>31</td>
<td>3</td>
<td>12</td>
</tr>
<tr>
<td>Women as active as men members</td>
<td>81</td>
<td>33</td>
<td>25</td>
</tr>
<tr>
<td>Women less active than men members</td>
<td>66</td>
<td>21</td>
<td>32</td>
</tr>
<tr>
<td>No answer</td>
<td>8</td>
<td>5</td>
<td>2</td>
</tr>
</tbody>
</table>
3. PROMOTING GENDER EQUALITY WITHIN UNION STRUCTURES

3.1. Recruiting women as members

To target women as a specific group for recruitment raises new union issues. Importantly, there has to be recognition that women have particular needs and it is no longer sufficient to involve women through attempts to treat them the same as men -- “women are claiming the right to be different from men”. Some 44 percent of the trade unions, 52% of IUF affiliates and over two-thirds of the national centres have therefore undertaken special measures to recruit women workers (Table 9).

Table 9: Whether special measures have been taken to recruit women members

<table>
<thead>
<tr>
<th>Whether measures taken</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>39</td>
<td>82</td>
<td>37</td>
</tr>
<tr>
<td>No</td>
<td>21</td>
<td>94</td>
<td>32</td>
</tr>
<tr>
<td>No answer</td>
<td>2</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>62</td>
<td>186</td>
<td>71</td>
</tr>
</tbody>
</table>

Many unions appear to have adopted a multi-pronged approach to recruitment consisting of a range of strategies, over a period of time. Two measures that are almost always included consist of making women members more visible in recruitment drives and in leadership roles; and of identifying and then addressing the specific needs of women. Especially in developing countries, awareness raising is critical to help women understand the benefits of unionization. Efforts are made to demonstrate the credibility of the union in the area of equality, to “profile” women members with a view to promoting solidarity among women workers, and to present the union as an organization devoted to providing services to its members. Many unions specifically mention the establishment of women’s units as central to their organizing efforts.

It is obviously very difficult to assess, in many cases, whether particular measures have led directly to increased female membership. Some unions have rated single events, such as a seminar on equal pay, as very successful, although it is not clear whether the activity itself was so highly appreciated that it led to increased membership or whether the activity is only one example of the type of action that is credited with stimulating women’s membership.

What does appear to be clearer from the perspective of successful organizing is that an intensive series of events, in which women are encouraged to participate (like small study groups, debates, seminars and training sessions) tend to yield positive results. Soliciting the views of the women workers themselves, listening to their concerns, expectations and fears in fora (such as women-only study circles) where they feel confident to express their opinions (“women appreciate not having
to worry about male domination or superior experts”) appear to be more effective strategies than merely informing them of their rights. In Côte d’Ivoire, for example, one of the unions reported that its study circles have been very successful because:

“we have encouraged women to take responsibility by giving courses to their sisters in the workplace. The study circle permitted the training of 300 women in six months. These circles brought them closer together and motivated them, and proved to women that participation at all levels of the union is not only a man’s affair”.

Alongside action of this type, some unions have also alluded to the importance of creating a positive public image, through issuing frequent press releases or regular information sheets on the union’s activities. For instance, one of the affiliates of the AFL-CIO uses “its long history of support for women’s issues as an organizing tool”.

Examples of recruitment measures targeting women are highlighted in Box 2. The measures have been evaluated by the unions themselves to be successful to varying degrees. It is evident from a number of examples that, for the optimum results, it is necessary to invest in organizing activities. For example, in the United States, the Service Employees International Union (SEIU) has targeted female-dominated occupations such as nursing with great success. Considerable planning is undertaken in preparation for the organizing drives: polling methods are used to determine the attitudes of potential members and care is taken to formulate and present the message of the union to potential members. Almost two-thirds of the organizing staff are female and about half of the union budget is spent on organizing, most of which is directed at women workers. In Ghana, the General Agricultural Workers’ Union reported that the measures taken, with the support of the ILO, the IUF and the Norwegian Government have been very successful because they have been constant and continuous programmes, subject to regular monitoring and evaluation by field officers. In the Asia and Pacific Region, ICFTU-APRO has a recruiting campaign “1+1= women power” (one woman trade union member reaching out to recruit another), which includes a 17 minute video and place mats for dining tables with the same theme. The campaign has proved successful because it has been a non-threatening recruiting tool. The New Zealand Public Service Association (NZPSA) considers that its efforts were very successful because of the systematic approach taken to target areas where women members were present but not willing to be delegates. The NZPSA undertook an analysis of the barriers to proportional membership, with a view to devising effective strategies.
Box 2: Recruiting women members

Raising awareness of the benefits of unionization:
- Intensive awareness raising activities (including information kits, seminars, study circles) run by women unionists help to show other women that participation in all union activities is welcomed and feasible (Côte d’Ivoire);
- Awareness and recruitment campaign targeting an area in a major city and involving the distribution of an information booklet and the presence of union office-bearers; about 20 per cent of the women who asked for information subsequently joined (India);

Improving the public image of unions:
- As part of its efforts to recruit part-time workers, the union widely publicizes its equality victories thus identifying itself as a supporter of part-time workers and a champion of equality (United Kingdom);
- The union uses its long history of support for health care, equal pay, childcare as an organizing tool (United States);

Making women visible in unions:
- Enforcing a policy of 30 per cent representation of women in every major union body and delegation (including negotiating teams) (France);
- The elected chairperson is mandated to organize women’s committees in all branches and act as educational coordinator. She serves as a model for other female workers (Malawi);

Soliciting the views of women workers and understanding their concerns and needs:
- A national centre conducted research and disseminated information on workers’ needs including those of non-unionized workers and inspired many trade union affiliates to better respond to the needs of non-unionized women (Canada);
- Holding study circles, conferences dealing with the concerns of women workers;

Providing services to meet the needs of women workers: (see also Box 4)
- Inclusion of gender concerns -- equal pay, maternity benefits, sexual harassment policy, etc. -- in collective agreements;
- Special facilities for child care, cooperatives, income-generation, etc.
- Specific education and training courses for women;

Special organizing campaigns: (see also Box 3)
- A 1+1 campaign to recruit women workers, successful because each union member is responsible for recruiting a new member (Asia-Pacific);
- SPUR (Special Programme Union Representatives) comprising both male and female rank and file members, have been successful -- because they are closer to other workers and there are more organizers available (Canada);
- The union visits women-dominated enterprises, meets with employers, labour inspectors and local authorities; the women workers become more confident and look to the union for support and protection (Bulgaria);
- Women’s committee members go out to the market place and unorganized industrial sectors to talk to and encourage women to join unions (Malaysia);
- Training to enhance skills of organizers assigned to the EPZs, including six months intensive field training and monthly assessments of trainees’ activities (Philippines).
Box 3: Mobilizing women workers through organizing or servicing?

The Organizing Model:
Organizing is about empowering workers to instigate and effect changes in their workplace. The model works for external organizing -- recruiting and organizing workers in non-union sites and also for internal organizing -- working with members and recruiting in workplaces that are largely unionized.

Organizing, education and action are the three vital components of the organizing model. The involvement of informed supportive members is necessary to obtain good employment contracts. The organizing model:
- strengthens bargaining;
- helps present a visible and credible threat of effective workplace actions;
- prepares members and unions for possible collective activity;
- fixes workplace problems;
- mobilizes members for lobbying and political activity;
- generates recruitment;
- develops workplace leaders.

The benefits of using the organizing model:
- It is more effective. An employer is more likely to bargain if there is a clear indication that a large number of workers are involved and behind the union;
- It gives members a sense of power as a group, by letting them share in the decisions and the victories;
- It educates members about the nature of the dispute between the union and the employer;
- The union gains power;
- The organizing model enables a union to take on and solve more problems because more people are involved and available to help.

The Servicing Model:
Servicing, on the other hand, is based on trying to help people by solving problems for them. If union members see themselves as purchasing a service (or worse still, an insurance product) when they join a union, then their expectations cannot be met.

Unions require people to make collective, rather than individual choices, and to support these choices with action. In the long term a union can only achieve what the members are prepared to stand up and fight for.

Box 4: Recruiting women through providing services

As an organizing tool, some unions, particularly in developing countries, place emphasis on providing direct services to women. Such action is seen as necessary and important to address the specific needs of women and to help them understand in practical terms the benefits of unionization to them. Some of the types of services that unions have been providing as part of their organizing drives are:

- **Benin**: unions have projects for:
  - staff cooperatives which buy household goods (rice, soap) in bulk to enable women members to obtain them at lower prices;
  - laundry services for working women in their neighbourhood so as to alleviate their heavy workload at work and in the home and to also create employment for other women in the neighbourhood;
  - childcare facilities near the main market for children of women vendors to facilitate breastfeeding, while allowing women to continue working;
  - a women’s theatre group which is helping to educate women on issues relating to unionization and also social issues such as family planning, health, education of girls, the disadvantages of polygamy. This is especially important because a majority of the women are illiterate.

- **Congo**: the CSTC has focussed on not only professional problems of women workers concerning equal pay, equal opportunities, professional qualifications and internships but also social problems linked to family life, health insurance.

- **Kenya**: COTU has specially targeted programmes for women for education, income generation, self-help, cooperatives, etc.— “the women appreciate not having to worry about male domination or superior experts”.

- **Latvia**: the Latvian Seafarers’ Union of Merchant Fleet arranges special insurance for the women, medical examinations, extra payment for maternity leave and childcare.

- **Philippines**: the TUC arranges free medical consultations for the women; this has been a relatively successful mobilizing tool as the women often cannot afford to seek medical attention.

- **Thailand**: the Labour Congress of Thailand coordinates a scholarship fund to help children of retrenched workers to continue their education; the fund is contributed to by ICFTU-A PRO and the Office of the Prime Minister of Thailand.
The NZPSA uses an organizing rather than a servicing model to mobilize women members, as described in Box 3. The emphasis of the organizing model is on collective action. But other unions, particularly those in developing countries, stress the need to provide services specifically for women to address the major problem that women do not understand how unions can help them. Some of the ways in which unions have been providing services to women as a recruitment strategy are highlighted in Box 4.

Limited finances and expertise may inhibit significantly the capacity of some unions to commence and maintain organizing strategies. Some 13 trade unions mentioned specifically that the activities to recruit women had been carried out with the financial assistance and support of the ICFTU, international trade secretariats, the ILO or other international donors, such as the Swedish International Development Agency. One of these unions lamented that the programme had only a modicum of success, because the desired follow-up action had not been possible due to a lack of funds.

Unfortunately, little information was provided on those measures that failed to produce the intended results. In general, it seems that monitoring and evaluation of particular strategies is undertaken only rarely. The United Steelworkers of America (Canada) indicated that its efforts to organize the healthcare industry proved very difficult because of the small size of the units and the high turnover of the workers involved, as well as the cumbersome requirements of the labour legislation. Another union stated that women in many divisions hesitated to campaign for reasons of modesty. Some also cited the hostility or lack of support or encouragement from male union leaders.
3.2. Increasing the participation of women in leadership positions

The ICFTU Programme of Action recommends that unions should examine their structures and modify them in order to improve the representation of women. Positive action programmes to *bring about structural changes* help to lay down the basis for these changes to occur spontaneously at a faster rate. For example, it was noted in the ICFTU 5th World Women's Conference report that in those unions which had reserved seats for women in their national executive, women had succeeded to being elected to these positions in their own right. Table 10 shows that, of the various measures to increase the participation of women in leadership positions, reserved/additional seats remain the preferred means of positive action both for national centres and trade unions, with double nominations being the least preferred measure. Of those unions which provided detailed information, it appears that women officers still predominate in positions concerning equality questions, women's issues or social/cultural affairs. Some unions have, however, employed women as press officers, industrial officers or directors of the collective bargaining department.

<table>
<thead>
<tr>
<th>Type of measure</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quotas</td>
<td>16</td>
<td>25</td>
<td>13</td>
</tr>
<tr>
<td>Reserved/additional seats</td>
<td>19</td>
<td>41</td>
<td>18</td>
</tr>
<tr>
<td>Targets</td>
<td>17</td>
<td>40</td>
<td>14</td>
</tr>
<tr>
<td>Double nominations</td>
<td>5</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>Total with some kind of leadership measure</td>
<td>43</td>
<td>101</td>
<td>38</td>
</tr>
</tbody>
</table>

Where *quotas or targets* are used, many unions have set the minimum at 30 per cent of women in leadership posts, although some unions have 40 per cent quotas (for example, in Norway), or 50 per cent targets (Sweden) which have been implemented effectively. Those unions that have introduced quotas or targets more recently have set them more modestly at 10 per cent. Box 5 elaborates some of the measures listed in Table 10, and also describes briefly other specific efforts to increase the representation of women in leadership positions. These efforts appear to emphasize statutory reforms, specific plans for achieving targets for women's representation, awareness raising, leadership training and regularly publishing statistics on progress.

Those unions which put forward reasons for the failure of efforts taken in this regard pointed to such constraints as women's family responsibilities (which are given priority over meetings held at certain times, like weekends), the non-support of women leaders by other women, and the resistance of men. On the other hand, those unions which undertook to *foster a high degree of awareness of women's issues among the general membership* found that women's participation at higher levels has become regarded as unexceptional. Again, the need for more systematic monitoring and evaluation was brought out in the replies received.
Box 5: Increasing the representation of women in leadership positions

**Statutory reforms:**
- Union constitution is amended to provide for women’s representation (reserved seats, quotas, targets, proportionality, etc.);
- The women’s chair is automatically a member of the Presidium at the national level and automatically the vice-president in some provinces, thus ensuring that women participate in decision-making at the highest level (Austria);
- The women’s committee has reserved seats on the executive committee (Japan);
- The chair of the women’s committee participates in collective bargaining and this has helped to increase the number of women in negotiating teams (Zimbabwe).

**Specific targets and plans:**
- The union adopts and implements an equality plan;
- The general board sets as a goal proportional representation in the leading committees and consistently monitors progress (Denmark);
- Bodies that cannot achieve representative gender proportions through elections must elaborate corrective mechanisms to reach this goal in stages (Belgium).

**Awareness raising and publicity:**
- Targeting male-dominated unions through awareness raising campaigns on how proportional representation of women at all levels will benefit them and improve the image of the union;
- Giving increased visibility to women leaders;
- Using non-sexist language in all union documents;
- Leadership by example, “a working mother but also a leader in the union” (Malaysia);
- The union publishes annual figures on women’s participation in the membership and leadership (Netherlands).

**Education and leadership training:**
- Encouraging and providing funding to the women’s committee to promote more active participation of women through education and training programmes;
- Six-months leadership development programme for women to encourage their leadership role in the union and society (Bermuda);
- The national centre has specific training for women leaders in its yearly educational programmes (Ecuador);
- A 30 percent women’s quota for educational programmes (Croatia).

**Meeting the specific needs of women:**
- Conducting union meetings in a more informal way to encourage wider participation and taking other steps to overcome barriers to women’s participation (such as holding meetings during working hours, providing childcare, having paid time off for union activities);
- Combining the electoral process (which is based on a proportionality policy with informal measures (such as women-only training) so as to achieve a critical mass of women in leadership positions and to “feminize” the face of the union (United Kingdom).
3.3. Internal structures for the promotion of gender equality

About 92 per cent of the national centres, 73 per cent of the trade unions and 53 per cent of IUF affiliates reported having established some kind of structure to promote equality. Table 11 shows that about three-quarters of the national centres and half of the trade unions and IUF affiliates have created equality/women’s committees; a lower percentage have appointed equality/women’s officers and still fewer have created equality/women’s departments.

Table 11: Type of internal structure for the promotion of equality

<table>
<thead>
<tr>
<th>Structure</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equality/women’s committee</td>
<td>46</td>
<td>96</td>
<td>39</td>
</tr>
<tr>
<td>Equality/women’s department</td>
<td>26</td>
<td>35</td>
<td>17</td>
</tr>
<tr>
<td>Equality/women’s officer</td>
<td>30</td>
<td>72</td>
<td>25</td>
</tr>
<tr>
<td>Total with some kind of structure</td>
<td>57</td>
<td>135</td>
<td>54</td>
</tr>
</tbody>
</table>

Some 37 per cent of trade unions, 40 per cent of IUF affiliates and 53 per cent of national centres have given statutory status to the internal structure created to promote equality. The majority which have not proceeded to this step have accorded an advisory/consultative role to the relevant structure (Table 12). But only about a third of the unions surveyed reported that the structures created have a significant influence on the highest decision-making body. Unfortunately, the results do not disclose where influence is best exerted or where it fails.

It may, however, be inferred from the answers given elsewhere in the survey that, in the main, equality concerns are not yet central to all aspects of trade union activities. In collective bargaining, for instance, there is a tendency to consider equality of opportunity and treatment for women workers only in relation to maternity protection and its associated issues. Another indication of the relatively limited significance of the equality/women’s committee/department/officer is that just over half reported receiving regular financial allocations and of these, less than half feel that the allocations are adequate (Table 13).
Table 12: Status and influence of the Equality/Women’s Committee/Department/OFFicer in relation to the decision-making body

<table>
<thead>
<tr>
<th>Status:</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory</td>
<td>33</td>
<td>68</td>
<td>29</td>
</tr>
<tr>
<td>Advisory/consultative</td>
<td>27</td>
<td>72</td>
<td>24</td>
</tr>
<tr>
<td>Ad-hoc/temporary</td>
<td>3</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>Observer</td>
<td>3</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>Other</td>
<td>5</td>
<td>22</td>
<td>2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Influence:</th>
<th>No of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>No influence</td>
<td>4</td>
<td>14</td>
<td>10</td>
</tr>
<tr>
<td>Some influence</td>
<td>35</td>
<td>76</td>
<td>35</td>
</tr>
<tr>
<td>Great deal of influence</td>
<td>20</td>
<td>52</td>
<td>10</td>
</tr>
<tr>
<td>No answer</td>
<td>3</td>
<td>44</td>
<td>16</td>
</tr>
<tr>
<td>Total</td>
<td>62</td>
<td>186</td>
<td>71</td>
</tr>
</tbody>
</table>

Table 13: Allocation of financial resources for the Equality/Women’s Committee/Department/OFFicer

<table>
<thead>
<tr>
<th>Allocation of financial resources</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receives financial allocation</td>
<td>44</td>
<td>91</td>
<td>31</td>
</tr>
<tr>
<td>Does not receive allocation</td>
<td>13</td>
<td>35</td>
<td>29</td>
</tr>
<tr>
<td>No answer</td>
<td>--</td>
<td>9</td>
<td>11</td>
</tr>
<tr>
<td>Total with Equality/Women’s Committee/Dept./OFFicer</td>
<td>57</td>
<td>126</td>
<td>60</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Adequacy of allocation</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adequate</td>
<td>17</td>
<td>45</td>
<td>7</td>
</tr>
<tr>
<td>Inadequate</td>
<td>26</td>
<td>42</td>
<td>24</td>
</tr>
<tr>
<td>No answer</td>
<td>1</td>
<td>4</td>
<td>40</td>
</tr>
<tr>
<td>Total receiving an allocation</td>
<td>44</td>
<td>91</td>
<td>31</td>
</tr>
</tbody>
</table>
3.4. Promoting gender equality and solidarity in union activities

Table 14 and Box 6 show the kinds of positive action and women-specific measures adopted by unions to promote gender equality in union activities, including in elections, education and training programmes, attendance at national and international events, etc. The affirmative/positive actions include not only constitutional rules and union resolutions on the representation of women and specific programmes to increase women’s representation but also other less formal measures, such as ensuring that activities are conducted at times convenient for women to attend and that childcare facilities are available.

A large number of unions also reported activities catering specifically to women’s multifaceted problems and needs at the workplace, at home and in the wider community. Most of these women-specific activities were evaluated to be successful mainly because they directly met the women’s needs within and outside the workplace, allowed the women to feel comfortable participating, helped them to gain confidence, and made them feel that the union is relevant to them. About 60 per cent of the national centres and a third of the local unions and IUF affiliates feel that their publications, newsletters, official speeches, etc. very frequently give attention to women’s issues (Table 15).

### Table 14: Policies and programmes to promote gender equality within unions

<table>
<thead>
<tr>
<th>Type of policy/programme</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td>No answer</td>
</tr>
<tr>
<td>Positive/affirmative action</td>
<td>49</td>
<td>11</td>
<td>2</td>
</tr>
<tr>
<td>Specific activities for women members</td>
<td>51</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>Activities to promote solidarity between men and women</td>
<td>39</td>
<td>18</td>
<td>5</td>
</tr>
</tbody>
</table>

### Table 15: Attention given to women’s issues in union communications

<table>
<thead>
<tr>
<th>Attention given to women’s issues</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very frequently</td>
<td>36</td>
<td>60</td>
<td>23</td>
</tr>
<tr>
<td>Sometimes</td>
<td>19</td>
<td>97</td>
<td>38</td>
</tr>
<tr>
<td>Hardly ever</td>
<td>3</td>
<td>13</td>
<td>6</td>
</tr>
<tr>
<td>Never</td>
<td>0</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>No answer</td>
<td>4</td>
<td>12</td>
<td>3</td>
</tr>
</tbody>
</table>
## Box 6: Promoting more equal gender participation in union activities

### Affirmative/Positive Measures:
- Established quotas for training and education programmes;
- Having women candidates in all elections;
- System of double candidature;
- Union equality plans;
- Resolution on promotion of positive action, positive action plan;
- National project on “Every Other Seat for Ladies”;
- Charter on mixed structures;
- Gender balance in representation at national and international events;
- Activities held at times convenient for women to attend;
- Provision of childcare facilities for union activities;
- Publicity campaign to encourage votes for women in political elections;
- Portion of certain union budgets reserved for gender projects;
- Women's caucus;
- “Proportionality on elected bodies”;
- Conference on mainstreaming;
- Adoption of report on access to equality by women in trade unions.

### Women-Specific Measures:
- Budgeted seminars for enhancing female participation, women-specific topics;
- Study circles/groups on women's issues;
- “Ask a Working Women Survey”;
- Training days for women (on pensions, job classification, etc.);
- Women’s summer school, education council for women;
- Video on 1+1=Women's Power and gender awareness programme;
- Women workers organizing campaign: 1+1 recruiting;
- Campaigns on violence and harassment at the workplace;
- Skills training programmes;
- Computer training for women;
- Training in leadership, confidence building, time management;
- Residential women activists training programme;
- Commemorative day activities (8th March Women's Day, 6th December Violence against women, Mother’s Day);
- European Women's Network where women unionists meet annually;
- Women's Working and Living Conditions Committee;
- Research on working environment of women;
- Activities for female shop stewards;
- Exhibition on “the competent woman” organized once a year;
- Lunch-hour meetings to “feel the pulse of women's problems”;
- Training on sexual harassment: “How to say no to your boss”;
- Health and safety for women (breast cancer, family planning, mothers’ classes);
- Distance learning for women who cannot attend because of family responsibilities;
- Toll free telephone number for information on women and unions;
- Regional seminars and regional conferences by ITFs and ICFTU on women’s issues.
The unions also reported a number of measures to promote solidarity between male and female members. Perhaps the most common measure is gender awareness raising and equality training targeted at men only, women only and mixed groups. Gender sensitization is also enhanced through poster campaigns and media articles. Several unions also organize specific events to promote gender solidarity, such as courses on “Sisters and Brothers Working Together” (for example, NSZZ Poland’s “Working Together in Solidarnosc”), courses on “coexistence between women and men” and discussions on “machismo”. The ICFTU also has a pilot project in 15 countries on gender awareness raising for male and female educators. The women’s committees also attempt to promote male participation in “women’s events”, such as March 8th activities, and to ensure that all communications are also addressed to men.

Solidarity is also built through involving women and men in joint campaigns on issues of common concern, such as on child labour, paid paternity leave, a “no democracy without balance” campaign to increase the number of women candidates in national elections, etc. The UPCN in Argentina cited “shared actions to defend the union” and noted that this encouraged male and female members to change their discourse from “the union is” to “we are UPCN”. A union in Bangladesh has a policy that out of two paid organizers, one is male and the other female. In Trinidad and Tobago, there has been a very interesting initiative - having observed a region-wide problem where men are not realizing their full potential in relation to their educational achievements, the union formed a male caucus and proposed to conduct a study on the problem.
4. PROMOTING GENDER EQUALITY AT THE WORKPLACE

4.1. Gender equality bargaining

In the past, many equality-related issues were treated as personal rather than collective concerns, or as “minority” or special interests which if pursued could undermine trade union solidarity (Olney, 1998, p.17). But unions are perfectly positioned to be strong advocates for gender equality. Their long standing democratic structures and clear mandate to fight oppression and discrimination in the workplace give them a clear role in the promotion of gender equality, importantly through the collective bargaining process.

Certain collective bargaining issues may be of more direct or central concern to women than men because of their reproductive role, their ascribed role in regard to family and household care, or because of the results of past discrimination. At the same time, some of these issues are not limited to women alone in that men also need certain types of protection in regard to their reproductive function and measures are needed to provide men with opportunities to share more in family responsibilities (Olney et al. 1998, Booklet 1, p.6).

The current inadequacies of equality legislation and its enforcement in many countries underscore even more the potential of collective bargaining to address equality of opportunity and treatment within the terms and conditions of employment. Collective bargaining can also enhance public respect for the role of unions as a major reforming force in society. A commitment by unions to pursue the issues that are of especial concern to women in the context of collective bargaining (and widely publicizing the action) is crucial to increasing female membership.

Unions have increasingly acknowledged that women have different perspectives, concerns and priorities to bring to the collective bargaining table. To this end, 42 percent of the unions and IUF affiliates, and the 69 percent of the national centres that participate in collective bargaining negotiations reported having adopted a specific policy on including women in collective bargaining teams (Table 16). Of those which have such a policy, a significant number have instituted training for women delegates in negotiation techniques and the preparation of negotiation documents.

The extent to which women participate in collective bargaining, however, appears to vary considerably: some unions have established quotas for women’s participation, either by fixing a percentage (ranging from 33 per cent to 50 per cent), or in numerical terms (at least one or two women must be included in the team). Other unions stipulate that certain office-bearers (notably, the head of the equality committee, the director of the equality/women’s department or a female executive member) must be included in collective bargaining teams. For other unions, the proportion of women included in the collective bargaining teams must reflect the proportion of women members of the union. A few unions include women in collective bargaining only when there are issues raised of particular concern to
women. On the basis of the responses, it appeared that where explicit policies have been adopted to include women in collective bargaining, these have been implemented successfully: only a few organizations commented that, despite the efforts made, collective bargaining has remained an activity dominated by men.

Table 16: Policy on the participation of women in collective bargaining teams

<table>
<thead>
<tr>
<th>Policy</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has a policy for the participation of women in collective bargaining teams</td>
<td>24</td>
<td>67</td>
<td>28</td>
</tr>
<tr>
<td>Does not have a policy for women’s participation in collective bargaining teams</td>
<td>16</td>
<td>93</td>
<td>41</td>
</tr>
<tr>
<td>Does not participate in collective bargaining negotiations</td>
<td>27</td>
<td>25</td>
<td>4</td>
</tr>
<tr>
<td>No answer</td>
<td>2</td>
<td>9</td>
<td>3</td>
</tr>
</tbody>
</table>

Table 17: Gender issues included in collective agreements

<table>
<thead>
<tr>
<th>Gender issue</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equal pay</td>
<td>29</td>
<td>134</td>
<td>55</td>
</tr>
<tr>
<td>Maternity leave</td>
<td>34</td>
<td>137</td>
<td>53</td>
</tr>
<tr>
<td>Breast feeding provisions</td>
<td>26</td>
<td>54</td>
<td>32</td>
</tr>
<tr>
<td>Paternity leave</td>
<td>24</td>
<td>97</td>
<td>30</td>
</tr>
<tr>
<td>Parental leave</td>
<td>25</td>
<td>79</td>
<td>26</td>
</tr>
<tr>
<td>Special rights for pregnant women</td>
<td>26</td>
<td>95</td>
<td>39</td>
</tr>
<tr>
<td>Child care</td>
<td>18</td>
<td>83</td>
<td>27</td>
</tr>
<tr>
<td>Sexual harassment policy</td>
<td>14</td>
<td>72</td>
<td>30</td>
</tr>
<tr>
<td>Night work provisions</td>
<td>22</td>
<td>80</td>
<td>41</td>
</tr>
<tr>
<td>Family friendly policies</td>
<td>19</td>
<td>56</td>
<td>24</td>
</tr>
<tr>
<td>Positive/affirmative action measures</td>
<td>15</td>
<td>40</td>
<td>17</td>
</tr>
<tr>
<td>Vocational training for women</td>
<td>19</td>
<td>50</td>
<td>19</td>
</tr>
<tr>
<td>Not involved in collective bargaining</td>
<td>27</td>
<td>25</td>
<td>4</td>
</tr>
</tbody>
</table>
Box 7: Gender issues included in collective agreements

(In order of frequency of inclusion by trade unions)
1. Maternity leave
2. Equal pay
3. Special rights for pregnant women
4. Paternal leave
5. Night work provisions
6. Parental leave
7. Child care
8. Breast feeding provisions
9. Sexual harassment policy
10. Family friendly policies
11. Vocational training for women
12. Positive/affirmative action policies

From Table 17 and Box 7, it is perhaps not surprising that the issue included most often in collective agreements is that of maternity leave. According to a 1994 ILO study, collective agreements have played a significant role in making maternity protection available to women who previously lacked it, either because the issue is not covered statutorily or because the legislation is not comprehensive (by, for instance, omitting certain groups like part-time workers). Those issues related to maternity (breast feeding, paternity leave, special rights for pregnant women, child care and parental leave) were rated as the most frequent issues for inclusion in agreements.

Equal pay came second only narrowly to maternity protection as a gender matter included in collective agreements. This mirrors the results of the 1997 national survey conducted by the AFL-CIO - the *Ask a Working Woman Survey* - which revealed that equal pay was the topmost concern of women in the United States. Following from the survey, AFL-CIO set up a page on its website which enables women to calculate their losses due to pay inequality.

It is also worth noting that around 40 percent of the national centres and 44 percent of the unions and the IUF affiliates have negotiated a sexual harassment policy in collective agreements. Other issues included in agreements concern the provision of uniforms, marriage leave, certain types of bereavement leave and equal rights for part-time workers. Where particular gender issues are not included in collective agreements, it is sometimes because they are already covered by legislation.

An overwhelming proportion of the unions indicated that, in the main, the gender issues included in agreements had been identified by both male and female members rather than just by women (Table 18). Where the issue was raised mainly by one sex, it was by women. Female members of the Associated
Mineworkers of Zimbabwe put forward their demands after an evaluation workshop and lobbied for these to be included in negotiations. Canada has a number of examples of the role of women in collective bargaining: there are women bargaining advocates; the Women Working and Living Conditions Committee of the Quebec Service Employees Union submits recommendations to the bargaining committee; the Canadian Union of Public Employees provides “gender checklists for bargaining” (covering wages and benefits, hours of work, working conditions, vulnerable workers, maternity and family responsibilities, fighting discrimination, empowering women); and the Canadian Labour Congress is writing a model equality collective agreement.

Table 18: Responsibility for identifying gender issues for collective bargaining

<table>
<thead>
<tr>
<th>Responsible parties</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mainly by women members</td>
<td>3</td>
<td>38</td>
<td>6</td>
</tr>
<tr>
<td>Mainly by men members</td>
<td>0</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>By both male and female members</td>
<td>22</td>
<td>96</td>
<td>50</td>
</tr>
<tr>
<td>By employers</td>
<td>3</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>By government/in legislation</td>
<td>5</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Not involved in collective bargaining</td>
<td>27</td>
<td>25</td>
<td>4</td>
</tr>
<tr>
<td>No answer</td>
<td>2</td>
<td>10</td>
<td>9</td>
</tr>
</tbody>
</table>

The inclusion of certain gender issues in agreements is also promoted by various other sources, including employers, women politicians, the national government and by the matter having been raised through the filing of a grievance. The ICFTU, ITSs and national centres also play an important role. In the United Kingdom, the Trade Union Congress (TUC) Equal Opportunities Commission draws attention to equality issues, which are then taken up by individual unions. On the basis of the information and guidance provided by the TUC (which, for example, provides information on legislation on equal pay and discrimination as background for negotiations), the unions draw attention of their members to these issues, formulate their own guidelines and include them in the negotiations with employers. In France, the CFDT is training some hundred members on negotiation of professional equality at the enterprise level.

The process for including gender issues in collective bargaining normally include the measures highlighted in Box 8. It is particularly important to ensure that women are consulted and their concerns and priorities taken into account for at least three important reasons. Firstly, collective agreements are often formulated on the basis of past agreements, and these tended to almost completely ignore the specific concerns and interests of women. Secondly, women tend to be the “invisible” workforce; and thirdly, they often lack the confidence to make themselves heard, especially when they are not well educated.
Box 8: Including gender issues in collective bargaining

**Promoting awareness and understanding of gender issues:**
- ensuring that union education and training materials incorporate gender issues;
- conducting special campaigns and motivation efforts (such as tripartite fora prior to negotiations);

**Involving women in the negotiating teams:** (so that they can play a key role in formulating demands and examining proposed clauses for discrimination)
- Women’s Department/officer is a member of the team;
- establishing quotas for negotiating teams and other statutory means;
- educating and training women members to effectively participate in negotiations;

**Consulting women and ensuring that their voice are heard:**
- women leaders discuss with the union’s executive committee the formulation of demands;
- Women’s Department/officer is expected to submit demands;
- setting up a joint committee for pre-negotiation discussions;
- calling special meetings of women representatives from all departments;

**Making special efforts to get the views of all workers:** (so as to ensure that needs are properly identified and prioritized)
- reaching out to women who are absent or silent at meetings by getting women shop stewards and those close to them to explain and to obtain their views;
- sending out circulars to all workers asking them to submit their views and demands;
- sending out a questionnaire, conducting research;
- circulating draft collective agreement for comments;

**Being well-prepared for negotiations:**
- doing “homework” -- gathering all the facts and statistics on the position of women in the workplace;
- being well-versed with existing gender equality provisions in legislation, existing collective agreements, government policies, work rules, etc.;
- gathering arguments to show employers and male union members that promoting gender equality is the smart thing to do -- in terms of costs and benefits, productivity, staff morale, public image of the company, etc.;

**Following-up:**
- publicizing the work done by the union on behalf of women (as an organizing strategy);
- regularly monitoring the implementation;
- publishing statistics on the progress made in implementation.
Promoting gender equality at the workplace does not end once the collective agreement is signed. Unless there is proper implementation and monitoring, the gains achieved may be only on paper. Of those with collective agreements, about 60 per cent of the unions, 44 per cent of the IUF affiliates and about 40 percent of the national centres reported that they systematically monitor the implementation of collective bargaining provisions on gender equality (Table 19).

Some of the monitoring procedures are informal or ad hoc, carried out by the union leaders or when there are specific grievances. More systematic efforts at monitoring include regular reporting procedures and keeping statistics. In many cases, the monitoring covers implementation of the entire agreement rather than just the equality provisions. However, in some cases there is specific attention to the gender clauses, with reporting to an external or higher body. For example, in Belgium there is an obligation to submit an annual report on equality to the Enterprise Council, although according to the national centre, ABVV/FGTB, the monitoring is not undertaken seriously at the enterprise level. In France, there is reporting to a Superior Council of Professional Equality. In Finland, too, according to the Central Organization of Finnish Trade Unions (SAK), the social partners make a joint report on the impact of the equality policy. In the Czech Republic, the unions comment on legislative changes, monitor equality of opportunity and lobby the legislature.

The national centres can also play an important role; the Ghana Trade Union Congress (GTUC) reports that it collects all the collective bargaining agreements from national unions to study and provide advice and also collects verbal information from women members during quarterly meetings. Histadrut in Israel is involved in follow-up and regular visits workplaces to check implementation. Histadrut also distributes information (through publications and education and training programmes), so that negotiated policies, rights and benefits are communicated to all workers.

<table>
<thead>
<tr>
<th>Monitoring of implementation</th>
<th>No. of National centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>22</td>
<td>63</td>
<td>30</td>
</tr>
<tr>
<td>No</td>
<td>9</td>
<td>46</td>
<td>17</td>
</tr>
<tr>
<td>Not involved in collective bargaining negotiations</td>
<td>27</td>
<td>25</td>
<td>4</td>
</tr>
<tr>
<td>Not applicable</td>
<td>2</td>
<td>12</td>
<td>10</td>
</tr>
<tr>
<td>No answer</td>
<td>2</td>
<td>40</td>
<td>10</td>
</tr>
</tbody>
</table>
Within unions, the women’s unit has a particularly important role to play. In Kenya, the Women’s Affairs Coordinator of the Kenya Railway Workers Union monitors and reports to the Secretary-General on implementation of the collective agreement provisions. The office of equal opportunities of the Italian General Confederation of Labour (CGIL) monitors progress in equality by following a mainstreaming policy of informing and coordinating with all other departments, other unions, women’s associations, etc.

Several unions also reported collecting gender-disaggregated statistics so as to keep a closer watch on the number of women and men hired, fired or promoted; and to monitor participation in human resources development programmes and especially equal pay provisions. The unions in Scandinavia mention keeping wage data. Some of the national centres have projects to collect all agreements so as to analyse the equality provisions.

4.2. Other initiatives to promote gender equality at the workplace

While collective bargaining is the most important means of promoting gender equality at the workplace, it is certainly not the only means. Several other initiatives, as highlighted in Box 9, can go a considerable way to improving women’s working conditions and especially to reducing their family burdens. What is striking about these initiatives is their *tripartite* nature. It is also apparent that the promotion of equality in the workplace cannot be separated from the wider public role of unions. It is when unions are active in pushing for supportive legislation and in monitoring implementation of such legislation, in public awareness raising campaigns, in working closely with the government and employers and forging alliances with other civil groups, that they tend to be most effective in promoting gender equality in the work environment. And where they succeed in promoting gender equality in the workplace and achieve gains for women through the collective bargaining process, they should publicize the work they have done - as an important organizing strategy.
Box 9: Initiatives to promote gender equality at the workplace

Collective bargaining is the most important means of promoting gender equality in the workplace. But other initiatives -- not only by unions but also the government and employers -- can also make a significant difference:

- **Job evaluation schemes as the basis for determining equal pay:**
  - pay equity law: the Quebec government requires employers with a majority of women workers to create a pay equity committee to evaluate the jobs;
  - classification of jobs: done by a government department responsible for equality of opportunity (Belgium);
  - gender neutral job evaluation (Iceland);
  - gender disaggregated labour and social statistics (Croatia);

- **Learning schemes:**
  - “Return to learn scheme” to promote life-long learning: initiated by unions but now conducted in conjunction with employers (United Kingdom);
  - national vocational training centres: to improve women’s skills (Philippines);

- **Initiatives to deal with sexual harassment:**
  - guidelines on sexual harassment: inputs from the government and the social partners (Belgium);
  - committees on decorum and investigation to follow up on the law on sexual harassment (Philippines);

- **Balancing work and family responsibilities:**
  - steelworkers’ guide to negotiating the balance of work and family responsibilities (Denmark);
  - childcare facilities (creches set up by unions with either government, employer or community support and funding; babysitting services at home or the meeting place; ensuring that there are childcare arrangements for union courses; payment of a childcare allowance by the union);

- **Work-related benefits and facilities:**
  - right to tax deduction for single mothers;
  - equalization of tax treatment in marriage;
  - free medical checkups and family planning facilities;
  - workplace improvements: separate toilets, prayer rooms, rest rooms, breastfeeding and other maternity facilities for women workers (Bangladesh);

- **Special worker-employer initiatives:**
  - equal rights programme between the national centre and private sector employers’ organization;
  - establishment of a joint committee of the union and concerned management on equal rights; occupational safety and health code (Norway);
  - introduction of karaoke in the union staff room in the factory encouraged women to come forward and in turn gave them confidence to participate and speak at official union meetings (Malaysia);

- **Awareness raising on equality in the workplace:**
  - research on health and safety issues and violence against women;
  - study circles on equality issues with support from international unions;
  - ensuring that all education and training materials contain gender themes;
  - joint statement by union and employer in collective agreement on importance of organizing joint education and training on equal opportunities at work.
5. ORGANIZING THE UNORGANIZED AND PROTECTING VULNERABLE WOMEN WORKERS

5.1. Unions and atypical workers

The flexibilization or casualization of employment and the growth of the atypical workforce, in which women are often over-represented and more vulnerable than men, have posed new and difficult challenges for organizing. These atypical workers are not a uniform group, have obvious differences of interests and may not share a “common language” with union members, are hard to reach and to mobilize, and are often not covered by existing legislation. Unions are often still wary about taking on the causes of these workers, especially where they do not share a “community of interest” with the bulk of members, and where unions do not have tested strategies for organizing them.

About a fifth of the unions and national centres, and just over 15 per cent of the IUF affiliates currently do not target any “atypical” workers in their mobilization efforts (Table 20). But several more unions indicate future plans to do so because of increasing recognition that such workers are too large in numbers to neglect, and because they are concerned to change the perception that they represent only workers engaged in typical or standard forms of work.

<table>
<thead>
<tr>
<th>Types of atypical workers</th>
<th>Number organizing such workers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of National centres</td>
</tr>
<tr>
<td>Part-time workers</td>
<td>20</td>
</tr>
<tr>
<td>Temporary workers</td>
<td>28</td>
</tr>
<tr>
<td>Casual workers</td>
<td>24</td>
</tr>
<tr>
<td>Contract workers</td>
<td>27</td>
</tr>
<tr>
<td>Home-based workers</td>
<td>14</td>
</tr>
<tr>
<td>Trainees/apprentices</td>
<td>23</td>
</tr>
<tr>
<td>Teleworkers</td>
<td>14</td>
</tr>
<tr>
<td>Self-employed</td>
<td>22</td>
</tr>
<tr>
<td>Informal sector workers</td>
<td>22</td>
</tr>
<tr>
<td>None of the above</td>
<td>11</td>
</tr>
<tr>
<td>No answer</td>
<td>6</td>
</tr>
</tbody>
</table>

Among the unions that currently have organizing efforts, the most common groups of atypical workers they target are (in decreasing order of the total number of unions indicating organizing efforts): part-time workers, temporary workers, trainees and apprentices, contract workers, casual workers, self-employed, home-based workers, informal sector workers and teleworkers.
Table 21: Priority accorded to strategies for organizing atypical workers

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Very high priority</th>
<th>High priority</th>
<th>Low priority</th>
<th>No priority</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NC</td>
<td>TU</td>
<td>IUF</td>
<td>NC</td>
</tr>
<tr>
<td>Special campaigns</td>
<td>16</td>
<td>16</td>
<td>10</td>
<td>13</td>
</tr>
<tr>
<td>Changes in structure or constitution of union</td>
<td>6</td>
<td>13</td>
<td>7</td>
<td>11</td>
</tr>
<tr>
<td>Include atypical workers in collective agreements</td>
<td>6</td>
<td>16</td>
<td>9</td>
<td>12</td>
</tr>
<tr>
<td>Leave organizing to others but establish linkages with them</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Build capacity of atypical workers organizations and forge alliances with them</td>
<td>18</td>
<td>18</td>
<td>6</td>
<td>12</td>
</tr>
</tbody>
</table>

Table 22: Single most important strategy for organizing atypical workers

<table>
<thead>
<tr>
<th>Most important strategy</th>
<th>No. of national centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special campaigns</td>
<td>19</td>
<td>25</td>
<td>18</td>
</tr>
<tr>
<td>Changes in structure or constitution of union</td>
<td>3</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Include atypical workers in collective agreements</td>
<td>6</td>
<td>12</td>
<td>10</td>
</tr>
<tr>
<td>Leave organizing to others but establish linkages with them</td>
<td>5</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Build capacity of atypical workers organizations and forge alliances with them</td>
<td>14</td>
<td>17</td>
<td>6</td>
</tr>
</tbody>
</table>

Box 10: Difficulties of organizing the unorganized

- Legal barriers to organizing atypical workers;
- Employers place obstacles;
- Atypical workers are not aware of the benefits of unionization;
- Atypical workers may not share common concerns or priorities with bulk of union members;
- Difficult to contact and mobilize such workers, therefore organizing drives may be very time-consuming and costly;
- The precariousness of employment of many atypical workers makes it difficult to retain them as members;
- Unions often do not have tested strategies for mobilizing and organizing atypical workers;
- Unions often lack the financial and human resources for such organizing efforts.
The unions were asked to indicate how much priority they accord to various strategies for organizing such workers. It is clear from Tables 21 and 22 that organizing strategies targeting atypical workers are still not of high priority. Rather than organizing such workers, unions appear to believe that their approach should be to provide guidance, training and other support to enhance the capacity of such workers to organize themselves and to forge alliances with them.

To an extent, this is understandable especially since there are still legal barriers to organizing atypical workers. About one-fifth of the unions surveyed cite legal problems. In many countries, atypical workers often fall outside the scope of labour legislation which, in practice, restricts them from joining unions. In some countries, atypical workers are not permitted in the same unit as core workers for the purpose of collective bargaining because they are not considered to share “a community of interest”. As stated by one of the unions: “labour law reform is essential to provide atypical workers full and equal opportunity to organize and bargain”.

Several unions also pointed out that employers still place many obstacles in the way of efforts to organize atypical workers, such as making them ineligible to participate in negotiating teams or even threatening vulnerable workers with reprisals. In Malaysia, for instance, although the Malaysian Trades Union Congress (MTUC) has been lobbying directly with atypical workers and government bodies, there has been no impact because “the workers are too cautious and the government practices delaying tactics” (as reported in the survey questionnaire).

Box 11: Organizing the unorganized

Publicity and awareness raising campaigns aimed at atypical workers:
- motivation through awareness raising on the benefits of unionization;
- union successes in favour of these workers widely publicized;
- information and advice on legal rights provided to atypical workers;
- group activities planned around income-generating activities, education and training etc. as the fora for raising consciousness regarding collective actions.

Special outreach to atypical workers:
- unions contact trainees and apprentices and involve them in activities;
- education and awareness raising to organize domestic workers into unions;
- union provides occupational network for freelance workers who have no permanent employer or colleagues;
- invitation to self-employed men and women to join the union.
Changes in union statutes to open up membership:
- changes in constitution to allow recruitment of atypical workers;
- changes in the rules on mutual health and cooperatives to allow part-time workers to become members (Japan);
- adoption of policy not to differentiate between workers with differing work patterns;
- subscription rates according to income levels (United Kingdom).

Changes in union internal structures and arrangements:
- full-time organizer with union mandate to give priority to organizing atypical workers;
- SPUR (Special Programme Union Representatives) where rank and file members, men and women, help to organize many groups (Canada);
- secretariat/department for rural workers and indigenous issues (Ecuador, Panama);
- part-time/temporary workers have a separate branch with a representative on the national executive committee meetings (Ireland);
- secretariat for informal sector workers.

Special services made available to atypical workers:
- atypical workers can apply to an unemployment fund (Finland);
- efforts to regularize the services of atypical workers when there are vacancies for permanent posts in the public sector (Pakistan);
- negotiations to recruit workers with regular status and benefits, for contract workers to become permanent, and for casual workers to be paid double rates (Zimbabwe);
- negotiation of contracts for home care workers (USA).

Inclusion of atypical workers in collective bargaining agreements:
- “single status” bargaining agreements (United Kingdom);
- full collective agreement coverage (Denmark);
- “Positive Part-Time Campaign” to negotiate recognition agreements with agencies which employ such workers (United Kingdom);
- Flexible Workers Campaigns (Netherlands);
- part-time employees have their own bargaining unit or positions in the bargaining committee (Canada);
- provision in collective agreement regulating how long workers can be employed on a temporary basis before becoming permanent.

Assistance to atypical workers to form their own associations/unions:
- capacity building for establishing a national coalition of informal sector workers (Philippines);
- Association of self-employed workers (Quebec);
- organization of women’s cooperatives as first step towards unionization (Benin).
Other reasons given by the unions for not organizing atypical workers include the low level of education and lack of awareness among atypical workers of the benefits of unionization. However, the major concern is the high cost of membership drives — organizing such workers is not only difficult but also very time and resource consuming and it is often hard to retain them as members because of the precariousness of their employment. The unions often lack the financial and human resources for extending their organizing efforts.

Where unions have given priority to organizing efforts for atypical workers, they have been generally successful. Some of the main ways in which the unions and national centres have been more successful are summarized in Box 11.

The first challenge is to reach out to such workers and make them aware of their rights as workers and the benefits of unionization. Innovative strategies are required, especially since they are often invisible and difficult to contact, because of the uncertain hours of work and the scattered workplaces. The Trade Union Congress (TUC) in the United Kingdom reported that its campaign to organize atypical workers was very successful for part-time workers but had no impact for home workers. Establishing contacts often requires trade unions to work with other community organizations and NGOs; and group activities planned around income-generating projects, education and training programmes, leisure, etc. can be a forum for raising workers' consciousness regarding collective action.

"An important lesson for organizing is that just as women’s work in the informal sector, and in casualized employment in general, differs from that of the formal sector, their situation calls for a more holistic type of organizing. These women view their lives in their homes, at the workplace and in their communities as an integral whole. In order for organizing to succeed and for trade unions to become more relevant for women in general, this fundamental requirement must be acknowledged”.

(Martens and Mitter, 1994, p.201)

Many unions therefore provide special services to meet the needs of atypical workers. One strategy that has proven effective, especially for mobilizing poor women in rural areas is to link cooperative economic activities with trade unionism. “The big advantage of being a member of a trade union-cum-cooperative organization is that a casualized worker begins to perceive herself gradually as a proper ‘worker’ entitled to rights similar to those that the State offers to workers of the organized sector” (Martens and Mitter, 1994, p.8).

In Benin, for example, unions have: organized women’s cooperatives in the agricultural sector; organized training seminars for rural women in conservation of food, soap making, sewing, etc, which are expected to eventually lead to unionization of these rural/ informal sector women; guaranteed small loans made to members to start small enterprises; and held discussions with the local authorities to organize a market every five days so that the women working in rural areas can have an outlet to sell their products and crafts. In Ghana, a union
in the banking industry helps informal sector workers develop budgeting skills by
getting workers in the formal banking sector to give advice to the informal sector
workers, thereby also establishing links between different sections of the union
membership. Another union in Ghana mobilizes the wives of miners, who are
mostly in the informal sector by providing them with training on sanitation,
family planning, child nutrition, disease prevention, etc. and also entrepreneur-
ship development training.

Once contact has been established, unions need to motivate atypical workers to
join unions -- and this can be done through awareness raising campaigns that
focus not only on their legal rights but also, and importantly, on union successes
in improving workers' positions.

Some 28 unions, 13 IUF affiliates and 22 national centres have changed their statutes or internal structures to accommodate atypical workers (Table 23). The constitutional amendments cover not only the right to membership, participation in negotiation teams, coverage in collective agreements but also in many cases, the provision of special services for such workers:

“There has been a change in the trade unions' attitude to the latter (atypical workers):
traditionally, they advocated equality of treatment (i.e. extending coverage of labour laws
or collective agreements), which reflected a concern for social justice and, at the same
time, preserved job stability by denying employers the advantages of recruiting precarious
workers. However, in most cases this strategy does not meet the wishes of those con-
cerned, who want a job more than anything else”. (ILO, 1997, p.33)

Such special services include helping the workers to regularize their employment
status. The unions also offer social services, such as medical insurance, health
funds, unemployment benefits, cooperatives, assistance to deal with government
authorities, etc. Even where a union amends its statutes to admit atypical workers
as members, these workers may not be eligible under the labour code for coverage
in the collective agreement. The Philippine Federation of Labour faces such a
problem and therefore offers these workers assistance in terms of social security
coverage, cooperatives and other social benefits but not the provisions of the
collective agreement.

<table>
<thead>
<tr>
<th>Table 23: Efforts to organize atypical workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atypical workers included in collective agreements</td>
</tr>
<tr>
<td>NC</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>No</td>
</tr>
<tr>
<td>Current does not organize atypical workers</td>
</tr>
<tr>
<td>No answer</td>
</tr>
</tbody>
</table>
Some unions have also created *special structures with responsibility for mobilizing and organizing atypical workers*. Unions in Canada have appointed full-time organizers for atypical workers, with the mandate to give priority to such organization. The SPUR Programme in Canada has been successful because the SPUR (Special Programme Union Representatives) organizers are men and women who have close contacts with the atypical workers in the work environment and are therefore more readily available to provide them information, assistance, etc. Unions in Ecuador and Panama have established departments for rural workers (and indigenous issues); while in Benin there are secretariats for the informal sector. In Ireland, the Electricity Supply Board Officers Association (ESBOA) has a separate branch for part-time and temporary workers who are represented in the national executive committee meetings. One TUC affiliate, UNISON has reserved thirteen seats on its national executive council for women working part-time.

Half of the national centres, 41 per cent of the unions and 53 per cent of the IUF affiliates that currently organize atypical workers reported that they have been able to *include them in collective agreements* (Table 23). They have adopted two basic approaches. The first is to extend collective agreements to cover atypical workers, so as to overcome some of the disadvantages suffered by these workers, such as lack of employment security, low wages or denial of statutory benefits. The second is to regularize their employment status, so as to bring them closer to “core” union members. UNISON reported that it has been very successful in getting specific reference to equal treatment for part-time and temporary workers in the local government single status bargaining agreement. The agreement, however, is not yet fully implemented. In Denmark, some unions have been able to get full collective agreement coverage for all workers. The Swedish Union of Folk High School Teachers (SFHL) has included provisions in its collective agreement specifically for atypical workers, such as regulating how long workers can be employed on a temporary basis before becoming permanent. The Zimbabwe Textile Workers Union has negotiated for contract workers to become permanent employees after renewing their contract more than three times over twelve months or after serving a contractor for twelve months; it has also negotiated for casual workers to be paid double rates.
5.2. Unions and special groups of workers: organizing in diversity

In addition to atypical workers, unions have been targeting special groups of workers as part of their moves to organize in diversity: “to share the table and create space” within unions for women (and men) who are: young, old, migrant, with disabilities, indigenous or coloured, lesbian or gay. Other particularly vulnerable groups of workers include those working in EPZs and domestic workers (Table 24).

### Table 24: Organizing or protecting special groups of workers

<table>
<thead>
<tr>
<th>Groups</th>
<th>No. of national centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youths</td>
<td>32</td>
<td>67</td>
<td>33</td>
</tr>
<tr>
<td>Migrants</td>
<td>14</td>
<td>24</td>
<td>18</td>
</tr>
<tr>
<td>Workers with disabilities</td>
<td>21</td>
<td>28</td>
<td>20</td>
</tr>
<tr>
<td>Indigenous groups</td>
<td>15</td>
<td>14</td>
<td>9</td>
</tr>
<tr>
<td>Domestic workers</td>
<td>18</td>
<td>14</td>
<td>12</td>
</tr>
<tr>
<td>Lesbians and gays</td>
<td>9</td>
<td>9</td>
<td>5</td>
</tr>
<tr>
<td>Older workers</td>
<td>19</td>
<td>23</td>
<td>17</td>
</tr>
<tr>
<td>Workers in EPZs</td>
<td>11</td>
<td>16</td>
<td>12</td>
</tr>
</tbody>
</table>

Increasingly, the emphasis is on “equality in diversity”. As stated by the Canadian Labour Congress (1993):

“Equality no longer means treating everyone the same. Equality now means that differences must be recognized, respected and taken into account and that different treatment for members of some groups may be required in order to truly achieve equality”.

Some of the ways in which unions have been reaching out to these groups and protecting their special interests or needs are highlighted in Box 12. What is worth noting is that in defending the rights of these groups or providing direct assistance to them, trade unions come into direct contact or work closely with other non-labour associations and NGOs representing them. The platforms of these groups therefore represent important bases for trade unions to forge alliances with other organizations (as discussed in the next chapter).
Box 12: Organizing in diversity

Youths
- union youth committee/department;
- budgeted programmes to encourage young workers to join union;
- reaching out to schools (insurance for students, union-organized activities for students);
- women’s department provides advice to young women, including on personal problems;
- integration of young unemployed women in training programmes (Cameroon);
- job search assistance (Bulgaria, Finland);
- operation of a youth centre by the union (Latvia);
- young workers workshop to discuss sexual harassment.

Older workers
- older and retired workers organized in mutual assistance association (Cote d’Ivoire);
- lobbying for legal protection for workers over 50 years of age (Slovakia);
- union department to deal with retired workers (Poland);
- protection from losing jobs/social guarantees just before retirement (Czech Republic, Finland);
- policy against age discrimination (UK);

Workers with disabilities
- union department/representative to deal with disabled workers;
- union action plan for persons with disabilities (Canada);
- management and union negotiated an insurance scheme (Belize);
- scholarships for disabled workers to study abroad (Cote d’Ivoire);
- disablement advisory network (United Kingdom);

Lesbians and gays
- development of a kit on L&G that trade unionists can use to organize them (PSI);
- adoption of union policy on sexual orientation (Canada);
- committee for gays and lesbians (Canada, USA);
- national conference for gay men and lesbians (Canada);
- recognition for the rights of partners (Canada);

Indigenous peoples
- national conference for Aboriginals and workers of colour (Canada);
- organization of indigenous, rural and informal sector workers (Ecuador);
- budgeted targeted activity for Maoris (New Zealand);

Migrant workers
- assistance to migrant women regarding professional education (Austria);
- local union divisions provide assistance to migrant workers (Italy, Denmark, Norway);
provision of training in migrant centres (Finland);
assistance to migrant prostitutes (Italy);
livelihood programmes and cooperatives (Philippines);

**Domestic workers**
union support for NGO defending the rights of domestic workers (Canada);
petitioning Parliament for recognition of domestic workers under Industrial Relations Act (Trinidad and Tobago);
overseas domestic workers invited to join union, campaigned for government recognition of their right to change employers, regularize their migration status (UK);

**Workers in EPZs**
assistance for formation of a union (Bangladesh, Philippines);
union and social benefits coverage (Argentina);
social justice fund works with women in EPZs to help them unionize (Canada).
strike action on behalf of EPZ workers (Chile).

**Youths** are a particularly important target group, since they represent the bulk of new entrants to the labour force. The fact that many unions have a department devoted to young persons and budgeted programmes to organize them reflects their importance. Some unions are already reaching out to youths in schools, using the schools as allies to promote the benefits of unionization. Others operate youth centres or reach them in their leisure activities; one union in Sweden has a special group to discuss union issues with young people during skiing activities. Helping young people to enter the labour market is an important measure; unions provide job search assistance and also include young unemployed women in training schemes. A union in Bulgaria attempts to find jobs for young women to prevent them from being drawn into prostitution. And since adjustment to working life is often difficult, women’s sections in unions, such as in Austria, are offering regular counselling services to young women. Unions also run sexual harassment courses for young workers. Strategies to recruit and involve the young are critical because they not only represent the future of unions but they are also capable of great activism. In 1999, the ICFTU launched a new international campaign to protect young workers by encouraging them to join trade unions. The campaign has as its slogan “The future starts now -- Join a union” and is intended to help fight youth unemployment.
Unions give attention not only to the young but also the elderly. Unions in the United Kingdom have policies against age discrimination. A major concern is to protect workers close to retirement from losing their jobs -- this is a measure that is particularly important for older women since they tend to be most vulnerable to retrenchment. A Polish union has a department for dealing with retired workers and another in Côte D’Ivoire has helped older and retired workers to set up a mutual assistance association.

The Canadian Union of Public Employees (CUPE) has an action plan for persons with disabilities. The plan regards collective agreements as the most potent tool to deal with discrimination against people with disabilities in the workplace, but it also emphasizes that unions must train staff and members on disability issues so that they have enlightened attitudes and are able to handle grievances. In the United Kingdom, there is an advisory network to support workers with disabilities. Unions in several other countries also have departments to deal with disabled workers, including arranging special assistance for them, such as with insurance and educational programmes.

To deal with discrimination on the grounds of sexual orientation, Public Services International (PSI) is aiming to produce a kit that trade unionists can use to organize lesbians and gays, to set up L&G activist structures, assist them in self organization, create awareness on L&G issues at the workplace and support international solidarity efforts. Unions in Canada and the United States have been particularly active in adopting union policies on sexual orientation, setting up L&G activist structures, including committees, holding national conferences and lobbying for recognition of the rights of same-sex partners.

Indigenous and tribal peoples are often among the most disadvantaged and marginalized groups. Although some of their concerns (such as hereditary rights) may be outside the usual coverage of trade unions, some unions have been defending their rights and providing direct assistance to them. The Canadian Labour Congress, for instance, adopted in 1992 an Aboriginal Rights Policy Statement. PSI calls on its affiliates to take measures in their own countries to directly assist indigenous people, provide specific avenues of representation to indigenous people as union members, inform union members of issues of concern to indigenous people and represent these concerns at appropriate international fora, etc. A New Zealand union has budgeted activities for Maoris.

Migrant workers are an increasingly important target group for union organizing drives. International female migrant workers are especially vulnerable to exploitation and discrimination by virtue of being female, foreign and often illegal. They are also commonly in the forms of employment, as domestic maids and entertainers, that are often covered by labour legislation. Because of their marginalized and often illegal status, migrant women tend to be subject to exploitation by unscrupulous employment agents and employers. Wives of immigrant males are also disadvantaged, because they are often cut off from networks of social
support and information, do not have access to education and training facilities, may not have the right to work, etc. In many receiving countries, trade unions have set up special programmes to address the needs of such workers. The Italian General Confederation of Labour (CGIL) has a special department on migration policies, and local unions in Italy have undertaken various initiatives and actions to support migrant women. One of the local unions has been working together with the local public authorities and Italian and European NGOs on a “Via Amica” project to protect the basic rights of migrant prostitutes and to offer them information and assistance. Unions in several countries attempt to meet the critical needs of these migrants for access to information regarding work and living conditions, education and training facilities, etc.

**Domestic workers** go into individualized work situations in other people’s homes which are normally not covered by the country’s labour inspection system. Many migrant women, because they cannot find other jobs, work illegally as domestics. Asian women have been heavily involved in international migration to work as domestics in richer countries. “Domestic workers are usually paid sub-standard salaries which are sometimes delayed or withheld, days-off are not observed, food is inadequate, accommodations are unsafe and uncomfortable, medical benefits are denied, mobility is limited. Numerous cases of maltreatment, sexual harassment and abuses, excessive workload, working for an extra household are likewise noted” (Imson, 1992, p.15). There are many examples of unions successfully assisting domestic workers to set up their own associations or unions (see Martens and Mitter, 1994). A recent success is in Britain where with T&G’s support, overseas domestic workers have won the right to change employers and those who became overstayers through fleeing their employer can apply to regularize their status. In Trinidad and Tobago, unions have been petitioning Parliament for recognition of domestic workers as “workers” under the Industrial Relations Act.

Another group that has been a major target of union efforts is **women working in EPZs**. In many of the zones women comprise close to 80 per cent of the workforce. The poor working conditions and precariousness of employment in the EPZs are well known. Most of the efforts have therefore focussed on assisting these workers to form or join unions -- through solidarity action, financial assistance (such as the social justice fund) or training and support for organizers. In the Philippines where women between the ages of 18-25 years represent about 90 per cent of the workforce in the EPZs, the Trade Union Congress of the Philippines (TUCP) has set up a team composed mainly of young women specialized in organizing in the EPZs. They do not organize at the workplace; instead, they contact the young women in their homes. After work, they go door to door. In two years, they succeeded in helping to establish some 27 unions where there were none before. In many cases, however, because of the strength of multinational companies operating in the zones or government regulations limiting freedom of association, unions have had to rely on international alliances and action to support the women workers (these are described in Section 6.2 in the next chapter).
6. TRADE UNIONS IN A CHANGING WORLD: RAISING THEIR PROFILE
AND FORGING ALLIANCES

6.1. The external challenges:

In a world that is changing dramatically, a number of external forces are impacting on union membership and union influence. These, in turn, influence the ability of unions to promote gender equality effectively.

Table 25:
Impact of recent developments on the ability of unions to organize and represent workers

<table>
<thead>
<tr>
<th>Recent Developments</th>
<th>Impact on organizing/representing workers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National centres</td>
</tr>
<tr>
<td></td>
<td>Makes it easier</td>
</tr>
<tr>
<td>Globalization trends</td>
<td>3</td>
</tr>
<tr>
<td>Impact of the financial crisis</td>
<td>4</td>
</tr>
<tr>
<td>Legislative constraints</td>
<td>0</td>
</tr>
<tr>
<td>Privatization and downsizing of the public sector</td>
<td>3</td>
</tr>
<tr>
<td>Rising unemployment levels</td>
<td>2</td>
</tr>
<tr>
<td>Changes in communication and production technologies</td>
<td>11</td>
</tr>
<tr>
<td>Increase in the number of atypical workers</td>
<td>1</td>
</tr>
<tr>
<td>Growth of the informal sector</td>
<td>3</td>
</tr>
<tr>
<td>Growth of small and medium size enterprises</td>
<td>4</td>
</tr>
<tr>
<td>Increase in female labour force participation</td>
<td>16</td>
</tr>
<tr>
<td>NGOs are gaining in relative influence/taking up trade union issues</td>
<td>8</td>
</tr>
</tbody>
</table>

These forces are clearly making it harder for unions to organize and represent workers. Of the recent developments in the global economy and labour market listed in Table 25, only one factor is considered by the majority of trade unions as making it easier or having no impact on their ability to organize: the increase in female labour force participation. The unions regard women’s entry into the labour force as an opportunity to enhance their membership and influence. Where increasing female labour force participation is seen as a challenge to unions, the reasons given relate mainly to traditional attitudes, including religious and cultural constraints, which make it difficult to organize women, and also to the fact that women are not aware of how unions can help them. Some unionists also stated that communications and information technology is making it easier for them to contact workers.
**Box 13: Most serious challenge to union efforts to organize and represent workers**

1. Globalization trends (20 per cent)
2. Privatization and downsizing of the public sector (14.4 per cent)
3. Rising unemployment levels (12.5 per cent)
4. Legislative constraints (6.8 per cent)
5. Impact of the financial crisis (6.2 per cent)
6. Increase in the number of “atypical” workers (6.2 per cent)
7. NGOs gaining in relative influence (2.8 per cent)
8. Growth of small and medium size enterprises (2.5 per cent)
9. Growth of the informal sector (1.8 per cent)
10. Changes in communication and production technologies (1.5 per cent)
11. Increase in female labour force participation (1.2 per cent).

(Percentages are approximate as no indication is given for non response)

On the whole, however, recent developments pose a challenge, if not a threat, to union membership and influence. Box 13 presents these challenges in order of their significance (the percentage of total national centres and unions identifying the factor is given in brackets).

*Globalization trends* were identified by 16 national centres, 10 IUF affiliates and 37 unions as posing the most serious challenge. These globalization trends are, in fact, linked to many of the other factors listed in Box 13, but more specifically, the national centres and unions give the underlying reasons as (some of their answers to the questionnaire are directly quoted below):

- Companies are moving production offshore to other countries: with plant closures, workers are losing their jobs, and the base for union membership is reduced;
- Because women workers are most likely to be in the types of production that are “footloose”, they are afraid of losing their jobs and, therefore, of joining unions;
- In the competitive international environment, workers are under pressure to produce “more and better” so as not to lose their jobs and often do not have the time to be involved in union activities. Enterprises are also much less likely to allow time off for union activities;
- Creation of export processing zones, where union activities are restricted. In some of these zones, the companies have been encouraging the workers to form labour-management councils rather than trade unions;
- “Interference of the international financial institutions”;
- The multinational companies “focus solely on productivity and cost efficiency”, “are very powerful” and are often hostile to trade unions;
- Globalization has led to precarious employment relationships – employers have been transforming permanent workers into casual or agency workers who cannot be union members under the current legislation;
- With global production, unions are now required to represent interests of workers across wide geographical areas and also on wide range of issues – the capacity of unions is therefore more severely tested;
- Unions are placed in a defensive rather than pro-active position because of the difficulty of controlling global issues.
The two next most serious challenges to union membership and influence are privatization and downsizing of the public sector and related rising unemployment levels. Since many of the survey respondents are public sector unions and since the public sector has always been a stronghold of union membership, the concern over this trend is understandable. The privatization of government industries and the contracting out or cutbacks in government services have resulted in large-scale retrenchments, which significantly affect union density. And because privatization has weakened some important unions in the public sector, the national centres are accordingly weakened. Privatization is often seen as a more serious problem for women workers, not only because the public sector has been the major source of employment for them in many countries but also because the government is often a better equal opportunity employer and tends to offer greater security and better benefits than private sector employers. Private sector employers are generally seen as less sympathetic to unions and less willing to recognize them for collective bargaining. Thus workers are also less willing to become members for fear of reprisals or because they feel that the unions will not be able to do much for them.

Even unions in the private sector express concern over rising unemployment levels because unemployed workers tend to adopt more individualistic positions and not to see the benefits of being union members. As stated by one of the unions, “women tend to be the first victims of retrenchments, because of issues such as maternity leave, lower levels of education, cultural and traditional norms, etc”. Unemployed workers lose their links with unions, which in turn lose their power of mobilization. When unions lose members, their financial resources are depleted and the process of collective bargaining is weakened.

The impact of the financial crisis has been seriously to exacerbate unemployment, poverty, inflation -- all of which make workers less willing (they fear reprisals from employers) or less able (they cannot afford the fees) to join unions. The crisis has also led to the closure of banks, other financial institutions and industries that have been traditional strongholds of union membership. With their own financial resources cut back, it has become even more difficult for unions to undertake programmes to assist those affected by economic crisis situations.
The legislative framework can facilitate the labour movement (by protecting trade union freedom, mandating trade union recognition, promoting the scope of collective bargaining, etc.) or can undermine trade unions by putting obstacles in the way of their membership and action. Three national centres, seven IUF affiliates and 12 unions specifically identified legislative constraints as their biggest challenge, saying, for example that:

- the ILO Freedom of Association Convention, 1948 (No. 87) has not been ratified and “it is the Registrar of Trade Unions who decides on the recognition of a trade union”;
- there are restrictions on the types of workers who can join;
- thresholds for union representation are specified;
- legislation makes it difficult to organize legal strike action;
- legislation “makes it easier for employers to resist unionization through endless litigation and appeals”, etc.

A number of unions pointed out that with the current focus on market principles and flexibility, union activities have been seen as embodying rigidities or artificial constraints. Therefore, there has been a move towards deregulation. Governments are doing away with labour laws that previously protected workers or guaranteed freedom of association. Where there have been labour law reforms, the unions often have not been able to participate in the process. Unions in those countries that have undergone structural adjustment programmes feel that the legal framework has become more anti-union or has restricted their scope for action, and has also left workers more vulnerable to poor working conditions.

Increases in the number of atypical workers and the growth of the informal sector are making it harder for unions to identify where the workers are and how to contact them. The challenge is also that such temporary, part-time, casual, home-based or “contingent” workers are often not covered by the current trade union constitution or the labour law. In addition, the precariousness of their employment means that they are not able or not interested in becoming union members or, even if they do become members, are not permanent or long-term. Statements from the unions reflect the problems:

- “many women’s workplaces have disappeared over the past fifteen years”;  
- “new workplaces established in service sectors or informal sectors are much more difficult to get access to and meet with potential members”;  
- “previously, trade unions, especially those in the public sector, were strong in collectives and community of interests of its members; but now, there are different groups of workers with divergent interests, which can conflict with or pose a threat to the security of the core union members”.

Non-governmental organizations were viewed by 1 national centre, four IUF affiliates and five unions as their most serious challenge. NGOs appear to have both more funds and greater access to additional funding (from donors), and thus are able to exert growing influence. They have been taking up core trade union issues. Some unions see the NGOs as “having the expertise to challenge union
responses to public issues”. In the process, however, they may confuse workers about the role and relevance of trade unions. “NGOs tend to compete with rather than to complement the work of trade unions”. With particular reference to women workers, the unions are concerned that they “seem to be more prone to organize collectively and make the links easily with community-based groups on issues, particularly social issues, and may therefore not see the need for the labour movement”.

*The growth of small and medium size enterprises,* just as the growth of atypical jobs, involves fragmentation which renders traditional trade union approaches for organizing inappropriate or ineffective. Traditionally, the union movement was established in large enterprises. Since the small enterprises have small workforces, unions may not find it financially viable to organize them -- this is especially the case where “bargaining is at the local enterprise level and with the legislative breakdown of national collective bargaining, the ability of unions to effectively organize small sites is hard on resources” (quote from a union).

### 6.2. Meeting the challenges

Although the developments described in Section 6.1 pose a threat to union membership and influence, by no means do they signify the end of the union movement. Since some of the developments are clearly beyond their influence, unions have had to adapt their priorities and strategies to meet the challenges posed. In other cases, the unions have performed a more pro-active role in the moderation and redirection of these external forces. What is obvious is that the unions have had to reaffirm and strengthen their role among workers and in the civil society. Some of the ways in which they have been attempting to do this are highlighted in Box 14.
Box 14: Reaffirming and strengthening the role of unions

Building activism, reaffirming that unions are significant:
- re-evoking the sense of the “why” of unionism among the unionized, so as to counter the sense of threat and fear expressed by many members, especially female members;

Strengthening solidarity roots:
- “reorganizing the organized” or “re-energizing the membership” -- to galvanize members for action around issues of common concern, in particular social justice issues, including exploitation of women workers;

Raising awareness:
- getting the message out to potential members to help them understand and appreciate the benefits of unionism and to realize that unionization is a present reality not a thing of the past;

Forging alliances with the community:
- developing “community unionism”, not only as a means of “organizing the unorganized” but also to build partnerships between labour and the community to forge alliances with other social groups and to promote the equality agenda;

Promoting international solidarity:
- the struggle for workers’ rights and women’s rights is a global one and has to be tackled by coalitions and networking among unions and with other groups at national, regional and international levels;

Strengthening technical cooperation:
- unions in developed countries are providing education and training programmes for union members, particularly women members in poor developing countries.

Building activism among those who are already union members is an important strategy. Women, as well as men, members need to be reminded of why they are union members; they need to be revitalized and reconnected to the labour movement. Important ways of “reorganizing the organized” women members include: ensuring that union activities cater specifically to their needs; contacting members and soliciting their opinions and suggestions; and actively involving them in action to improve working conditions and mounting public campaigns:

“If we recall the prime reason that prompted many of us to organize or to get active in the union, it is that sense of indignation over injustice and an understanding that working together is our hope for the future. For most workers, joining a union is a fight for their dignity and for respect in their workplaces. All workers need to know that their participation is welcome and necessary”.

(Canadian Labour Congress, 1997, p.96)
The survey findings also pointed to the importance of bringing to the attention of trade union members success stories of organizing or action on behalf of vulnerable workers. *Awareness raising and education of trade union members,* especially women members, may go a long way towards countering the fear of reprisals experienced by many of them. To raise awareness, it is necessary for unions to *improve their communications with their members and with the general public.* Unions need to be more visible to their current members, potential members and the larger community. Especially where unions are improving services or changing their policies, it is important that they get the message out -- not only to attract more members but also to garner public support. Governments and employers are more likely to heed a union position if they are aware that there is strong public support for unions.

Unfortunately, however, the majority of unions feel that the media either ignores them or portrays them negatively to the general public (Table 26). Less than one-fifth of the unions feel that the media is supportive of them. It is, therefore, very important for the unions to *strengthen relationships with the media.* Many unions have made a start but still have some way to go (Table 26). One union in Ghana has a special annual project to present an award at a Media Encounter to journalists who have positively portrayed the trade union movement throughout the year.

<table>
<thead>
<tr>
<th>Table 26: Relationship of trade unions with the media</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whether relationships have been developed with the media</td>
</tr>
<tr>
<td>No. of National centres</td>
</tr>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>No</td>
</tr>
<tr>
<td>Not sure</td>
</tr>
<tr>
<td>No answer</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Image of trade unions portrayed by the media</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of</td>
</tr>
<tr>
<td>National centres</td>
</tr>
<tr>
<td>Positive/supportive of unions</td>
</tr>
<tr>
<td>Objective</td>
</tr>
<tr>
<td>Negative</td>
</tr>
<tr>
<td>Media ignores unions</td>
</tr>
<tr>
<td>Not sure</td>
</tr>
<tr>
<td>No answer</td>
</tr>
</tbody>
</table>
Another very important strategy for confronting the emerging challenges is to promote *community unionism*. It has become obvious to a growing number of unions that there is need for a strong partnership between labour and the community, whether centred around drives to “organize the unorganized” (as discussed in Chapter 5) or mobilizing or taking joint action on social issues:

“Strong partnerships are seen as an important way to counter the dividing tactics of corporations and governments and strengthening public commitment to social justice and fairness. Community unionism is a viable way not only to expand the union membership base, but also to build solidarity across communities and differences. Women felt that community unionism should be seen as a key way of keeping the equality agenda alive. Alliances with equality-seeking groups could be strengthened”


To foster community unionism, the national centres and trade unions have been forging *alliances* with many other groups and organizations at the national and international levels (Table 27 and Boxes 16 and 17). The most common linkages are still with other trade unions within the same sector or country and also internationally – as members of the ITSs and the ICFTU and through specific relationships between trade unions in developed and developing countries.

**Table 27: Trade union alliances with other groups**

<table>
<thead>
<tr>
<th>Type of group/organization</th>
<th>National centres</th>
<th>Trade unions</th>
<th>IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other local trade unions</td>
<td>50</td>
<td>149</td>
<td>60</td>
</tr>
<tr>
<td>International trade unions</td>
<td>58</td>
<td>145</td>
<td>64</td>
</tr>
<tr>
<td>Local/national NGOs</td>
<td>43</td>
<td>76</td>
<td>39</td>
</tr>
<tr>
<td>International NGOs</td>
<td>36</td>
<td>40</td>
<td>19</td>
</tr>
<tr>
<td>Political organizations</td>
<td>35</td>
<td>61</td>
<td>30</td>
</tr>
<tr>
<td>Religious groups</td>
<td>18</td>
<td>30</td>
<td>9</td>
</tr>
<tr>
<td>Research and academic institutions</td>
<td>42</td>
<td>88</td>
<td>40</td>
</tr>
<tr>
<td>Youth organizations</td>
<td>46</td>
<td>65</td>
<td>29</td>
</tr>
<tr>
<td>Organizations working with migrants and other disadvantaged groups</td>
<td>25</td>
<td>36</td>
<td>21</td>
</tr>
<tr>
<td>Others</td>
<td>3</td>
<td>11</td>
<td>2</td>
</tr>
</tbody>
</table>
There are also increasing efforts to establish/strengthen contacts with or build coalitions with NGOs, which have traditionally been the competitors of trade unions (as discussed in Section 6.1). For example, the AFL-CIO in the United States works with some 500 women’s NGOs at national and local levels in a large variety of labour-related activities, which have been self-evaluated to be very successful because they are designed to meet the needs of a broad range of women. The range of PSI linkages with national and international NGOs is evident from Box 15. The National Union of Public and General Employees of Canada reports close ties with the Canadian Centre for Policy Alternatives, Council for Social Development, Health Coalition, New Democratic Party, Federation of Students, etc. Many unions also reported having established relationships with research and academic institutions, youth organizations, organizations working with migrants and other disadvantaged groups, and also political organizations and religious groups.

Several unions pointed out, however, that political or religious differences often make it difficult for unions to forge alliances with other organizations even when there are common social or economic concerns. Internal problems within the unions themselves, such as infighting or lack of financial resources, also limit their ability to link with other groups or organizations. PSI notes that it is easier to forge alliances with NGOs “where there is both a strong civil society and strong union history because then role delineation is clear”.

Of the strategies indicated in Box 16, some are on a one-off basis and others are over a longer period. The experience of the unions indicates that efforts to forge alliances are more likely to be successful where:

- There is common cause for joint action and solidarity by organizations whose basic interests differ and often conflict;
- The organizations in the alliance clearly derive mutual benefit (e.g., through the force of joint action, combined and therefore enhanced capabilities and resources, exchange of information, etc.);
- The “alliance” results in action that wins the support of public opinion;
- The unions are able to capitalize on the fact that their members are not only workers but also important consumers and members of society with political, religious views, etc.;
- There is an established institutional structure or framework for such alliances;
- The “alliance” leads to better understanding of the perspectives of different groups and helps to build mutual respect;
- The “alliance” is a means of reaching otherwise difficult-to-reach groups.
## Box 15: ITS-NGO Relations (PSI)

<table>
<thead>
<tr>
<th>Name of NGO</th>
<th>Field of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Trade Union and Human Rights</strong></td>
<td></td>
</tr>
<tr>
<td>Amnesty International</td>
<td>Human Rights</td>
</tr>
<tr>
<td>International Labour Rights Fund</td>
<td>Labour Rights Research</td>
</tr>
<tr>
<td>Human Rights Network</td>
<td>Human Rights</td>
</tr>
<tr>
<td><strong>Discrimination</strong></td>
<td></td>
</tr>
<tr>
<td>Gladnet</td>
<td>Disability</td>
</tr>
<tr>
<td>International Lesbian and Gay Association</td>
<td>Lesbian and gay issues</td>
</tr>
<tr>
<td><strong>Migrant Workers</strong></td>
<td></td>
</tr>
<tr>
<td>World Council of Churches</td>
<td>Migrant workers Rights</td>
</tr>
<tr>
<td>Women's International League for Peace and Freedom</td>
<td>Migrant workers rights, women and peace issues</td>
</tr>
<tr>
<td>Human Rights Watch</td>
<td>Human Rights and Migrants</td>
</tr>
<tr>
<td>International Council of Jurors</td>
<td>Migrant Workers Rights</td>
</tr>
<tr>
<td>Migrant Rights Watch Committee</td>
<td>Migrant Rights</td>
</tr>
<tr>
<td><strong>Development Cooperation</strong></td>
<td></td>
</tr>
<tr>
<td>Trade Union International Research and Education Group (TUIREG)</td>
<td>Research and Education</td>
</tr>
<tr>
<td>TUTA</td>
<td>Trade Union Training</td>
</tr>
<tr>
<td>International Federation of Workers Education Associations (IFWEA)</td>
<td>Education</td>
</tr>
<tr>
<td><strong>Development</strong></td>
<td></td>
</tr>
<tr>
<td>Global Policy Forum</td>
<td>UN Policies</td>
</tr>
<tr>
<td>Bretton Woods Project</td>
<td>BWIs</td>
</tr>
<tr>
<td>Third World Network</td>
<td>Globalization</td>
</tr>
<tr>
<td><strong>Environment</strong></td>
<td></td>
</tr>
<tr>
<td>Environmental Defence Fund</td>
<td>Environmental Issues</td>
</tr>
<tr>
<td><strong>Gender Issues</strong></td>
<td></td>
</tr>
<tr>
<td>Global March of Women 2000</td>
<td>Women, Poverty and Violence</td>
</tr>
<tr>
<td>NGO Forum - Commission on Status of Women</td>
<td>Women</td>
</tr>
<tr>
<td><strong>Public Sector Research</strong></td>
<td></td>
</tr>
<tr>
<td>International Labour Resource and Information Group (ILRIG)</td>
<td>Labour Service Organisation</td>
</tr>
<tr>
<td>Trade Union Research Project (TURP)</td>
<td>Labour Service Organisation</td>
</tr>
<tr>
<td>Public Sector Research Centre</td>
<td>Public Sector Research</td>
</tr>
<tr>
<td><strong>Debt</strong></td>
<td></td>
</tr>
<tr>
<td>European Network for Debt and Development (EURODAD)</td>
<td>Debt and Development Issues</td>
</tr>
<tr>
<td>Development Gap</td>
<td>Debt Issues</td>
</tr>
<tr>
<td>Jubilee 2000</td>
<td>Debt Issues</td>
</tr>
<tr>
<td>Bank Information Centre</td>
<td>Debt Issues</td>
</tr>
<tr>
<td>Focus on the Global South</td>
<td>Debt, development, Globalization</td>
</tr>
<tr>
<td><strong>Codes of Labour Practice and Corporate Responsibility</strong></td>
<td></td>
</tr>
<tr>
<td>SOLIDAR</td>
<td>WTO, Social Clause, Devt. Issues</td>
</tr>
<tr>
<td><strong>Trade</strong></td>
<td></td>
</tr>
<tr>
<td>International Centre for Trade and Sustainable Development</td>
<td>WTO Issues</td>
</tr>
<tr>
<td><strong>Economic and Social Policy</strong></td>
<td></td>
</tr>
<tr>
<td>Global Action on Aging</td>
<td>Elderly Issues</td>
</tr>
<tr>
<td>Economic Policy Institute</td>
<td>Economics</td>
</tr>
<tr>
<td><strong>General</strong></td>
<td></td>
</tr>
<tr>
<td>Conference of NGO’s (CONGO)</td>
<td>NGO Networking</td>
</tr>
<tr>
<td>International Federation of Social Workers</td>
<td></td>
</tr>
</tbody>
</table>
Box 16: Forging alliances between trade unions and other civil groups and organizations at the national level

**Alliances with NGOs:**
- trade unions pass convention resolution to support community-based coalitions and to work with NGOs on social policy issues;
- trade unions provide financial assistance for specific campaigns organized by other civil groups and also to support NGOs in the informal sector;
- coalition projects with NGOs: Informal Sector Coalition Project, Delivery of Justice to Disadvantaged Women Coalition Project, Justice Coalition Project, etc.;
- working with religious groups, women’s groups, political parties, NGOs on legal reform, including a new law on atypical work;
- having a booth at national NGO fair, so that there is wider publicity for union activities and dissemination of union materials;

**Links with academic institutions:**
- linking with universities, political parties, NGOs to train women for involvement in politics;
- collaboration with academic institutions to conduct surveys, carry out research and produce literature on particular labour issues;

**Participating in joint campaigns, conferences, workshops and seminars:**
- participation in national campaigns on environmental issues, daycare trust, violence against women at home and in the workplace, protection of single mothers;
- involvement in national women’s day events;
- local unions prepared jointly for the Fourth World Conference on Women and Beijing+5;
- participation in science and technology conferences so that union can keep abreast of new information technologies;
- initiating, sponsoring or participating in joint workshops, seminars, public debates, eg. with student organizations, lawyers’s associations, etc. on women’s issues;

**Awareness raising and education:**
- together with other civil groups, jointly issuing press releases, communiques on sexual harassment; etc.;
- setting up of non-formal schools for child labour;
- providing union materials for training workshops run by other organizations;
- sponsoring study circles and training of trainers for raising awareness of women’s worth, competence, potential to play key roles in unions, etc.;

**Working closely with other unions:**
- exchange of information and cooperation with other unions through labour councils;
- issues-based national alliances, eg. on privatization, structural adjustment, tax and political reforms, assistance to migrant workers, violence against women and children;
supporting other unions and civil groups in demonstrations, days of action, lobbying the government, common policy groups on equality etc.;

**Working with the community and government organizations:**

- creation of a department within the national centre with responsibility for relations with government institutions;
- Women’s Committee is a member of the national Women’s Council;
- regular meetings with community-based organizations working on women’s issues – sexual harassment, violence, etc. – during which success stories are discussed;
- “Democracy Platform” alliance with political organizations, research and academic community, youth groups, etc.
- coalition of community groups and unions to maintain and upgrade public healthcare;
- working with other unions, local groups and government agencies for the formulation or enforcement of a new Equal Opportunity Act in the country.

**Issues-based alliances** are obviously the most common. The gender-related issues that are the basis for joint action by trade unions with other civil groups include: violence against women and children, sexual harassment, community-based support structures for workers with family responsibilities (care facilities for children, the elderly, disabled), working conditions in export processing zones, assistance to migrant women, getting women into politics, etc. There are also several examples of trade unions participating in civil action to promote equal opportunity legislation or legislation covering atypical work in the country. The joint actions involve initiating or participating in public campaigns, lobbying the government, supporting other civil groups in demonstrations, days of action, issuing joint communiques, education and training programmes, etc.

However, among trade union respondents to the survey, a greater number indicated that it is easier to forge alliances on the basis of social or political issues other than gender (Table 28). Apparently, equality issues are not considered as such “burning issues” as to be able to galvanize trade unions and other civil groups to come together for concerted, high-profile joint actions. The exceptions tend to be where there are added political dimensions – such as the promotion of a new equality law or getting women into political positions. For example, the Lithuanian Trade Union Unification had a successful alliance not only with local public agencies and NGOs but also international ones (Spanish Mujeres and Latvian Women’s Organization) to participate in the formulation of an Equal Opportunities Act and to generate proposals for enforcement mechanisms. STINDE in Guatemala successfully worked with women’s groups to submit a bill on sexual harassment to the Parliament. In Ghana, there has been a joint union-NGO initiative on the intestate succession law, to protect women’s rights and guarantee them a share in the husband’s estates. In Benin, unions submitted comments on the Bill on Family and Persons’ Code and organized seminars and information sessions to raise public awareness of the issues raised in the bill.
UPCN (Union del Personal Civil de la Nacion) in Argentina has been working with universities, other unions, political parties, NGOs and the legislature to train women for entering politics. In Burkina Faso, unions have linked with NGOs and local community groups to fight against impunity in the country following the killing of a journalist and an employee close to the government. Women are reported to be very active in this fight for the respect of human rights and are not afraid to attend demonstrations or engage in strike action.

The issues identified as providing a basis for establishing relationships with other non-labour based organizations include social concerns such as health, education, drugs, alcohol, crimes and violence, environmental protection, fundamental human rights (including rights for lesbians, gays and the disabled), government cutbacks of social programmes, consumer protection, etc. These broad societal concerns indicate that unions are moving beyond their traditional sectional interests in labour issues. Other grounds of common concern are economic in nature, dealing with growing unemployment, working conditions, social security benefits, inflation and purchasing power, etc.

<table>
<thead>
<tr>
<th>Basis for forging alliance</th>
<th>No. of national centres</th>
<th>No. of trade unions</th>
<th>No. of IUF affiliates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Easier on the basis of gender issues</td>
<td>26</td>
<td>64</td>
<td>20</td>
</tr>
<tr>
<td>Easier on the basis of other social or political issues</td>
<td>18</td>
<td>57</td>
<td>32</td>
</tr>
<tr>
<td>Difficult to forge alliances for other reasons</td>
<td>6</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>No answer</td>
<td>12</td>
<td>57</td>
<td>12</td>
</tr>
</tbody>
</table>

Event-based alliances are also common. Many unions reported that their involvement in, for example, the preparations for the Fourth World Conference on Women, the annual Women’s Day events and 2000 World Women’s March greatly widens their contacts, strengthens the ways of working with other groups and helps raise their public profile. They are also very active in sponsoring or participating in seminars, workshops, etc. with other groups on women’s issues -- these are often useful for reaching out to potential members.

The strategies identified as “successful” include having established structures specifically intended to promote such alliances. Several unions highlighted the fact that their women’s wing/committee/department is specifically mandated to seek out alliances with other women’s groups; and some have set up units to liaise with NGOs. The American Federation of Teachers has a Community Relations Department that has been very successful in organizing coalitions with various community groups. Where trade union representatives are members of national bodies dealing with equality issues, such as a country’s national machinery for the advancement of women, the influence of the union is likely to be stronger. A formal coalition or joint action committee can also be established comprising trade unions and other organizations working on a common platform. Several
unions are members of coalitions to fight child labour, trafficking of women and children, etc. The Tanzania Federation of Free Trade Unions is a member of a tripartite gender task force established with the support of the ILO since 1989. In the countries where the ILO International Programme on More and Better Jobs for Women has been established, union representatives are members of the national and local coordinating committees, which also comprise the other social partners, major NGOs and local women’s groups.

Trade unions can make use of their particular expertise or experience and resources to build up community unionism. Several unions reported helping NGOs, including with financial resources, to run different types of programmes, in particular education and training programmes for women in the informal sector. This type of collaboration with NGOs enables the unions to tap into the networks that the NGOs have developed at grassroots levels especially with women in homebased production and other atypical forms of work and introduce them to the benefits of union membership. For example, the women’s coordinator of the Zimbabwe Congress of Trade Unions runs educational courses on social adjustment programmes open to other women’s groups.

Several trade unions reported linkages with academic and research organizations to carry out research on important issues, such as childcare and maternity rights. UNISON in the United Kingdom described the value of such linkages as “we provide funds, keep them going, they provide expertise”. More and more unions are recognizing the significance of research for keeping abreast of changes in the organization of work and the structure of the workforce, to understand the priorities of workers and their attitudes towards unions, and to take a pro-active role in dealing with these changes.

Special projects involving active collaboration between trade unions and NGOs and local women’s groups are also increasingly common. For example, through its Informal Sector Coalition Project and Delivery of Justice to Disadvantaged Women Coalition Project, the Trade Union Congress of the Philippines (TUCP) has been able to forge alliances with different NGOs, youth groups, lawyers groups and other community-based organizations working on women’s issues. The TUCP also works with an NGO dealing with migrant workers to help ensure that all those applying to work abroad are informed of their rights, the different kinds of employment contracts, the possibilities of sending money to their families. They also give the migrants a list of addresses, including of embassies and trade unions, where they can find refuge or assistance in the event of disputes or problems with their employers.

As an internationalist movement, there has always been cross-border cooperation between trade unions. In the context of globalization and the spread of multinational enterprises, trade unions have been “opening up their strategies, activities, procedures and structures to a new international dimension” (ILO, 1997, p.37). The strategies for transnational cooperation that have particularly implications for women workers are highlighted in Box 17.
Box 17: Promoting equality and protecting vulnerable workers through transnational cooperation

**ITSs and international confederations:**
- bringing together national unions of the subsidiaries of multinationals into formal or informal committees to exchange information and share experiences or to prepare for talks with the central management of the company concerned;
- transnational collective agreements (e.g. between IUF and the Danone Company which includes provisions on equality between women and men);

**Unions and employers’ organisations:**
- framework agreements at the inter-occupational level (e.g. between UNICE, ETUC and the European Centre of Enterprises with Public Participation on parental leave and promotion of part-time work);

**International and national trade union partnerships:**
- international trade union activity to assist an affiliate union or to coordinate a local campaign (e.g. to support union efforts to negotiate collective agreements in EPZs in the Dominican Republic, to support women’s efforts to form a union in El Salvador);

**International campaigns and coalitions (alliances with human rights groups, consumer movements, etc.):**
- adoption of codes of good conduct applicable to every link in an international production chain (e.g. the “Clean Clothes” campaign adopted in May 1998);
- class-action suits filed on behalf of workers (e.g. The Union of Needletrades, Industrial and Textile Employees together with human rights groups filed two lawsuits against clothing manufacturers in the US on behalf of women employees in EPZs in the Northern Mariana Islands);
- coalition building around international or cross-border issues, (e.g. anti-NAFTA, child labour, Greenpeace);
- planning World Women’s March 2000;

**International assistance, trade unions in developed and developing countries:**
- ITSs and trade unions in developed countries provide educational and training programmes for trade unions in developing countries (e.g. the ICEM Latin American project on training women educators to train their women colleagues and strengthen their unions);
- projects for assisting union members, in particular women, in developing countries (e.g. SID in Denmark has projects in Central America and Africa);
- establishment of international assistance/support funds (e.g. a Social Justice Fund);
- unions in developing countries (e.g. those in Zimbabwe) receive assistance from unions, research institutions, university students in developed countries to carry out research;
- Joint Agreements (e.g. between Association of Estonian Trade Unions and Scandinavian Trade Unions).
Certainly, an important aspect of such international cooperation is the potential for organizing effective international pressure in support of women workers in countries where they have been denied freedom of association or have been subject to serious exploitation by multinational enterprises. Especially since women are often the basis of cheap labour policies in developing countries but have little or no recourse vis-a-vis the powerful multinational companies employing them, the support of international organized or coordinated efforts is often critical. The case of migrant women in the EPZs in Saipan in the Northern Mariana Islands is a recent example.

Such international campaigns can involve a number of strategies, including:
- direct assistance to affiliate unions,
- training and education of new union members,
- lobbying for political support,
- organizing consumer boycotts of the products of the companies that are seriously violating labour standards,
- coordinated media campaigns (including use of the Internet), etc.

Although international action may persuade multinationals to adopt codes of conduct, such codes of conduct should not prevent them from taking part in social dialogue nor substitute for the right to freedom of association and collective bargaining.
7. SOME CONCLUDING REMARKS

In concluding, it is important to emphasize that the report is not intended to compare the performance of specific national centres or unions. Some of the text boxes in the report indicate specific countries or unions that have adopted a particular measure – this is to provide empirical references on the basis of the survey responses and does not mean that only the cited countries or unions have adopted such measures.

The report obviously does not capture the entire scope, spread and innovativeness of trade union activities and experiences. But it does underscore the critical role of trade unions in promoting gender equality and serving as a vanguard for social change. It is hoped that the report and the accompanying Resource Kit will be a source of inspiration and information for unions and other civil organizations to champion the right to gender equality and the elimination of other forms of discrimination and exclusion.
REFERENCES


