



International
Labour
Organization

REVIEW OF THE GENDER POLICY OF THE TRADE UNION CONGRESS OF SWAZILAND

Request for Proposals (RFP) :

The ILO DWT/CO in Pretoria requests any interested Individual National Consultant (External Collaborator) to submit a **technical and financial proposal** (including CVs) to undertake the above assignment.

Deadline: 23 August 2023 23:59 South African Standard Time and proposals should be sent to the following email: lpc_pry@ilo.org

TERMS OF REFERENCE: REVIEW OF THE GENDER POLICY OF THE TRADE UNION CONGRESS OF SWAZILAND

1. BACKGROUND

Eswatini is a signatory to several key international and regional human rights instruments, including the Equal Remuneration Convention, 1951 (C100), and the Discrimination (Employment and Occupation) Convention, 1958 (C111). Other instruments ratified include the International Covenant on Civil and Political Rights (1966), International Covenant on Economic, Social and Cultural Rights (1966), and the African Charter on Human and People's Rights (1981). In terms of domestic legislation, Eswatini has also made significant strides to address gender inequality through the adoption of a national gender policy, and the adoption of the Sexual Offences and Domestic Violence Act which came into law in June 2018, implementation and enforcement of legislation are still a challenge. Amendments have also been made to the Employment bill to bring it in greater alignment with C100 and C111, the Violence and Harassment Convention, 2019 (No.190).

Eswatini's lower middle income status masks several developmental challenges the country faces. Most notable among these is the skewed income and wealth distribution (Gini coefficient of 0.516 where half of the wealth is owned by 20% of the population) in the country. These development challenges disproportionately impact women and girls, who predominate amongst the poor and unemployed. Women often have considerably lower earnings than their male counterparts and are more likely to be in vulnerable employment positions. Social and structural inequalities, including patriarchal traditions and customs, have constrained women's access to productive economic resources and other opportunities, including education and employment. While the promotion and protection of women's and girls' rights are provided for in the country's Constitution and further through the enactment and amendment of various laws, Eswatini continues to struggle with persistent gender inequality with a Gender Inequality Index Score of 0.567, ranking 143 out of 162 countries in the world in 2019. The social and economic marginalization of women and girls has exacerbated their vulnerability to gender-based violence, with one in three women experiencing some form of sexual violence by the age of 18 and 48 in

their lifetime. The incidence of sexual and gender-based violence flared up during the recent COVID-19 pandemic and in the current political environment that has seen violent repression of pro-democracy protestation.

With the growing sensitization amongst the social partners of gender equality not only being a fundamental human right, but key to economic growth, and sustainable development, the Workers Organizations in Eswatini are making some progress to advance gender parity within their leadership structures. TUCOSWA has shown strong commitment towards promoting gender mainstreaming and gender equality within its organizational structures and addressing violence and harassment in the world of work has also been a key objective of the labour federation. This is particularly the case for the Trade Union Congress of Swaziland (TUCOSWA) that has a Gender Policy. While TUCOSWA has attained near gender parity with women making up 43% of its national leadership, the increased representation of women in the leadership and decision-making structures of the labour federation is significant insofar as it potentially strengthens the voice of women in decision making and in shaping positive outcomes for women.

Notwithstanding the above, the leadership of TUCOSWA however, recognizes the need to have its gender policy reviewed and brought into closer alignment with provisions of C190 to address the challenge of violence and harassment including gender-based violence and harassment, as well as to bring it in close alignment with other pieces of domestic legislation such as the Sexual Offences and Domestic Violence Act which came into law in June 2018, and amendments made to the Employment bill to bring it in greater alignment with C100 and C111 and other relevant work related to C156 on workers with family responsibilities and C189 on domestic workers. For this reason, TUCOSWA has reached out to the ILO to seek support in its efforts at reviewing the TUCOSWA Gender Policy and it is against this background that a consultant is sought to undertake the review of the policy under the close supervision of the ILO and in close consultation with the membership of TUCOSWA.

In February 2014 FEDUSA undertook a gender audit utilizing the ILO Participatory Gender Audit methodology (PGA). The ILO PGA is a tool that supports an organization's commitment to gender equality by examining the extent to which equality is being institutionalized; helps to identify good practices in technical work; and points to effective and efficient ways of moving forward in mainstreaming gender in all work activities. The findings of the gender audit that was undertaken, albeit several years ago may present some valuable information that could still be of relevance and can be drawn upon in identifying gaps in TUCOSWA's gender responsiveness.

2. Overall Objective

The overall objective of the assignment is to support TUCOSWA in reviewing its Gender Policy to align with international labour standards on gender equality, discrimination, and violence and harassment, and to ensure that it takes into account the prevailing environment within TUCOSWA and its affiliates. A particular focus will be placed on incorporating all relevant provisions of C190 and those conventions relating to care and workers with family responsibilities. By achieving this alignment, the revised Gender Policy will play a crucial role in promoting gender equality within TUCOSWA's organizational structures and those of its affiliate members. It will also actively contribute to the empowerment of women within the Federation by eliminating barriers to the inclusion of women and other members who are in situations of vulnerability. The gender policy will also aim to reflect key priorities for work within the country.

3. Scope of Work

Under the overall supervision of the ILO Pretoria Decent Work Team/Country Office and technical guidance by the ILO's Gender, Equality, Diversity, and Inclusion Branch (GEDI), the consultant will be required to do the following:

- Undertake a problem analysis in relation to key areas of work relating to gender equality such as the gender wage gap, care and violence and harassment within the internal and operational framework of TUCOSWA. This process will include desk review of the policy and regulatory framework and practices of the TUCOSWA to promote gender equality and measures to address violence and harassment.
- Undertake extensive consultations with organizational structures of TUCOSWA and its affiliate members, including through focused group discussions with relevant stakeholders, including female and male workers.
- Undertake extensive literature review on international best practices and alignment with the ILO international labour standards framework on gender, as well the findings of a previous gender audit undertaken by TUCOSWA to inform the design of an updated Gender Policy.
- Based on the above-mentioned analyses and consultations draft an updated gender policy.
- Prepare a presentation of the draft revised gender policy at a stakeholder validation workshop to provoke further discussion and input where necessary.
- Based on the outcome of the validation workshop, integrate all inputs/ comments into the revised Gender Policy to produce a final updated Gender Policy for TUCOSWA.

4. Expected Outputs

- A comprehensive problem analysis in relation to gender equality and discrimination within its internal TUCOSWA structure and external work.
- A concise report incorporating comments and main findings from extensive consultations with stakeholders.
- A revised gender equality and discrimination policy accompanied by an Action Plan for implementation.

5. Supervision and Reporting

The Consultant will work under the overall supervision of the Director of the ILO Pretoria DWT/CO, and under the technical guidance and supervision of the ILO's Gender, Equality, Diversity, and Inclusion Branch (GEDI) and Workers Specialist (ACTRAV). Reports will be submitted to the ILO Pretoria Country Office Director and copied to the relevant Technical Backstopping Specialists in GEDI and the Workers Specialist in ACTRAV as well as the Programming Unit in the ILO Pretoria Country Office.

6. Qualifications and Competencies required

- Bachelor's degree in social science, development studies, gender, or related field; Master's degree preferred.
- A minimum of 5 years practical experience in the field of gender equality and gender mainstreaming
- Formal training in gender analysis and gender planning and demonstrated expertise in mainstreaming gender in projects and programmes, especially in specific area of intervention.

- Thorough understanding of the gender context in Eswatini, and experience working with government institutions and international or non-governmental organizations supporting gender and development work in the specific area of intervention.
- Familiarity with gender analysis tools and methodologies in the specific area of intervention.
- Familiarity with key ILO gender-related conventions including the latest Convention No.190 and its Recommendation R.206.
- Strong communication skills, and ability to liaise with various stakeholders, including Workers organizations in Eswatini.
- Fluency in written and spoken English is required.