

**1ST WORLD
WOMEN'S
CONFERENCE** **BRUSSELS**
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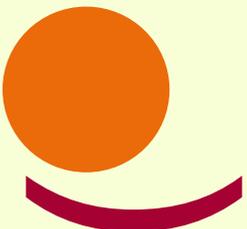
*Decent Work, Decent Life for Women:
Trade Unions Taking the Lead for
Economic and Social Justice & Equality*



ITUC CSI IGB

Decent Work, Decent Life for Women:

Trade Unions taking the lead for economic and social justice & equality



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DISCUSSION GUIDE

Acknowledgment

This Discussion Guide was written by Jo Morris, a labour movement researcher and policy adviser. Ms. Morris worked closely with the Equality Department of the ITUC in writing this Guide.

Contents

INTRODUCTION	5
1. Objectives of the Conference	5
2. Discussion Guide	5
3. Conference procedures	6
PART I	
1. WHAT IS DECENT WORK?	7
CHAPTER 1 DECENT WORK: EMPLOYMENT AND INCOME OPPORTUNITIES	8
1.1 Women and Decent Work in the new Global Economy.....	8
1.2 Towards More and Better Jobs in Developing Countries	10
1.3 Decent Work as a Route out of Poverty: Women at Work in the Global Economy	11
1.3.1. Poverty has the Face of a Woman – the fight for better jobs	12
1.3.2. Global Supply Chains and Production Networks	12
1.3.3. Global Services and Migrant Workers	12
1.4. The Growth of Precarious Work	13
1.5. Work, Care and Time	14
1.5.1. Impact of HIV/AIDS	16
CHAPTER 2 DECENT WORK: RIGHTS AT WORK	17
2.1. Implementing Rights at Work and International Labour Standards.....	17
2.1.1. The ILO Core Labour Standards and Declaration on Fundamental Principles and Rights at Work.....	17
2.1.2. ILO Labour Standards and Gender Equality	18
2.2. Women’s Rights are Human Rights	18
2.2.1. Millennium Development Goals (MDGs)	19
2.3. ILO Labour Standards – What Trade Unions Want.....	20
2.3.1. Effective Implementation	20
2.3.2. Better Enforcement – Link between Trade and Core Labour Standards	20
2.4. Freedom of Association and Right to Collective Bargaining – A Core Labour Standard ...	21
2.4.1. Organising and action	21
2.4.2. Organising in EPZ’s	21
2.5. Freedom from Discrimination at work – a Core Labour Standard	22
2.5.1. The value of women’s work – challenging pay inequality	23
2.5.2. Trade union membership	24
2.5.3. Influence of collective bargaining agreement	25
2.5.4. Influence of trade union representative in the workplace.....	25
2.6. Multiple Identities and Discrimination at Work	25
2.6.1. Race and Minority Ethnic Women	26
2.6.2. Violence Against Women.....	26
2.6.3. Disability.....	27
2.6.4. Unions Confronting Homophobia.....	27

CHAPTER 3	DECENT WORK: SOCIAL PROTECTION	29
3.1.	Decent Work and Social Protection – The Trade Union Role	29
3.1.1.	Putting Social Protection into Action – Some Policy Messages	30
3.1.2.	Social Protection Instruments addresses varying Gender-related risks	30
3.1.3.	Social Protection can be delivered in a variety of ways	30
3.2.	Good Practices in Gender and Social Protection	31
3.3.	The ITUC Campaign on ratification of ILO Convention 183 and Recommendation 191 on maternity protection	32
3.4.	Quality Public Services – Social Protection for All	34
3.4.1.	The issues for women as users of Quality Public Services	35
3.4.2.	Lessening the burden of unpaid care	35
3.4.3.	Pensions	36
3.4.4.	Tax credits or benefits	37
3.5.	Policy implications and suggestions for donors and partner governments	37
3.6.	The Double Care Burden and Quality Public Services	38
CHAPTER 4	DECENT WORK: SOCIAL DIALOGUE AND COLLECTIVE BARGAINING	39
4.1.	Social Dialogue at Work: Voices and choices for women and men	39
4.1.1.	Women’s participation in social dialogue – still a challenge	40
4.2.	Women as Decision Makers – Women’s Representation in Trade Unions	41
4.2.1.	Capacity Building and Women’s Empowerment Programmes	42
4.2.2.	Social Dialogue Advancing Gender Equality	44
4.2.3.	Social Dialogue and HIV/AIDS	46
4.3.	Social Dialogue in the Community: Building Alliances in the Community and the Family	48
4.4.	Violence Against Women	50
4.4.1.	An Issue for Social Dialogue	50
4.4.2.	What can Trade Unions do?	51
4.4.3.	Negotiations in the Home	51
 PART II		
1.	THE GLOBAL FINANCIAL/ECONOMIC CRISIS	53
1.1.	Global Economic Crisis – it’s Impacts on Women	54
1.2.	Responses to the Crisis	55
2.	CLIMATE CHANGE AND FOOD SECURITY: PRESSING CHALLENGES FOR TRADE UNIONS	57
2.1.	Food for All: A Goal Within Reach	58
2.2.	Climate Change: A Global Challenge where Solidarity is Key	59
3.	DECENT WORK FOR DOMESTIC WORKERS - INTERNATIONAL CONVENTION ON THE WAY	61
3.1.	Domestic Workers Need a Union	62
3.2.	Global Unions Call for Union Solidarity for 2010	64
3.3.	Organising Domestic workers – some case studies on good practices	64
4.	DECENT WORK, DECENT LIFE FOR YOUNG WOMEN	66
4.1.	Giving Young Women a Voice – at Work and in the Union	67
4.2.	Campaigning on Young Women’s Issues	68

INTRODUCTION

BREAD AND ROSES

AS WE COME MARCHING, MARCHING, WE BATTLE TOO FOR MEN

UNITED IN THE STRUGGLE WE STAND WITH THEM

OUR LIVES SHALL NOT BE SWEATED FROM BIRTH UNTIL LIFE CLOSES

HEARTS STARVE AS WELL AS BODIES; GIVE US BREAD, BUT GIVE US ROSES.

As trade union leaders and activists you come to this first women's conference of the ITUC with a wealth of experience, knowledge and ideas. You have first-hand experience of how the global economic crisis is affecting working women, men and their families in your country and region. These experiences and insights can be shared with sisters from other parts of the world during the conference and workshops. Most importantly your experiences will influence the development of ITUC policy on winning economic and social justice for women.

1. The Objectives of the Conference are to:

- Monitor and advance the implementation of the decent work, decent life agenda for women and men, structured around:
 - Employment creation and Rights at work
 - Collective bargaining and Social protection
- Identify the impact of the global crisis on working women and ensure this is part of the trade union response;
- Develop concrete, innovative strategies to make unions relevant to women, and to strengthen the gender element in trade union bargaining, negotiation, and social dialogue;
- Promote exchanges of information and experience between women trade unionists and provide an opportunity to capture their unique perspective on the developing trade union agenda at a time of global economic crisis;
- Strengthen the solidarity of women within trade unions and between trade union women, policy makers and civil society organisations;
- Provide programme guidelines for the ITUC, bearing in mind the holding of the 2nd World Congress in 2010.

2. Discussion Guide

Part I of the Discussion Guide is composed of 4 chapters and introduces the concept of Decent Work, why Decent Work is important to women, and the potential that Decent Work offers in social dialogue at national, industry and international level. Part 2 offers useful background for the panel discussions.

This Discussion Guide is designed to help you focus on the issues dealt with under each theme and to provide you with information and resource links to help you participate in the group work sessions and the plenary. This guide can also serve as resource material beyond the Conference – the subject is central to the activities of every national centre and could be useful in developing policy and action on gender equality. It could also be useful in organising and developing social

dialogue with employers and governments, as well as solidarity campaigns with civil society organisations in your country.

The guide contains facts and figures, case studies, extracts from relevant documents and publications. There are also links to documents from international policy-making organisations to enable you to discuss how trade unions can help implement international policy commitments on gender at national and workplace levels. Many of the subject areas are inter-linked and have been cross-referenced.

The main background and working documents for the Conference are:

- ITUC Charter of Rights of Working Women
- Action Programme on achieving gender equality in trade unions
- Achieving gender equality: a trade union manual
- Campaign Guide: Decent Work, Decent Life for Women
- Decent work, decent life for women: making maternity protection a reality
- Trade unions say NO to violence against women and girls
- Stopping sexual harassment at work: a trade union guide
- Action plan on getting rid of racial discrimination and xenophobia
- ITUC Gender Pay Gap Report 8 March 2008
- Gender (in)equality in the labour market: an overview of global trends and developments – 2009
- A Recipe for Hunger: How the World is Failing on Food
- ITUC Youth Policy and Programme of Action

All of these documents are available at the conference and can be used as basis to develop your union's policies on the different topics.

3. Conference procedures

The participatory method will be used at this Conference, with a keynote speech on Employment Creation and Rights at Work. Five panel/forum presentations will be made on i) The Global Crisis covering the Financial/Economic Crisis; Climate Change and Food Security; ii) Challenge to Trade Unions: Gender Equality; iii) Women as Decision Makers; iv) Organising Domestic Workers and Protecting Their Rights; and v) Young Women Workers – Voice at Work and in the Union

There will be two group exercises (with 10 workshops held simultaneously - 1 multilingual, 2 French-speaking, 2 Spanish-speaking, and 5 English-speaking) under the 4 pillars of Decent Work. These will take into account the impact of the economic crisis on women; climate change and food security on gender equality.

The group rapporteurs will make their summary reports to Plenary for adoption. There will be five reports: one from the multilingual group, one from the French-speaking groups, one from the Spanish-speaking groups and two from the five English-speaking groups. The summary of these reports will form the basis for the Draft Conclusions and Recommendations of the Conference. This draft will be discussed at the 4th meeting of the ITUC Women's Committee in March 2010 and presented for endorsement by the following General Council. Thereafter, it will be circulated to all participants, affiliates and GUFs, for follow-up action.

PART I

1. WHAT IS DECENT WORK?

According to the ILO, Decent Work “*sums up the aspirations of people in their working lives – their aspirations for opportunity and income; rights, voice and recognition; family stability and personal development; and fairness and gender equality*”. Decent Work lies at the heart of efforts to reduce poverty and comprises four strategic objectives:

- employment and income opportunities;
- fundamental principles and rights at work and international labour standards;
- social protection and social security;
- social dialogue and tripartism.

The ILO seeks to promote Decent Work through integrated Decent Work country programmes, which define targets within national development frameworks and implement programmes to tackle deficits in Decent Work. Trade unions have an important role in these country programmes.

A World of Inequality

- Work - In 2007, some 52.5% of women of working age were looking for work or working, in comparison to 78.8% of men;
- Global female employment-to-population ratios have decreased since 1997 from 49.5% to 49.1%, although there have been strong gains in this period in the Middle East, Latin America and the Caribbean - from 20.8% to 28.1% and 42.1% to 47.1%, respectively;
- Women earn only ten per cent of the world’s income, yet work two-thirds of the world’s unpaid work, while those in waged employment earn on average three-fourths of the male wage for the same work, or work of equal value.
- Education - According to UNESCO, almost 800 million people cannot read and write, with two-thirds of these women.
- Two-thirds of all children denied school are girls.
- Welfare – domestic violence is the single biggest cause of injury and death to women worldwide.
- Democracy – women hold only 14% of the world’s parliamentary seats.

Sources: ILO 2008; http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_090956.pdf;

ITUC statement on ‘Decent Work for Women’ for the UN CSW, 2008 and Oxfam International.

CHAPTER 1

DECENT WORK: EMPLOYMENT AND INCOME OPPORTUNITIES

Women are overwhelmingly the poorest in society, especially in developing economies. Growth, investment and enterprise development are necessary in the fight against poverty. This section will help delegates consider the changing role of women and work in a new global economy and discuss the full integration of gender equality in growth strategies and employment. The section will help us understand the different ways in which men and women participate in the economy – and the different ways in which trade unions and policy makers need to address women workers' concerns.

RIGHT TO EMPLOYMENT

ITUC Charter of Rights of Working Women:

The right of women to employment is a fundamental right. What is more, women's work makes a significant contribution to economic development in all societies. All efforts must be made to achieve and maintain full employment. Women should have full access to economic life, and their rights to paid employment must be recognised in every country. In compliance with ILO Convention N° 111 all discrimination must be eliminated, notably in relation to access to jobs and professions, education, vocational training, promotion at work, and job security. There should be no more arbitrary division between female and male tasks.

Investment in gender equality, women's empowerment and decent work for women is vital for achieving economic and social justice, as well as democratic engagement. If women are to share in growth and investment, trade unions together with other international organisations need to carefully consider the complex relationship between economic empowerment, Decent Work and social or cultural discrimination. The women's agenda in Decent Work goes far beyond the promotion of equal opportunities and underlines the inequitable differential impact of the labour market on men and women.

1.1. Women and Decent Work in the new global economy

Changes in the global environment, including new technologies, economic liberalisation, demographic changes and the deregulation of labour markets, have contributed to increasing levels of precariousness and insecurity for workers, especially women. The risks and vulnerabilities faced by working women from low-income households mean that there are special issues to confront when looking at what Decent Work means for women.

ITUC Campaign Guide: Decent Work, Decent Life for Women

A large share of the global workforce remains outside the world of full-time, stable and protected jobs in what is known as the informal economy. According to recent ILO statistics over 60 per cent of working women are in informal employment outside agriculture, and when agriculture is taken into account the figures are even higher. Even within the informal economy women are concentrated at the lower end where working conditions are least secure, where it is most difficult to organise trade union activity, and labour regulations and social protection are least likely to apply.

The situation of women workers is often compounded by the mix of economic discrimination with gender discrimination and cultural norms that mean women are vulnerable to male colleagues and managers' discrimination as well as economic disadvantage.

Informal work currently makes up between half and three quarters of employment in the non-agricultural sector in developing and transition countries and its share is growing.¹ Self-employment comprises a greater share of non-agricultural informal employment than wage employment. The inclusion of the agricultural labour force increases the estimates so that informal employment accounts for 83 per cent of non-agricultural employment and 93 per cent of total employment in India.

Who are workers in the informal economy?

Informal employment is defined as employment without secure contracts, worker benefits, or social protection. It is comprised of two basic components:

- **Self-employment in informal enterprises**
- **Paid employment in informal jobs**

Women workers are disproportionately represented in informal work all over the world. Informal work represents an extreme degree of exploitation of working people. Women workers are exploited economically as well as socially – as women and as women workers.

The term 'feminisation of labour', coined in 1989, refers to both the growth in women's share of paid work as well as the increasing tendency of all forms of work, whether carried out by women or men, to approximate the informalised conditions and precarious terms that had previously been associated with women's work. The range of informal work by women in both (outsourced) public and private sector is very varied.

The search for flexible labour in an increasingly competitive global environment has given processes of relocation and sub-contracting an international form. Production has come to be increasingly organised through 'global supply chains' through which multinational firms have been able to source their goods from all over the world using diffused networks of suppliers often based in developing countries. This has allowed them to take advantage of abundant supplies of less well paid and less organised labour, largely female, in these countries. The industries most affected by these processes have tended to be highly labour-intensive ones with a high ratio of labour to

¹ *Health Handbook for Women with Disabilities* by Jane Maxwell, Julia Watts Belser and Darlena David 2007 (English ed ISBN : 978-0-942364-50-7)

overall costs. There has also been an increase in internationally traded services. With rapidly changing technologies in information, communication and transportation, there has been a massive growth in tourism and leisure services, as well as the outsourcing of more 'mobile' services such as data processing and call centres. Agricultural production also has seen changes. These are all areas where women work in large numbers.

Trade liberalisation has led to the growth of non-traditional agricultural exports such as flowers, fruits and vegetables from a number of developing countries to rich industrialised economies. The need to compete in globally competitive markets is also evident in the production strategies of the export companies and their growing reliance on flexible contracts that allow them to tailor their labour supply to seasonal demands and protect themselves against downturns in demand (known as 'just in time' production) – making these women workers particularly vulnerable in times of economic and financial crisis.

Organising Informal Farm workers in South Africa

Sikhula Sonke, which means 'we grow together', is a trade union set up to improve the living and working conditions for the most vulnerable farm workers in South Africa - women and migrant and seasonal workers. Sikhula Sonke aims to take up workers' rights issues as well as gender issues and is building strong leadership structures, organising campaigns, negotiating with farm owners, expanding into new regions, and ensuring national and international alliances are built to make the position of women agricultural workers visible. Sikhula Sonke has negotiated wage increases, paid maternity leave, medical benefits and improved health and safety standards for their members and significantly increased their membership over the past year.

Source: War on Want <http://www.waronwant.org/overseas-work/food-justice/women-farm-workers-in-south-africa>

Women have emerged as the flexible labour force par excellence in the highly competitive labour-intensive sectors of the global economy, leading to their growing presence in paid work in many regions of the world. While worldwide women have increased their share of the world's labour force, are more evenly distributed across the sectors than they were in the past and have made some advance in the limited number of managerial and administrative jobs in developing countries, gender hierarchies in the labour market have proved resilient. Men have not generally proved as 'flexible' in taking up a larger share of unpaid work in the home as women have in taking up a larger share of breadwinning responsibilities.²

1.2. Towards More and Better Jobs in Developing Countries

The OECD report³ 'Is Informal Normal?' finds increasing informalisation of employment within the formal sector, in developed as well as in developing countries, and that overall, there is an upward trend in the level of informal employment. With reference to women's over-representation in "low quality and often informal jobs", the report's analysis finds that those same factors that limit women's participation in the labour force (to date the traditional focus of policy-makers) also account for this over-representation. As regards strategies for empowering women, it

² *Mainstreaming Gender in Social Protection for the Informal Economy; Naila Kabeer; Commonwealth Secretariat 2008 has been heavily drawn upon in this chapter.*

³ *OECD Development Centre report "Is Informal Normal" 2009*

recommends education, childcare and microfinance, as well as public works and employment guarantee schemes, coupled with social protection targeted at the most vulnerable.

The report calls for employment issues and outcomes to be more strongly reflected in Poverty Reduction Strategy Papers (PRSPs) and for greater policy coherence. It identifies the key challenge as being to increase productivity and social protection in informal employment, whilst making the transition to formal employment easier. It calls on governments to adopt a three-pronged policy approach:

- ◆ *support the creation of jobs in the formal economy;*
- ◆ *provide incentives to encourage the formalisation of jobs and, inter alia, support the enforcement of rules and regulations by allocating greater resources to labour inspectorates;*
- ◆ *provide the necessary legal, financial and social means to enable those excluded from the formal labour market to become more productive, whilst at the same time providing support for basic social services and social security institutions.*

Why is Decent Work important?

For the ITUC every person on earth should be able to have a job that enables them to live a good life in which their basic needs are met. Employment is a crucial factor for achieving this. This is why all governments should be urged to work more on job creation. Not just any jobs, of course, but decent jobs for everybody. Decent work is the best way to fight global poverty. To most people around the world, lack of decent work means poverty.

Source: ITUC World Day for Decent Work – 7 October.

For the second year, on 7 October 2009 the trade union movement is organising a World Day for Decent Work. This is an unparalleled opportunity for trade unions and organisations interested in Decent Work all around the world to join a broad global mobilisation involving a large number of people and a wide range of activities. In 2008 and as part of the Global Campaign 'Decent Work, Decent Life for Women', women in trade unions were at the forefront in organising events, social dialogue sessions and demonstrations. In every corner they focused on decent work for women and in particular on Pay Equity, ratification of ILC 183 on Maternity Protection and balancing work with personal life.

1.3. Decent Work as a Route out of Poverty: Women at Work in the Global Economy

A background document⁴ produced by the Trade Union Advisory Committee to the OECD (TUAC), shows the link between poverty reduction, gender and decent work. It examines how to support the employment and empowerment of women in the context of a global labour market in which work is increasingly feminised, informalised and precarious. It argues that employment is a major route out of poverty – and that Decent Work should be a key ingredient of poverty reduction

⁴ *OECD Labour/Management Programme (LMP), TUAC and the OECD document on 'Gender, Development and Decent Work: Building a Common Agenda' 2009.*

strategies and international donor assistance. Too often Decent Work, and particularly for women, is neglected in international development programmes.

Trade unions in both developed and developing economies can play a key role in establishing decent work for women on the agenda of donor programmes and recipient countries' priorities. Trade unions have a crucial role as social partners working alongside development programmes to help ensure women do not move out of rural poverty into urban exploitation. TUAC argues that the Millennium Development Goals and international donor assistance are important routes through which to pursue the trade union Decent Work agenda for women.

1.3.1. Poverty has the Face of a Woman – the fight for better jobs *(cross reference page 19)*

The adoption of the United Nations Millennium Development Goals (MDGs) in 2000 placed women's poverty reduction at the heart of the international development agenda and turned the spotlight on the role of employment as a route out of poverty. All too many women in developing countries are consigned to the ranks of the working poor, preventing women, households, communities and societies from working themselves out of poverty. There is an urgent need for policy-makers to meet the challenge of creating 'more and better jobs' and Decent Work in order to eradicate poverty.

The most recent progress report⁵ on the MDGs, which takes stock at the 2008 mid-point, calls on governments to break the vicious circle of poverty, *inter alia*, by focusing on the "creation of additional opportunities for decent work". On MDG1, the report states that "for millions in the world today, jobs provide little relief from poverty because their pay is so low. The working poor – employed persons living in households where each member earns less than a dollar a day – make up over half of Sub-Saharan Africa's workers ... for the most part, women are more likely than men to be in vulnerable employment situations". Reporting on MDG3, it finds that whilst "women have more income-earning opportunities than ever before" they are also "disproportionately represented in part-time, seasonal and short-term informal jobs and therefore are deprived of job insecurity and benefits. Occupations continue to be gender-specific and female-dominated positions tend to be characterised by an inferior status, lower pay and poorer working conditions".

1.3.2. Global Supply Chains and Production Networks

A recent discussion paper on the 'Gender Dimensions of Globalisation' (ILO, 2008), addressed the question of whether global production networks are creating 'better jobs' or driving the standard of women's employment conditions downwards. It finds that "wages and quality of employment are poorest in the lower levels of global supply chains or in firms towards the periphery of production systems, e.g. those employed by enterprises in their supply chains, subcontractors, micro enterprises and home-based workers, rather than workers directly employed by MNEs". The international care sector provides a case-study of the contradictory forces of the new global economy and its effects on women.

1.3.3. Global Services and migrant workers

Women dominate the international migration of care service workers, which spans the spectrum from skilled health workers to domestic workers. This migration occurs due to both 'push' and

⁵ *The Millennium Development Goals Report 2008; United Nations p 18.*

'pull' factors in developing and developed countries, with poverty and the lack of sufficient opportunity for paid employment fuelling the supply side, whilst "care deficits" in developed countries create paid work opportunities for migrant workers. The international migration of care workers has negative as well as positive benefits for developing countries, with the former including the impact on health services in developing countries, as well as on the families, including children, left behind, and on the migrant women themselves.

A key challenge is how to better protect migrant care women workers who are often working in unregulated (e.g. private households) working environments, unable to organise and therefore highly vulnerable to exploitative practices. There are a number of international frameworks in place to protect migrant workers, as well as initiatives undertaken by employers and trade unions.

1.4. The Growth of Precarious Work

New patterns of global production, the increased volumes of trade and the creation of a global market in services, have led to greater opportunities for women's paid employment. They have also, however, created jobs that are precarious, unregulated and without social protection, especially at the low-value end of the supply chain – in short, jobs that are a far cry from the 'more and better jobs' called for by the development community, or the Decent Work agenda of the ILO.

Considerable work is being undertaken in support of gender equality, especially within the respective (and often separate) communities of 'development' and 'Decent Work'. Trade unions and development organisations need to work together effectively to improve the working conditions and lives of women – this is an increasingly important issue for the trade union agenda, and there is a crucial role for women trade unionists to play at national and international levels.

Precarious Work Affects Us All

'Precarious work affects us all' is a Global Unions campaign, which aims to stop the rise in precarious employment around the world. The International Metalworkers' Federation (IMF) used the occasion of International Women's Day to draw attention to the links between women and precarious work. In a statement, the IMF General Secretary, Marcello Malentacchi, said: "Throughout the world, women are increasingly finding that their only employment options are through precarious work, in jobs which are insecure, temporary and give no rights to social security, pensions and other conditions..."

The growth of insecurity and precariousness of workers is not restricted to developing economies. Despite an advanced framework of rights for workers in the European Union, the recent growth in precarious jobs has served to erode decent work in Europe, for example through insecurity, anti-social working hours, low pay and lack of training investment. The European Trade Union Confederation (ETUC) has repeatedly expressed its alarm at rising levels of poverty and inequality between and within EU Member States, and between men and women, in many cases as a result of poverty wages and the gender pay gap. At its Congress in May 2007, the ETUC called for a "fair living wage for all. Migrants must not become second class workers nor be used to depress wage levels".

"To change the world, we need to change the lives of women".

1.5. Work, Care and Time

The organisation of working time in the 21st century has been slow to reflect changes in the labour market which has become increasingly feminised. In some regions women make up half the working population in the formal economy. Precarious work arrangements, low wages, long working hours, the intensification of working time and unpredictable demands for overtime make it increasingly difficult to for women and men to balance their working and private lives, and especially to manage family care. Traditional gender roles and stereotypes combined with societal expectations and pressures can make men reluctant to share family responsibilities.⁶ (cross reference page 34)

Although more women work for pay, their share of family responsibilities has not diminished. Generally, men's participation in family responsibilities has remained low, although statutory rights to encourage fathers to take paid and unpaid time to look after their children is beginning to have an impact in some developed economies. Demographic changes - more single-parents, especially single-mother households, fewer extended family households, together with migration and other social and economic factors - mean that less family and informal support is available. There are two, often complementary, approaches adopted in response to the increasing care burden on working women: paying for someone else to care for children and other family members or adapting working arrangements to reconcile work and care demands. Both approaches can contribute to low pay for women. Domestic and care workers, especially those employed in the home, are vulnerable and often very low paid. While women who work part-time or 'trade down' in order to combine work and family are typically among the lowest paid and experience the widest gender pay gap.

As women carry out the bulk of housework and care work for children and adult dependents, they have the longest total working week, particularly if they are employed full time. A major cause is the unequal gender division of unpaid domestic work. Although part-time employment provides some respite for women, they still have longer composite working hours than men employed full time. Hence, while part-time employment is often advocated as a work-family reconciliation measure, women who have this working-time arrangement generally have a longer composite working week than men.

Caring Means Women Earn Less

The quality of public services has a major impact on the time spent on care/family responsibilities for women in developing countries, as well as developed economies.

In Africa and Asia women are generally responsible for collecting water for their families. On average, in rural Africa, women spend 26% of their time collecting water⁷. The issue of care/family responsibilities needs to be linked to accessibility to public services such as clean water, electricity, affordable health care, affordable child care, etc.

In the EU, women work shorter hours in employment than men, largely to accommodate family responsibilities. While part-time employment is not common among women in Eastern Europe, more than one in three employed women in Western Europe works part time – in part to reduce the costs of private child-care.

⁶ ILO, *European Foundation for Working and Living Conditions and ETUC*.

⁷ UNIFEM www.wateraid.org.

For many, family responsibilities have intensified and diversified. Many countries are rapidly ageing, with older family members needing care from younger family members at a time when women, as well as men, are working for pay. Globally, the number of older people is expected to exceed the number of children for the first time ever in 2047. At the same time, many countries have cut back in their spending on health and public services, or shifted their policy to care in the community, shifting greater responsibility for care work to unpaid family members. Recognising these social pressures has led some governments and employers to offer flexible working to carers of adults – this may include a reorganisation of how working hours are organised to suit personal needs, rather than a reduction in the number of hours worked that results in loss of pay and career opportunities. HIV/AIDS has also increased the number of people needing care, with many grandparents having to take care of young children orphaned through the pandemic – flexibility of working hours can be a real help to those in work.

Unions in New Zealand welcome new rights to flexible work

An amendment to the New Zealand Employment Relations Act (Flexible Working Arrangements, July 1 2008) allows workers who care for others to ask for flexibility in their hours, days or place of work – arrangements such as flexi-time, home-working, career breaks, term-time working, altered hours or job sharing. The process is simple: provided the worker has responsibilities of care for any person, has worked for an employer for at least six months and there is nothing in the collective agreement that clashes with the request, the worker may write to their employer requesting flexible work arrangements. 'Legislation isn't the only answer, but it does create a climate and culture of acceptance about the need for employer openness to requests - as well as a transparent process for employers to refuse requests'.

Carol Beaumont, General Secretary New Zealand Council of Trades Unions (NZCTU).

The negotiation of time – at work as well as across the kitchen table – is a key issue for families. Surveys show that for many dual-income families who are not low-income, time-rises are as important to them as a pay-rise. Trade unions in Europe, parts of north America and New Zealand have taken the need for a new look at how time is organised on board and come up with imaginative and innovative ways to organise working time to benefit both workers and the business - as the European Trades Union Confederation (ETUC) Working Time Innovation Awards demonstrated. But flexible working can only offer workers genuine options if they are protected by a strong floor of employment rights and the right to paid leave for caring responsibilities.

The ETUC Encourages Working Time Innovation

“The ETUC Working Time Innovation Awards show how we can be more innovative and how we can work smartly. Employers have realised that it is not just about the improvement of working conditions, but also that flexible working hours help with improving competition. Employers will become better employers if they use working time to improve work organisation and allow workers to have a say in their working time over their lifetime. By being employee friendly you will have win-win working time arrangements...In the ETUC Innovation Awards we expected to see innovations, but we were very impressed. We came across very sophisticated working time arrangements that also took a lifetime perspective. These case studies are very rich and importantly they showed the importance of sectoral agreements and partnership working.”⁸

Head of the panel of judges, Francois Eyraud, ILO.

⁸ *Challenging Times: Innovative Way of Organising Working time – the role of trade unions; ETUC 2006.*

One factor that helps to preserve the male domination of managerial positions is that these jobs typically involve long hours, which are often unsocial. The ETUC campaign to end the long hour's culture ran parallel with European social dialogue negotiations between trade unions and employers to agree a new Directive on parental leave and flexible work.

Negotiating working time arrangements can reflect gender patterns and it is therefore important that male negotiators understand that women and men have different working time preferences – women are more likely to determine their working time around their domestic responsibilities. This may mean that women opt to work part-time, term time only, job-shares or on evening shifts – but the pro-rata pay and conditions should be the same as full-time 'standard' hours work.

Working hours are also important in developing economies, where women workers are often expected to work at short notice and/or for long hours to fulfil orders for Western supermarkets and chains. The situation can be complicated by the extremely low wages that force workers to work long hours in order to survive. Research by the Institute of Development Studies on 'Do Workers' Really Benefit?' from ethical trade initiatives found that while workers' families benefited from reduced working hours, changes related to working hours and child labour were sometimes perceived as negative when they reduced household income or employment opportunities for young workers.⁹

1.5.1. Impact of HIV/AIDS

(cross reference to social dialogue initiatives page 46)

The HIV/AIDS epidemic has heavily affected and exacerbated all dimensions of work and unpaid care work, with critical implications for gender inequalities. Difficulty in accessing institutional health care often means that the household, and generally women and girls, have to give up paid employment or schooling to care for the ill or dying at a time when additional financial resources are needed for medical expenses and to compensate for income loss. Poor families, rural families, racial and ethnic minorities are often hit hardest. Time is a negotiating issue for the families of HIV-AIDS sufferers.

The lack of collective measures and support for balancing paid work and family responsibilities constrains many households to turn to 'individual reconciliation strategies', often with adverse consequences to families' wellbeing and Decent Work objectives.

Employment and Decent Work strategies, linked to social sector provisioning in education, health and basic social services are key to breaking the cycle of feminised poverty, and giving to women and girls, equal opportunities for realising their full potential.

Source: ITUC statement on "Decent Work for Women" for the UN Commission on the Status of Women (CSW) 2008.

⁹ *ETI Impact Assessment, 2007.*

CHAPTER 2

DECENT WORK: RIGHTS AT WORK

This section gives background information on the legal basis for rights at work and provides valuable context. It will help delegates identify areas for action, organising, and building alliances in their countries and industries.

One of the objectives of the Decent Work programme concerns its international legal underpinning, and in particular the ILO Core Labour Standards (CLS).

Besides Core Labour Standards, there are other international conventions and commitments concerning women that have not been ratified by all ILO member states, and even where there has been ratification the implementation through national law is inadequate. At national and regional level, campaigns for the effective implementation of international rights can be an important mechanism for trade unions to strengthen the rights of women. Campaigns also may offer opportunities to build powerful coalitions with civil society organisations, especially women's NGOs.

2.1. Implementing Rights at Work and International Labour Standards

The tripartite International Labour Organisation promotes social justice and internationally recognised human and labour rights by:

- ◆ Setting and supervising the application of conventions and recommendations (international labour standards);
- ◆ Promoting decent work – work in dignity, safety and freedom; and
- ◆ Giving technical support to governments, trade unions and employers.

2.1.1. The ILO Core Labour Standards and Declaration on Fundamental Principles and Rights at Work

The ILO Core Labour Standards are a set of four fundamental, universal and indivisible human rights enshrined in eight International Labour Organisation human rights Conventions. They are the minimum 'enabling rights' people need to defend and improve their rights and conditions at work, to work in freedom and dignity, and to develop in life. The principles of the Freedom of Association Convention have been binding on all ILO member states since 1948, regardless of ratification. Freedom of Association lies at the heart of workers' rights and is key for trade unions.

ILO Core Labour Standards

- ❖ *Freedom of association and the right to collective bargaining is enshrined in Convention 87 on Freedom of Association and Protection of the Right to Organise (1948) and Convention 98 on the Right to Organise and Collective Bargaining (1949).*
- ❖ *Freedom from forced labour is enshrined in Convention 29 on Forced Labour (1930) and Convention 105 on the Abolition of Forced Labour (1957).*
- ❖ *Freedom from child labour is enshrined in Convention 138 on Minimum Age for Entry into Employment (1973) and Convention 182 on the Worst Forms of Child Labour (1999).*
- ❖ *Freedom from discrimination at work is enshrined in Convention 100 on Equal Remuneration (1951) and Convention 111 on Discrimination in Employment and Occupation (1958).*

The core labour standards are regarded as human rights by all other parts of the United Nations system and are incorporated into other international law. These rights are therefore important tools by which trade unions can establish protection for women workers.

2.1.2. ILO Labour Standards and Gender Equality

Gender equality is at the heart of Decent Work and the ILO Core Labour Standards. The ILO's mandate on gender equality promotes equality between all women and men in the world of work through four key equality Conventions:

- Equal Remuneration Convention, 1951 (No. 100);
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
- Workers with Family Responsibilities Convention, 1981 (No. 156);
- Maternity Protection Convention, 2000 (No. 183).

ILO standards apply equally to women and men, with some exceptions - in particular those standards addressing issues relating to maternity and women's reproductive role. All workers have the right to decent work, not only those working in the formal economy. This includes female self-employed, casual and informal economy workers, as well as those, predominantly women, working in the export processing zones, care economy and private households.

2.2. Women's Rights are Human Rights

ILO Conventions and Regulations are reinforced with a number of other international conventions on women. The **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**, adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. It defines what constitutes discrimination against women and sets up an agenda for national action to end discrimination. The specifics of women's human right to gender equality are set down in detail, and the broad range of actions that must be taken to achieve gender equality are mapped out. CEDAW makes States responsible not just for their own actions, but also for eliminating discrimination that is being perpetrated by private individuals and organisations.

- **United Nations Fourth World Conference on Women 1995**

In 1995 the UN Beijing Declaration reaffirmed the earlier Vienna Declaration that rights for women and girls were human rights that should be respected by all international institutions, national governments and civil society. The Conference developed a groundbreaking and comprehensive

analysis of the impact of the many economic and social factors that result in the disempowerment and poverty of women throughout the world.

United Nations Fourth World Conference on Women, Platform for Action, 1995

The Beijing Declaration established that access to sexual and reproductive health was a part of a woman's human right. It reaffirmed that the human rights of women include their right to have control over, and decide freely and responsibly on, matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence. This fundamental right, often under attack from various quarters, has a strong bearing on women's economic empowerment, access to work and a decent working life and is an important trade union issue.

The Beijing Platform for Action reaffirms the fundamental principle adopted by the World Conference on Human Rights, that the human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights.

2.2.1. Millennium Development Goals (MDGs)

Set in 2000, the Millennium Development Goals (MDGs) are eight goals to be achieved by 2015 that respond to the world's main development challenges and have an important bearing on women and gender equality. While not an international Convention, the MDGs are drawn from the actions and targets contained in the Millennium Declaration that was adopted by 189 nations - and signed by 147 heads of state and governments during the UN Millennium Summit. Each of the eight MDG goals, which are broken down into targets and detailed indicators, has gender implications. Trade unions and campaigners argue that gender targets should be made explicit in all the goals. Almost every national country is signed up to reach the MDG goals by 2015 and they provide an important basis for trade unions lobbying their governments – but in the face of the current financial crisis, Governments will need to be reminded of their commitments if the targets are to be realised. The coming five years will offer an opportunity for trade unions and women's organisations in both developed and developing economies to campaign and lobby governments to ensure Decent Work objectives that help meet the MDG's gender targets.

The Millennium Development Goals (MDGs) are:

- **Goal 1: Eradicate extreme poverty and hunger**
- **Goal 2: Achieve universal primary education**
- **Goal 3: Promote gender equality and empower women**
- **Goal 4: Reduce child mortality**
- **Goal 5: Improve maternal health**
- **Goal 6: Combat HIV/AIDS, malaria and other diseases**
- **Goal 7: Ensure environmental sustainability**
- **Goal 8: Develop a Global Partnership for Development**

Each goal has targets and indicators, some of them referring specifically to women. For example goal 1 - to eradicate extreme poverty and hunger - has as its second target 'achieve full and productive employment and decent work for all, including women and young people'.

MDG Goal 3 is to promote gender equality and empower women. It has a target to 'eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015'. One of the Goal 3 indicators is increasing the 'share of women in

wage employment in the non-agricultural sector with the indicator 'Job opportunities open up, but women often remain trapped in insecure, low-paid positions'¹⁰.

2.3. ILO Labour Standards - What Trade Unions Want

2.3.1. Effective Implementation

All states should be encouraged to ratify the core conventions and provide a system for effective implementation and monitoring at national level. Multinational companies should also be held to account and expected to honour their obligations under the ILO declaration.

In order to ensure effective implementation for women it is important that the differential gender impact of legislation is measured. This requires governments to keep gender disaggregated statistics and gender sensitive budgets, as well as mainstream gender at policy level, so that there can be a proper analysis of the needs of women. Both male and female trade union negotiators should understand how to analyse gender disaggregated statistics in order to develop the trade union collective bargaining agenda.

The process of implementation is very complex because of the emergence of complex global supply chains, where the various elements of the manufacturing process are sub-contracted to workshops and factories in different parts of the world and often assembled in a different country before being imported to consumer markets. Grass-root, as well as global, women's organisations have played an important role in working with trade unions in defending women's rights in supply chains, for example in the 2004 Play Fair at the Olympics campaign.¹¹ (cross reference page 50)

A major obstacle preventing women workers from exercising their rights is a lack of awareness of these rights. Information on right by unions is a vital instrument for improving gender equality – for example the emphasis on women's empowerment in development policies can offer new opportunities for unions to work with organisations that mentor women, especially young women moving into the world of work.

2.3.2. Better Enforcement - link between Trade and Core Labour Standards

International institutions such as the World Trade Organisation, the World Bank and the International Monetary Fund should support enforcement by making links between trade, gender and core labour standards. Gender aspects of trade, in particular the heavy consequences for women of deregulation, are frequently ignored in trade talks. Trade unions are often involved in discussions on trade agreements, in both the North and the South. It is critical that women trade unionists are trained in making gender impact assessments, as well as participate in – and influence - multi and bi-lateral meetings with the institutions that determine world trade and finance agreements.

International bodies discussing and making policy on development, trade, and women's empowerment programmes often cover labour reform without any discussion with those most affected – women and workers' organisations. Too often there is an inadequate understanding in

¹⁰ <http://www.un.org/millenniumgoals/gender.shtml>

¹¹ <http://www.fairolympics.org/background/olympicreporteng.pdf>

of the realities of women's working lives. It is particularly important that international development women's empowerment programmes are not constructed without reference to the rights of women at work – for example to the importance of adequate pregnancy protection and maternity rights, freedom from sexual harassment, and equal pay.

2.4. Freedom of Association and Right to Collective Bargaining – A Core Labour Standard

2.4.1. Organising and action

Labour standards are international conventions with a national and local reach. Trade unions play a vital role in raising awareness of these rights, monitoring abuses and campaigning, often as part of a broad coalition of civil society or women's organisations, for women's rights. They can also be a vital tool in negotiations with local employers, trans-national companies and in negotiating framework agreements for global value chains. This is unlikely to happen unless the right to Freedom of Association is respected by governments and employers. Some of the case studies in the next topic illustrate the role of trade unions, activists and campaigners in ensuring that governments and companies apply their international obligations under the ILO Declaration.

2.4.2. Organising in Export Processing Zones (EPZs)

Faced with ruthless violence, discrimination (e.g. firing women when pregnant) and well organised tactics from employers to fire and blacklist those who join and form a union there are no easy answers as to how unions can best organise in EPZs, where governments often do not require employers to apply national legal rights. Below are examples and case studies of unions organising against the odds in EPZ's. Often local grassroots organisations worked with the wider trade union movement, demonstrating the importance of international solidarity.

Young women workers in textile factories are typical victims of trade union rights violations in Asia. Unions are banned in EPZs in Pakistan and in the Delhi State in India. In 2007 serious incidents were reported in the Cavite EPZ in the Philippines. In India 300 workers were arrested during a strike over unpaid wages in an EPZ and 1,300 were arrested while protesting at the dismissal of union leaders. In Sri Lanka 1600 workers were fired for going on strike during a pay dispute. In Bangladesh, employers routinely harassed, suspended and fired leaders of Workers' Representation and Welfare Committees. Two women union organisers and a colleague, arrested over a strike in an EPZ garment factory, showed signs of torture when they appeared in court. In one incident at an EPZ garment factory in Bangladesh the police opened fire on strikers, killing one worker and injuring others.¹²

¹² *ITUC Annual Survey of violations of trade union rights 2007.*

Media exposure

Serious violations of workers' rights, particularly in export processing zones, were highlighted in an ITUC report on the Dominican Republic. Workers were wary of discussing trade union activities in the workplace, even during breaks, for fear of losing their jobs. The ITUC issued its damning and carefully documented report to coincide with the country's trade policy review at the World Trade Organisation (WTO). Dominican unions and the international labour movement were able to challenge abuses of workers and their right to join a union through releasing an embarrassing report at a time that would have maximum impact, possibly jeopardising international trade negotiations.¹³

In Sri Lanka boundary walls surround the EPZs: it is forbidden to enter without authorisation, and this prohibition applies equally to trade unionists and labour inspectors. It is impossible for trade unions to make initial contact with workers within the zones. Sri Lanka trade union recruiters meet women at the exit to the zones, on their way home or at the lodgings where most EPZ workers live. The three trade unions have set up, or collaborate with, small centres located not far from EPZs, in the neighbourhoods where workers live. These centres, supported by several donor organisations such as the American Center for International Labor Solidarity (ACILS), provide a whole range of services including advice on labour-related matters, small-scale vocational training courses, artistic activities and the opportunity to watch television and read magazines. Some of these services are not typical trade union activities, but they attract workers in EPZs, the large majority of whom are young women aged 18 to 25, who then go on to join the union.

Unions enforce labour rights through social dialogue and negotiations with parent companies

ITGLWF Framework Agreement

Zara owners Inditex and ITGLWF signed a new global programme of co-operation on tackling workers' rights in Inditex's supply chain, the first 'international framework agreement' between a multinational company and a union to cover workers in the supply chain. So far they have worked together to revise the company's code of conduct, started to revamp Inditex's audit methodology and developed new training material for auditors. Critically, the new agreement has already directly benefited workers in three of Inditex's supplier factories, by enabling a swift and effective response to major violations of trade union rights in those factories. Future plans include looking at the impact of Inditex' buying practices on the ability of its suppliers to comply with its code of conduct, and increasing the transparency of the company's supply chain.

Source: Ethical Trading Initiative

2.5. Freedom from Discrimination at Work - A Core Labour Standard

The elimination of discrimination in employment is enshrined in the following main Conventions:
- Combating Discrimination at Work: Discrimination (Employment and Occupation) C111, R111,

Since its establishment, the global trade union movement, with other stakeholders, has achieved huge progress in developing standards for gender equality. A considerable body of international, regional and national legislation has developed. But there is still much to be done towards the implementation of these rights, greater consistency across policy areas, improved awareness of

¹³ ITUC Report for the WTO General Council review of the Trade policies of the Dominican Republic; November 2008.

gender perspectives, and fairer distribution of resources between women and men. A mechanism to deal with gender inequality, complementing legislation, is gender mainstreaming, developed at the 1995 UN Conference on Women in Beijing and currently much favoured by international bodies and donors, though unions have expressed reservations about the potential for dilution of gender issues. Gender mainstreaming is an organisational strategy to achieve and maintain gender equality and women's empowerment.

2.5.1. The Value of Women's Work – Challenging Pay Inequality

A major discrimination faced by working women in all parts of the world is unequal pay. Two recent ITUC reports¹⁴ on the Global Pay Gap reveals the global extent of pay discrimination against women performing the same work as men. The reports set a challenge for governments and employers to respond to union calls for a renewed effort to tackle the gender pay gap. Despite decades of anti-discrimination legislation and changes in company rhetoric, women, whether they are in New York or Shanghai, find their pay cheque contains on average sixteen per cent less than male co-workers. That is the official figure, derived from applying a standard method across sixty-three countries. However trade unions in a number of countries report the real gap to be even higher – a 2009 ITUC survey puts the global pay gap at up to 22%.

There is no country in the world that has yet achieved wage equality between men and women. The pay gap in some Nordic countries is now 12% but in many countries, it can be as high as 50%.

Hundreds of millions of women working in informal and unprotected work do not appear in any records, and many developing countries do not have the means, or in some cases the will, to keep national records on the world of work. This is a huge deficit in the global knowledge base, and one for which the international community as a whole must take responsibility. Many believe education is the key to closing the gap, but on the contrary, one of the most sobering findings of this report is that more educated women often find themselves on the wrong side of an even bigger pay gap.

While globalisation can sometimes appear to be narrowing the gender gap, in fact women's pay is not rising at all, instead the increasingly competitive global labour market is responsible for driving down the wages of men.

¹⁴ *The Global Gender Pay Gap - 2009 ITUC report.*

Philippines: pay equity campaign and job evaluation free from gender bias

The public service unions in the Philippines have been very active in the Public Services International (PSI) global campaign on pay equity. They have been involved in a number of capacity-building workshops on gender pay equity, including job evaluation free from gender bias. Actions have included participation in a tri-partite consultation with employers and the government as an outcome of the pay equity campaign, raised awareness of gender pay equity issues in the health service and particularly unpaid health care volunteers who provide routine health care on a 24 hour basis in local communities (Barangays). A key achievement has been the beginning of dialogue between unions and the government regarding the equitable payment for these volunteers providing front line health care services.

Recently there have been successful negotiations leading to a Memorandum of Understanding on Quality Public Services and Performance covering 1.5 million government employees. This contains a number of pay equity provisions concerning the development of a job evaluation process free from gender bias, including a commitment to review position descriptions and compensation systems.

Source: <http://www.world-psi.org>

The positive news is that trade unions are succeeding in bridging the pay divide. Through collective bargaining, women and men both get a better, more equal deal. And through campaigns about equality, unions play a vital role in educating and informing workers about gender pay issues, in the face of strong resistance from some governments and employers.

Brief Findings from ITUC Global Gender Pay Gap report

- *More educated women often find themselves on the wrong side of an even bigger pay gap compared to men with a similar educational background;*
- *International competition due to globalisation appears in some cases to be narrowing the gap, but this is due more to downward pressure on men's wages than to increased income for women;*
- *while the gap is slowly narrowing in some countries, it is not changing and is even increasing in others; and,*
- *Information on incomes is not available for hundreds of millions of people in informal and unprotected work, mainly in developing countries, leaving a massive deficit in the global knowledge base.*

Source: *The Global Gender Pay Gap*, <http://www.ituc-csi.org/IMG/pdf/gap-1.pdf>

In order to improve international comparisons between male and female pay, concepts and methods around labour statistics have to be harmonised. Furthermore, the new concept of 'work statistics', as proposed by the UN Review of Labour Statistics, will be a useful addition to the current set of employment statistics. These work statistics include unpaid work such as activities in the household and care responsibilities for the family, and are therefore particularly useful to assess women's employment levels and to measure the relationship between female employment and household poverty.

2.5.2. Trade Union Membership

Making women aware of the benefits of trade union membership, trade union representation in the workplace, and collective agreements, are also important tools in the efforts to close the gap. The data indicates that trade union membership has a positive influence on the gender pay gap, with the exception of Finland where the average pay gap for non-union members is smaller than

for trade union members. The strongest positive relationship between trade union membership and wage equality is in the Republic of Korea and Hungary, the weakest relationship is in Brazil.

2.5.3. Influence of Collective Bargaining Agreement

The data shows that in the majority of countries the pay gap is smaller in workplaces that are covered by a collective agreement.

Pay Equity in German Public Sector: VerDi

VerDi has been campaigning to increase the value of women's work through non-discriminatory job evaluation and equality-focused wage agreements. This is part of the union's broader policy on gender mainstreaming, which includes the appointment of a gender mainstreaming collective bargaining coordinator and a project to integrate pay equity into collective bargaining. This has included:

- *A discrimination-free checklist for the gender-proofing of collective agreements;*
- *Persuading employers of the importance of avoiding costly litigation on indirect discrimination by implementing equal pay for work of equal value;*
- *Offering to save the employers time by ensuring that agreements are free from discrimination;*
- *Ensuring that pay equity is a central part of the union's strategy, not a side issue run from the Women's Department.*

VerDi was engaged in fundamental reforms of collective bargaining rights. These reforms introduced a uniform collective agreement for all workers and a major objective is to achieve a gender-neutral collective agreement through a gender-neutral evaluation system for the grading of jobs.

Source: <http://www.world-psi.org>

2.5.4. Influence of Trade Union Representative in the Workplace

An analysis by the ITUC of the gender pay gap¹⁵ broken down by the presence of a trade union representative in the workplace shows a positive relationship. The gap between men and women's earnings is smaller in workplaces where there is a trade union representative, compared with those workplaces without a trade union representative.

2.6. Multiple Identities and Discrimination at Work

Women suffer from a variety of discrimination at work, as well as in the community. But women may have more than one identity that results in discrimination and reduces the chance that they will enjoy Decent Work. The rights of minority ethnic, disabled and Lesbians, Gays, Bisexual and Transgender (LGBT) workers has been an area in which there has been a significant increase in trade union activity in many countries. A number of unions/ national centres have set up union structures to ensure that minority groups are represented within the union decision making process. This has often followed extensive union education programmes on each form of discrimination. Besides fighting discrimination based on race, national or ethnic origin, the ITUC supports awareness raising and capacity building to empower discriminated groups both in the workplace and within trade unions. Many unions have race and minority ethnic committees and activities, while some have seats on the Governing Body of the union/national centre reserved for black members.

¹⁵ The full ITUC Global Pay Gap 2009 report can be read at http://www.ituc-csi.org/IMG/pdf/GAP-09_EN.pdf

Each of the issues below are big issues in their own right and cannot be adequately covered in a document of this length – but the headings and case studies provide an indication of the action unions can and do take to reduce double discrimination against women workers.

2.6.1. Race and Minority Ethnic Women

Although a large majority of governments have ratified ILO Conventions No. 100 and No. 111, millions of working men and women suffer discrimination based on colour, cultural differences, ethnic or national origin. They are prey to racism, xenophobia, intolerance, ethnic and religious tensions, both in the world of work and in society in general. Black and minority ethnic women suffer the double discrimination of race and gender.

- **Double Discrimination: A study 'Portrait of Inequalities' found that significant inequalities exist between Afro-Brazilian and white Brazilians, and between men and women in many fields, such as education, work, health, income, and access to services. Afro-Brazilian women represented a particularly disadvantaged group that suffered, in almost all categories, "double discrimination" for both their race and gender.**

Source: Institute for Applied Economic Research,
http://www.unifem.org/news_events/currents/currents200602.html

- **In Europe EU Directives on gender and race have obliged governments to legislate against race and gender discrimination in employment for several decades - more recent Directives have given important new legal rights on age, and to disabled and LGBT workers. Unions have been at the forefront of pressing for changes in the law and in the workplace, often working with civil society organisations.**

- **The international trade union movement called on the governments to assume their responsibilities and to resolutely commit to decent work as a powerful tool in the fight against all forms of discrimination. Women suffer the cumulative effects of discrimination and are confronted with racism, xenophobia and discrimination based on their sex, colour, ethnicity, sexual orientation, religion, age, disability, etc. Global unions continue to play a leading role in defending and protecting the rights of those affected by direct or indirect racism and xenophobia and adopting a specific, clear, direct and determined approach to the struggle against racism and xenophobia, establishing appropriate institutional mechanisms and allocating the financial resources needed to reach respectable targets.**

Source: ITUC - Statement by the International Trade Union Confederation (ITUC), Public Services International (PSI) and Education International (EI) to the United Nations Conference on the review of the Durban declaration and action plan (South Africa – 2001) concerning racism, racial discrimination, xenophobia and related intolerance.

2.6.2. Violence Against Women

Violence against women and girls is perhaps the most socially tolerated of human rights violations and discrimination. There is a growing awareness that domestic violence is also a workplace issue which affects women's ability to do her work. There is equally a growing awareness that violence at work is a structural, systematic problem rooted in wider social, economic, organisational and cultural factors. Each year the ITUC and the Global Union federations organise activities and

publish resources on 25 November - UN International Day for the Elimination of Violence Against Women.¹⁶

- ***One out of every three women around the world has been beaten, coerced into sex, or otherwise abused in her lifetime.***
- ***Women aged 15-44 are more at risk of death and disability through domestic violence than through cancer, motor accidents, war and malaria.***

Source: ITUC publication: Trade unions say No to violence against women

2.6.3. Disability

There is an estimated world population of 300 million women and girls with disabilities, most of whom live in developing or resource-poor countries (World Bank). Opportunities for girls with disabilities to receive an education or to attend training courses are available to only a few.

A detailed global picture on how gender and disability intersect is difficult and often clouded by factors, such as the feminisation of poverty, cultural concepts of gender roles and sexual and reproductive rights, violence, abuse and other means of exploitation, such as child labour.

Women with disabilities often discover that the social stigma of disability and inadequate care are greater barriers to health and employment than the disabilities themselves. Unions can help women with disabilities overcome these barriers and improve their general health, self-esteem, and abilities to care for themselves and participate in their communities. Unions can also help challenge the social stigma attached to disability.

European trade unions and the European Disability Movement signed a joint declaration that sets out a long-term work programme to promote the employment and vocational training for disabled people in the workplace, still largely excluded from the labour force and facing unemployment two to three times more than non-disabled people.

2.6.4. Unions Confronting Homophobia

The participation of trade unions in combating homophobia is important. LGBT rights are not yet on the agenda of trade unions in most countries across the regions, yet there are human rights violations of these rights daily at the workplaces and public arena. Many African trade unions shy away from discussing the very controversial issue of sexual orientation, especially as some countries have repressive laws on homosexuality. In Nigeria, a coalition against a pending anti-same sex bill, presently undergoing debate at the National Assembly, has helped to build awareness on the rights of LGBT workers. A new Nigerian Labour Congress project on HIV/AIDS, supported by DFID/TUC, plans to incorporate health information for gays/bisexuals since they are a group that is highly at risk.

¹⁶ <http://www.ituc-csi.org/spip.php?rubrique199>

Developing a trade union LGBT agenda

During the 1970s, 80s and 90s, LGBT workers organised within their unions, and won unions to an equality agenda that became achievable once a Labour government took office in the UK in 1997. The TUC established a regular conference for LGBT workers, with an advisory committee, in 1998. Almost at once, campaigning began to secure reforms: first by equalising treatment in the criminal law, then (helped by European directives) winning anti-discrimination protection, then achieving legal status for same sex couples through civil partnership. Unions worked with LGBT campaign and lobby groups to mount combined operations aimed at ministers, MPs and civil society around each measure in turn. Now work is underway to challenge prejudice in educational institutions as a prerequisite for tackling negative popular attitudes, and to complete the legal equality agenda.

Source: TUC (GB).

CHAPTER 3

DECENT WORK: SOCIAL PROTECTION

3.1. Decent Work and Social Protection – the Trade Union Role

The primary goal of the Decent Work for All strategy is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security, and human dignity. Decent Work includes provision of social protection measures – a concept that goes well beyond public social security schemes to include a variety of private and non-statutory schemes with similar objectives. This section will help delegates discuss the complex issue of social protection – and how to best extend protection to women¹⁷. Social protection measures include unemployment benefit, maternity protection, paternity/parental leave, child and dependent care, childcare measures and pensions. Unions have a vital role to influence policy decisions at national and regional levels and to negotiate social protection measures for all workers.

The changing nature of the global economy and the emergence of new sources of risk and insecurity have played important roles in bringing social protection to the foreground in the international development agenda. The *ILO World Labour Report* (ILO 2000) highlighted labour market vulnerability, to which women are particularly subject, as a central concern for social protection. The report recommended that social protection coverage should be extended to all those currently excluded, with adaptations where necessary - for example for domestic employees. Social assistance, the report said, is necessary for the most vulnerable groups outside the labour force and there is a need for gender-aware forms of social protection.

The needs of the growing informal economy were outlined in an ILO report *Decent Work and the Informal Economy* (2002), which included recommendations for the extension of social protection to the informal economy through the extension and adaptation of statutory social insurance mechanisms, as well as the exploration of alternative mechanisms such as micro-insurance and other initiatives.

Social protection is important for all workers, none more so than those on a low income. Gender constraints mean that girls and women are disproportionately represented among the extreme poor (DFID, 2005) in many parts of the world. They not only limit women's access to the labour market, but also often confine working women to more poorly remunerated, more casual and more insecure forms of waged and self-employment, particularly in the informal economy, without access to social protection. Increasing informalisation of women's work and growing sources of vulnerability (e.g. due to rising food prices and climate change) affect women's ability to provide for their families and cope with insecurity¹⁸. Moreover, women are particularly affected by the human rights violations, pervasive poverty and physical insecurity that often characterise

¹⁷ *This section draws on Mainstreaming Gender in Social Protection for the Informal Economy; Naila Kabeer, Commonwealth Secretariat, 2008.*

¹⁸ *Oxfam International*

fragile states (DFID, 2005). These factors underscore the need for greater understanding about the rationale, policy and programme implications of a gendered approach to social protection.

Unions, national centres, regional organisations and the Global Unions play a vital role in negotiating and championing effective social protection for all workers, including those in the informal economy. A vital resource for the trade union agenda is a good understanding of the differential impact of various social protection measures and the policies that reduce risk for the most vulnerable in society, overwhelmingly women and children, and other socially excluded groups.

3.1.1. Putting Social Protection into Action – Some Policy Messages

The OECD Network on Poverty Reduction Task Team on Social Protection and Empowerment¹⁹ recently produced a good practice note on Gender and Social Protection. Its three key policy messages were:

- Women and men face different risks and vulnerabilities, some specific to their gender and others exacerbated by gender inequalities and discrimination.
- The design and implementation of social protection programmes should address such gender-related constraints, including barriers to women's economic advancement.
- Social transfers in the hands of women improves children's health and nutritional status and school attendance, and can be an effective way of reducing hunger and intergenerational poverty.

3.1.2. Social Protection Instruments addresses varying Gender-related Risks

The OECD good practice note made recommendations for the design of social protection that takes account of gender. Many social protection programmes are designed to have multiple objectives, tackling different gender-related risks. Social protection measures need to be designed to respond to different gender-specific categories of risk which include:

- **Health risks** (e.g. infant mortality, disease);
- **Life cycle risks** (e.g. childbearing, divorce, widowhood);
- **Household economic risks** (e.g. increased expenditure for social obligations such as marriage and funerals);
- **Social risks** (e.g. exclusion, domestic violence, crime).

3.1.3. Social Protection can be delivered in a variety of ways

Cash transfers focused on women and children: Whether conditional or unconditional, these transfers can play a key role in improving the allocation of resources and opportunities from a gender perspective. Both child allowances and maternity benefits are mechanisms for addressing

¹⁹ OECD POVNET Task Team on Social Protection and Empowerment Gender and Social Protection September 2008.

gender-specific constraints. Provision of maternity benefits is important for the future health of children and can mean significant savings to health and welfare budgets.²⁰

Childcare support: This recognises women’s dual responsibility in production and reproduction as well as the critical need to expand employment options for working women from low-income households. It is also an indirect means of promoting children’s well-being and education and reducing child labour.

Pensions: Social pension schemes based on non-contributory transfer payments (rather than contributions) make an important difference to women’s old age security, with evidence from several countries (e.g. Lesotho and South Africa) that contributions are pooled within the household with proven benefits for grandchildren. They also have important multiplier effects in the wider economy, giving rise to increased trade opportunities.

Legislation: Development, implementation and awareness-raising on laws to tackle discrimination (e.g. related to inheritance and land ownership) as part of a comprehensive social protection programme can have positive transformative impact on women’s empowerment and status.

3.2. Good Practices in Gender and Social Protection

- **Political will to adopt a gender mainstreaming strategy**

High-level political will and commitment are essential for the integration of both gender and social protection into national policies and strategies and ensure adequate budgeting. Ethiopia’s Productive Safety Nets Programme (PSNP) has established a framework for gender mainstreaming that is recognised to require continued leadership support, and provides lessons for other government sectors. Over the last two decades, OECD countries have made some progress in this regard. For example, the European Commission (EC) has recently developed a *Manual for Gender Mainstreaming, Social Inclusion and Social Protection Policies* for member states (EC, 2008).

- **Conducting a gender analysis**

Conducting a gender analysis and assessment of sources of risk and vulnerability helps to inform appropriate social protection policy and programme responses, identify likely gender impacts and select suitable indicators. It can also assess unintended effects (e.g. on men and women’s different informal networks and transfers) and identify potential mitigation approaches. A life-cycle approach helps to outline the various risks and sources of vulnerability for men and women at different life stages. It is also important to consider rural-urban and regional variations.

- **Considering gender in policy and programme design**

Gender needs to be mainstreamed into all aspects of policy and programme design for social protection, including targeting, linkages with complementary services, institutional arrangements, awareness-raising and monitoring and evaluation.

²⁰ Lund and Srinivas, 2000.

- **Better maternity protection: a trade union priority**

Maternity protection is a crucial social protection for women. Implementation of the minimum standards outlined in ILO Convention 183 would go a long way to extending legal and social protection to pregnant women and women who have recently given birth. Although legislation in many countries guarantees health care, employment protection and paid maternity leave, the gap between the law and rights in practice is often huge. Unions can promote the health and wellbeing of mothers and children by negotiating improvements on the statutory minimum paid maternity leave, phased periods of return to work and breast feeding breaks. When adopting Convention 183, the ILO's International Labour Conference established a series of minimum provisions including:

- Extension of the coverage of the protection to all employed women, including those in atypical forms of dependent work (for example in the informal economy).
- Period of maternity leave of not less than 14 weeks and at least six weeks' compulsory leave after childbirth.
- Right to cash benefits during maternity leave or leave in case of illness, complications or risk of complications arising out of pregnancy or childbirth; those cash benefits must be based on previous earnings and shall not be less than two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits.
- Protection of the health of pregnant and breastfeeding women.
- Protection against dismissal during pregnancy, maternity leave and the period afterwards.
- Guarantee of the right to return to the same position.

More than 8 million women suffer every year from serious complications linked to pregnancy and for half a million women they are fatal. To reach the Millennium Goal concerning women's health, the maternal mortality rate would have to be reduced by 75% by 2015. Today, this goal is still a long way off – and it will never be reached unless more governments ratify the ILO Conventions on maternity protection and ensure that women workers are not discriminated against because they are pregnant or have recently given birth, work in a safe environment, and have time away from work at the time of the birth.

3.3. The ITUC Campaign on Ratification of ILO Convention 183 and Recommendation 191 on Maternity Protection²¹

The ITUC is campaigning for more countries to ratify and implement the ILO's Convention 183 and Recommendation 191 on maternity protection – and has called on all trade unions to support this campaign for maternity rights. Maternity protection is central to a decent life and decent work and is an integral part of the Global Campaign on “Decent Work, Decent Life for Women”.

²¹ ITUC www.ituc-csi.org or www.wddw.org

Ratifying ILO Convention 183 on Maternity Protection in Croatia - UATUC

Pressures on SEE countries by international financial institutions have led to the reduction of maternity rights and 'flexibilisation'. As a result of market deregulation and erosion of social security and unemployment protection, women in Croatia have lost their jobs because they no longer meet the conditions entitling them to maternity benefit. The Women's Section of UATUC view birth of a baby as the responsibility of society, not just mother and so joined the ITUC campaign for ratification of the convention. UATUC surveyed union members to establish abuses of fundamental rights to pregnancy and maternity protection; and ran a media campaign, building an alliance with civil society organisations, and working with lawyers to implement legal changes.

Source: ITUC

At the centre of the ITUC Decent Work, Decent Lives for Women campaign is the demand for the application of the minimum standards of protection set by Convention 183 and Recommendation 191, through national legislation and collective agreements, to all working women, including those employed in forms of atypical work, home work, part-time work, in the export processing zones and in domestic service.

African unions' success in campaigning for maternity protection

The five IUF-affiliated unions in Burkina Faso campaigned to promote the ratification of the ILO Conventions 183 on Maternity Protection and 184 on Health and Safety in Agriculture in the framework of an IUF/ILO supported health and safety program and the IUF regional Women's project. On 25 February 2009, the Council of Ministers in Burkina Faso authorised the government to ratify. Burkina Faso is the second African country after Mali to ratify Convention 183 on Maternity Protection and the second to ratify Convention 184 on Health and Safety in Agriculture after Sao Tome and Principe.

Source: IUF

Pregnancy and maternity rights are not only "women's" rights but rights that protect families and will help reduce the shocking levels of maternal and infant mortality (MDG 4). Trade unions are in a unique position to provide practical advice to ensure that national legislation and collective agreements cover the day-to-day issues that affect working women - for example the risks that pregnant women and women who have recently given birth might be exposed to. Identifying *indirect* discrimination can be difficult and many unions have provided gender impact training for male and female negotiators to help them root out hidden discrimination at work.

- **Breastfeeding Breaks**

As a result of a campaign by the New Zealand Council of Trade Unions (NZCTU), the government has introduced legislation for breast feeding breaks. The NZCTU submitted that the breaks should be paid, as per ILO Convention No 183. However, the legislation states that there has to be agreement between the employers and employee for the break to be paid.

- **Family Responsibilities**

International instruments mark the recognition that gender inequality is deeply intertwined with the gender division of productive and reproductive work and that both women and men need support for their roles in the world of work and in the family. In the light of Convention No. 156, achieving gender equality requires policies to better enable men and women with family responsibilities to prepare for, enter, advance and remain in employment.

Key requirements for family-friendly measures to also be gender-equality friendly

- **Recognising men's caring role:**
Offering parental leave and making parental leave, after the initial maternity leave, available to both men and women and non-transferable.
- **Making paid work more family-compatible:**
Flexible arrangements with regard to working schedules, rest periods and holidays; provision of annual leave, short leave for emergencies; (good) part-time, flexitime, time banking, teleworking, and reduction of daily hours of work and of overtime.
- **Making family responsibilities more compatible with work:**
Ensure availability of affordable and good-quality child-care and other family services and facilities that assist workers in meeting their employment and family responsibilities.
- **Promoting a more equal sharing of family responsibilities between men and women, through information, awareness-raising measures and education policies.**
- **Promoting public and private actions to lighten the burden of family and household responsibilities through labour-saving devices, public transport, supply of water and energy.**

Source: ILO, *Addressing gender equality through work family measures, Information Sheets on Work and Family, No. 2, TRAVAIL, 2004, Geneva.*

According to the ILO, only 40 governments have ratified Convention 156 and relatively few governments have set up comprehensive policy frameworks in line with Convention No. 156. Unpaid family responsibilities continue to undermine the achievement of decent work and gender equality objectives.

Source: <http://www.world-psi.org>

• **Work-Family Reconciliation**

Time-use studies around the world show that women spend considerably more time than men in non-market unpaid family work. For example, in Bolivia women spend 35 hours in unpaid work per week compared to 9 hours for men while, in contrast, men typically spend more hours in paid economic activities than women – 42 weekly hours versus women's 26.6. However, when hours in paid and unpaid work are totalled, women tend to have longer work weeks than men and less time for training, political activities, their own leisure time or health care. This also affects women's availability for paid economic activities. In the European Union (EU), the employment rate for women falls by an average of 12 percentage points when they have children, and the gap between the employment rates of men and women with children is as high as 26 points. In Latin America, over half of all non-employed women aged 20 to 24 cite their unpaid household work as the main reason they do not seek paid employment. (ILO)

Reducing inequalities between men and women in the labour market and at home should become a key objective of national policies – while women continue to earn less than men there is an economic driver to women remaining in the home and men being the primary wage earner. This disadvantages both men and women – men because they have less opportunity to spend time with their families, and women because they remain economically dependent.

Even when women do participate in the labour market, family responsibilities often dictate the amount and type of paid work that women can undertake and pressures women towards insecure, casual and low-paid work that 'fit-in' with caring for children. Unions have an important

role in ensuring that the work and skills that mothers, and carers, bring to the economy are properly valued and rewarded. Unions also have an important role to play in raising with male members the issue of how work in the home/family is divided. For women negotiations over the kitchen table are as important as across the employer's desk. True equality in the labour market will reflect greater equality in the home.

3.4. Quality Public Services - Social Protection for All

Public service provision is an essential ingredient of social protection, and delivers particular benefits to women.

3.4.1. The Issues for women as users of Quality Public Services

Without adequate public services, women's opportunities to participate in the paid workforce are limited. If health and family support services are reduced, women bear an extra burden as caregivers.

International commitments to the provision of public care services

International instruments place a legal duty on states to provide basic safety nets for families. There is a widespread recognition in international institutions of the importance of supporting care for dependents, through public services as well as establishing statutory pregnancy and maternity rights, and rights for parents of young children.

Women often rely on government services to support their role as primary family carers and to allow them to join the paid labour market. When public services aren't available and affordable, women's chance of equal participation in employment markets is reduced.

3.4.2. Lessening the burden of unpaid care

Provision of electricity and water in or near the home, are some of the most important ways in which the burden of care work can be reduced in poorer countries where such infrastructure is not in place, particularly in remote areas. Easier access to fuel and water lessens the time women and children must spend collecting these resources and makes it quicker to complete tasks such as cooking and cleaning. In addition, access to fuel and water in the home facilitates home-based income-earning activities such as hairdressing and cooking, making it easier for those responsible for unpaid care to combine paid work with their unpaid care responsibilities. It also increases the likelihood that girls receive an education.

Trade unions play a key role in developing quality public utility and health care systems. Trade union members are often front-line experts with hands-on knowledge of how to improve management and delivery of quality water and health services. They know which systems can be improved and how resources can be used more effectively.

Key PSI Quality Public Services campaign messages

- *Access to safe and affordable water is a fundamental human right*
- *Universal access to safe, affordable water promotes public health and accelerates development*
- *Publicly funded quality health and care services are crucial to empowering women*

- **Reliance on private provision of health care and water services exacerbates inequalities**
- **Governments must invest in public water, health and sanitation services**
- **Water and health care must be kept in public hands**

Source: PSI website: [http://www.world-](http://www.world-psi.org/Content/NavigationMenu/English/Quality_Public_Services1/QPS_Campaign_Page.htm)

[psi.org/Content/NavigationMenu/English/Quality_Public_Services1/QPS_Campaign_Page.htm](http://www.world-psi.org/Content/NavigationMenu/English/Quality_Public_Services1/QPS_Campaign_Page.htm)

Some policies are designed to ensure that carers are not penalised because of their unpaid care responsibilities – primarily by providing financial compensation to offset the costs incurred in providing unpaid care. Others focus on expanding the choices available to women by ‘freeing’ them from the responsibility to provide ongoing care for dependents – either by providing alternative, public sources of care, or by encouraging men to assume greater responsibility for care. Policy options need to include the protection of the rights and conditions of work of paid care workers – domestic and child care workers, and carers for the elderly are some of the worst paid and lowest valued women workers.

SEWA provided childcare facilities

Crèches or day care centres are sometimes provided by civil society organisations. One example is the trade union the Self-Employed Women’s Association (SEWA) in India, which has a crèche programme providing childcare support to its members – mainly women working in the informal sector. A survey of one of the crèche programmes found that while previously the women had only been able to work irregularly and part time, now they were able to work more regularly and generate higher incomes. Seventy-five per cent of the mothers also reported that their older children were now attending school because they no longer had to care for younger siblings.

(Source: Kabeer, Chatterjee and Macwan, 2008)

Quality public services reflect an acknowledgement of women’s significant economic contributions and of the need to support their dual responsibilities for income generation and care work. It also expands the employment options available to working women, particularly those from low-income households²²– and increases the likelihood of women being able to access decent employment, rather than low paid, casualised work.

3.4.3. Pensions

Provision for old age is an important form of social protection. Many countries have some sort of pension system which is meant to cover the financial needs of elderly people when they are no longer able to earn. However, where pensions are tied to contributions made while employed, there is an immediate bias against women, as they are less likely than men to have been in formal employment. The interrupted character of many women’s working lives – as a result of having to take time off from formal work to care for dependents – means that even where they are covered by contributory pension schemes they lose out relative to men because of their lower contributions over their lifetime.

The privatisation of pension provision, particularly in Latin America and Eastern and Central Europe, has exacerbated these existing gender inequalities²³. This is because the amount of benefits an individual receives in privatised systems is determined by their individual record of

²² Kabeer 2008; Razavi 2007.

²³ Razavi 2007.

earnings. In state systems, by contrast, the disadvantages experienced by women are usually mitigated by generous minimum pensions, by re-distribution towards low-income groups, and by credits that are sometimes given for years spent caring for children. State old age pensions which are not linked to employment are most gender equitable, and are also more equitable in class terms – although they still rely on women and men being in formal employment. One example is the South African Old Age Pension system, a non-contributory scheme financed from general state revenue rather than individual contributions. Where employment-related pensions exist, they can be expanded – as in the Argentinean case described below – to cover those in informal employment, or even those doing unpaid work in the home.

Universal pensions in Argentina

In Argentina in the early 2000s, the pension rules were changed to allow those (including unpaid carers) who do not contribute to social security schemes because they are not formally employed, to register and contribute to the pension fund. When these contributors reach retirement age, they will receive a pension equal to 80 per cent of the minimum wage. These pensions are partly financed by individual contributions from the unpaid carer, but the main resources come from a fund which is maintained by contributions from other workers and public funding.

Based on Giménez 2005

3.4.4. Tax credits or benefits

In more developed countries, the tax system may compensate those with care responsibilities. Typically this takes the form of a tax credit or benefit, where a household or individual who is responsible for the care of a child pays less tax or receives child benefit. Sometimes similar credits or benefits are available for those who care for elderly, sick or disabled people. In Norway, for example, in 1992, care credits were introduced to compensate for the paid work time lost by individuals who cared for family members, including children under seven years of age and elderly, ill and disabled persons, if the work prevented the carer from doing paid work.²⁴

3.5. Policy implications and suggestions for donors and partner governments

According to the OECD, ensuring a gender perspective in the design and implementation of different types of social protection policies and programmes can enhance effectiveness and efficiency and improve social protection outcomes for both women and men. Governments and donors can help ensure appropriate social protection responses to the differential risks and vulnerabilities faced by women and men through:

- ◆ Supporting effective gender analyses to improve understanding of the impact of changing risks and vulnerabilities (e.g. due to climate change and food price volatility) on men and women;
- ◆ Strengthening the collection of gender-disaggregated data on poverty rates, programme coverage, income, nutritional status, access to health and education, and employment conditions to help identify ways to strengthen social protection programmes;

²⁴ *Budlender 2004a.*

- ◆ Developing and broadening the evidence base on gender and social protection to also cover different types of instruments, including social insurance and innovative schemes to reach women working in the informal sector;
- ◆ Supporting capacity building of policy-makers in the design and implementation of gender-sensitive social protection policies and programmes;
- ◆ Supporting women’s organisations and awareness raising efforts to increase women’s participation in social protection initiatives;
- ◆ Designing gender-specific programme actions that help redress inequalities that prevent women and girls from benefiting from/participating in social protection programmes;
- ◆ Building institutional co-ordination between various stakeholders, and ensuring linkages and synergies with complementary sectors and service providers;
- ◆ Reviewing and supporting social protection legislation to strengthen mechanisms to address gender discrimination.

3.6. The Double Care Burden and Quality Public Services

As national social partners, trade unions have an important role in arguing for gender equitable social protection measures. Trade unions and gender advocates have proposed a range of policy measures to better guarantee the rights and inclusion of those who perform unpaid care (often in addition to paid work). Trade union education programmes can help (male) policy officers and negotiators develop a deeper understanding of the differential gender impact of various policy approaches and the particular needs of care-givers. This is especially important for those participating in social dialogue on social protection or collective bargaining for Decent Work, decent lives.

CHAPTER 4

DECENT WORK: SOCIAL DIALOGUE AND COLLECTIVE BARGAINING

This section focuses on the potential that social dialogue has to deliver gender equality for women at work and their lives. It explores various forms of social dialogue - from collective bargaining, engagement with employers and government to broad-based alliances with civil society organisations (CSOs). The role of 'social dialogue' within the family - or negotiations around the division of work between men and women in the home- is also considered.

4.1. Social Dialogue at Work: Voices and Choices for Women and Men²⁵

Many good labour practices have been achieved through social dialogue, including the eight hour working day, maternity protection, child-labour laws, and a range of policies which promote workplace safety and good industrial relations. The main goal of social dialogue is to promote consensus building and democratic involvement among the stakeholders in the world of work - representatives of governments, employers and workers. Successful social dialogue - which includes all types of negotiation, consultation or exchange of information between and among these stakeholders - depends on structures and processes that create the potential to resolve important economic and social issues, encourage good governance, advance social and industrial stability and boost economic progress. Social dialogue therefore is an important means to achieve social justice, and is often the result of successful campaigns by union or women's organisations. If social dialogue is to reflect the needs and aspirations of its participants, women and men should be represented in an equitable way to have their voices heard.

Social dialogue can be direct or a "bipartite" relationship between trade unions and employers' organisations – known as **collective bargaining** between employers' and workers' organisations, usually involving wages and conditions of work. The wider meaning of social dialogue includes "tripartite" relations between **governmental authorities and the social partners**. A wider form of social dialogue involves the **social partners working with civil society organisations** – for example on public health campaigns, campaigns targeting violence against women, and Clean Clothes Campaign.

Social dialogue is conducted at the international, regional, national levels. Collective agreements concluded at the national level, the industry (sectoral), enterprise and workplace levels result in more immediate effects on the working conditions.

Examples of international social dialogue include the growing number of "International Framework Agreements" (IFA) between global trade unions and multinational enterprises. The purpose of IFAs is to stimulate global social dialogue between multinational companies and the

²⁵ ILO "Gender equality at the heart of decent work"- *Social Dialogue at work: Voices and choices for women and men 2009*; ITUC

representatives of workers. IFAs also aim at promoting compliance with International Labour Organisation core standards throughout complex value supply chains. Many IFA's, for example in the textile industry, benefit marginalised women workers because they apply to the entire supply chain. (cross ref to ITGLWF IFA Page 22)

4.1.1. Women's Participation in Social Dialogue – Still a Challenge

Social dialogue is an essential tool for advancing gender equality in the world of work. The social partners are key actors in the elimination of sex discrimination and the promotion of equality at work. An increased involvement of women in social dialogue has resulted in greater attention to gender issues, both in collective bargaining and in wider social dialogue. The participation of women in the institutions of social dialogue can in itself be seen as key to promoting gender equality. In general, however, the participation of women in social dialogue has remained low – and this includes the trade union side. The average of women participants in social dialogue worldwide stands at around 15 per cent; the highest share is found in Europe, with an average of 17 per cent. But the average of women trade unionists participants in social dialogue is around 13 per cent, dropping to only 4 per cent in Africa and 7 per cent in Latin America and Caribbean. However, in Europe the level of female trade unionists participating rises to 21 per cent, the result of positive action taken by European trade unions.

The table below illustrates the usefulness of gender disaggregated statistics, providing clear evidence of female under-representation in the social dialogue process and the need for trade union organisations to take urgent and sustained action to increase female representation in collective bargaining and social dialogue.

Percentage of women participants in social dialogue institutions disaggregated by group

<i>Region</i>	<i>Women in social dialogue institutions</i>	<i>% of women in government</i>	<i>% of women in employers' groups</i>	<i>% of women in workers' groups</i>	<i>% of women in other interests' groups</i>
Africa	12.34	15.29	5.00	4.07	28.40
Asia	11.21	11.11	11.43	8.33	22.22
Europe	16.76	18.03	14.02	20.67	13.68
Latin America and Caribbean	14.16	26.11	7.37	7.14	24.24
Total	14.68*	18.93	10.00	12.95	20.15

* This figure does not include representatives from "other interests' groups"

Source: Breneman-Pennas, T. and M. Rueda Catry, 2008. *Women's participation in social dialogue institutions at the national level*, p. 10.

Europe holds the highest percentage of institutions that have placed gender on the agenda of social dialogue, with an average of 65 per cent. The lowest share can be found in Latin America and the Caribbean.²⁶

²⁶ ILO Declaration of Fundamental Principles and Rights at Work, 1998.

The official statistics make it clear that trade unions still have a long way to go in increasing the participation of women in negotiations and social dialogue – the representation of women in trade unions, including social dialogue, is a high priority of the ITUC and an integral part of the Decent Work, Decent Lives for Women campaign.

4.2. Women as Decision Makers - Women's Representation in Trade Unions²⁷

Challenging gender inequality through social dialogue depends largely on there being adequate numbers of women trade unionists in leadership positions.

The three year ITUC campaign under the slogan, “Unions for Women, Women for Unions” to increase the participation of women in trade unions was launched in 2002 and entered a second phase in 2006, when the ITUC targeted women working in the informal economy. Affiliate unions were urged to aim for a target of one-third participation of women in leadership positions, with some unions opting for a target of parity. Women's Committees at the ITUC, global union federations and national centres have been central to increasing the voice of women in the international trade union movement. For example the global services union, Union Network International (UNI) passed strong resolutions at its 2005 Women's Congress, urging greater participation of women in leadership positions and endorsing detailed platforms on gender-specific priorities.

Two examples of global union federations seeking to address the under-representation of women are Building and Woodworkers International (BWI) and the International Union of Food and Agricultural Workers (IUF). BWI reported significant under-representation of women in trade union membership in their ranks, with only 20 per cent women's membership. BWI adopted a Charter for Affirmative Action and Bargaining Agenda for Equality in 1998. The BWI Policy calls for gender balance in all educational and training activities, mandating at least 30 per cent in most activities but 50 per cent parity in others.

The IUF reports women's membership at 40 per cent in the aggregate. It has also sought to have its main leadership bodies and all of its working committee composed of 40 per cent women. In 2007 the IUF also produced a comprehensive Gender Equality Guide entitled *All for One and One for All* that details strategies for attracting women to unions and making unions more women-friendly.

In March 2008 the ITUC launched its two-year global campaign *Decent Work, Decent Life for Women*. It is directed primarily at the sectors where women form the majority of workers, often with insecure contracts and where unions are still poorly represented (such as informal work, export processing zones, migrant labour and atypical employment).

²⁷ Source: ITUC and Global Unions

Decent Work, Decent Life for Women Campaign

ITUC Decent Work, Decent Life for Women Campaign objectives:

- *decent work for women;*
- *gender equality in labour policies and agreements;*
- *gender equality in trade union structures, policies and activities;*
- *increase in number of women trade union members and women in elected positions.*

Achievements of previous international union campaigns:

- *Increase in women membership rates, e.g. CGTM Mauritania up to 150%;*
- *Increase of women in elected positions;*
- *Unions prioritise advocacy work, collective bargaining on gender equality at work e.g. maternity protection, child care, pay equity and protection from sexual harassment.*

Achievements current campaign:

- *90 National Centers in 61 countries signed up to the Campaign*
- *World-wide media coverage of the 2008 ITUC report on the Gender Pay Gap, raising the profile of equal pay in international institutions and NGO's. The report is the 'most hit' item on the ITUC website.*
- *52nd Session of the UN Commission on the Status of Women in 2008, included text on decent work for women in the Agreed Conclusions.*
- *Women at the forefront in success of first World Day for Decent Work 2008;*
- *Intensified trade union action on protection rights, child care, pay equity, balancing family and work, career development and gender equality in trade unions.*

4.2.1. Capacity Building and Women's Empowerment Programmes

Social dialogue can support unions build their membership capacity and develop women's leadership. As part of their Decent Work, Decent Life for Women campaign the Confédération Syndicale du Congo provides training workshops on capacity building to women trade union activists with the aim to increase the number of women in trade union leadership positions. The focus of other campaign activities will be on ILO Conventions related to gender equality, codes of conduct, legislation and the constitution.²⁸

The ILO offer a range of education and training opportunities to trade unionists and the social partners at its Turin centre and elsewhere – it is important that national centres encourage and support their women members to attend these activities in order to build the female membership of the union.

Rebuilding Trade Union Capacity in Sierra Leone Project

A three and half year partnership between the Sierra Leone Labour Congress (SLLC) and the UK Department for International Development rebuilt union membership, raising awareness of rights and entitlements of workers in all sectors of the economy and strengthening labour law enforcement through a programme of education and training, and lobbying activities. The training and education programme has benefitted all SLLC affiliates and covered all regions. Approximately 35 per cent of the participants were women. Gender issues have been addressed, but there is considerable scope for more work in this regard and also in relation to youth participation.

Source: TUC

²⁸ CSC, Congo

International development cooperation policies support women's empowerment or mentoring projects as a means to achieve the Millennium Development Goal 3 on gender equality. These programmes are often organised through women's organisations or government but fail to include trade unions. Trade unions have the opportunity to bid collaboratively for these programmes. The ITUC Equality Department is implementing a 3 year Dutch government financed programme "*Decisions for Life*" in collaboration with three key project partners: UNI Global Union, Wage Indicator Foundation and University of Amsterdam. The project focuses on young women working or looking for work in eight large occupational groups in the service sector in 14 developing countries. Its main objectives are 1) promoting formal employment and equal opportunities in the labour market and 2) making informed decisions concerning future employment opportunities and career possibilities, family building, and the work-family balance.

Many of these women will set up a family within the foreseeable future. They most likely will then face a hard time, when it comes to decisions about continuing employment and finding solutions for maternity leave and childcare. When setting up a family, the chances that women will quit their jobs due to termination of contract or forced dismissal are higher than in other age groups.

Defending the living of informal economy waste collectors whilst protecting the environment

It is estimated that there are between 9000 and 9500 waste collectors in Pune, 90% of whom are women. Six thousand five hundred of these are affiliated to the KKP KP union. There are several types of waste collectors: those who collect the waste in the streets and from public bins; those who work in the landfills; those who go house to house with a trolley, buying waste that is worth a little more and that people do not throw directly in the bin, such as beer bottles, paper, etc. The union has carried out a campaign with the authorities to integrate an ecological dimension into waste management.

Source: ITUC Spotlight interview with Maitreyi Shankar (KKPKP - India)

Social dialogue as a means to advance gender equality at work

ILO Recommended Action to Increase the Voice of Women in Social Dialogue

- ***Ratify and effectively implement the key ILO Conventions that address freedom of association and collective bargaining as well as gender equality and non-discrimination, particularly Conventions Nos. 87, 98, 100, 111.***
- ***Put in place mechanisms to increase the participation and representation of women in trade unions and employers' organisations, as well as in social dialogue institutions such as National Labour Committees or Economic and Social Councils.***
- ***Promote education, skills development and training for women thus providing them with the tools to effectively participate in social dialogue processes.***
- ***Strengthen the voice of women and men workers in the informal economy as well as those facing precarious conditions of work, such as domestic workers and migrants, through organising their adherence to workers' organisations.***
- ***Sensitise, raise awareness and advocate the advantages of gender equality in the world of work through media campaigns.***
- ***Organise trainings and sharing of best practices on mainstreaming gender issues into the agenda of social dialogue and collective bargaining.***

4.2.2. *Social Dialogue Advancing Gender Equality*

Social dialogue as a vehicle for advancing gender equality can be effective across a wide range of issues, as the examples below show.

- ◆ Tripartite Commissions, created in the framework of an ILO-ITC project on Women Workers Rights, have been the most stable social dialogue mechanisms in Argentina, Brazil, Chile, Paraguay, Uruguay, and have played an important role in national politics. The Commissions are composed of government (Ministry of Labour and Ministry of Women's Affairs), employers' and workers' organisations. Among their main achievements are the recent law (2006) on domestic workers in Uruguay, and the ratification of the ILO Workers with Family Responsibilities Convention, 1981 (No. 156) in 2007, led by the Tripartite Commission in Paraguay.
- ◆ In Nepal, the Trade Union Committee for Gender Equality and Promotion (TUC-GEP) identified ten priority gender issues, which were presented to and discussed with the Nepalese Chambers of Commerce and Industry (FNCCI). Three of these items formed the start of the dialogue process between them (sexual harassment, maternity benefits and HIV/AIDS) and were later endorsed by the Ministry of Labour and Transport Management.
- ◆ An analysis of 23 recent collective bargaining agreements in agriculture from Africa revealed their importance to ensure basic rights in the workplace as well as the setting out of procedures to ensure stable labour relations. All agreements included sections on wages, overtime and severance pay, occupational safety and health, and funeral costs and facilities. The latter section may be one indicator of the impact that HIV and AIDS is having on the agricultural workforce in Sub-Saharan Africa and the efforts of employers and workers to deal with the consequences of the epidemic in a humane manner. Twenty-two of the twenty-three agreements included sections on allowances (for example, housing allowances), leave (annual leave, sick leave, maternity leave and compassionate leave) and medical care. This is particularly relevant for women as they are still the main caregivers in the households and most often confronted with work-life balance challenges. Seventeen agreements contained provisions related to education, whether of workers themselves or of their children.

- *Topics for National, Regional, Sectoral and European social dialogue*

At national level, many examples can be found of how social dialogue has contributed to advancing gender equality. Topics that lend themselves well to gender equality-related social dialogue include: equal pay, working-time arrangements, leave policies for workers with family responsibilities, maternity protection and benefits, childcare provisions, skills training, violence in the workplace and sexual harassment. At regional level, the ILO Regional Programme for the Promotion of Social dialogue in French-speaking Africa (PRODIAF) strengthens the capacity of the social partners to initiate and consolidate dialogue, consultation and negotiation. Gender equality is considered as a cross-cutting issue in this programme. At sectoral level the Rural Workers' Organisations Recommendation, 1975 (No. 149), provides guidance on how to organise rural workers, recognising the gender-based challenges. It encourages programmes highlighting the role which women can and should play in the rural community, and to integrate them into general programmes of education and training offered to women and men.

- **Gender related clauses in Collective Agreement achieved by ICEM affiliate CNQ/CUT and SNQ/FS, Brazil**

Day care – Provision of day care for children up to the age of 24 months. In companies without day care, the payment of 50% of minimum wage is guaranteed (currently 330 BRL). In case of multiple births the subsidy will be paid for each child. In case of legal adoption, the subsidy will be paid for each child from the legal date of adoption. The subsidy will also be paid to the father who is the child’s legal guardian. These benefits can also be extended upon request to widowed, divorced or legally separated parents who are the child’s legal guardians.

Equal pay for equal work – for identical jobs and all work of equal value done for the same employer in the same site equal pay will be paid, without distinction of sex, nationality, color, race, age or marital status. Work of equal value shall be work done with the same productivity and with the same technical perfection by persons whose seniority shall not be more than two years in the same job.

Miscarriage – in case of miscarriage the employee shall have the right to 45 days of pay from the date of the miscarriage.

Breastfeeding – 30 minutes twice a day went up to 60 minutes twice a day until the child is six months’ old.

Source: *Women – Work – 21st Century, 4th ICEM world Congress 2007 - <http://www.icem.org/index.php?id=71&doc=2478&la=EN>*

- **European Union Social Dialogue – a unique role**

European social dialogue is a unique form of social dialogue. It takes two main forms – bipartite dialogue between the European employers and trade union organisations, and a tripartite dialogue involving interaction between the social partners and the public authorities. It has a clearly defined legal basis in the European Community Treaty, including a capacity to negotiate agreements which are legally binding. European social dialogue has resulted in a variety of outcomes, including the adoption of over 300 joint texts by the European social partners and a number of European-wide directives.

European Social partner framework agreements

Dialogue between the European social partners exists at both cross-sectoral and sectoral level. The participants in the cross-sectoral social dialogue – ETUC, BUSINESSEUROPE (private sector employers)/UEAPME (small businesses), and CEEP (public employers) – have concluded a number of agreements that have been ratified by the Council of Ministers and are now part of European legislation, notably Directives on:

- *parental leave (1996)*
- *part-time work (1997)*
- *fixed-term contracts (1999)*

The social partners have also concluded voluntary agreements on telework (2002), work-related stress (2004), and on harassment and violence at work (2007).

Source: ETUC <http://www.etuc.org/r/615>

Emanating from social partner consultations and negotiations, the European Union has six priorities regarding gender equality and these help determine the European social dialogue process:

- Equal economic independence;
- Reconciliation of private and professional life;
- Equal representation in decision-making;
- Eradication of all forms of gender-based violence;
- Elimination of gender stereotypes;
- Promotion of gender equality in external and development policies.

- **International Framework Agreements**

A number of Global Unions are entering into social dialogue to create framework agreements in recognition of the global nature of the economy and work. These provide a basis for national negotiations with employers in the sector. In November 2008 UNI Global Union and CIETT Corporate Members signed a Memorandum of Understanding to create partnership and a global social dialogue to achieve fair conditions for the temporary agency work industry and the 9 million a day temporary agency workers around the world. Both parties support the establishment of an appropriate regulatory framework for the industry to promote decent forms of temporary agency work.²⁹

4.2.3. Social Dialogue and HIV-AIDS

Gender inequalities are one of the major reasons for the HIV/AIDS pandemic affecting women and girls. Women comprise 50 % of people living with HIV/AIDS and in some parts of the world the number reaches 60 %. Roles played by women and men in society affect all aspects of the disease. Women are often less able to negotiate safe sex, suffer greater social stigma from being HIV positive and, as the principal family carers, may have added burdens if there is AIDS within the household. Women, and especially girls, are particularly vulnerable to gender-based violence and coercive sex. This increases the risk of infection of women. Growing numbers of trade unions are developing policies and programs for prevention, treatment, care, the protection of rights at work and to support behaviour change. These are effective tools to prevent HIV/AIDS infection of women and girls.

Key actors in the world of work have an important leadership role to play promoting Decent Work and in modifying attitudes and practice within the world of work and beyond. By providing a greater range of economic alternatives, more financially independent women will be under less pressure to resort to using sex for survival or to continue in unequal relationships with men who refuse to practise safe sex.

²⁹ [http://www.uniglobalunion.org/uniinfo.nsf/58f61ccf5875fe90c12567bb005642f9/73e8c55771fc4dc3c12574ff003b2f8b/\\$FILE/UNI-CIETT%20Eng.pdf](http://www.uniglobalunion.org/uniinfo.nsf/58f61ccf5875fe90c12567bb005642f9/73e8c55771fc4dc3c12574ff003b2f8b/$FILE/UNI-CIETT%20Eng.pdf)

- **Bargaining for HIV/AIDS policies and programmes**

Unions can use collective bargaining or campaigns so that employment policies and structures are reviewed to address gender inequality in the context of HIV/AIDS through:

- Ending discrimination at work.
- Providing workplace education for men and women (including sex education/ information, psychosocial health, violence at work, reproductive health, men's and women's social and economic roles and family responsibilities).
- Avoiding work patterns which separate workers from their families for prolonged periods or providing facilities for rest and recreation, or family accommodation.
- Ensuring that business practices do not encourage or condone risk-taking behaviour such as entertaining clients by paying for sex services as part of business entertainment expenses.
- Zero tolerance for violence and harassment against women at work: trade unions stress this as a trade union issue, and employers should explicitly state that violence or harassment is a disciplinary offence.
- Encouraging workplace medical facilities to diagnose and treat Sexually Transmitted Infections (STIs), which increase vulnerability to HIV.

Some industries have taken sector-specific measures. The World Tourism Organisation, for example, has promoted a multi-stakeholder initiative against child prostitution and exploitation in the tourism industry.

The International Transport Federation (ITF) has developed a social dialogue initiative that launched an innovative wellness centre in East Africa. Women in Africa risk HIV-AIDS infection from transient workers, especially transport workers. Transport workers and members of the community now benefit from a brand new wellness centre in Kenya. Key stakeholders – from government representatives and trade unions to employers' associations and transport companies – joined forces to set up the centre in Mombasa's port. Truckers, dockers and other workers regularly use the port, along with community members. The Mombasa facility takes the form of an old shipping container for maximum sustainability and offers transport workers free health services. These include counselling and HIV testing, treatment for sexually transmitted infections and condom distribution. An information technology system also links all the centres together to ensure the services they offer are of the highest standard. The ITF affiliate, the Kenya Long Distance Truck Drivers' Union, which is among the key stakeholders, played a pivotal role in the planning stages of the centre. Its members were also trained as peer educators who will work in the centre. Meanwhile, the Kenyan health ministry has provided two full-time staff and funded the provision of drugs. Ten more centres will be established in southern Africa over the next two years. Dr Syed Asif Altaf, ITF HIV coordinator said: "To have an effective response in the workplace, it is crucial to work in collaboration with employers, management and other stakeholders. This kind of partnership approach helps our members in their fight against HIV/AIDS. These centres also give unions the opportunity to reach out to unorganised workers."

Source: <http://www.itfglobal.org/news-online/index.cfm/newsdetail/3190?frmSessionLanguage=ENG>

The ITUC has been working on a trade union contribution to combat HIV/AIDS since 2003. An important part of the activities has been taking place in cooperation with the Global Unions³⁰. The overall goals of the ITUC HIV/AIDS program are:

- To develop partnerships with relevant organisations at all levels;
- To make HIV/AIDS a priority for trade unions;
- To help trade unions take action in their organisations and at the workplace;
- To mobilise resources.

The specific ITUC objectives planned for 2009 are focused on:

- Identification of quality assurance criteria for the ITUC/GUAP programme;
- Coordination of trade union participation in the 2009 and 2010 HIV/AIDS standard setting International Labour Conferences;
- Coordination of capacity building for HIV/AIDS trade union network in Latin America;
- Designing a strategy for the trade union HIV/AIDS network-building in the Asian-Pacific and Eastern European regions.

In its HIV/AIDS related activities, the ITUC has taken the gender issue as a cornerstone for its strategy and policy.

- *ILO Resources on Social Dialogue for Trade Unions*

Several ILO units work specifically on social dialogue and these can provide valuable information or resources for unions: the Social Dialogue, Labour Law and Labour Administration Branch (DIALOGUE), the Sectoral Activities programme (SECTOR), the Bureau for Employers' Activities (ACTEMP) and the Bureau for Workers' Activities (ACTRAV). These provide useful publications and training opportunities for trade unionists. Women's Committees can help ensure that nominations for ILO training courses reflect gender issues both in terms of representation and subject matter.

4.3. Social Dialogue in the Community - Building Alliances in the Community and the Family

Gender issues are particularly suited to broad-based campaigns, especially with women's organisations. Trade unions have a unique role in organising, representing workers and collective bargaining. But women often cannot be organised through the workplace because of the nature of their (informal/irregular) work and the times they work. Alliances of union and women's organisations working together can prove to be a powerful and winning combination. Women's organisations may bring fresh insights to the issues that affect women beyond the workplace – for example discrimination in inheritance or property rights. The issues that affect women are often ones that have a cross-over between the home, community and work – as many of the examples in this discussion document illustrate.

The scope for broad alliances between trade union organisations and community groups is illustrated in case studies of community-based action supporting street vendors and market-sellers, mostly women, working in the informal economy in India and South Africa. Here women

³⁰ *In the framework of the Global Unions AIDS Program, GUAP <http://old.global-unions.org/hiv-aids/>*

and families are particularly affected by the lack of basic facilities in shanty towns, evictions, and marginalisation in municipal consultation processes. Trade unions have lent their institutional expertise and organisational weight to campaigns.

Challenging 'traditional elitist First-World approaches'

StreetNet International with 25 trade union and South African community organisations, representing street vendors, sex workers and other constituencies of the urban poor, are challenging 'traditional elitist First-World approaches' to building World Class Cities, in the lead up to the 2010 FIFA World Cup in South Africa.

Campaign issues include:

- *fighting against evictions/unemployment;*
- *lack of legal protection, perception of illegality in normal everyday activities;*
- *lack of basic facilities;*
- *exploitation of informal workers;*
- *low insecure incomes and poverty;*
- *marginalisation and lack of consultation by authorities when decisions/policies are made;*
- *uncertainty about development plans in run-up to 2010.*

Organising under the slogan "Nothing for us without us!" commitment from the World Cup LOC (Local Organising Committee), municipalities and other relevant institutions has been sought to:

- *engage in participatory consultative processes with those affected by any aspect of urban improvement or urban renewal initiatives;*
- *engage in social dialogue or substantive negotiations with those potentially affected by urban improvement/renewal initiatives that may have a bearing on their work or livelihood.*

Participating organisations include the following union and community organisations:

Eight street vendors' organisations from Gauteng, KwaZulu-Natal and the Eastern Cape; Municipal Workers Unions SAMWU and IMATU; COSATU; PSI (Public Services International) Southern African office; TAC (Treatment Action Campaign); SWEAT (Sex Workers Education & Advocacy Task Force); LPM (Landless People's Movement); SACP; APF (Anti-Privatisation Forum); Abahlali Basemjondolo; CUP (Coalition against Urban Poverty); Community media organisations.). Source Streetnet

• Organising women workers in the informal economy

Organising women workers in the informal economy often involves working with others through social dialogue. ITUC affiliated Self-Employed Women's Association in India (SEWA) is one successful example of organising women workers in the informal economy. The association focused initially on home workers through building alliances in the community. But the model is now applied to day labourers, street vendors, and small producers, and it has spread elsewhere, most notably into a number of African countries. Unions can reach out to women through organising around their most pressing concerns – such as putting food on the table or offering micro-credit.

Unions Work in Community Alliances To Construct Decent Lives for Women

In India SEWA organises against the various injustices street vendors confront every day. These are mostly a consequence of lack of urban policies and laws pertaining to street vendors. They continue to be perceived as "traffic obstruction", "nuisance" and even "criminals". They are routinely harassed by local authorities and evicted from their vending sites.

Source: <http://www.sewa.org/campaigns/vendors.asp#Vendors%20Campaign>

There has been a positive experience of unionisation through community organisation both in the US and the UK.

Campaigns by London Citizens together with UNISON (public sector) and UNITE (private sector) around the demand for a living wage have recruited and organised outsourced contract cleaners, hospital domestics and security workers, many of whom are migrant workers. London Citizens is the UK's first experience of 'community organising' - it has over 100 trade union, faith, education and community affiliates. Its main objective is to 'strengthen ordinary people's ability to organise and campaign at the grassroots and to develop the relationships between its affiliated membership-based organisations'. It campaigns for a living wage, social, environmental and economic justice.³¹

The *Play Fair at the Olympics* campaign in 2004 was one of the biggest ever mobilisations against abusive labour conditions. It was organised by the Global Unions, Oxfam International and the Clean Clothes Campaign. Hundreds of organisations and many top athletes participated in over 35 countries before the Olympic Games in Athens. The campaign resulted in a new recognition of the importance of decent labour standards for women working in the Olympic goods supply chain. The Play Fair campaign will continue for the London 2012 Olympics and is an example of the way that unions working in broad-based campaigns can achieve more than when working on their own.

4.4. Violence against Women

4.4.1. An Issue for Social Dialogue

Violence against Women (VAW) is a worldwide problem that affects women of all ages, ethnicities, races, nationalities and socio-economic backgrounds. It cuts across lines of income, class and culture. Some forms of violence are gender-based and impact women disproportionately, such as domestic violence, sexual assault, sexual harassment and human trafficking. Violence against women and girls prevents them from enjoying their human rights and fundamental freedoms.

Around the world, social, economic, political and religious forces impact women's human rights in different ways. These violations may include forced and early marriages, female genital mutilation, honour killings, dowry-related violence, rape and rape as a weapon of war, female infanticide, and enforced sterilisation. There is a growing awareness that domestic violence is also a workplace issue. Domestic violence at home will affect women's ability to do their work and their attendance record.

Spanish Unions Fight VAW with Game

A board game for sensitising minds against male violence is a novel approach by Spanish unions. Learning to share the household chores or recognise the moment of mistreatment, the board game makes young men aware of gender violence. The project is aimed at men and boys, and is an original way to raise awareness against sexism and gender violence. "Basically we try to identify the theme of machismo that for every man can be a problem, but every man can be a solution," said the creator of the game, Daniel Leal.

Source: <http://www.telecinco.es/informativos/sociedad/noticia/52067/EI>

³¹ London Citizens.

There is a growing awareness that violence at work is not an individual problem but a structural, systemic problem rooted in wider social, economic, organisational and cultural factors. This makes it an important issue to be tackled through social dialogue and broad based campaigns.

4.4.2. What can Trade Unions do?

- ◆ Negotiate policies that recognise domestic violence as a workplace issue. Policies should provide for effective support and assistance for those who suffer domestic violence, including confidential counselling;
- ◆ Provide emergency support, including financial aid and/or other assistance for members who are victims of domestic violence;
- ◆ Campaign about and raise awareness of the issue of domestic violence;
- ◆ organise marches and rallies with other trade unions and women's NGOs;
- ◆ Build links with NGOs campaigning on the issue;
- ◆ Adopt union code of conducts to protect members from violence, harassment or bullying in trade union meetings or education programmes;
- ◆ Negotiate policies that prohibit sexual harassment, bullying and violence in the workplace (see ITUC publication: Stopping sexual harassment at work: A Trade Union Guide);
- ◆ Encourage anti-violence programmes specifically addressed to combating violence at work;
- ◆ Review disciplinary procedures to ensure that they deal adequately with the issue of violence;
- ◆ Develop safe reporting procedures for violent incidents that offer adequate protection for the victim;
- ◆ Ensure that those responsible for receiving and investigating reports of violence are properly trained to handle them with appropriate sensitivity;
- ◆ Make sure that violence in the workplace is on the health and safety agenda.

4.4.3. Negotiations in the Home

It is clear that, despite several decades of international and national legislation on women's rights at work, women's equality at work is hampered by the continuing gendered division of work in the home. While women are taking a greater share of paid employment the evidence is that men have not significantly increased their involvement in the home. While women remain the primary care-givers in the family, they will be forced to continue to modify their career choices, working time arrangements and career progression to accommodate domestic responsibilities – resulting in low pay, casual jobs, and inadequate pensions. Employment choices and options for women are defined by the social dialogue *in* the home, between partners and within families. This is particularly acute in male-dominated cultures, where women's choices are restricted by law and custom.

Trade unions can play an important role in promoting the value of women's full participation in education, employment and civil society, especially to male members. To date there has been an emphasis on capacity building and empowerment programmes for women trade union members – and this remains a crucial area for trade unions in developing and developed economies. But there

is also a role for trade unions to actively promote gender equality among male members and to challenge sexism at work, in the union and in the home.

Gender equality can only become a reality if men, as well as women, see that it is at the heart of economic and social justice. Without gender equality in the home as well as at work, the ITUC goal of decent work, decent lives for women will remain a dream.

* * * * *

BREAD AND ROSES

***As we come marching, marching, we bring you hope at last
The rising of the women means the rising of the class
No more the drudge and idler – ten that toil where one reposes
But a sharing of life's glories: Bread and roses, bread and roses***

PART II

1. THE GLOBAL FINANCIAL/ECONOMIC CRISIS³²

The world is facing triple crises of accelerating climate change, economic recession and food & oil price instability. The global financial crisis poses serious threats to international growth and development, particularly in the world of work. Some governments have introduced measures such as national recovery plans and long-term stabilisation strategies to fight the economic recession and the financial crisis. Part of the crisis' impact is shown by the many millions more unemployed, while women and youth are particularly affected with enterprises closing and workers losing their jobs, particularly women and youth.

When the G20 Leaders first met in November 2008 in Washington, the world was already facing an unprecedented slowdown in growth with output falling in the industrialised countries. The situation is now dramatically worse. Staggering falls in GDP were recorded in the final quarter of 2008. At an annualised rate, GDP shrank by 6 per cent in the G7 economies, the European Union and the OECD as a whole. These are the worst figures ever recorded. The contagion has spread to emerging and developing economies where growth has now stalled and GDP per capita is falling. The impact of the recession is rapidly intensifying in developing regions in 2009, because of the sharp decline in exports and a drying up of private capital flows. 26 low-income developing countries in Africa, Asia, the Americas and Eastern Europe have been identified by the International Monetary Fund (IMF) as being "highly vulnerable" to the adverse effects of the global recession in 2009. The achievement of the Millennium Development Goals, which set minimum objectives for a global effort to tackle many of the root causes of poverty, is being jeopardised by the economic crisis. Ten years of progress in poverty reduction has been undone in just a few months.

Unemployment has continued to surge in the first months of 2009. It now appears likely that the ILO's 'worst-case' scenario of unemployment increasing by 50 million worldwide in 2009 will turn out to be over-optimistic. Over 200 million workers could be pushed into extreme poverty, mostly in developing and emerging countries where there are no social safety nets, meaning that the number of working poor – earning below 2 USD per day for each family member – may rise to 1.4 billion. *60 per cent of the world's poor are women.*

Workers around the world, who are losing their jobs and their homes, are the innocent victims of this crisis: a crisis precipitated by greed and incompetence in the financial sector, but which is underpinned by the policies of privatisation, liberalisation and labour market deregulation of recent decades. The effects of these policies – stagnating wages, cuts in social protection, erosion of workers' rights, increased precarious work, and financialisation – have combined to increase

³² *Global Union Statement to the London G20 Summit April 2009.*

inequality and vulnerability. The scale of this crisis serves as testimony to the failure of these policies. Without a radical response by governments, this most serious economic crisis since the Great Depression of the 1930s will transform into a social and, ultimately, political crisis as well.

When the economies begin to recover there can be no return to 'business as usual'. The crisis must mark the end of an ideology of unfettered financial markets, where self-regulation has been exposed as a fraud and greed has overridden rational judgement to the detriment of the real economy. A new national and global regulatory architecture needs to be built, which restores financial markets to their primary function of ensuring stable and cost-effective financing of productive investment in the real economy. Beyond this, there is a need to establish a new model of economic development that is economically efficient, socially just and environmentally sustainable. It must bring to an end the policies that have generated massive inequality over the past two decades. This requires a paradigm shift in policy-making. G20 Leaders must begin a multilateral process, working together with other governments, the UN and other institutions, to redraw the governance of the global economy such that social and environmental issues are assigned the same level of priority as trade and finance.

The Global trade union movement therefore called on G20 Leaders, working with other governments and international institutions, to develop a five point strategy, to first tackle the crisis and then build a fairer and more sustainable world economy for future generations. The strategy must:

- ◆ implement a coordinated international recovery and sustainable growth plan with maximum impact on job creation focussing on public investment, active labour market policies, protecting the most vulnerable through extended social safety nets, and 'green economy' investments that can shift the world economy onto a low-carbon growth path. Developing and emerging economies must be given the resources and the policy space to undertake counter-cyclical policies;
- ◆ nationalise insolvent banks immediately so as to restore confidence and lending in the financial system and beyond this establish the new rules and mechanisms to control global finance with full stakeholder engagement;
- ◆ combat the risk of wage deflation and reverse the growth of income inequality by extending the coverage of collective bargaining and strengthening wage setting institutions so as to establish a decent floor in labour markets;
- ◆ prepare the ground for a far-reaching and ambitious international agreement on climate change at COP15 in Copenhagen, in December 2009;
- ◆ establish a legal benchmark of norms and instruments of the international economic and social institutions – the ILO, IMF, World Bank, WTO and the OECD – and beyond this reform these institutions and build effective and accountable global economic governance.

1.1. Global Economic Crisis – It's Impacts on Women

In its discussion on the financial crisis at meeting in March 2009, the ITUC Women's Committee challenged the assumption that the consequences of the global crisis are gender neutral. Women's disadvantaged position in the labour markets renders them particularly vulnerable to lay-offs in restructuring processes. In addition, previous experiences have shown that women and girls are

negatively affected when public provisions are cut. The workload of women with caring responsibilities increases and young girls are particularly at risk of being taken out of school to work or care for the elderly or sick.

Women's lower employment rates, weaker control over property and resources, concentration in informal and vulnerable forms of employment with lower earnings, and less social protection, all place women in a weaker position than men to weather crises", said ILO Bureau for Gender Equality Director Jane Hodges, adding that "women may cope by engaging in working longer hours or by taking multiple low-income jobs but still having to maintain unpaid care commitments.

In its March 2009 report on Gender (in)Equality in the Labour Market, the International Trade Union Confederation (ITUC)³³ stated that women, who represent the majority of workers in export industries in developing countries, are being hardest hit by the reductions in exports resulting from the crisis, In the African textile sector, for example, 90 % of jobs are taken up by low-skilled and low-educated women.

Women in Global Supply Chain Devastated by Economic Crisis

Research with women in global supply chains and labour organisations, show that the global economic crisis is having a devastating impact on women's livelihoods, their rights, and their families³⁴. Women are often first to be laid off, with employers leaving pay outstanding and evading legal obligations to give notice and pay compensation, and governments turning a blind eye, with devastating knock-on effects. Failure to act now, to protect the rights of women living in poverty from the economic crisis, will have a disastrous impact on global development in general, and women's rights, livelihoods, and families in particular.

In its annual Global Employment Trends for Women (March 2009), the ILO estimated that the economic crisis would increase the number of unemployed women by up to 22 million in 2009. It also said that the crisis would limit the possibilities for creating Decent Work for women.

1.2. Responses to the Crisis

UNCTAD's Secretary-General, Dr Supachai Panitchpakdi, has underlined the need for more research into the complex area of trade and gender equality and for "greater gender sensitivity among trade policy-makers". Dr Panitchpakdi also emphasised that such gender impact assessments should be undertaken in the context of the current fiscal stimulus packages. Oxfam also highlighted that the fiscal stimulus packages are being largely targeted at male employment, focusing on construction and infrastructure and called on governments to counter "not just the deflationary trend of global markets, but the tendency to undermine women's labour rights".

The PSI urged national governments to increase public investments, in order to avert a recession, to create and improve jobs, and to (re)build their public services and infrastructure. Such

³³ *Gender (in)equality in the labour market: an overview of global trends and developments.*

³⁴ *Oxfam International report "Paying the Price for the Economic Crisis" 2009.*

programmes would also offer unique opportunities to incorporate environmental sustainability priorities, something which is difficult in sectors where short-term profits are the key driver, due to mass privatisation. Quality public services, whether it is in water and sanitation, health, energy, education or public transport will particularly benefit women and families – those who are likely to be hardest hit by the crisis.

UNI is working with private employment agencies to tackle a global jobs challenge, following the financial crisis and with unemployment on the rise worldwide. UNI see global dialogue as a clear commitment to advance corporate social responsibility and to work with unions everywhere to bring fair labour standards. (See chapter 4 on Social Dialogue (p. 39))

Lessening the Impact on Women³⁵

The ITUC Global Pay Gap report finds that one of the consequences in developing countries of rising unemployment levels and less capital inflow from investors is that governments will have less revenue at their disposal. This means a decrease in government social spending, which in turn can lead to reduced services in the fields of health care, education and transport. Additionally, food aid and other forms of international government development aid may be reduced because the money is being used to revive the economies in the donor countries. The same applies to private humanitarian groups. However, strengthening the official development assistance, such as the provision of loans from multilateral financial institutions, will have a long-term positive impact on the development of these less developed economies, and particularly on the welfare of women.

A specific ‘women’s agenda’ that influences international financial reform can also be part of the solution. From a gender perspective, women friendly government fiscal policies and measures to avoid deep fluctuations in economic activity may be desirable. Women themselves must play an active part in formulating policy frameworks.

Finally, among recommendations from the UN Economic Commission for Latin America and the Caribbean (ECLAC) are suggestions to redefine fiscal pacts to ensure resources for public policies, the implementation of new policies to prevent the loss of paid jobs, as well as greater efforts to prevent expenditure on social policies from dropping, especially policies relating to the strengthening of gender equality.

Policy initiatives that aim to stimulate the economy would benefit from the integration of a gender perspective. Gender mainstreaming of economic policy making could include, among other things, more flexible working opportunities, more and better investment in social services and social support initiatives, and international financial reform that aims for sustainable, long-term economic growth instead of short-term profit seeking which may lead to deep fluctuations in economic activity. To help such initiatives succeed, a better representation of women in key roles at all levels is important. Only then can they actively participate and exercise influence in the formulation of new policies.

³⁵ ITUC Global Pay Gap report.

Climate change and the failing food system raise important questions about social justice, equity and human rights across countries and generations. We need to act now. Female trade unionists need to engage in current climate negotiations and in fighting the food crisis with a message of commitment, solidarity and action:

- **Commitment** is needed from all governments and international actors to ensure adequate and safe access to food and protection from climate disruptions for everyone. Developed countries' governments have to firmly reduce emissions and emerging economies need to engage in a sustainable development pathway in order to reduce the risks for disrupting our climate and agricultural production in an irreversible manner.
- **Solidarity** among trade unions and their members to the fact that the transition towards a world that is environmentally, socially and economically sustainable is by no means an easy process, yet the poorest must no longer end up paying the highest price.
- **Action** by the hands of workers is indispensable and part of the solution towards a just and environmentally responsible society that respects human and labour rights.

2.1. Food for All: A Goal Within Reach

Women have a crucial role to play in alleviating the food crisis. They are a necessary part of food security. They are the active growers, producers and processors of more than half of the world's food supply: up to 80 percent in Africa, 60 percent in Asia, between 30 and 40 percent in Latin America and Western countries. Rural women, mainly farmers, are at least 1.6 billion and represent more than a quarter of the total world population. Because of their multiple roles, women are vital in overcoming food insecurity.

Women are over-represented among casual and temporary employment, contract labour and home workers. They are predisposed to lower wages and women often work in labour-intensive sectors in developing countries; such as clothing, agriculture and processed food. The problems of poverty wages in the agricultural sector, hazardous working conditions, discrimination against women and the lack of decent work and freedom of association across large parts of the globe are challenges that urgently must be tackled. The double-burden of the girl child – work inside and outside the house – must be fought by stimulating demand for schooling and creating financial incentives to offset household costs.

The impact of the food crisis has worsened the unequal access to resources that women are faced with. High food prices are forcing families to eat less food while at the same time increasing the workload of women in order to increase their income to be able to purchase and access more food. The food crisis has enlarged disparities among food distribution in the household; women will be the last to eat because they are saving the food for their children and other family members. And the direct impact affects women and children's nutritional status wherein malnutrition has an effect on productivity and their overall health.

The food crisis along with the impact of the global financial and economic crisis has in addition exacerbated women's purchasing power and worsened their livelihood substantially. 80 percent of the world's population lives without social protection schemes and safety nets and therefore,

specific programmes and approaches to vulnerable groups, especially women, youth and migrant workers should be developed to keep them from becoming permanent victims of the crisis³⁶.

If food for all is to be achieved, the policies of liberalisation at the IMF, World Bank and the WTO as well the global market dominance of agro-food multinationals must be changed in respect to food security and widespread domestic agricultural self-sufficiency. The global food chain and trade-distorting measures are not working in the interests of small-scale and subsistence farming, the poor and vulnerable.

By linking sustainable development and a rights-based approach to food, a set of measures should be adopted, both at international and national level, to promote resilience and enhance the needs of the vulnerable segments of a country's population, notably women and children. When re-investing in the under-prioritised agricultural sector, development of infrastructure, farmland cultivation and technical assistance must be environmentally, economically and socially sustainable.

The role of trade unions is clear: we must engage in dialogue with governments, civil society and decision-makers to reclaim the right to adequate and safe food as well as production and to assist in the development and implementation at national and local level of new agricultural policies, all intended to improve workers' livelihood, security of working families and to stimulate must needed economic growth.

It is necessary for women trade unionists to raise awareness of the impact of the food crisis at national level, to seek influence in national food security planning and programmes as well as inside their unions, their workplaces and communities.

2.2. Climate Change: A Global Challenge where Solidarity is Key

As it was presented in the introduction, climate change is the main environmental problem facing humanity. It is the cause of the multiplication of extreme weather events, such as drought, floods, heat and cold waves. Its consequences are aggravated desertification and erosion processes as well as irreversible changes in ecosystems and loss of biodiversity.

Climate change and subsequent changes in the environment will, of course, affect all aspects of our lives: food and water supplies, the patterns and influence zones of diseases, and also the way we produce and consume. It will certainly also have effects on employment.

The aggravation of climate disruptions will have direct consequences all over the world, but its immediate impacts will target the poorest and most vulnerable people; most of them women. In addition, measures taken to combat climate change, in particular those aiming at reducing greenhouse gas emissions, while crucial, will require important transformations in the world of work and might generate stress in some energy-intensive sectors.

The loss of natural resources, environmental degradation along with deforestation and soil degradation will increase the workload of women who inevitably will have to walk longer distances to collect wood, fuel and water for consumption and production.

³⁶ For more information on the food crisis and its impact on workers, please consult the ITUC Report: *A Recipe for Hunger – How the World is Failing on Food*: http://www.ituc-csi.org/IMG/pdf/food_crisis_EN.pdf

However, climate protection will have as its main benefit saving humanity from catastrophic disruptions which could imply the end of the world as we know it. Climate protection can also bring opportunities in the short and medium run, in particular for women (i.e. benefits for health of “greening jobs”, benefits of expanding energy services to the poor through renewable energy development, benefits from reducing people’s vulnerability through social protection, which could tackle needs related to food security, access to water or health services, etc, for mentioning only a few³⁷).

Unfortunately, our societies are not on track regarding climate stabilisation. Greenhouse gas emissions (which mainly come from the combustion of fossil fuels and deforestation) are rising. In addition, the current economic crisis may also hinder prospects of finding resources for financing developing countries’ investment needs to protect them from climate change consequences. This is the reason we need trade unions to engage with governments, employers and civil society for ensuring that we move faster and in a fair manner in the transition to a sustainable, low-carbon and climate-resilient society.

³⁷ For more information on Climate Change, its impacts on communities and employment and trade union action, please download *Sustainlabour-UNEP Trade Union Training Manual on Climate Change*, written in cooperation with the ITUC. <http://www.sustainlabour.org/dmdocuments/EN158-2008.pdf>

3. DECENT WORK FOR DOMESTIC WORKERS – INTERNATIONAL CONVENTION ON THE WAY³⁸

The promotion of decent work for domestic workers will be on the agenda of the 2010 International Labour Conference, with a view to develop appropriate instruments, such as a new Convention and accompanying Recommendation, to give this group of workers the protection they need. According to the ILO, many problems facing domestic workers are due to the particular nature of their occupation, as well as the inadequate attention paid to their situation in international and national law. Relevant international labour standards would be a big step forward in promoting decent work for all and would provide governments, unions and employers with appropriate, timely guidance on policy and practice in this field. However, international labour standards will only be implemented if there is union organisation of these workers. Organising this sector of female workers is challenging and will require imagination and persistence on the part of union activists, often working with other civil society organisations. Emerging domestic worker unions may be supported by other unions or given special terms of affiliation to national centres in recognition of the difficult circumstances in which domestic workers organise themselves.

In the past two decades demand for domestic work has been on the rise everywhere. The massive incorporation of women in the labour force, the ageing of societies, the intensification of work and the inadequacy of policy measures to facilitate the reconciliation of family life and work underpin this trend. Today, domestic workers make up a large portion of the workforce in developing countries, and their number has steadily increased in the industrialised world.

Domestic work is virtually invisible, undervalued and poorly regulated, and many domestic workers remain overworked, underpaid and unprotected. Accounts of maltreatment and abuse, especially of live-in and migrant domestic workers, are frequent. In many countries, domestic work is very largely performed by child labourers, many of them girl children who are not at school and are especially vulnerable to physical and sexual abuse from their employer.

Domestic work typically entails the otherwise unpaid labour traditionally performed in the household by women, resulting in its undervalued, informal and undocumented status. The domestic employment relationship is not specifically addressed in many legislative enactments, rendering domestic workers vulnerable to unequal, unfair and often abusive treatment.

Domestic workers play a vital role in the well-being and the economic structure of society. And yet they go through some of the worst abuse suffered by workers anywhere. Improving the conditions of domestic workers has been an ILO concern since 1948, when the ILO adopted a resolution concerning the conditions of employment of domestic workers. The Decent Work Agenda provides a new and promising avenue for ensuring visibility and respect for domestic workers. Standard setting on decent work for domestic workers will take the ILO beyond the identification of non-compliance and towards the provisions of specific, constructive guidance on how to regulate

³⁸ ITUC, ILO Report IV(1), IUF/Domestic workers, WIEGO.

effectively a category of worker that is singularly in need of support through specific international labour standards that promote decent work for domestic workers, including social protection.

There are three primary concerns about domestic work: the “invisibility” of domestic work, the gap between law and practice, and the organisation of domestic workers.

Government statistics, disaggregated by gender, may help ascertain the number of domestic workers but since many are undeclared workers this may be of limited use. Unions can play a role in ‘mapping’ the number of domestic worker through using its own sources of local knowledge and organising – and this might be a good way to begin campaigning around the ILO Convention at country level and contacting domestic workers.

The inclusion of domestic workers in laws relating to basic conditions of employment, including the formalisation of the contract of employment, remuneration, working hours and the live-in relationship is a major objective for trade unions. There is also a range of social protection and insurance mechanisms from which domestic workers have historically been excluded. The challenge is to find mechanisms to provide occupational safety and health protection to domestic workers and address the issue of pregnancy and maternity leave. There are clear linkages between migrant domestic work, forced labour, slavery and slave-like conditions. A new Convention on decent work for domestic workers would establish principles and rights and offer guidance on regulation of domestic work. Global unions also argue for a well-targeted, well-funded programme of action to promote technical cooperation in support of the specific regulation of domestic work.

3.1. Domestic Workers Need a Union

But the achievement of decent work for domestic workers ultimately depends on their capacity to organise and engage in collective action. Despite the many obstacles, including legal restrictions and the fact that domestic workers are isolated in private households, domestic workers around the world have tried to take control of their working lives by organising.

All domestic workers, who often work in isolation and are vulnerable to abuse from household employers, need the help and protection of a trade union. But none more so than migrant domestic workers and the many girls who are sent to work as maids in urban areas. In Peru domestic workers organised themselves into a powerful alliance that eventually won new and wide ranging rights for domestic workers. Now they are setting up a union for domestic workers and strengthening their leadership capacity. They receive support from the FNV Mondiaal – an example of trade union global solidarity. Out of a population of 28 million in Peru, there are thought to be nearly 500,000 working in households, of whom 200,000 are adolescents or children. In 2003, the same year as in Bolivia, the Peruvian Government passed new legislation for domestic/household workers, the Household Work Law No.27986. This recognises their work and gives them employment rights.

Organising Domestic Workers in Peru: a success story

Marcolina de los Milagros Infante Ramirez, IPROFOTH, describes how Peruvian domestic workers changed the law:

'The Household Work Law passed in 2003 took many years of struggle, a lot of demonstrations, travelling around the country to win visibility for this work and gain support, and so on. At the time, so many women who demanded their rights were dismissed by their employers.

We worked as a network of household workers' organisations in ten regions. We visited night schools where household workers might be. We published articles to raise public awareness. We lobbied the Ministry for Women and the Ministry for Social Affairs for support; they said they had no budget, but they gave us resources such as places to hold our conferences. Eventually we got the new law, and we are very proud of our achievement. It lays down that household workers have the right to a contract with their employer; this does not have to be written but can be verbal. The contract must include:

- wage levels; food and sleeping quarters cannot be considered as part of the pay;
- proof of payment/work done so that the household worker later has proof of employment;
- maximum working hours of 8 hours per day;
- weekly free day of 24 hours on Sunday plus public holidays; additional pay if longer hours are worked;
- 15 days' leave per year on at least half-pay
- bonus for Christmas and Independence Day on 28 July.

The Government also now sets a minimum wage, recognises the right of household workers to register for social security, join a pension plan, and pursue further education. Now we are starting to work with employment agencies so that they know about these rights that they should comply with.

We are just starting to build a trade union of domestic/household workers. At night we go to the homes where household workers are working and invite them along; or we go out on the streets early in the morning when they are out buying bread. The union is very new and was only officially registered in October 2006. At first the Ministry said, 'Why do you want a union, when you are not organised in a workplace?' but we had to be strong and kept pushing them.

Source: ITUC - interview with Marcolina de los Milagros Infante Ramirez

Action by unions in countries of origin and destination can play an active and coordinated role with regard to migration authorities and employment agencies to stop the worst forms of exploitation. Employment agencies have to be put under much stricter control, as some of them make big money on unscrupulous contracts. The cooperation between unions across the borders is important to ensure that as many migrant workers as possible are informed of their rights and have the contact details of the relevant unions in the receiving country.

Domestic Workers build an international network and campaign for an International Labour Organisation (ILO) Convention on Domestic Work

The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers (IUF) has established a network to promote domestic workers' rights. The network is an open network, consisting of domestic workers' trade unions and other member-based organisations, as well as organisations that support efforts to improve the situation of domestic workers. A Steering Committee with majority representation from member-based organisations has been established, and a special web site is now operational at: www.domesticworkerrights.org.

The IUF is working with the International Trade Union Confederation (ITUC), global union federations such as the Public Service International (PSI), national trade union centres such as the Dutch FNV on the campaign for an ILO Convention on Domestic Work to be agreed at the 2010 International Labour Conference (ILC), with a view to adopting an ILO instrument (convention and/or recommendation) in 2011.

An important first task is to make sure that national trade union centres in as many countries as possible support the idea of a domestic work convention and, in collaboration with domestic worker organisations and other allies, make their voices heard at the ILO.

There is not yet any universally accepted definition of "domestic work", or even any general agreement on the term to be applied to this work. A definition for the international standard will be an important issue at the ILC in 2010.

3.2. Global Unions Call for Union Solidarity for 2010

The ITUC, together with the Global Union Federations and the Workers' Group of the ILO Governing Body, called on its affiliated organisations to urge the governments of the countries represented on the ILO Governing Body to support the proposal to draw up an international convention designed specifically to protect domestic workers.

In the run-up to the ILO Convention on Domestic Workers being agreed in 2011, trade unions have an excellent opportunity to consolidate or build new relationships with civil society organisations for broad-based campaigns, and to organise domestic workers into the trade union around campaigning for a new ILO Convention.

3.3. Organising Domestic workers – Some Case Studies on Good Practices

- ***Organising domestic workers in South Africa***

The South African Domestic Service and Allied Workers' Union, SADSAWU currently has 25,000 members, mostly women, who pay 120 rand (€12) per year in union dues. Reaching this level hasn't been easy, because these women are afraid of joining a union. The SADSAWU President says 'We have to spend a lot of time explaining to them how important it is for them to join, reminding them, for example, of the unfair work practices seen every day in South Africa. The workers who have never attended a trade union meeting have no idea how to defend themselves, they don't know their rights, but they soon come to realise how useful it is to join a union. In case of dismissal, for example, they would simply leave their job, not realising that the employer owes

them money, and doesn't have the right to throw them out from one day to the next. This is particularly the case since the change in legislation we fought for: they now have the right to stay in their employers' accommodation for a month, whilst they find another job.' SADSAWU also offers training to help domestic workers defend themselves in discussions concerning overtime, wages, etc. There are also leadership and HIV/AIDS training.

- ***Domestic Worker becomes union General Secretary, then Minister for Justice in Bolivia***

Casimira Rodriguez Romero, the only daughter of poor parents, started in domestic work when she was 13. In 2001, at the age of 39, her first-hand experience helped her to become the General Secretary of the Latin American and Caribbean Federation of Domestic Workers (CONLACTRAHO). And in 2006, she took office as her country's Minister of Justice and Human Rights. In that role, she launched legislation to regulate domestic work, which was passed by the Bolivian Congress.

- ***Global Unions support broad-based coalition of women³⁹***

In November 2006, domestic/household workers' organisations and networks from across the world sent representatives to a conference in Amsterdam to meet with trade unions, support groups, and researchers. It was the first ever global meeting to discuss the situation of domestic/household workers, and to develop international action to fight for domestic workers' rights, as workers and as human beings.

³⁹ *Decent work for domestic workers, Labour Education 2007/3-4, No. 148-149 – Bureau for Workers Activities.*

4. DECENT WORK, DECENT LIFE FOR YOUNG WOMEN

“We are your future now: we are the leaders of tomorrow. That is why we must be your partners today. Give us a voice.”

Leader of young members’ delegation at the ITUC Congress 2006

One person in five in the world is aged between 15 and 24. Young women and men are the future of the trade union movement and the world at large. However, they are also the most severely affected by unemployment and precarious employment, inadequate education and training, exploitation and discrimination at work. Young people are almost three times as likely to be unemployed, and although they make up only 25 percent of the total working-age population, youth make up as much as 40 percent of the world’s total unemployed. Often lacking knowledge about rights and health and safety issues, they are also often lack the specific training or seniority which buffers older workers against changes in the economy. Young people constitute a major part of the migrant worker population, going abroad to find a better future.

Young workers need trade unions and unions need young members

“Young workers are united to fight for decent jobs, quality education and to say no to child labour, no to child soldiers, and yes to peace, justice and harmony. We are calling all union leaders to support and encourage the participation and representation of young trade unionists in the ITUC structures and activities at all levels, from the international to the local”. Yemisi Ilesanmi (NLC-Nigeria), leader of the young delegates at the first ITUC Congress 2006

Young women workers face discrimination, and often exploitation, from employers, male managers, colleagues, and family members. Young women in EPZ’s, who predominate, are severely affected by the pressures of the shrinking global economy in the very sectors where they work, such as the garment and textile industry, the service sector and retail. In countries like the Netherlands, the main victims of youth unemployment are immigrants, particularly those from Arab countries or Turkey. Whilst the overall youth unemployment rate is 10.6%, for youths originating from non-industrialised countries it is as high as 40 to 45%. The high level of youth unemployment is a priority for the Youth Section of FNV (FNV-Jong).

But the needs of young women workers extend well beyond the workplace. For many young women their future health, happiness and economic security depends on rights and the knowledge to control their own sexuality and fertility, to be free from violence and harassment, to have the right to own and inherit property, access to water and have a safe childbirth. The challenge for trade unions is to incorporate these basic social rights – vital for young women the world over - into their policy and negotiating agendas.

The ITUC is committed to building a future for young workers:

- Ensuring universal access to quality education and training.
- Improving transition from school to work, reach out young people in schools and in their first experience in employment to shorten the time they might find themselves unemployed and to increase their participation in trade unions.
- Promoting the organisation and representation of young men and women in trade unions, so that their voice is heard at all levels within unions and their rights are protected at work.
- Winning rights for young women, especially decent maternity protection and childcare provision, sexual and reproductive healthcare, and ending violence against women.

4.1. Giving Young Women a Voice – At Work and in the Union

In order to meet the needs of young workers, unions need to know who their potential young members are and which sector they work in, as well as the gender profile. This will help unions to know what information young workers need and how to reach students who will be joining the labour market after school or university. But the most important union strategy is to organise, involving young women and men in union activities - their creativity and energy will do more than anything else to attract new members. Young women have very particular concerns that need to be included in union programmes - some of the issues young women would appreciate information on, such as sexual health or how to be assertive, may not be the issues that older male trade union leaders prioritise! The PSI young members suggest the following steps to reach young workers:

- Map how many young members are involved in the union. Assess how many are in leadership positions and how many are young women. Compare female youth membership with the employment profile for young women;
- Adapt recruiting campaigns to attract young workers through rights at work information campaigns in schools and universities, and through targeting places where young people go, like festivals, employment agencies and youth centres;
- Produce literature and information for young members to welcome them to the union; Make sure young workers have information about their rights at work, including through the web and ICT;
- Campaign on issues that are important to young people – e.g. the environment, human rights, economic and social justice, health;
- Young workers need to be able to organise their own activities and campaigns;
- Young organisers will attract more young workers to join the union – provide organising skills training for young activists.

4.2. Campaigning on Young Women's Issues

- **Women's Voice – organising young women and capacity building**

Young women need decent jobs more than ever before – and this includes the growing numbers of young women who leave university without jobs, as well as those working in exploited conditions. Women's income makes a crucial difference to the life expectancy of their children and the level of education they will be able to access. With the HIV-AIDS pandemic taking its toll, young women need to protect themselves from the disease and take care of children of relatives who have died.

“Unemployment is ravaging my continent. Millions of young women and men are unemployed, keeping them trapped in poverty. Those who have jobs have no decent jobs. And HIV/AIDS is killing our young ones.”

(Daisy Walaza, NACTU-South Africa)

The majority of workers in EPZ's are young women – their voice can only be heard through organising in a union. Usually when young women start a family they lose their job or they can only maintain their job if they have access to child care provision – but more often than not they lose their jobs as soon as they get pregnant. Sexual harassment and violence against young women workers are commonplace in EPZs - managers can start to ask 'sexual favours' when women apply for the job.

In Tanzania 80% of the workers in the EPZs are women, most of them between 15-24 years. In most cases workers' rights and social protection are non-existent. Sexual harassment is a huge problem. The workers are paid below minimum wages. Women at a TUCTA workshop called on trade unions to come out strongly to educate and empower women in the EPZ so that they could stand up for their rights. Source: TUCTA Tanzania workshop 2006.

Organising young women workers is also important in developed economies, where many 'new' jobs are in highly feminised sectors, such as services and retail. The viability of trade unions depends on countering the steep decline of young people joining trade unions and attracting women to become union members. Trade unions in many countries have imaginative programmes to recruit and organise young workers.

CLC Canada has made the organisation of young people a priority. In addition to working groups, youth committees and youth representatives, the CLC affiliates have developed various youth initiatives.

The Canadian Auto Workers Union (CAW) has encouraged the creation of local youth committees and is using young worker organising ads, "How-to" facts sheets targeting youth and a national youth newsletter to reach out to young people.

The United Food and Commercial Workers Union (UFCW) strategy is to "be where young people are" and they are organising youth events that are relevant to young people and their culture such as hip-hop shows, pizza dinners or basketball tournament. The UFCW has also a course in the school system named "Why Unions?" and is engaging youth in its campaigns.

Giving young women a voice at work also means that they need a voice in the union. Many unions have youth structures designed to give young workers their own 'space' and some national centres run special awards to recognise the work of young trade unionists. Young women are now beginning to take leadership positions in unions, though this is a trend that needs much encouragement if it is to be sustained.

Karima Boudrouaz (Algeria - UGTA) was the first woman to be elected to the post of secretary in her region and is working with the trade union campaign to recruit women in Algeria. Guided by the principle that "action speaks louder than words" Karima, aged 29, now wants to embark on the fight to give young people a greater role in the trade union movement.

- ***Pregnancy and maternity protection (cross reference page 32)***

Too many young women around the world do not yet enjoy maternity protection. They are subjected to numerous forms of discrimination, including pregnancy tests on recruitment, sacking of pregnant women, and reductions in, or a total lack of the income on which many families rely for their survival. In addition, pregnant young women and their children are exposed to many health problems that cost them their future and, in many cases, their lives.

The ITUC regards maternity protection as a right that it is up to unions too promote. That is why it has been leading a campaign, since 8 March 2007, on the ratification and implementation of the ILO's Convention 183 and Recommendation 191 on maternity protection. And since maternity protection makes a central contribution to a decent life and decent work, it is an integral part of the Global Campaign on "Decent Work, Decent Life for Women".

www.ituc-csi.org (click on 'equality' and 'women') or www.wddw.org

- ***Child marriage***

Over the next ten years, more than 100 million girls in developing countries will be married before their 18th birthday – mostly to older men and often against their will. Today, the majority of sexually active girls aged 15-19 in developing countries are married. Ironically perhaps, these girls have significantly higher rates of HIV infection than their sexually active, unmarried peers, and they will be more likely to die as a result of childbirth⁴⁰. Unions can help raise popular awareness about the risks of teenage marriage, and encourage families to try to delay marriage for as long as possible. In Uganda a high profile publicity campaign, including giant roadside hoardings, warns young women of the dangers of 'sugar daddies' and confronts men, and parents, with the realities of cross-generational sex. Trade unions have an important role in educating their male members about the damaging impact of child marriage.

- ***Working with Women's Empowerment programmes***

The MDG 3 on women's empowerment has produced numerous women's empowerment programmes, often supported by international donors. All too often the information on the world of work and the role of trade unions is absent in these projects. These projects may lack the

⁴⁰ UN Fund for Population Activities (UNFPA).

specialist knowledge that unions can provide – for example on rights at work, dealing with workplace issues, and opportunities for partnership workplace health education programmes. Unions can create opportunities to explain the role of trade unions through participation in civil society projects targeted at young women – such as training on young people's sexual and reproductive rights and poverty reduction; mentoring and empowerment of young women; HIV-AIDS prevention or violence against women campaigns.

- *Using new technologies*

Young workers are likely to be technologically savvy and can be attracted into union organisation through web based campaigns, blogging or social network sites.

The ITUC, over the last two years, has developed various new media initiatives in order to reach out to young people but also to change the traditional image of trade unions:

- Short video clips on maternity protection and child labour have been launched on YouTube to raise awareness around these issues;
- A youth blog <http://youth.ituc-csi.org> has been setup to offer a space for young people's voices on trade union issues;
- The ITUC is also present on social networks such as Facebook and Twitter and is using them for campaigning on various issues and web-promotion of its activities;
- Photo and video sharing has been encouraged and has led to the creation of an ITUC YouTube channel <http://www.youtube.com/itucsi> and an ITUC flickr account <http://www.flickr.com/photos/ituc> where young trade unionists can share with the rest of the world their videos and photos from their activities and events.

The ITUC's Decisions for Life project (<http://dfl.wageindicator.org/home>), focusing on young women workers in the service sector, is a good example of using new innovative media web technologies combined with grass root organising campaigns. The websites create opportunities to make informed choices about work and family by providing multiple tools specifically developed for young women workers: opinion polls, salary checks, workers' rights info and interviews/articles related to family and work. It is expected that at least 1 million young women workers in developing countries will be reached which means a substantial increase in their accessibility to internet. The grass root organising campaigns ensure face to face contact and events with the focus group. The campaigns aim at better working conditions through collective bargaining and an increase of young women as trade union members and officials.

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