

VIOLENCE AND HARASSMENT AGAINST WOMEN AND MEN IN THE GLOBAL GARMENT SUPPLY CHAIN

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A Fair Wear Foundation contribution to the standard-setting discussions
at the 107th International Labour Conference on ending violence
and harassment against women and men in the world of work.



Fair Wear Foundation is an international multi-stakeholder non-profit organisation that works with clothing companies –and their supply chains– to improve working conditions in the garment industry. By becoming a member of Fair Wear Foundation, a company commits to implementing the FWF Code of Labour Practices throughout its supply chain. Currently more than 80 textile and apparel companies have joined FWF. Fair Wear Foundation strives to increase awareness about working conditions and workers' rights in textile factories.

Gender equality and violence prevention is one of Fair Wear Foundation's key areas of focus. This submission draws on nearly a decade of practical experience of violence prevention by Fair Wear Foundation. Fair Wear Foundation works with its brand members and their suppliers to prevent violence and harassment in garment factories and to ensure supply chain practices reduce the risks of violence and harassment for garment workers.

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INTRODUCTION

Fair Wear Foundation has a bold commitment to work with all relevant stakeholders to end violence against women and men in the garment sector and has implemented innovative violence-prevention programmes in garment-producing countries around the world. Gender equality and practical violence prevention is central to Fair Wear Foundation's work. We know that violence and harassment is an ever-present threat to garment workers throughout the industry, in particular precariously employed female workers. This submission draws on nearly a decade of practical experience of violence prevention, working with garment factories as well as brands to encourage the entire supply line to take steps to prevent violence.

We believe that Fair Wear Foundation's practical 'hands-on' experience of working in a low-skill production sector, heavily dependent on non-unionised precarious migrant female labour, could assist the ILO as it develops a new labour standard on violence and harassment against women and men in the world of work.

This document highlights the specific risks in the garment sector, identifies some of the remedies that are specific to ending pervasive violence and harassment in the garment supply chain, and points to the benefits for companies, factories and workers when constructive and concrete steps are taken throughout the supply chain to eliminate violence and harassment. The evidence of what works in eliminating violence and harassment in the garment supply chain draws on research and Fair Wear Foundation's practical work with brands in improving labour rights, social dialogue and violence prevention in the garment supply chain.

For more information about Fair Wear Foundation and its work with brands in preventing and addressing violence and harassment in the garment supply chain, see www.fairwear.org.

IMPACT ON WORKERS OF VIOLENCE AND HARASSMENT

Violence and harassment in garment factories—which often takes the form of shouting, hitting, hair pulling or ridiculing a worker with offensive sexual remarks—is widespread in garment factories. Women are disproportionately affected by violence and harassment in the world of work. The perpetrators of violence are almost always male. Women are targeted because of their gender; violence and harassment against women is an expression of dominance over women (Fair Wear Foundation, forthcoming, 2018). Men are also victims of gender-based violence and harassment in the world of work, especially gender non-conforming men, including those who either are or are perceived to be gay, bisexual or trans (ILO, 2017).

In garment factories across India, Bangladesh and Indonesia, sexual violence and harassment is widespread and can range from verbal and physical abuse to sexual harassment and rape. In Bangladesh alone, over 60 per cent of female garment workers have been intimidated or threatened with violence at work. Source: Fair Wear Foundation and CNV Internationaal

In Fair Wear Foundation's survey of 658 women in 35 Indian and Bangladeshi factories, 75 per cent said that regular verbal abuse occurred in their factory, most of which was sexually explicit.

Offensive and sexually explicit language, hitting, suggestions to become a prostitute, slapping on heads, pulling of hair: these are examples of abusive behaviour reported by garment workers. Millions of women have experienced this type of treatment because they made a mistake, failed to meet a production target, asked for leave, worked more slowly because of illness, or arrived late. Many women have also experienced unwanted sexual advances in the workplace, stalking, or worse, from male colleagues or supervisors. Source: Fair Wear Foundation 2013, cited in DFID, 2015)

Fair Wear Foundation believes that eliminating workplace violence and harassment is the right and the smart thing to do. Victims of violence and harassment often experience damaging psychological and physical effects. This can also have a negative effect on workplace communications and the working environment, and in turn, on the productivity of a factory. For workers, it can result in stress, demotivation, decreased job satisfaction, lower productivity, compromised teamwork and job losses. What hurts employees, ultimately hurts businesses and communities.

THE BENEFITS OF TACKLING VIOLENCE AND HARASSMENT IN THE GARMENT SUPPLY CHAIN

For companies and factories, there are clear business benefits if they prevent and address violence and harassment:

- Higher productivity places companies and factories in a strong competitive position in the garment supply chain.
- Productivity improvements lead to better and longer-term relationships between factories and buyers, helping them to plan realistic production targets.
- Companies and factories improve their reputations, both with brands and with workers who seek employment in factories with good conditions, trust in the employer, and a safe working environment.
- Social dialogue helps develop factory-based solutions to violence and harassment, reducing complaints and improving the working environment and trust of workers.

There are also important benefits for workers in garment factories:

- Workers want to work in factories where there is a good working environment and adherence to labour standards.
- Workers are more productive and happier in their jobs if violence prevention programmes, including social dialogue, enable them to speak about and find solutions to problems.
- When workers have secure and long-lasting employment contracts, they are more likely to receive decent pay and work. Decent pay—and economic independence—is key to female workers becoming less vulnerable to the risks of violence and harassment.
- Good conditions of work and living wages have a beneficial impact on workers' families and communities, including extending access to schooling and healthcare.

ELIMINATING VIOLENCE AND HARASSMENT: A CORE OBJECTIVE OF FAIR WEAR FOUNDATION'S WORK WITH BRANDS, FACTORIES AND WORKERS.

This section discusses seven measures that can help to eliminate violence and harassment in the garment supply chain. Many of these are specific to the garment supply chain, but may also have relevance to other sectors of global production, especially where there is low union representation.

- i. Improving working conditions and the working environment increases workers' satisfaction, retention of workers and the profitability of garment factories.
- ii. Living wages can contribute to lessening worker vulnerability and encourage worker retention and skill acquisition.
- iii. Addressing long and unpredictable working hours caused by unrealistic production deadlines can help reduce violence and harassment.
- iv. Social dialogue is effective in identifying and reducing violence and harassment at work, and improving the wellbeing of workers.
- v. Tailored confidential human resource systems and complaint procedures can reduce violence and harassment in factories, improve workers' job satisfaction, help boost productivity, and retain workers.
- vi. Training of managers and supervisors raises awareness of the harmful effects of violence and harassment and the negative impact on productivity and profitability and also addresses how to prevent it.
- vii. Eliminating violence and harassment improves workers' wellbeing, increasing productivity and business performance.

i. Improving working conditions and the working environment increases workers' satisfaction, retention of workers and the profitability of garment factories.

Industry-wide issues in the garment sector

Sometimes, of course, I think about not going to work anymore because of this [sexual harassment]. But then I think about my family condition and I know I cannot quit. Source: Female garment worker in Cambodia, quoted in CARE Cambodia, 2017

Precarious work—low job security, lack of social protection, long working hours, lack of living wages, poor access to maternity rights and childcare, limited unionisation and poor adherence to fundamental rights—is common in the garment sector. In Cambodia, short-term contracts make it easier to fire and control workers, while poor government-run labour inspection and enforcement and aggressive tactics against independent unions make it difficult for workers, the vast majority of whom are young women, to assert their rights (Human Rights Watch, 2015). These risks of violence and harassment extend to the wider world of work. For example, in many garment factories in South India, young migrant adolescent girls from other Indian states live in dormitories owned or leased by the employer. Some are vulnerable to sexual harassment and abuse from agents, management or security guards in the dormitories and are unable to

complain because they fear they will lose their accommodation and jobs.

Reducing violence and harassment increases productivity and overall business performance; higher productivity ensures that garment factories have a better position in the supply chain and more consistent and substantial orders. This has been confirmed in Better Work's independent research and compliance assessments, which gives evidence of the positive relationship between improved working conditions amongst workers and higher profitability (Brown et al., 2014). On this basis, factories '*increase their profitability as they move away from sweatshop conditions to more humane and innovative labour management practices*' (Better Work, 2015a, p.4).

Put simply, factories become profitable when workers reach their production targets faster—and this happens in the factories that are the most compliant with labour standards. There is an even greater positive effect on productivity where there is social dialogue based on good communications and union rights.

Research based on interviews with over 15,000 garment workers and 2,000 factory managers in Haiti, Indonesia, Jordan, Nicaragua and Vietnam (Better Work, 2016) shows that improved working conditions and labour management practices enhances the productivity and profitability of factories. For example, in Vietnam, there is strong evidence supporting the business case for improving working conditions, where productivity increases led to workers having higher wages and a better working environment. This had a positive impact on the retention of workers and has particularly benefited women as incidents of sexual harassment were also reduced.

Factories experience a 5.9% boost in profitability when workers perceive improvements in working conditions traditionally associated with 'sweatshops' including improvements in their sense of physical security and assurance in wage payments. Similarly, profitability is 7.6% higher where workers experience a comfortable environment and trusting workplace. Source: Better Work, 2015a, p.1

Verbal abuse leads to a decrease in the productivity of a worker, affecting overall business performance and the meeting of production targets (Rourke, 2014). Verbal abuse can lead to higher production costs and difficulties in retaining workers, leading them to have to pay more to attract and retain workers (Better Work, 2015a; Tufts University, 2016). Factories in Vietnam with low levels of verbal abuse have higher profits on average than factories with high verbal abuse. Workers in factories with better working conditions reached their daily production targets up to 40 minutes faster, compared to similar workers in factories with worse conditions (Better Work, 2015b). In Vietnam, workers said that they needed nearly one additional hour per day to reach their production target when they worked in an environment where verbal abuse was prevalent.

The reduction in sexual harassment in factories participating in Better Work programmes is directly attributable to improvements introduced during the programme. For example, where sexual harassment prevention training was carried out in Better Work's factories in Jordan, reports of sexual harassment decreased by 18 per cent. Similar declining trends in workers' concerns about sexual harassment were also reported in garment factories in Indonesia, Nicaragua and Vietnam (Brown, et al., 2014).

Another related issue is occupational segregation, in which women predominate in lower skilled, lower paid jobs and men in supervisory and managerial positions. Giving women training and opportunities to enter into higher skilled and better paid jobs is one way to reduce level of violence and harassment. For example, Better Work's Supervisory Skills Training (SST) shows the benefits of training in helping to improve the quality of workplace relations and to reducing sexual harassment. Better Work's analysis of SST, particularly among female supervisors, showed that it had increased productivity by 22 per cent (Babbit, 2016).

Fair Wear Foundation action

Fair Wear Foundation asks its member brands to sign up to internationally recognised standards in the Fair Wear Foundation Code of Labour Practices. This includes eight international labour standards derived from ILO Conventions and the UN's Declaration of Human Rights.

Fair Wear Foundation's promotion of decent work, living wages, predictable working hours and social dialogue has a positive impact on the reduction of violence and harassment. For further details, see below.

Fair Wear Foundation also recognises that violence prevention requires a better balance of women and men in supervisory and managerial positions; however, women are poorly represented in supervisory and managerial jobs. Low levels of education and poor access to skills development limits their opportunities to grow into better skilled and higher paid jobs.

- In Tirupur and Bangalore in India, Fair Wear Foundation runs a supervisory skill-building training in sixteen garment factories that produce garments for six Fair Wear Foundation member brands. Female workers are trained to become supervisors and to progress to higher skilled and higher paid jobs in the workplace. The training aims to build women's confidence and capabilities, reduce economic discrimination and change gender stereotypes. Male supervisors are also trained on how to be effective supervisors without using violence or harassment. The training shows the positive consequences of respectful behaviour towards workers, with plenty of practical examples about how to challenge the previous behaviour of supervisors, such as shouting at workers. The project was funded by the EU in India and carried out in collaboration with Fair Wear Foundation partners Cividep India and SAVE India.¹

ii. Living wages can contribute to lessening workers' vulnerability and encourage worker retention and skill acquisition.

Industry-wide issues in the garment sector

In general, wages in the garment sector are low, reflecting fierce competition between suppliers, tight profit margins and demanding targets set by some brands prepared to cut costs at the expense of workers. Occupational segregation means that women are most likely to work in lower paid production jobs, whereas men are predominately in higher level supervisory and managerial positions. Lower skilled and lower paid jobs further entrench women's vulnerability, poverty and lack of voice. A lack of living wages puts women at a greater risk of violence and harassment at work—they are more dependent and less likely to complain. When women feel economically more secure, they are more likely to assert their rights and be less vulnerable to harassment (Morris & Pillinger, 2015; Better Work, 2014).

Living wages can contribute to lessening workers' vulnerability and encourage worker retention and skill acquisition. In the garment sector, wages are insufficient to cover workers' basic needs, and many workers have to take on additional and overtime hours to increase their wages. There is a growing body of evidence that shows the link between low wages and a higher risk of violence. When women live on the bread line they are much less likely to take one option open to them to avoid factory floor harassment—moving to work in another factory. Poor workers cannot afford to lose any seniority or risk even a week without pay, so they are trapped. And in union-hostile factories there are often no sources of support or advice for women experiencing sexual harassment or violence (Morris & Pillinger, 2015).

¹ For further information about the FWF supervisor training programme in India see: <https://www.youtube.com/watch?v=Lij2dEdgPo> and <https://www.fairwear.org/news/gender-based-violence-prevention-project-launched-in-india/>

Although low-paid workers are often seen as interchangeable, high worker turnover also means higher costs of investment of recruitment and training (new) workers. Paying workers more encourages worker retention and skill development. Factory management will have higher returns on their investment in their workers and it will be easier to recruit new workers, especially in regions with a scarcity of workers.

Better Work's research (2014 & 2016) shows a strong business case for quality jobs and decent pay—factories with good working conditions also offer higher wages. In factories in Vietnam that Better Work studied, a 1 per cent increase in wage levels is associated with a 0.6 per cent increase in revenue relative to their costs. In addition, productivity gains that lead to increased profitability of a factory are strongly associated with significantly higher wages (Brown, et al., 2014).

Fair Wear Foundation action

Because of margins and supply chain power relations, Fair Wear Foundation action aims to change purchasing practices and prices at the brand level, rather than at factory level. Living wages are a part of the Fair Wear Foundation Code of Labour Practices.

A living wage is a wage that meets workers' basic needs plus an element of discretionary income. As a standard, it represents a commitment but does not per se lay down a specific figure. It is usually higher than the legal minimum wage Source: Fair Wear Foundation, 2016, p.21.

In identifying and tackling different obstacles together with brands, Fair Wear Foundation has focused on three interlinked phases. These phases cover understanding how buying prices (e.g. FOB and CMT prices) relate to wages; identifying how higher wages will be financed (e.g. from consumers, brands, factories, productivity gains or some mix of these); and ensuring that this contributes to workers' wages, improved labour conditions, and the local (economic) situation. There is also a cross-cutting theme relating to social dialogue (between workers, management and Fair Wear Foundation brands) to realise living wages.

Fair Wear Foundation's practical initiatives to introduce living wages is closely connected to the organisation's commitment to women's right to live and work in safe and decent factories.

Often jobs usually undertaken by women are paid less than those undertaken by men, despite the level of skill that might be required.

Workplace training is one of the most effective ways to support industrial relations that can meet the needs of women workers. Given that the vast majority of worldwide garment workers are women, integrating gender considerations into workplace training can help ensure that future worker-management dialogue will address issues around wages and other topics in a manner that is actually in the interest of the majority of workers. Source: Fair Wear Foundation, 2016, p.27/19.

Fair Wear Foundation is currently cooperating with brands to explore different approaches to increasing wages. Fair Wear Foundation's literature details the complexities of establishing living wages in an industry where factories produce for multiple competing brands within a complex supply chain (Fair Wear Foundation, 2016). Fair Wear Foundation argues that setting a wage floor is a perfect opportunity for brands to create an enabling environment for social dialogue, by supporting management and workers to access the training they need to communicate effectively and have a real dialogue about wage levels.

The following is a selection of examples of Fair Wear Foundation brands' efforts to implement living wages in its supplier factories:

- Fair Wear Foundation member brand, Nudie Jeans and one of its sourcing factories participated in a pilot project in 2011, jointly launched by Fair Wear Foundation, FairTrade International, and the Max

Havelaar Foundation. One part of the project sought to estimate a living wage for the factory workers and to calculate how much it would cost to raise wages to a 'living wage' level. Based on these calculations, Nudie Jeans began paying what it calls a 'living wage bonus' to each worker. The bonus considers the time needed to produce Nudie styles, as well as a 30 per cent increase in labour costs.

- In 2014, Fair Wear Foundation member brand, ALBIRO, a B2B workwear company, began implementing a project with one of its suppliers as part of Fair Wear Foundation's living wage activities in Macedonia. Based on calculations using Fair Wear Foundation's beta living wage costing sheets, the brand and factory are raising wages for all workers at the facility. According to the manager, higher paid workers are better motivated, can create high quality garments, and work more efficiently.
- Fair Wear Foundation member brand Continental Clothing has prioritised a living wage for workers in its t-shirt supplier factories in India. The company calculated a new target wage by asking workers how much they would need for their normal daily lives. In order to ensure the new target wage reached the workers, the price of each t-shirt produced was increased in the shops by 10 pence and the supplier agreed that the whole amount would be paid directly to workers. This was carried out through Continental Clothing's 'Fair Share' project, which has broken new ground in developing a comprehensive supply chain approach to increasing wages. Fair Wear Foundation carried out an audit three months after introducing the living wage. The audit found that the wage increase has been successfully implemented and distributed. The additional wages were largely used by workers to pay off debts and for children's schooling and healthcare. Furthermore, Continental Clothing found that building a close and long-standing relationship with the supplier was essential to them agreeing to the Fair Share method of establishing a living wage. The company aims to extend this initiative across the rest of its supply chain.²
- Dutch workwear brand Schijvens has established labour rights and a living wage for workers in Turkey. The brand wanted to address the challenge of wages being paid under the table, without proper registration systems. They learned some valuable lessons during the process, including figuring out the needs of local workers and the importance of raising all salaries (not just the lowest ones) to maintain wage differences that reflect workers' skills and experience. Fair Wear Foundation views their successful introduction of a living wage in the factory as an exciting step. Schijvens says that: *'While the main beneficiaries are the employees who got a salary raise, we believe that paying a good salary will also lead to loyal hardworking employees, so in the end the company will also benefit'*.

iii. Addressing long and unpredictable working hours, caused by unrealistic production deadlines set by brands, reduces violence and harassment.

Industry-wide issues in the garment sector

Across the garment supply chain, unrealistic production targets and deadlines, coupled with low priced contracts, create stress on managers, supervisors and workers to complete orders on time. In an effort to speed up production, and as an outlet for stress, verbal harassment, shouting, name calling, hitting and other forms of abuse may be used to 'get workers to complete their tasks more quickly'. Fierce competition between suppliers leads to pressure on managers to satisfy buyers and keep costs low, and fast fashion turnaround can put intense seasonal pressure on factories to produce unexpectedly large quantities of a popular fashion.

² For further information, see the FWF living wage portal at www.fairwear.org/living-wage-portal and https://www.youtube.com/watch?v=xl_TSgqsUgs

Unrealistic production deadlines and targets, including last minute changes to orders, leads to unpredictable and long working hours, including overtime that may be involuntary. Workers tolerate long hours because the payment they receive for a regular working week does not amount to a living wage, and refusing overtime could result in penalties, retaliation, harassment and termination. Gender differences in working time preferences need to be understood; women, who have more caretaking responsibilities in the home may find unpredictable/long hours to be very challenging. There are also safety risks for women working late into the night, particularly if they are reliant on public transport or have to walk to their accommodation in dark and unsafe areas.

Conditions leading to higher levels of verbal abuse in the factories also include the structure of how workers are paid (e.g. piece work). The design of bonuses and incentive payments also can cause problems. For instance, if supervisors' pay is linked to workers' efficiency (e.g. based on meeting productivity targets set for workers) then there is an increased risk of supervisors harassing and being abusive to speed up the production line (Truskinovsky, et al., 2013; Lin et al., 2014). According to Better Work:

Supervisors, particularly those whose pay depends on worker productivity, may mistakenly believe that using verbal abuse as a motivational punishment can spur better worker productivity. For these supervisors, skills training that equips them with positive motivational techniques to use in place of verbal abuse has the potential to increase worker productivity while decreasing verbal abuse. In addition, managers should align pay incentives in a way that maximises worker productivity and cooperation between workers and their supervisors. Multi-dimensional pay packages, such as using a base hourly pay rate for workers plus production incentives, or a contract renewal bonus that is based on overall productivity performance, are two possible dimensions of such a strategy. Source: Better Work Research Brief: The Case Against Verbal Abuse in Garment Factories: Evidence from Better Work p.4.

In addition, as Better Work's research found, supervisors may use their power inappropriately in demanding sexual favours in return for payment:

If a salaried line supervisor who is predisposed to harass is given the power to certify whether a worker has met a production quota that affects the worker's pay, the supervisor may use this power to demand sexual favours in exchange for approving the production bonus. Source: Better Work, 2014.

Moreover, sourcing pressure from buyers can lead to verbal abuse. For example, in interviews with managers, Better Work (Rourke, 2014) found that verbal abuse is 23 per cent more likely if there are penalties in place for late delivery, and verbal abuse is up to 3 per cent higher if there are rushed orders.

Fair Wear Foundation action

Fair Wear Foundation works with brands and suppliers to address the wide-ranging causes of violence and harassment as they apply specifically to workers at the bottom of the garment supply chain. They do this by considering sourcing and contracting arrangements, unrealistic production pressures leading to long working hours, and the need monitor implementation and ensure that sub-contracting arrangements are fair and transparent.

- Fair Wear Foundation outdoor and sportswear member brand Deuter³ took steps to reduce unpredictable and long working hours at its suppliers in Vietnam. An audit of three of the factories revealed excessive overtime, which rose to almost 92 hours per week in the peak season. Deuter

³ See YouTube on the measures introduced to reduce excessive working time:
<https://www.youtube.com/watch?v=p9NjSu4efvA>

worked with the factories to improve conditions and to expand capacity by building new premises. The company also planned ahead to have an even production cycle spread across the year and with longer lead-in times, enabling the factory to start producing in the low season. This reduced pressure on the factories to complete orders on time, and enabled them to become more efficient, which in turn reduced verbal abuse and harassment. The suppliers say that these changes have made them more efficient and productive, and that the quality of the work has improved and there is better retention of workers. Workers, particularly women with childcare responsibilities, say that these measures have particularly benefited them⁴. In addition, the brand has promoted adherence to labour standards and maternity protection, along with provision of company accommodation and a free shuttle service to the factory, which have also positively impacted the retention of workers. This example also shows the importance of building a trusting relationship with the supplier over time.

- Fair Wear Foundation outdoor and sportswear brand VAUDE identified working hours as one of the biggest challenges specific to their supply chain. In 2015, the company conducted a wage and overtime analysis in order to address priorities and the root causes of long working hours. Based on the analysis, VAUDE improved the planning process in 2016 by involving the planning team at an early stage. They also introduced measures to reduce pressure during peak periods of production. This gave the suppliers a forecast of expected orders and enabled VAUDE to discuss capacities with them. This helped VAUDE balance out high season orders and low season production. For example, orders for products that are sold over several seasons are placed earlier so that they can be produced during the low season. The company says that these measures not only make economic sense, but also there is a positive outcome on working conditions and in reducing overtime. The company has also taken steps towards improving awareness on labour rights and improved worker-management communications in their supply chain. For example, VAUDE has enrolled 15 of its suppliers in China and Vietnam in Fair Wear Foundation's Workplace Education Programme, which aims to contribute to improved awareness of rights and social dialogue.

iv. Social dialogue is effective in identifying and reducing violence and harassment at work, and improving the wellbeing of workers.

Industry-wide issues in the garment sector

Female garment workers are particularly affected by a lack of freedom of association—often women are afraid to join a union or there is no trade union at their workplace. In the agricultural sector—which, like the garment sector, faces many issues in the supply chain and where female workers face significant risks of sexual harassment and abuse—unionisation in the sector has resulted in agreements being signed with employers to prevent violence and harassment. Such agreements would also greatly benefit the garment sector. There are some promising examples of how social dialogue⁵ in the workplace has proven to be a good way to find practical, cost-effective and easy-to-implement solutions to problems identified by garment workers.

Fair Wear Foundation action

Fair Wear Foundation works with brands and suppliers to promote the value of social dialogue to prevent violence and harassment, which benefits workers as well as business competitiveness in the garment supply

⁴ Here is a video of one of the workers who has benefitted for more predictable hours of work: <https://www.youtube.com/watch?v=BY5cSejt0Ek>

⁵ See: ILO, Social Dialogue: Finding a Common Voice. Available at: <http://www.ilo.org/public/english/dialogue/download/brochure.pdf>

chain. Fair Wear Foundation's Violence and Harassment Prevention Programme in Bangladesh and India—a part of Fair Wear Foundation's Workplace Education Programme—shows that social dialogue is an effective way to reduce verbal and other forms of abuse in the workplace.

There are significant benefits to a factory when workers feel that there are avenues for redressal when they have been harassed or abused. In Fair Wear Foundation's experience, it is easiest to resolve a complaint when there is general acceptance of a clear definition of harassment and violence and a functioning workplace grievance system in place, which is only possible when there is good social dialogue between management and workers.

The following two examples show how social dialogue has been used to quickly and effectively solve a problem of violence and harassment in a factory:

Example 1: A female employee was frequently verbally abused by a male co-worker. She was scared to speak out, but other workers from the same line noticed and brought the situation to the attention of the workplace harassment committee. The committee went to both the offender and the complainant, and through an investigation, found that the allegation was true. The offender was ordered to change his behaviour and was sent to counselling. After the remediation, and his counselling, the offender no longer abused his co-workers.

Example 2: A young female worker was being pestered on the bus home by a young male colleague, who, it later transpired, was acting on a bet from a friend. The woman complained to the newly formed workplace harassment committee, and a factory investigation followed. The woman agreed that she simply needed a public apology from the culprits and that everyone in the factory should be informed of this so that further cases could be avoided. The male workers issued an apology to the woman. A Fair Wear Foundation representative confirmed this and told the worker that she could reach out directly if something happened again.

Social dialogue can help to overcome the intractable problem of workers being reluctant to speak out about violence and harassment due to fears of being stigmatised and having limited trust in management. In some cases, senior management may not see the problems or want to deal with the problem. Rather than report the problem, many women simply look for alternative work, further damaging the sector's poor record of worker retention and skill acquisition.

Fair Wear Foundation Violence and Harassment Prevention Programme in Bangladesh and India

Social dialogue is an important component of the Violence and Harassment Prevention Programme—it has proved to be a useful starting point for employers and unions to develop social dialogue, particularly where factories have no history of management-worker negotiations. Through the programme, workers and managers learn about violence prevention and the importance of social dialogue. Workers are taught about behaviour that is acceptable or not in the factory, how to discuss problems and find solutions with managers and how to make complaints. Mid-level management learn about what behaviour constitutes harassment and how to adjust their ways of managing and communicating with workers to avoid harassment. Top management is trained on how to deal with harassment through social dialogue, and how to receive, document and deal with complaints, and the importance of confidentiality. Following the initial training, workplace harassment committees are elected by the workers and among them a woman chair is elected to represent and manage the committee. Fair Wear Foundation trains the committees to ensure that they can handle complaints cases effectively, as well as communicate effectively with the workers and the management. Fair Wear Foundation continues to meet with them approximately every two months until they can run independently.

The Violence and Harassment Prevention Programme developed a roundtable process, designed to bring a diverse range of stakeholders together to provide input into project design and factory implementation. This helped to build trust between business, government, union and NGO stakeholders—crucial to sustain the prevention of violence and harassment programmes in the long term. Some Fair Wear Foundation brands now include the participation of a factory in the Programme as part of their business negotiations with factories.

For suppliers, concern about winning future orders and brand leverage are major drivers for their participation in projects to set up workplace harassment committees in factories and train workers and worker representatives. For example, the manager of a major mill in India says complying with a request from a brand 'makes it more likely that the mill will get good orders in the future'. His factory was one of the first to join Fair Wear Foundation's Violence and Harassment Prevention Programme and the management was '*very proud to be seen to lead the way—and it does the image of the mill and brand good*'. Brands and factories are beginning to work together more effectively to challenge a culture of violence and harassment in their supply chains, particularly against women. Many now see the benefit of constructive social dialogue, especially if the factory knows it has sustained relationships with long-standing and 'reliable' brands.

The factory management decided that Fair Wear Foundation could help them with the training and setting up of workplace harassment committee, which could benefit the factories output because 'bad attitudes can affect production'. Source: Factory manager participating in the Fair Wear Foundation programme

Workers are hesitant to talk to senior management, so the fact that they now have representatives who are at the same level as them has really helped them to discuss these matters. And I think communication is really the key—once you start talking about something, both the men and women, then these kinds of incidents are reduced. Source: Factory owner participating in the Fair Wear Foundation programme

Successful partnerships and trusted relationships facilitate cooperation to address sexual harassment and violence, a more sensitive and complex problem than most workplace issues. For example, an Indian factory agreed to join the Programme after successful collaboration with Fair Wear Foundation on health and safety.

- Stanley/Stella, a Fair Wear Foundation member brand, agreed with its suppliers in Bangladesh to run the Violence and Harassment Prevention Programme. Four Stanley/Stella suppliers have now participated in the Programme. The CSR officer of the brand regularly communicates with the workplace harassment committee to listen to issues raised by workers. Stanley/Stella also coaches the factory management to help change their attitudes and approaches to deal with harassment and abuse. In cases of serious harassment, members of the workplace harassment committees can ask for help from Fair Wear Foundation or Stanley/Stella. Stanley/Stella monitors the results of the committees and so far, the results have been positive. There is also a willingness in the factories to continue the programme in the long term.
- German fashion brand Hessnatur collaborated with another brand that is not a member of Fair Wear Foundation to improve internal communication between management and workers at a supplier in Turkey through a joint training programme. They did so in response to a complaint about freedom of association received through the Fair Wear Foundation helpline. Both brands were determined to foster a long-term relationship of trust and open dialogue with the factory. Elected workers' representatives now meet monthly with factory management.

- In December 2013, a historic collective bargaining agreement (CBA) was signed by the Textile, Knitting and Clothing Workers' Union of Turkey (Teksif) and a supplier of Mayerline, a member of Fair Wear Foundation. The CBA was the first of its kind in Turkey's knitwear industry. This case stands as a potent example of collective bargaining leading to wage increases. Since the signing of the CBA, Mayerline has regularly communicated its commitment to factory management to ensure that its pricing reflects higher wage costs. As Mayerline's Sarunas Dauksys says:

Higher quality requires higher skills, and prices should reflect that too. We appreciate management for taking this step—especially given the fact that they were the first Turkish knitwear factory to do so.

- Fair Wear Foundation has set up a Gender Network Platform (GNP) in Indonesia to 'address violence and harassment against women and men in the garment industry in Indonesia'. It includes government ministries, women's organisations, NGOs, trade unions, business associations, and experts. It aims to build the capacity and increase the knowledge of Indonesian stakeholders in the garment industry so that they can develop collaborative strategies, training, awareness-raising and lobbying to prevent and address violence and harassment in the garment sector.

v. Tailored confidential human resource systems and complaint procedures can reduce violence and harassment in factories, improve workers' job satisfaction, help boost productivity and retain workers.

Industry-wide issues in the garment sector

Human resource policies and systems, complaints mechanisms and other workplace initiatives are often rudimentary or non-existent in many garment factories. Furthermore, existing human resources policies and procedures often do not deal with sensitive and personal issues such as sexual harassment, and many suppliers lack functioning human resource systems (including grievance and complaints procedures) that are appropriate for sexual harassment complaints. For many suppliers, this is a relatively new issue. A further problem is that workers in factories where there is no union representation have little chance of independent support or representation when they report cases of violence and harassment.

In the absence of trusted complaint procedures, women leave their jobs or remain silent out of fear that they will lose their jobs, experience further violence or face further reputational damage to themselves and their families.

There is no way for affected workers to convey complaints. In this context, the response of 'doing nothing' in the face of abuse might be a 'strategic indifference' and a rational way to react. Without any system in place that could provide sufficient bargaining power to break through the oppressive structures of social and sexual hierarchy, what could the complaint of the worker possibly lead to, if not to more harassment? Source: AWAJ Foundation and AMRF Society, Bangladesh 2013, p. 50.

Workplace harassment committees on sexual harassment are required by law in some countries, such as India, or recommended under federal directives, as in Bangladesh, where a High Court ruling in 2014 issued guidelines on the matter. However, implementation remains slow and patchy. In most garment-producing countries, there is no common definition of sexual harassment or what constitutes violence. This raises important questions about when coercive behaviour becomes 'violence' or the extent of the employers' duty of care to their employees. Does this extend, for example, to safety in dormitories or during travel to work? Workplace harassment committees have the potential to play an important role in raising awareness of harassment and violence, identifying where it happens, helping to change workplace culture and promoting a more positive working environment. In many cases, the committees have proved to be an

important step towards allowing workers' voices to be heard and suggesting solutions to organisational issues. Fair Wear Foundation's experience in this area shows that it is important that committees are not management-appointed, that they are confidential and open to scrutiny if they are to function effectively and not lead to further problems for complainants. Fair Wear Foundation advises that the ultimate goal should be the freedom to collectively bargain and the democratic representation of workers.

Fair Wear Foundation action

Fair Wear Foundation's experience in setting up workplace harassment committees and violence prevention systems in Bangladesh and India highlights how supervisors and managers use violence and harassment to exert power over workers. Many factories have a stressful working environment caused by tight deadlines and high production pressure. In India, interviewed workers preferred to work in a factory making domestic products, despite lower pay, because delivery deadlines were less strict and workers could work flexible hours. In demanding environments, Fair Wear Foundation found that verbal abuse and harassment was one way in which managers channelled their stress, putting 'it all on a person that is in a lower social status'. As Fair Wear Foundation's recommendations from the Violence and Harassment Prevention Programme show, brands can make supply chain changes (e.g. ordering decisions) that deal with some of the systemic causes of violence and harassment:

It is important to make brands realise that they have a responsibility in the violence against women issue in the factories. And they are able to contribute, through better communication with suppliers and better planning. Source: Fair Wear Foundation, unpublished.

- Three Fair Wear Foundation member brands, Salewa, Jack Wolfskin, and VAUDE, that are usually competitors, have collaborated to improve the availability of information about labour rights to workers in the factories they source from in Myanmar.⁶ They established a joint training programme for three different factories in Myanmar. The programme was run by a local partner with experience in running training programmes in factories. The training drew on Fair Wear Foundation's own training material and the complaints helpline structure. Management and workers were trained on grievance mechanisms and on how workers can proactively communicate with management. The benefit of this approach is that workers have become better informed about their rights. By collaborating, supply chain partners can pool resources and to work together to fulfil their commitments to improving labour rights in Myanmar.
- Fair Wear Foundation's training as part of the Violence and Harassment Prevention Programme in Bangladesh and India has resulted in an increase of reporting of serious harassment cases to the workplace harassment committees and via the Fair Wear Foundation telephone helpline. The project, which pilots new workplace procedures, aims to prevent and respond to forms of workplace violence, including verbal and physical abuse, sexual harassment, forced labour and sexual assault (Fair Wear Foundation, forthcoming, 2018). More than 20 Fair Wear Foundation members have already enrolled their suppliers in the Programme.
- Since 2013, the Violence and Harassment Prevention Programme has set up a total of 72 workplace harassment committees (35 in Bangladesh and 37 in India), composed of workers' representatives and representatives from non-governmental organisations (Fair Wear Foundation, forthcoming, 2018). Taking on the additional responsibility of participating in workplace harassment committees has empowered female garment workers, with women becoming an increasingly vocal presence on the factory floor. Additionally, Fair Wear Foundation has also found that a growing number of women

⁶ For further information see: <https://www.youtube.com/watch?v=673F7HyVeas>

have sought out and been promoted to supervisory roles since the start of the project (Fair Wear Foundation, 2015).

If my workers are happy then it is going to benefit my business. They will work in the factory for long time and I will have a stable workforce. workplace harassment committee meetings have helped my workers in coming forth with problems although these problems are of very practical nature like excessive heat in their room or a co- worker bullying another worker. Source: Indian factory manager supplying a Fair Wear Foundation brand

vi. Training of managers and supervisors raises awareness of the harmful effects of violence and harassment, how to prevent it and the negative impact on productivity and profitability.

Industry-wide issues in the garment sector

Across the garment supply chain there is limited awareness of the harmful effects of violence and harassment in the workplace. When managers and supervisors are aware of the damaging consequences of sexual harassment and have the tools to prevent it, the factory and the workers both gain. Training can help managers and supervisors to improve efficiency, productivity, performance and retention of workers:

We have to handle our workers very carefully because there is another factory next door. Workers will immediately leave if they feel they are not being treated properly. We agreed to pilot a workplace harassment committee with Fair Wear Foundation because the brand we supply asked me to and also because we want to ensure a stable workforce. Source: Indian factory owner participating in Fair Wear Foundation's Violence and Harassment Prevention Programme

Fair Wear Foundation action

Despite many challenges, factories supplying Fair Wear Foundation brands agreed to train supervisors and management on the importance and benefits of treating workers, especially women, with dignity, particularly as Fair Wear Foundation found that many supervisors and managers were inadequately trained to manage people and lacked the skills to handle sensitive issues like sexual harassment.

Prior to the training, most factory managers denied that there was violence and harassment in their factories, arguing that because no one reported violence and harassment, it was not an issue. Some supervisors stated that yelling at workers is a normal response when something goes wrong in the workplace. They said that they might not be violent themselves, but they felt that they needed to be verbally abusive to show that they have power over production workers, who are mainly women. Although some felt that it is unfair for women, they enjoyed the privilege being the 'boss' on the production floor. Through the training, management and supervisor began to reflect on how they treated production workers, especially women. As one manager said:

...favouritism in lieu of sex is not new in garment industry, even in our factory. Sometimes, girls have no other choice but to accept offers from their superiors. If the definition of sexual harassment is known, we will be able to prevent it.

Implementing change was difficult for supervisors who were under pressure from senior management staff, which points to the need for training for senior managers. As one supervisor attending the training said:

...it is good that we know now what is right and wrong according to harassment definition, also good to know that such acts of harassment are forbidden and punishable in law, but who applies law in factories? If our management do not understand it, our knowledge will create further frustration.

The training has helped to improve production line efficiency and better productivity, for example, by reducing verbal abuse and improving communications at factory level. The programme have helped to reduce staff turnover (of both workers and supervisors) and improve productivity through more efficient production lines.

Additionally, under the Violence and Harassment Prevention Programme, training prepared worker-elected representatives in workplace harassment committees and in the development of formal policies and grievance procedures in more than 72 garment factories in India and Bangladesh. Since 2012, a total of 5,110 workers, 2,221 supervisors and 300 managers have been trained (Fair Wear Foundation, forthcoming, 2018).

Through Fair Wear Foundation training, workers learned about their rights and the independent Fair Wear Foundation helpline for workers' complaints. Sometimes it was small things that made a big difference. When Fair Wear Foundation started handing out cards with the helpline information instead of putting the telephone helpline number on the factory wall, there was a big increase in the number of calls from women workers. Source: Suhasini Singh, Fair Wear Foundation, India Country Representative

Through the training, technical advice was provided on how to deal fairly and confidentially with complaints of sexual harassment or flag up factory-wide issues, for example, name calling at factory gates or frequent harassment in a particular area of the factory. The results are positive:

Working conditions for women changed dramatically after the intervention of the workplace harassment programme in our factory... After the harassment awareness training, I am able to analyse sexual harassment of many kinds. Some are explicit and some remain implicit...if a woman does not feel comfortable working in a factory, productivity must suffer. For the sake of the industry, we should work together to prevent sexual harassment in all workplaces, so that more women join at work. Source: Ms Morsheda, senior operator and Anti-Harassment Committee President in India, quoted in UN Women, 2014.

vii. Occupational Safety and Health: eliminating sexual harassment improves workers' wellbeing and increases productivity and business outcomes

Industry-wide issues in the garment sector

There are few, if any, examples of industry-wide occupational safety and health (OSH) approaches to violence and harassment in the garment sector, apart from in Global Framework Agreements and in trade union training (e.g. by clothing unions in Tanzania and South Africa) (Pillinger, 2017). The ILO Code of Practice on safety and health in the agriculture sector (2010) is an example of a code that includes a model sexual harassment policy. It has the aim to raise occupational safety and health awareness to prevent sexual harassment and promote positive behaviour in the workplace; it provides a good model for the garment and apparel sector and other low-skill, unorganised production workplaces.

Violence and harassment is an occupational safety and health risk, resulting in lost days from work, poor motivation and workers leaving their jobs. As the Rana Plaza tragedy demonstrated, the garment sector has a poor record in occupational safety and health. The Accord on Fire and Building Safety in Bangladesh is an independent, legally binding agreement between brands and trade unions, designed to work towards building and fire safety. As a new model of cooperation between global buyers and trade unions, it has opened up possibilities to find novel solutions to other occupational hazards, including violence and harassment. In some factories, management and unions have appointed OSH committees and under the

Accord, a training programme exists for workers and managers who serve on these OSH committees. Although violence and harassment is not covered by the Accord, there is scope for this to be included in the future.

Fair Wear Foundation action

Fair Wear Foundation works with brands and suppliers to raise awareness about violence and harassment in occupational safety and health in garment factories. One of the most significant actions that employers—and the ILO—can take in dealing with violence and sexual harassment at work is to ensure that it is included as a hazard in all safety and health codes.

Fair Wear Foundation has identified a number of safety and health risks as a form of gender-based violence, including inadequate toilets or limits on use of toilets and toilet breaks, which can have consequences for women's reproductive and general health, especially for menstruating and pregnant women. Solutions have been found to some occupational safety and health risks; for example, access to fire safety was improved after female garment workers complained that they were groped or sexually harassed by men who were using the same exit as them during fire drills.

Garment workers face considerable risk when travelling to and from factories, especially in the evening or at night. Fair Wear Foundation, along with NGOs involved with issues in the wider world of work, believes that there are relatively simple steps that would increase worker safety and reduce the ever-present risk of sexual assault—such as safe transport, adequate street lighting, and well-appointed transport halts and measures to avoid 'mobbing' of women around factory gates. Where the employer provides accommodation, there should be a responsibility to ensure it is safe and free of harassment. It is important that occupational safety and health training for workers includes information about risk prevention and workers' rights.

Fair Wear Foundation believes that greater explicit responsibility for preventing violence and harassment in occupational safety and health strategies and risk assessments would be a very positive development. Employers may be more willing to recognise and deal with the issue of violence and harassment as an occupational safety and health issue rather than as a 'gender equality' issue.

For further information about promising practices as well as challenges in preventing violence and harassment amongst unorganised workers at the bottom of the supply chain see: Morris, J. and Pillinger, J. (2016) Gender-based violence in global supply chains: Resource Kit. Turin, ITC-ILO / Amsterdam, Fair Wear Foundation.

For further information about Fair Wear Foundation's activities and programmes see: www.fairwear.org.

CONCLUSION

Fair Wear Foundation believes that a clear ILO definition of unacceptable workplace behaviour, employer responsibility and duty of care is likely to result in greater reliance on social dialogue in the sector. ILO guidance on establishing appropriate human resources policies and procedures to deal with violence and harassment would also assist managers in providing training and implementation.

Suppliers and brands would be greatly assisted by a clear ILO definition of violence and harassment, including sexual harassment at work, applied across the sector. Fair Wear Foundation believes that factory-level social dialogue initiatives could be encouraged through a strong labour standard that places a responsibility on employers to identify and remedy the systemic causes of violence and harassment. Recent initiatives have shown that the prevention of sexual harassment is more effective as a result of the establishment of clearly understood workplace standards and procedures, complemented by workplace training, rather than only through retrospective punitive action against perpetrators. Source: Alexander Kohnstamm, Executive Director Fair Wear Foundation

Fair Wear Foundation is dedicated to working with all relevant stakeholders to end violence against women and men in the garment sector and has implemented innovative violence prevention programmes. In cooperation with ITC-ILO, Fair Wear Foundation has produced an authoritative Resource Kit on Gender-Based Violence in Global Supply Chains (Morris and Pillinger, 2015) and has convened a Gender Forum on gender-based violence for S. and S.E. Asian garment-producing countries, which was held in Vietnam in October 2017. These initiatives have practical relevance and lessons for the forthcoming discussions for an international labour standard on violence and harassment against women and men in the world of work. Fair Wear Foundation has spoken out about power inequalities between women and men and the need to end a culture of impunity, and has put a lens on the inequalities that arise in global supply chains when brands and suppliers fail to take account of the rights and vulnerabilities of female garment workers, or assess the full impact of sourcing and ordering decisions. As member brand Stanley/Stella says:

Stanley/Stella only works with suppliers where harassment is being addressed, by making efforts to empower woman and bring more women in managerial roles to reduce harassment. Stanley/Stella sincerely hopes that a strong ILO standard will clearly set out a universal legal definition of violence and harassment and will determine common standards to be adapted in national laws and applied in all factories across the whole supply chain. Source: Geert de Wael, Sourcing, Sustainability and Quality Manager, Stanley/Stella

In line with its advice to member brands and suppliers, Fair Wear Foundation works on social dialogue with its partners, Dutch trade unions Mondiaal FNV and CNV Internationaal and the Dutch Foreign Ministry, in a Strategic Partnership. One of the three pillars of the Strategic Partnership is the goal of ending violence and harassment against women and men in the garment supply chain. The other two pillars, which complement its work on gender-based violence, are to implement a living wage and improve social dialogue.

Based on Fair Wear Foundation's work in developing workplace harassment committees in garment factories in Bangladesh and Indian garment factories, a strong occupational safety and health responsibility for employers to prevent violence and harassment and develop workplace initiatives should be a priority in any new ILO labour standard. A clear definition of the occupational safety and health risks of violence and harassment would assist employers. Too often, sexual harassment, and certainly gender-based-violence, is understood as a synonym for rape or extreme sexual abuse. Within a factory where there is physical hitting, shouting and foul name calling of (predominantly female) production line workers by supervisors or managers (predominantly male), it is often argued that it is not sexual harassment because there is no 'sexual interaction or motive'. A safety and health requirement in a strong ILO standard could be very helpful in encouraging more employers and managers to take action against all forms of violence and harassment.

RECOMMENDATIONS

The following recommendations directed to the ILO are relevant for any stakeholder involved in implementing programmes to prevent and address violence and harassment in the world of work. The recommendations have been informed by consultations with Fair Wear Foundation's country managers and by stakeholders attending the ITC-ILO/Fair Wear Foundation Gender Forum, Vietnam, October 2017.

- i. Fair Wear Foundation believes that an ILO standard should provide a clear definition and a detailed framework for stronger laws, policies and practical workplace measures to tackle violence and harassment at work, with a strong emphasis on gender-based violence. Although many countries have laws on gender-based violence, implementation has been inconsistent, particularly in the context of the workplace and public spaces. The standard should include:
 - a) Clear and practical definitions of violence and harassment, including sexual harassment at work, that will be applicable to global production suppliers with rudimentary or no functioning HR systems, along with practical guidance on action that can reduce the risk of violence or harassment.
 - b) A central focus on gender-based violence at work, which is particularly important in the garment sector, where the majority of workers are low-skilled, low-paid, and often migrant women.
 - c) A strong emphasis on social dialogue as a tool for ending violence and harassment in the world of work, as social dialogue has the potential make a major contribution to preventing violence and harassment in the garment sector.
 - d) A systematic approach to ending violence and harassment at work, with reference to obligations relating to rights to decent work, tackling the problem of vulnerable work, as well as promotion of living wages.
 - e) Clear obligations for the introduction of occupational safety and health initiatives, which encompass risk prevention on violence and harassment in the workplace and in relevant occupational safety and health codes and policies.
 - f) Workplace violence prevention programmes through collaboration between stakeholders, with a focus on finding practical solutions in the workplace.
 - g) Guidance, which could assist brands and suppliers, for example, in ensuring that brands' sourcing and ordering decision-making, codes of practice and global framework agreements promote the implementation and monitoring of practical violence prevention initiatives across the supply chain.
 - h) Practical guidance and support for suppliers, for example, through training and functioning human resource policies, training for managers and supervisors, introduction of practical workplace measures that benefit workers, and the promotion of a safe working environment that attracts and retains workers.
 - i) Guidance and model policies and procedures on preventing and dealing with violence and harassment at work; these should include clear definitions, obligations to inform employees of their responsibilities to ensure acceptable workplace behaviour, disciplinary consequences of unacceptable behaviour, appropriate confidential procedure for dealing with complaints, the

need for independent support and representation for complainants, and informal resolution procedures where applicable.

- j) Tools and assistance for raising awareness about how to strengthen and implement existing laws, and enable victims of violence to claim their rights.
 - k) Confidential and independent support, protection and compensation to victims, so that they are protected from retaliation or losing their jobs. This is of special importance where vulnerable workers do not have access to trade unions.
 - l) Training and guidance for labour inspectors, trade unions, auditors, managers and supervisors, and safety and health representatives on how to detect sexual harassment in the workplace, how to confidentially and sensitively encourage female workers to speak out about their experiences, how to respond effectively to and handle a complaint made by a worker.
 - m) A broad scope covering all workers, formal/informal, temporary/permanent, including home-based workers in the garment sector.
 - n) A broad coverage of the 'world of work' to include travel to and from work, public spaces, access routes to and from accommodation, as well as employer-provided accommodation.
- ii. It is important to recognise that violence and harassment against women and men in the world of work is a human-rights violation. In this context, a strong ILO standard on violence and harassment needs to show the interlinkages between violence and harassment and human rights. This includes firmly embodying the rights of all workers to freedom of association, the right to organise and to collective bargaining.
 - iii. Building on the ILO Recommended Action to Increase the Voice of Women in Social Dialogue, there is a responsibility for companies to respect 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.
 - iv. The future ILO standard should highlight the business benefits for companies, with reference to fundamental rights at work, and take a planned and systematic approach to addressing violence and harassment in human rights due diligence processes. Of relevance are:
 - UN Guiding Principles on Business and Human Rights (UNGPR)
 - ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration)
 - UN Global Compact
 - Women's Empowerment Principles (Principles 3 and 7)
 - 2011 OECD Guidelines for Multinational Enterprises

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VOICES OF GARMENT WORKERS

EXPERIENCES OF VIOLENCE AND HARASSMENT ON THE FACTORY FLOOR IN BANGLADESH AND INDIA

Fair Wear Foundation believes that quotes and examples of the particular types of violence, sexual harassment and verbal abuse commonly experienced in the garment sector may be useful to the ILO. We hope an ILO labour standard will be effective in protecting precarious and insecure workers at the bottom of low-skill, mass production sectors such as the garment industry.

Offensive and sexually explicit language, hitting, hearing suggestions to become a prostitute, slapping on heads, pulling of hair; all are examples of abusive behaviour reported by garment workers. Millions of women have experienced this type of treatment because they made a mistake, failed to meet a production target, asked for leave, worked slower because of illness, or arrived late. Many women have also experienced unwanted sexual advances in the workplace, stalking, sexual explicit remarks, groping or worse from male colleagues or supervisors.

These issues have long been a part of life in garment factories, but until recently the problems have rarely been reported. Often, neither senior factory managers nor their foreign customers were aware of the level of harassment.

One of the most telling statistics found in the FWF project's baseline research regards perceptions of yelling: only 20% of managers thought there was a lot of yelling in factories; 60% of workers thought it was common.

Workers also reported that the vast majority of problems are with their immediate supervisors, who can change their behaviour when senior managers are on the factory floor. There is also a perception among many managers that while women may be yelled at, or occasionally hit, the environment is still preferable to other options available to poor uneducated women – like prostitution. Source: Standing Firm Against Factory Floor Harassment (FWF 2013)

QUOTES FROM STANDING FIRM AGAINST FACTORY FLOOR HARASSMENT (FWF 2013)

14-year-old Sumi took a job in a garment factory. Everything was going well at work until one day a couple of her male colleagues tried to abduct her from just in front of the factory gate. 'I screamed and cried for help. Luckily some bystanders came over. I was hurt, but rescued.' Sumi has heard many stories about sexual harassment in different workplaces. Women workers are also harassed on the way to work. When they're unprotected, she believes that people treat them as 'easy prey'. The factory where she currently works treats women well. 'In the factories where I used to work, women are not treated as human beings. It's as if women workers are born to take orders from men. Men feel like they can touch them anywhere they want and use any kind of language.

Normal behaviour of the supervisor and line chief is to abuse and scold the girls. *Worker in India*

I was shouted at for the quality of my work. It was to teach me to deliver quality products. *Supervisor in India.*

Under the Sumangali scheme, a form of forced labour common in Tamil Nadu, India, girls' parents are persuaded by brokers to sign up their daughter(s). These families are usually poor and from the lower castes. The scheme promises an attractive sum of money after completion of a three-year contract working in the factory. Once the contract is signed, young girls are under the control of the factory or the broker. It is often reported that the girls live in captivity for a long period. Girls are often forced to work up to 12 hours a day, live in hostels with few facilities, and earn a very low wage. (NB. The Code of Fair Wear Foundation does not allow FWF brands to use suppliers drawing on Sumangali labour).

On the outskirts of Tirupur, six women gather around us on a porch facing onto a small yard. Five of them work as 'checkers' which is among the lowest-paid jobs in the Tirupur garment factories. One woman called Ramya started out as a 'helper' to a tailor. As she had some relatives working in the factory, the tailor left her alone, but the other girls were harassed mercilessly: 'The tailor would slap them, prick them with his needle and even kick them, for no reason at all.' The other women chip in: they too have witnessed this kind of harassment throughout their working lives. But all of them deny having ever been subjected to it. Nobody has ever been shouted at? 'Yes, every day!', Ramya responds. 'Supervisors shout at us and humiliate us all the time. It makes us feel really bad. We don't like to talk about it.'

Three years ago, a 16-year old worker died in a spinning mill. She had hair colouring in her mouth, indicating suicide. During a post mortem, her physical injuries showed that she died from a gang rape, and the hair colouring had been poured into her mouth posthumously. The police did not investigate and the girl's parents were not informed. An investigation by SAVE (a FWF partner) indicated that the girl, who started working at the factory when she was only 12, had been abused by a number of supervisors and managers for years before she died. She had never talked to her parents about this.

A SAVE employee who was monitoring a Tirupur factory was having tea at a stall just outside the factory. She got talking to the tea stall owner, who told her that he regularly delivered food to the factory. One time, when he was inside, he was approached by a female worker who urgently asked his help: she was twenty years old and had not been allowed to leave the factory for three years. And every day, she was forced to satisfy managers' and supervisors' sexual needs. SAVE, upon learning this story, quickly got a court order to get the girl out of the factory. She was taken to a safe location to rest and recover, and afterwards taken back to her family, who were not told of the reasons. She was never paid for the years she worked at the factory.

QUOTES FROM BREAKING THE SILENCE: FAIR WEAR FOUNDATION VIOLENCE AND HARASSMENT PREVENTION PROGRAMME (2018)

You are the daughter of a whore you are a dirty whore^{SEP} if you make a mistake, we will put these scissors through your asshole.

A female employee asked for leave. Her supervisor told her that she could take leave on the condition that she go on a date with him after work.

QUOTES FROM FWF ARTWORK FOCUS GROUP PROJECT (2015)

On the blue paper, I drew the factory timekeeper to show the situation at work. He is holding a clock. He is not nice and he is unfair. If workers arrive 5 minutes late, he deducts half a day from their wages, but he is not doing it to everyone. He takes care of the good-looking girls and his own friends.

The man on the yellow paper is the production manager, who is 'evil.' He yells at workers all day long, sometimes hitting them with cloth and threads. I hate him.

The line supervisor is depicted below the production manager. She, too, yells at workers all the time. She looks down upon them and makes up nasty tales to report to the production manager. I hate her so much that I'd like to throw a mango at her.

I most dislike this girl, drawn on yellow paper, who works at the factory. Everybody at the factory knows that she is a slut who makes friends with managers to get easier jobs. She probably gets more money too.

I had a husband, but he left me. He was an alcoholic and tortured me. He used to take my money and didn't give me anything.

We tell them, then the production manager and general manager tell us that they won't let us die before they die and if they live, then we will also live. But when the production manager and general manager leave, the door gets locked behind them.

Now they make 20 helpers do the work of 35. We face a lot of difficulties. If we ask for leave, we don't get it. Even if we are sick, we don't get leave. We often request leave, but we don't get it. Then they abuse use, use slang words like motherfuckers and don't give us our salary.

Over there, you can see the line chief and the supervisor, who is very nice. The main problem is our line chief. He is very bad. He abuses us with filthy language, using insults and calling us motherfucker. He also grabs us from the back of the neck. If we complain, he pushes us away, telling us to get out of the office by pointing at his shoe. Then we have to leave the office.

Each helper is made to work 2-3 hours for free. They (the managers) don't pay us for it. If we don't do the extra hours, then they grab us by the neck and throw them out. If we don't, we are asked to leave. The line chief and the production manager do these things. Even if we are sick, we don't get leave.

And if we've been absent, they make us stand for 3-4 hours in the office.

BUT THINGS CAN CHANGE!

Initially, when I was promoted from being a tailor to being a line supervisor, I shouted at the workers if they were not making production targets. My manager also shouted at me, so this is how it worked, though I never used abusive language.

Overall, I have seen that shouting and harassment in garments factories is gradually becoming less. More and more people are educated and literate, so there is more understanding. There did not used to be any committees, so men could say anything to women without any action being taken. It still happens, but it is more likely at larger factories and factories where the owners hardly come by and leave all affairs to a manager. Here, the owners are approachable; they regularly come to the factory floor. So, if I would shout to workers, I know the owners would find out about it.

But I don't shout anymore. I have learnt that workers are more productive if you explain things to them nicely. And here, if the targets are not realistic, we can speak to the owners and then the targets will be adjusted or more tailors will be hired. The (FWF) training was good. We learnt that many things are considered harassment. I knew this, but some workers told me that they did not know before that staring at ladies or saying bad words was also harassment.

Reyansh, NCR, India is production manager of all the tailoring lines and has worked in the garment industry for 22 years.

When the company announced that the ICC would be formed, I ran in the election. The main reason that I choose to run, is that I feel harassed at home, and strongly feel that the company should be a safe place. I live alone with my husband. He is a drunk, who does not work and keeps asking me for money. We have a debt of over 110000 rupees (€1400). I have to do everything at home. I cook before I leave for work in the morning. When I reach home at 8pm, I fetch water from the public taps, I cook again, I clean and do the laundry. I sleep at around midnight, but often I am not able to sleep, because my husband keeps harassing me. Priya, Tirupur, India, an ICC member and worker in checking department factory.



**THE 8 ELEMENTS
OF FW'S CODE OF
LABOUR PRACTICES**



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1 employment
is freely chosen



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2 freedom of association
and the right to
collective bargaining



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3 no discrimination
in employment



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4 no exploitation
of child labour



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5 payment
of a living wage



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6 reasonable
hours
of work



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7 safe and
healthy working
conditions



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8 a legally binding
employment
relationship

