



The Business of Women at Work Event Report

November 2019



Summary

On 17 and 18 October 2019, 150 people from across the garment supply chain met in Phnom Penh to discuss the issue of sexual harassment in the garment supply chain. “The Business of Women at Work”, jointly organised by Better Factories Cambodia and CARE Australia, was a two-day event offering perspectives from a wide range of garment industry stakeholders, intent on preventing and addressing sexual harassment in the workplace.

Day One

“In the context of a new ILO Convention on Violence and Harassment, a diverse set of stakeholders will discuss the nature and extent of the private sector’s responsibility and potential to act.”

Planning actions and laying the foundation for change were at the forefront of the first day of the event. Inspiring speakers and panelists, government representatives, brands, factories and manufacturing groups, and civil society organisations showed tremendous commitment to invoking real and lasting change.

The Objective “...unique convening of garment industry leaders across Asia looks to devise solutions to prevent and respond to sexual harassment in the workplace” set the scene for open, honest discussions within a ‘safe’ environment. Participants contributed with an open mind on what was possible; the first event of its kind in the Asia region, targeted to the regional garment and footwear sector.



Opening the day, dignitaries shared their remarks on why the issue of Sexual harassment and Gender Based Violence must be eradicated and the damage that it causes the victim/survivor, and the implications for the workplace and wider society.

Speakers

- Mr Jan Noorlander Acting Country Director of CARE Cambodia;
- Ms Nguyen Hong Ha, Head of Better Work Asia;
- H.E. Chan Sory, Secretary of State, Ministry of Women’s Affairs;
- Her Excellency Angela Corcoran, Australian Ambassador to the Kingdom of Cambodia; and
- H.E. Ith Sam Heng, Minister of Labour and Vocational Training.

H.E. Ith Sam Heng spoke strongly in favour of supporting this issue, saying that the Royal Government of Cambodia is committed to eliminating violence in the workplace. He stated that a specific mechanism is needed to help support female victims. “The government is committed to preventing and eliminating such issues from the workplace as well as society as a whole.”

In relation to the recently adopted ILO Convention 190 he stated, “Cambodia had also voted to support the adoption of the new ILO Convention 190, and this again reflects the government’s will and commitment in contributing to the elimination of violence and harassment at work.” He added that participation from all relevant parties in the supply chain including workers, employers, factory owners, buyers, unions, government and development partners is necessary to tackle the issue.



Setting the Scene

Suzi Chinnery (STOP Program Director of CARE Australia) and Sara Park (Programme Manager of Better Factories Cambodia), in conversation with Jessica Wan (Better Work’s Gender Specialist) opened the programmatic part of the day. They set the scene with an evidence review, discussing the new ILO Convention 190 and introducing the base concepts about this topic; the definition and scope of sexual harassment in the workplace.

Definition: “Violence and harassment is **a range of unacceptable behaviours, practices, or threats** that result in physical, psychological, sexual, or economic harm. These incident(s) can be **one-off or repeated**. Gender-based violence is violence and harassment directed at someone because of their sex or gender (or if it disproportionately affects one gender or sex), including sexual harassment.”

Importantly the scope of what constitutes Sexual Harassment 'in the workplace' was discussed, defining the "world of work" as mirroring the definition of the new ILO C190 Convention.

"The world of work reaches beyond the physical workplace to what occurs in the course of, or arising out of work. This includes

- Places where workers take breaks, have meals, and sanitary facilities
- Work trips or social functions
- Work –related communication using technology
- Dormitories, and
- Commuting to and from work."

An evidence review of Sexual Harassment was presented and discussed. This was in part to socialise the issue 'in the room' and to reaffirm that the issue continues to be a part of the workplace and must be addressed. The following topics were reviewed:

1. Why was the convention needed?
2. What does this mean for businesses?
3. What is the prevalence of Sexual Harassment?
4. How prevalent is workplace sexual harassment?

CARE'S Review of global evidence found: effectively preventing and responding to workplace sexual harassment requires action at multiple levels, highlighting issues facing women workers and identifying three key risk factors (misaligned pay structures, lack of organizational awareness and lack of competition) that increase the prevalence of sexual harassment.

What is on the investor agenda?

The session demonstrated to garment industry attendees that engagement in social issues such as sexual harassment is happening across the value chain including with those that finance investments and demonstrate that it is a business risk that investors take seriously. The panelists, representing the investment sector; Mr Mans Carlson-Sweeney of Ausbil Investments Pty Ltd, Ms Ellen Maynes of International Finance Corporation (IFC) Myanmar and Mr Tun Tun representing the Myanmar Garment Manufacturers Association took to the stage, with the UN Resident Coordinator in Cambodia, Pauline Tamesis, facilitating the discussion.

Mans Carlson-Sweeney spoke on the importance of considering sexual harassment when looking at investment in the environmental, social and governance spaces for investors to consider, demonstrating that the social aspect, although often difficult to measure, needs to show that there are proper mechanisms so as to lower the risk profile of that investment. He stated that there was appetite in the global investment community to have stronger mechanisms and procedures in relation to gender based violence and sexual harassment prevention.

Ellen Maynes explained that companies that invest in internal gender equality have stronger financial performance. She explained the impact of gender based violence on business, affecting one in three women globally, which inflicts a heavy toll on the economy - around USD\$1.5 trillion, or the equivalent of 2% of the global GDP. CARE says USD\$89 million is lost in the Cambodian garment sector alone. A highlight was a study which showed the importance of not only having workplace policies in relation to gender equality and sexual harassment, but also that these documents need to be implemented in a practical way, rather than becoming just another checklist.

Tun Tun highlighted the factory owner perspective and how sexual harassment, from a business sense, is negative. He presented information on workshops run by the MGMA, including Code of Conduct workshops as evidence of training and socialising concepts of good workplaces, free from bad behaviours, including sexual harassment, and the 'Safe and Equal' workshops, which help to improve gender equality in the workplace.

After the three presentations, Pauline Tamesis - UN Resident Coordinator in Cambodia, led a panel discussion and Q&A on the investor's perspective, with many questions from the audience.

Worker Voices

On both days, there were short presentations by four workers and compliance managers from three factories that participated in the CARE STOP program rolled out in their factories. They spoke about the impact that the program had on them personally and on their co-workers. They now feel that they are supported and have an avenue for speaking up about the issue of sexual harassment in their workplaces and the subsequent move towards destigmatization of the issue at both work and home.



Courageous Conversations Panel

In the afternoon, Scott Deitz, the Vice President of Customer Relations at Kontoor Brands, led a dynamic, interactive and engaging discussion with senior brand sustainability representatives: Nga Truong from Gap, Alex Andersson from H&M, Michael Bennett from PUMA and representing a factory manufacturing group, Catherine Chiu from Crystal International. He asked them to put forward their arguments about why it is so important for sexual harassment to be addressed by buyers and brands, and where this fits into their global strategies.

Scott walked around the room looking for direct responses to engaging questions from all participants, driving suppliers and brands to really 'step up' and commit to new ways of thinking in relation to the pervasive nature of gender based violence in the workplace. He challenged the room to 'do better' and congratulated the participants in the room because "change is made by those that show up". Asking brands a number of questions in relation to the reasons why sexual harassment occurs in society, he asked, "What is the number one thing we can do?" Responses included; collaborate, acknowledge the issue and deal with it, address it as an industry wide issue, no single brand can fix it, it starts with culture, must be led by top management, culture in the supply chain - these were just some of the responses from both the panel and participants.

Discussions were based around the following questions: What do you look for as brands; have you as a brand ever fired a supplier? Is it a competitive advantage to go above the norm? What do suppliers need? Why there are not programs everywhere – is it an issue of money or will? Do you feel colleagues have the same level of awareness; do brands approach the issue as compliance/risk issue? These questions provoked lively and ‘courageous’ conversations that were a cornerstone of the conference and persuaded participants to think beyond outdated concepts and challenged them to think of new modalities that could improve issues in the workplace related to gender based violence and sexual harassment.

Brand representatives stated that expectations on brands are getting higher and higher, but a brand is a brand, with a limited number of resources dedicated to sustainability, and that they are not able to fulfil expectations alone, but can work as an industry and with institutions such as Better Work to do this.

When asked “What is the single most important thing to attack this issue?” responses varied:

“Create better dialogue system with management and workers”

“Collaboration is fundamental”

“Dialogue with workers, worker voice is really important here, enabling workers in factories to report on issues in a way we can get the information in the factories with platforms that enable an industry approach for worker voice”,

“If brands come together and address the issue on a pre-competitive basis to put in place an adaptable program”.

Cocktail Function

This function was an opportunity to network and really take a deeper dive on the issues that were socialised during day one. As a result, there were many new connections made, and existing connections strengthened, unpacking key concepts. There was much discussion on how future collaboration could occur.

Day Two

“Building on Day 1, participants’ workshopped solutions to find practical and sustainable solutions to prevent and respond to sexual harassment in the workplace.”

MoU announcement

Hong Nguyen Ha, Head of Better Work Asia and Suzi Chinnery, Project Director, CARE Australia opened the day with the special public announcement that Better Work and CARE Australia have entered into a Global Memorandum of Understanding (MoU) to work together, specifically in countries that BW engage with. This will include working both at the global level, and at country program level, as there will be differing requirements of where CARE Australia can be beneficial in regard to programmatic level, capacity and localized needs.

Lesotho initiative

After the morning's announcement, it was important to capture the audience with practical examples of brands and workers organizations working together to eradicate sexual harassment in factories. Robin Runge, Senior Gender Specialist in the Equality and Inclusion Department at the Solidarity Center spoke about the recent initiative in Lesotho, implemented with Lesotho's garment workers where they struck landmark deals to tackle gender-based violence. Leading apparel brands, a coalition of labour unions and women's rights advocates, and major apparel suppliers (Kontoor Brands, Levi's & The Children's Place) came together to develop a collective bargaining agreement around gender-based violence and harassment. Participants in the room heard from the 'brand side' as Scott Deitz, Vice President of Corporate Relations for Kontoor Brands, spoke about the reasons why this was so important to 'get right'. He spoke of changing the culture and practices 'in house' in order to collaborate with a labour rights organization, that previously had been perceived as a traditional 'foe'.

Presentation from Kontoor Brands, Scott Deitz

This conversation segued into an inspiring and challenging presentation from Scott Deitz of Kontoor Brands, who challenged the participants to be the leaders in this space. He directly challenged the audience to think about sexual harassment, and to commit to changing culture where this issue remains.

He personalized the story through his journey of the world of work, explaining how he got to a point where talking about changing is not enough, and needed to demonstrate, through clear and direct action that gender-based workplace violence must stop. He stated that the prevention of gender-based workplace violence will only succeed through our collective ability to collaborate and that collaboration must be with both 'foe' and 'friend'. There will be uncomfortable conversations to get to this point but this is a necessity. This session galvanized participants and energized them to engage throughout the rest of the day.

Introduction to Standard Operating Procedures

In order to provide participants with a set of guiding principles, an initial draft of 'Standard Operating Procedures' (SOPs) was presented by Suzi Chinnery. These principles served as a practical guide for a shared industry wide effort to prevent and respond to sexual harassment.

Challenges from industry voices highlighted:

1. What should be done
2. How to evaluate the strength of a response to sexual harassment
3. How to support suppliers
4. Other parts of our business have an impact on harassment
5. Taking action is complicated and expensive
6. Brands have no standard or different standards
7. Some standards are not clear about what is required
8. The zero tolerance approach creates an incentive to hide sexual harassment

Importantly, these procedures were presented as a zero draft, allowing for two following sessions later on in the morning and afternoon to develop suggestions and dissect, and to see what would work and what requires more detail. The principles of the document were outlined to:

1. Maintain confidentiality
2. Ensure consent

3. Do no harm
4. Adopt a victim and survivor centred approach
5. Ensure equal treatment
6. Advance policy and future interventions

Workshops

Role of industry in prevention workshop

The role of industry in the prevention of sexual harassment was discussed in relation to the presentation on the Standard Operating Procedures. For this exercise, the participants divided into small groups, each with a facilitator and each with specific questions to respond to, in order to drive discussion on key areas of the draft SOP. The idea for this session, and for the session following the lunch break, was to come up with recommendations and ideas for further exploration and feedback. As a result, the document would evolve, and be co-authored by the industry stakeholders to have a tool that they had already 'bought into and contributed to'.

There were several themes to explore over the 12 groups, and group recommendations were displayed for all participants in a 'gallery' format, and were then voted on. Below are a sample of the most popular topics, and the highest polling recommendations (minimum 10 votes):

What role can the industry play in improving gender equality within their sourcing countries?

Worker and social engagement – social dialogue, economic empowerment programs for women, workplace and societal norms

1. Educate elders: expand factory-based education programs to include families and influential community members;
2. Be bold: take leadership (collectively) on identifying gender equality as a core issue for discussion;

What role can multinational/cross national enterprises play in their engagement in the supply chain?

How do these enterprises bring along internal stakeholders within brands/vendors e.g. the buyers of each brand? Is a different approach needed by licensors?

1. Proactively and deliberately address SH/Gender Based Violence (GBV) blindness – people, policies, organization;
2. Identify existing platforms on buying practices and integrate SH/GBV;

What are the risk factors for workers that enterprises across the supply chain should pay attention to and how?

What are the ways in which the supply chain increases vulnerability i.e. precarious contractual terms and conditions for workers, buyer's purchasing practices?

1. Action required around short-term contracts;

What role can brands play to encourage and support suppliers to establish policies and management systems on violence and harassment in the workplace?

What does a good management system look like and what ways can brands and vendors support factories in implementing a good management system?

1. Buyers to: build buy-in; undertake capacity building (what is/is not acceptable); help identify risks/prevalence;
2. Worker consultation/voice - especially at-risk workers; ask does this work for the benefactors;
3. Prevent W.O findings – move away from audit approach to advisory approach;

What are the challenges that factories face and what would good support to these challenges look like?

1. Invest in soft skills (such as leadership, women's economic empowerment); time away from production; and venues and facilities for training and discussion.

Role of industry in response workshop

In the afternoon, the same groups discussed the role of industry in **responding** to sexual harassment. Similarly, the themes and questions, along with the most popular responses and recommendations are below:

What are the roles of factories and brands for providing remediation?

1. Robust complaint mechanism/anonymous reporting (with clear documentation) - brands to ask for immediate action, collaborate and support; factory to resolve problems;
2. High priority of leadership on SH (on management's discussion agenda);

What can brands do about domestic violence?

1. Support initiatives on: community based activities; legal/health support for survivors; encourage suppliers to acknowledge domestic violence can contribute to work performance and to do something about it;
2. Women's empowerment and men's engagement: awareness and training; safe spaces;

How can we encourage open reporting and social dialogue?

1. Safe spaces for discussing issues e.g. (independent) hotline, homes;
2. Evidence of systematic processes in place that work to maintain confidentiality and avoid retaliation;
3. Build capacity of workers, HR, supervisors and managers to recognise SH and raise their voices;

What support do brands need to effectively respond to complaints of SH?

1. Guidance on what satisfactory closure/remediation looks like.

Next steps

Wrapping up the event, next steps will involve Better Work and CARE Australia reaching out for further inputs to finalise the Standard Operating Procedures. Feedback was received in relation to wanting Better Work and CARE Australia to convene further forums like this to look to operationalize some of what was discussed and to use this event as the changing point to foster further and deeper collaboration in relation to the issues raised over the two days.

Summary

The advent of the #MeToo Movement and the adoption of the new Convention and Recommendation on violence and harassment set out a collective responsibility of all stakeholders to foster a safe, respectful, inclusive, and gender-equal world of work. Tackling a perennial issue such as violence and harassment is not an easy task, and should not be tackled neither alone nor in silos. Resolution involves government, employers' associations, trade unions, businesses, investors, international organizations, and civil society organizations working together.

We know what works in the prevention and redress of violence and harassment.

We know it is crucial to tackle the root causes of violence and harassment by changing adverse gender and social norms.

Evidence shows us that workplaces should have robust policies and effective grievance mechanisms, including providing immediate and longer-term support to victims, survivors, and witnesses as well as rehabilitation for perpetrators.

We know we need to create an enabling environment, this involves strengthening legislation and changing the ways businesses and investors work.

We congratulate those taking the journey to eradicate sexual harassment through their leadership and throughout sharing their expertise.

CARE and Better Factories have produced a video which shares highlights of this event. The video may be viewed at www.care.org.au/stop and <https://youtu.be/06gFFhBB9Cw>



