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World Banana Forum (WBF)

Working together for sustainable banana production and trade
Task Force on Gender Equity (GE-TF)

WEBINAR

Violence and Harassment in the World of Work – Tools and Approaches for Addressing Key Challenges in the Banana Industry

Report of the WBF Task Force on Gender Equity (GE-TF)

Tuesday, 22 June 2021

1. Welcome by the Food and Agriculture Organization of the United Nations (FAO)

On behalf of the World Banana Forum (WBF) Secretariat, hosted by the Food and Agriculture Organization of the United Nations (FAO), **Mr Pascal Liu, FAO**, welcomed participants to the second of a series of webinars this year, organized by the WBF Task Force on Gender Equity (GE-TF)¹ and coordinated with Fairtrade Germany.

The webinar examined the topic of 'Violence and Harassment in the World of Work – Tools and Approaches for Addressing Key Challenges in the Banana Industry', a relevant issue today since many people around the world still suffer from violence and harassment in the workplace.

It aimed to increase awareness of the challenges and opportunities in the banana industry to ensure a workplace free of violence and harassment, highlighting key tools and approaches that can enable progress towards the implementation of the principles and recommendations of the International Labour Organization's (ILO) C190 - Violence and Harassment Convention, 2019 (No. 190).

The webinar was extremely timely given that it was held during the ILO week dedicated to C190 and that the Convention was set to come into force on Friday, 25 June. It was also relevant due to the several ongoing legislative

¹ For more information, refer to <http://www.fao.org/world-banana-forum/working-groups/social/gender-equity/en/>

proposals that would require due diligence for large companies so that they may comply with human rights and environmental protection measures. In France, Germany, and Norway for example, there are new laws or legislative proposals in this regard. At the European Union level, there is also a proposal for a new directive on corporate due diligence and corporate accountability, which has already passed the European Parliament.

2. Introduction by the Chairperson

Ms Camila Reinhardt Hurtado, WBF Secretariat, welcomed participants and introduced the agenda stating that the issue of violence and harassment in the world of work has been a key priority area for the GE-TF since its inception in 2012.

It was identified as one of the five main issues for women in the banana industry during the International Meeting on Gender Equity – held together with the Third Global Conference of the WBF – in 2017, and has received even greater emphasis as a priority following the adoption of C190 in 2019. C190 was the topic of one of last year's WBF GE-TF webinars, which focused on the contents of the Convention as well as on the challenges faced with regard to violence and harassment at plantation level. This webinar therefore provided the opportunity to examine tools and approaches that are now available to support the implementation of C190, in efforts to help end violence and harassment in the workplace, in particular in the banana industry.

Ecuador is the first main banana exporting country to ratify the Convention. **Ms Reinhardt Hurtado** mentioned that diverse industry stakeholders would therefore be sharing their experiences and good practices, as well as their challenges and next steps forward in its implementation at national level. A global perspective would also be provided by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) on the new C190 toolkit for trade unions – developed jointly by the Global Union Federations and the International Trade Union Confederation (ITUC).

She also stressed the timeliness of this webinar, given the movements in the EU towards human rights and environmental due diligence legislations. She expressed her hope that discussions would raise awareness and enable the sharing of good practices towards workplaces free of violence and harassment for all.

3. Summary of the presentations by panelists


3.1. A view on the recent ratification of C190 and support that can be provided to national industry stakeholders for the implementation of C190 principles and recommendations

By Dr Paulina Durango, Vice Minister of Labour and Employment, Ministry of Labour of Ecuador



Dr Paulina Durango shared her appreciation for the recent ratification of C190 in Ecuador and emphasized the importance of having clear policies on how to implement it, as well as its importance for the banana industry.

She cited that 24.8 percent of women in Ecuador do not have adequate employment. Among women with the same qualifications, only three out of ten have access to the same job. Inequality in wages is also an issue. The new Ecuadorian government aims to change that with the implementation of new labour policies.



Ecuador is one of the first countries to adopt C190, a supranational, international convention which according to Ecuador's Constitution, is above national laws. It was adopted on 17 January 2021 by decree. It demonstrates Ecuador's commitment to eliminate violence and harassment that takes place in the workplace.

She stated that violence and harassment in the workplace must fall into well-defined behaviours and attitudes, as described in C190. The Convention states that just one act alone can be considered an act of violence and harassment, rather than requiring a series of consecutive actions. For example, just one single instance or behaviour that causes physical, psychological, sexual or economic harm can be classified as an act of violence and harassment.

Dr Durango reviewed other laws in Ecuador, including organic laws, that aim to address the issues of violence and harassment, particularly against women. Laws include the Labour Code and the Law to Prevent and Eradicate Violence against Women (in Spanish, *Ley Organica para Prevenir y Erradicar la Violencia contra las Mujeres*). There are also laws that relate to domestic workers, such as the Law for Labour Justice and Recognition of Work at Home (in Spanish, *Ley Organica para la Justicia Laboral y Reconocimiento del Trabajo en el Hogar*). She noted that several areas of concern around the world have necessitated the laws and their implementation. These include high numbers of domestic workers who experience violence and harassment while at work; impacts of the pandemic on women at home; and conditions of violence against women in the banana sector.

Still there are challenges to the implementation of these laws and C190 in the country. There is a need to bring employers, workers, and society together more generally, as well as to generate effective spaces that are free of violence, harassment and discrimination against women. It is also necessary to guarantee access to formal jobs and employment, with equal conditions between men and women workers. Ultimately, the initiatives surrounding C190 are aligned with United Nations objectives, no. 5 and no. 8, which lead the way toward Agenda 2030.

Dr Durango added that Ecuador is not missing laws, but it is lacking political will to implement them with the appropriate metrics and the tools. She continued by stating that the Ministry of Labour, together with the support of UN Women, have worked on a roadmap for the implementation of a new regulatory environment for labour policies and C190. Now Ecuador is setting up tools to ensure compliance. With respect to the banana industry, the strategy being promoted is to support the export of bananas produced in countries that are meeting social and environmental standards. This includes strengthening programs for the eradication of child labour, promoting capacity development processes, trainings and awareness on labour rights, equality and the mainstreaming of gender and non-discrimination directed at workers and employers and the implementation of C190. Ecuador hopes to be in the forefront of having adequate products and practices known around the world.

She concluded by mentioning that Ecuador's Employment Opportunities Law would aim to provide small and medium sized businesses with adequate tools to hire the number of employees necessary to reactivate production. Currently, approximately 30 percent of the economically active population is hired under formal employment, while the remaining 70 percent is not. This is something that needs to be addressed, but it is important to stress that the costs of formal employment in Ecuador place it in a less competitive position. Ecuador is the only main banana exporter that has ratified C190. **Dr Durango** is often asked, how can buyers, exporters and investors support our producers, both large and small? This, she responded, is done by purchasing the Ecuadorian banana; providing technical assistance; sharing best practices from trade unions with women leaders; and learning how to eradicate violence in rural areas. Working mechanisms and temporality are issues that need to be addressed. In the formal employment sector, it is impossible to have employees tied to a 40-hour per week schedule. The banana industry is subject to temporality: seasonality has specific needs, fumigation schedules change, and export requires flexibility.

3.2 A look at the efforts, challenges and achievements of companies in the banana industry working towards ensuring a workplace free of violence and harassment

By Ms Nathaly Pernet, Lawyer LLM, Association of Banana Exporters of Ecuador (AEBE)



Ms Nathaly Pernet began by stating that in Ecuador there is a high gender gap. In the last world ranking by the World Economic Forum (WEF), it measured no 48. The WEF's Global Gender Gap Report measures the gender gap per country based on economic participation and opportunity, educational attainment, political participation and health and survival, and provides recommendations on how to improve the participation of women in the workforce.

Women are often at an equity disadvantage when compared to men. If a woman becomes pregnant, she will most likely need to drop out of school, while the child's father can continue studying. Within families, if resources are scarce, boys are usually the ones chosen to go to school. This is both a Latin American reality and an Ecuadorian reality.

Ms Pernet also noted that 16.5 percent of women in Ecuador don't have an adequate job and that they often carry out an average of 31 hours of unpaid housework per week. In addition, women generally require two years more of education versus men to get an adequate job. The gender gap is a reality not only in office settings, but also in the fields.

The banana industry in Ecuador, following national legislations, has responded with:

- a basic salary of USD 400 plus social security;
- initial compensation of USD 400 before the start of the school year so families can buy supplies;
- compensation before the festivities - an additional month of salary;
- minimum salaries for each banana industry sector group; and
- protocols on gender equity that require employers to generate and facilitate trainings on, and further sanctions against, discriminatory acts of violence.

As a result of these policies and economic benefits, women can be better integrated into the industry. In addition, Ecuador is one of the few countries in the region that recognizes the need for a living wage (in Spanish, *Salario Digno*). This year it was calculated by the government as USD 447.22. Both large corporations and small businesses are required to pay this wage—a wage that impacts Ecuador's competitiveness in the banana sector.

Ms Pernet stressed that a living wage has a direct relation with how women can be protected, because financial independence is the only way for women to escape cycles of violence and harassment and ultimately achieve equity. She mentioned that Ecuador is one of six countries in the region that strives to foster the implementation of measures in favour of gender equality in labour policies, noting the example of a recent bill that has been presented on the Violet Economy (in Spanish, *Proyecto de Ley Economía Violeta*). This bill aims to generate incentives that can help close gender gaps. In Ecuador, in order for companies in the banana industry to support the closing of gender gaps, the following three areas for policy action are needed:

- tax incentives to hire women remove the arguments against hiring women, breaking indivisible barriers;
- paid leave after childbirth is shared between both parents; and
- education.

She stressed that education is the only pathway towards achieving independence and ultimately escaping cycles of violence and harassment. The banana sector has a history of viewing gender violence as normal, she said. And even though it occurs, it is not normal. Since the banana industry is one of the most important industries in the country, it must be equitable. Equity must be a main goal in a sector free of violence.

3.3 An introduction to the C190 tool kit for trade unions, developed jointly by the Global Union Federations and the ITUC

By Ms Julie Duchatel, International Officer / Gender Equality Project Coordinator, IUF




Ms Julie Duchatel noted that the adoption of C190 and Recommendation 206 (R206) by the International Labour Conference (ILC) in June 2019 is the result of years of union-led campaigns led largely by female unionists. She showed images of people all around the world promoting and fighting for women's rights to not experience violence or be sexually harassed at work. For years, unions have been collecting testimonies from women who are harassed or discriminated against at work. They fight for recognition that violence and harassment cannot be tolerated and is not part of the "job". It was not always easy. Fifteen years ago, sexual harassment was not widely considered to be a union issue. But with the increasing inclusion of women in unions, including in union leadership positions, with the creation of Women's Committees, and the presence of women in occupational health and safety committees, violence and harassment has become a union issue.

Courageous women dared to speak in public, seeking to tackle the root causes of violence and harassment, making the connection with the precariousness of work, or with the lack of empowerment of women at work and in society. They pushed unions to carry out introspective work, and to question the behaviour and mentalities of their male colleagues. They also found allies, and many of their male colleagues joined the fight.

Ms Duchatel explained that the adoption of these standards means the existence of a broad base of rejection of violence and harassment at work and the creation of new rights, that is, a world of work free from violence and harassment, including gender-based violence and harassment. It is a big step forward. The international community has spoken by adopting these standards, which are innovative since, for example, it is recognized that the impacts of domestic violence at work must be mitigated. It is important to keep up the momentum and put in place what has been adopted. The Convention started from the grass roots and reached the highest international level with the adoption of instruments. Now, she emphasized, the standards must become reality. Global unions have a role to play to make these standards accessible to every trade union.

C190 emphasizes the key role of collective bargaining in combatting violence and harassment. Respect for fundamental rights at work are to be guaranteed for all workers regardless of their status, and therefore their freedom of association is crucial.

Global unions have been working together for a long time on these issues, many of which are crosscutting. In this regard, to tackle violence and harassment in the most efficient way along the supply chain, a training of trainers manual (toolkit) has been produced by the Global Union Federations and the ITUC (through the work of the Global Labour Institute) that includes a facilitator guide and an activities workbook, with key issues and good practices. The manual raises awareness about C190 and R206, encouraging unions around the world to push for ratification and effective implementation, or to include it in their collective bargaining agreements and implement it in their own organisations.



The guide is available in Arabic, English, French, and Spanish. A webinar will be held on 25 June 2021 for its official launch. These ILO instruments may seem abstract, **Ms Duchatel** explained, but implementing them can have a real impact on the lives of workers. A sense of safety at work and the ability to take days off—which are part of the implementation of C190—can truly save lives.

4. Questions and discussions

During the Q&A session, **Ms Valentina Beghini**, speaking on behalf of the ILO, noted that since the COVID-19 pandemic, all types of violence and harassment have increased, including violence and harassment against women. The urgency for the Convention is evident.

She explained that the Convention contains an overall framework for the prevention and elimination of violence and harassment at work. It protects everyone in the world of work, including employers who can also be affected by violence. It also protects job seekers. This is very important, as in many countries, women are reluctant to enter the labour market because of fear of violence and sexual harassment. C190 brings together the world of equality and non-discrimination with occupational safety and health. **Ms Beghini** referred to some recent studies that have shown that when gender gaps decrease, violence and harassment also decrease. Tackling gender equality is therefore of paramount importance for the elimination of violence and harassment at work. C190 and R206 highlight all these issues and provide a practical and effective tool grounded on an inclusive, integrated and gender-responsive approach.

So far, six countries have ratified the Convention including Ecuador. On 25 June, C190 will enter into force in Uruguay and Fiji. Efforts from all actors in society will be needed to ensure implementation. #ratifyC190 is an [ILO campaign](#) that seeks to involve anyone interested in making their voice heard. Specifically, it calls on people to, in turn, call on their governments to ratify C190.

She also referred to an upcoming guide, which will provide clear guidance and examples on the different provisions and key principles of the instruments. ILO has developed other resources including a guide on occupational safety, a global training course in Turin, Italy (which was attended by a large delegation from Latin America), and several briefs on different topics, including an easy-to-read guide for people with intellectual disabilities.

Ms Beghini stated that the implementation of the Convention and tackling the problem of violence and harassment in the world of work is a collective effort among governments, workers, and employers. She stated that no one should experience violence and harassment anywhere and concluded by showing a [new video](#) on C190 produced by the ILO as part of its global communication campaign.

Following Ms Beghini's intervention, a question was posed by one of the participants to **Dr Durango**:

In terms of strategy in the banana sector, are there specific strategies for the monitoring and follow up?

Dr Durango responded that the Government of Ecuador is trying to strengthen implementation of its monitoring policies. She stated that there is a need for a Ministry that monitors through focused interventions per sector. The government will seek to do it randomly, incorporating digitalization which allows for discretion. One of the key aspects that will require work, and she asked for support from the United Nations and other organizations for this, is how to implement this digitalization in inspections to comply with requirements that are measurable and that avoid any subjective component.



Another question was posed by **Mr Wilbert Flinterman**, Fairtrade International, to **Dr Durango**:

How can the Ecuadorian Ministry of Labour collaborate with AEBE and other partners to promote continuous social dialogue in the banana sector to support the implementation of C190? Collective empowerment through trade unions led by women can benefit women workers in many ways besides a good minimum wage.

Dr Durango responded that collaboration between the government and private sector must continue. She mentioned that policies have been implemented, and are now law in Ecuador. She stressed that the way forward will be to ensure the monitoring of the implementation of these laws and policies. The government will continue to strengthen sectorial labour inspections and will work together with the Ministry of Production, Foreign Trade, Investments and Fisheries in Ecuador, so that the banana industry can have agreements with preferential treatment, since Ecuador's production costs are much higher than those of their competitors. For example, minimum wage is much higher in Ecuador compared to that in other banana producing countries.

While Ecuador is committed to go further than the minimum wage, there is a lot more work to do. It is necessary to work on the ground, and here it would be essential to involve civil society and international trade union confederations. It is essential to train and educate people, and work with women representatives that are part of the rural territory in the country. She invited all of the stakeholders to work together with the Ecuadorian government in ensuring that the work being done in the country on C190, specifically in the banana industry, is measured and implemented. **Dr Durango** suggested that industry stakeholders reconvene in four to six months to share experiences and identify the areas that have been strengthened in this respect, as well as areas that still require work by the Ecuadorian government.

Ms Pernet also responded to the same question. She echoed what the Vice Minister said, but from a private sector point of view. In order to strengthen public policies, first and foremost she emphasized the need to give women a voice since currently, most decision makers are not women. Questions to keep in mind are: What is their position? What are their needs? Do their work schedules fit or could they be more practical?


Ms Pernet noted that Finland bet on gender equity 17 years ago, specifically in public policies that leveraged benefits of the inclusion of women not just in the workplace, but also in access to education. Finland's GDP grew 17 percent over the last 17 years, she stated. If Ecuador creates a gender focus in the economy, with a formula similar to Finland's, with the support of the private sector who is willing to do it, it could be a win-win scenario.

A question was posed by **Ms Ann Apekey** for **Ms Duchatel**:

How are Global Union Federations engaging with local union leaders to push for the ratification of C190?

Ms Duchatel responded that the Global Union Federations work together through collective bargaining, and all federations aim to work with leadership of unions to push forward this convention. And while ratification is an important beginning, she stated, the unions already have the tools to negotiate the clauses inspired by the convention. This action would accelerate the ratification by states.

A comment was made by a participant to **Ms Pernet**: I think that the information shared regarding the idea that the creation of jobs for women should be deductible to "demystify that women cause more expenses" to the company has an unintended and negative adverse effect. This is the intrinsic recognition that working women cause more expenses and therefore it is necessary to give a kind of compensation to the company, which then pays society through less taxes. While it's true that payments to businesses that encourage the hiring of women could be useful, businesses themselves should invest money they have saved to encourage hiring.



Ms Pernett responded that she agreed with some aspects of the comment. Money should be reinvested to close gaps between genders. She explained that in Ecuador there had been a quota system to integrate people with disabilities into the workforce. In some cases, she stated, they didn't do any work, they were just part of the quota, and not useful to the business. Essentially, they were hired to obtain a fee or avoid a fine.

Ms Adwoa Sakyi, IUF, provided a comment: It is time to break the silence on these issues. We need to train members on the ground. For the trade unions it is time to define precisely what is violence and harassment. If the workplace becomes safe and free, with both employers and governments participating, economies will grow. She said that the WBF should encourage its members to carry out this activity at their workplaces. C190 has come at the right time: it is practicable, and so simple that we can use it to change mindsets. Most issues of violence and harassment have to do with mindset. Once people understand the importance of gender equality, they can stop the inequality. This mindset change can change lives.

Ms Angel Yauripoma, Ecuador, posed a question to **Ms Pernett**:

Who will help single working mothers with childcare?

Ms Pernett responded that from a private sector perspective, once a company reaches a certain number of employees, it provides healthcare. She acknowledged that childcare for single mothers is also a need. One solution would be to generate agreements so that children can stay in a nearby childcare centre, not in the field where their safety would be at risk. Agreements could be made to have centres nearby plantations, with childcare available at preferential rates.

Mr Emmanuel Ngweha, Fédération Nationale des Syndicats de Travailleurs - Filière Banane du Cameroun (FENASYTRAFBACAM) provided a comment that in the banana industry in Cameroon, they have talked about harassment, and these experiences have been integrated into the convention in order to reduce violence against women in the field. He asked:

How can we get support to make sure that it is part of collective bargaining?

Ms Duchatel responded that the aforementioned training manual for trade unions, which provides support precisely in this respect, will become available on 25 June and will be sent to all affiliates.


Mr Edgar Monge, Tesco, posed a question to **Ms Duchatel**:

How can we promote more women in positions of leadership in local unions without the accusation of interference?

Ms Duchatel responded that unions could become feminist unions. Equality and more women in leadership roles, will lead to a sustainable society. This is why C190 is so exciting and so well constructed: different reflections and discussions of standards can lead to an end to violence and harassment in the workplace.

5. Conclusions and final remarks

Ms Reinhardt Hurtado thanked the panellists and participants for their presentations and insightful questions. She noted the intervention from the Vice Minister of Labour and Employment of the Ministry of Labour of Ecuador and the work being done by the Government of Ecuador. Now that there is a legislative framework in place to address



violence and harassment in the workplace, there is a need to monitor activities that have been implemented. As proposed by the Vice Minister, she suggested that the participants meet in a future session to discuss how best to work together on this, review progress made, and assess future challenges.

Ms Pernet's intervention raised the issue of the gender gaps and how this impacts violence and harassment, as well as the importance of providing incentives to companies to hire women workers, extending maternity leave benefits to men so that childcare can be a shared effort between men and women, and ensuring education for all. A key issue identified during the webinar was the education of different stakeholders, in particular to give women a voice in decisions that affect them.

Ms Duchatel presented the C190 communication and outreach efforts of the IUF, together with other Global Union Federations on the ITUC, one of which has taken the form of a toolkit, containing materials that are tools that can be used on the ground today, even in countries that have not ratified C190. The webinar also heard from the ILO, and the recent communications campaigns launched on C190.

A report of the webinar will be available in English, French and Spanish. If there are any remaining questions, **Ms Reinhardt Hurtado** suggested that participants contact the WBF Secretariat.

To discover the benefits of becoming a member of the World Banana Forum and to take an active role towards a sustainable banana sector, please visit:

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