



Labor and Globalization

Akua O. Britwum and Sue Ledwith (Eds.)

Visibility and Voice for Union Women:

Country case studies from Global
Labour University researchers

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Volume 4

Edited by Christoph Scherrer

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Bibliographic information published by the Deutsche Nationalbibliothek

Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available in the Internet at <http://dnb.d-nb.de>.

ISBN 978-3-86618-395-7

Labor and globalization: ISSN 2196-5382

First published 2014

Photo: Jô Portilho, 2013

This huge march of 4,000 women, from 48 countries and across many groupings including trade union women, ended the 9th International Meeting of the World March of Women (25th to 31st August 2013) in Sao Paulo, Brazil.

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Marktplatz 5 86415 Mering, Germany
www.Hampp-Verlag.de

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Abbreviations

AARS	Alumni Applied Research School
ACMS	African Centre for Migration & Society
ADWN	African Diaspora Workers' Network
AKP	Adalet ve Kalkınma Partisi (Justice and Development Party in Turkey)
ALRN	African Labour Research Network
ANC	African National Congress
ANCWL	African National Congress Women's League
BAG	bargaining agenda for gender
BCEA	Basic Conditions of Employment Act
BCM	Black Consciousness Movement
BEE	black economic empowerment
BLES	Bureau of Labour and Employment Statistics
BMC	Brihanmumbai Municipal Corporation
BWL	Bantu Women's League
CA(s)	collective agreement(s)
CAT	Convention on the Rights of the Child
CB	collective bargaining
CBA	collective bargaining agreement
CBMWU	Construction and Building Materials Workers' Union
CCPR	Covenant on Civil and Political Rights
CEA	collective employment agreement
CEDAW	Commission on the Elimination of all Forms of Discrimination against Women
CEPPWAWU	Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union
CERD	Convention on Elimination of all Forms of Racial Discrimination
CESCR	Covenant on Economic, Social and Cultural Rights
CGE	Commission for Gender Equality
CGROS	National Commission on Gender, Race and Sexual Orientation
CLASS	Confederation of Labour and Allied Social Services
CLASS-TUCP	Confederation of Labour and Allied Social Services Trade Union
	Congress of the Philippines
CLC	Canadian Labour Congress
CMBWU	Construction and Building Materials Workers' Union
CMW	Convention on the Protection of the Rights of all Migrant Workers
CNA	collective negotiation agreement

CNB	National Confederation of Banking Workers
CONSAWU	Confederation of South African Workers' Unions
CONTRAF	National Confederation of Workers in the Financial Sector
COSATU	Congress of South African Trade Unions
CPSA	Communist Party of South Africa
CPWU	Confederation of Progressive Workers' Unions
CTU	Council of Trade Unions
CUT	Central Única dos Trabalhadores
CWU	Communication Workers' Union
CWUSA	Creative Workers' Union of South Africa
DCL	District Councils of Labour
DENOSA	Democratic Nurses Organisation of South Africa
DIEESE	Inter-Union Department of Statistics and Socio-economic Studies
DISK	Confederation of Progressive Trade Unions
DOLE	Department of Labour and Employment
DPCs	data processing centres
DRC	Democratic Republic of Congo
DSIS	Dev-Saglik Is Sendikasi
EB	Executive Board
EC	European Commission
ECA	Employment Contracts Act 1991
EEA	Employment Equity Act
EISA	Electoral Institute of Southern Africa
EPMU	Engineering, Printing and Manufacturing Union
EPWP	Expanded Public Works Programme
ERA	Employment Relations Act 2000
ERP	Economic Resiliency Plan
ESAP	Economic Structural Adjustment Programme
FAWU	Food and Allied Workers' Union
FEBRABAN	Brazilian Federation of Banks
FEDUSA	Federation of Unions of South Africa
FES	Friedrich-Ebert-Stiftung
FGDs	focus group discussions
FIG	Canadian International Gender Equality Fund
FNV	Federatie Nederlandse Vakbeweging [Confederation of Dutch trade unions]
FPW	Framework Plan for Women
FTE	full-time equivalent
FTF-Denmark	Confederation of Professionals in Denmark
FWA	flexible working arrangements
GAD	Gender and Development Budget
GAWU	Ghana Agricultural Workers' Union

GDP	gross domestic product
GHABA	Ghana Hairdressers' and Beauticians' Association
Ghana TUC	Ghana Trade Union Congress
GLC	Canadian Labour Congress
GLSS	Ghana Living Standard Survey
GLU	Global Labour University
GRAP	Ghana Research Advisory Programme
GSS	Ghana Statistical Service
GST	Gender Sensitivity Training
HACSU	Health and Community Services Union
HIV/AIDS	human immunodeficiency virus/acquired immunodeficiency syndrome
ICU	Industrial and Commercial Workers' Union
IFPAAW	International Federation of Plantation, Agricultural and Allied Workers
ILO	International Labour Organisation
ISS	Informal Sector Survey
ITGLWF-PC	International Textile, Garment and Leather Workers Federation-Philippines Council
ITUC	International Trade Union Confederation
KESK	Confederation of Public Workers' Union (Turkey)
KIK	Kurum Idari Kurulu [Administrative Report of the Association]
LEW	Labour, Employment and Work
LGBT	lesbian, gay, bisexual and transgender
LO	Landsorganisasjonen i Norge, [Norwegian Confederation of Trade Unions]
LPG	Labour Policies and Globalisation
LRA	Labour Relations Act
MAP	Monitoring and Assessing Progress
MDC	Movement for Democratic Change
MDU	Maritime and Dockworkers' Union
MNC	multinational corporation
MPT	Public Ministry of Labour
NACTU	National Council of Trade Unions
NALEDI	National Labour and Economic Development Institute
NCRFW	National Commission on the Role of Filipino Women
NEC	National Executive Council
NEHAWU	National Education, Health and Allied Workers' Union
NETRIGHT	Network for Women's Rights in Ghana
NGC	National Gender Commission
NGCC	National Gender Coordinating Committee
NGOs	non-governmental organisations

NLC	Nigerian Labour Congress
NOBs	national office bearers
NRF	National Research Foundation
NSO	National Statistics Office
NUM	National Union of Mineworkers
NUMSA	National Union of Metalworkers of South Africa
NUR	National Union of Railwaymen
NZ	New Zealand
NZEI	New Zealand Educational Institute
NZNO	New Zealand Nurses' Organisation
OATUU	Organisation of African Trade Union Unity
OECD	Organisation for Economic Co-operation and Development
OFWs	Overseas Filipino Workers
OGROS	Commission on Gender, Race and Sexual Orientation
OSISA	Open Society Initiative for Southern Africa
PA	personal assistant
PAC	Pan African Congress
PAWUSA	Public and Allied Workers of South Africa
PDIs	previously disadvantaged individuals
PGC	Provincial Gender Committee
PhP	Philippine pesos
POBs	provincial office bearers
POPCRU	Police and Prisons Civil Rights Union
PPTA	Post Primary Teachers Association
PSA	Public Services Association
PSWU	Public Service Workers' Union
PTUZ	Progressive Teachers' Union of Zimbabwe
PWMSA	Progressive Women's Movement of South Africa
QDC	Quadrennial Delegates Congress or Conference
RA 7877	Anti-Sexual Harassment Law
RAE	Railway Association of Enginemen
RALE	Railways Association of Locomotive Enginemen
RAU	Railway Artisans' Union
RAYOS	Railway Association of Yard Operating Staff
RCL	Regional Councils of Labour
RG	Research Group (GLU Gender and Trade Unions)
RRAWU	Rhodesia Railways African Workers' Union
RSA	Republic of South Africa
SACCAWU	South African Commercial Catering and Allied Workers' Union
SACTU	South African Congress of Trade Unions
SACTWU	South African Clothing and Textiles Workers' Union
SADNU	South African Democratic Nurses' Union

SADTU	South African Democratic Teachers' Union
SAFPU	South African Football Players Union
SALB	<i>South African Labour Bulletin</i>
SAMA	South African Medical Association
SAMWU	South African Municipal Workers' Union
SASAWU	South African State and Allied Workers' Union
SASBO	South African Society of Bank Officials
SASFU	South African Security Forces Union
SATAWU	South African Transport and Allied Workers' Union
SES	Union of Health and Social Services Employees (Turkey)
SFWU	Service and Food Workers' Union
SHEP	Sexual Harassment Education Programme
Sinttel RJ	Rio de Janeiro, Sindicato dos Trabalhadores em Telecomunicações [union of telecommunication workers]
SPSS	Statistical Package for Social Science
SSNIT	Social Security and National Insurance Trust
SWOP	Society, Work and Development Institute, University of the Witwatersrand
TB	tuberculosis
TEU	Tertiary Education Union
TU(s)	trade union(s)
TUCP	Trade Union Congress of the Philippines
TUIK	Turkish Statistical Institute
TUZ	Teachers' Union of Zimbabwe
UERJ	Universidade do Estado do Rio de Janeiro
UK	United Kingdom
UNICAMP	Universidade Estadual de Campinas
UPSOLAIR	University of the Philippines School of Labour and Industrial Relations
USA	United States of America
WAC	Women Advisory Council
WEGE	Women Empowerment and Gender Equality (Bill)
WNC	Women's National Coalition
ZANU-PF	Zimbabwe African National Union (Patriotic Front)
ZARU	Zimbabwe Railwaymen Union
ZARWU	Zimbabwe Amalgamated Railway Workers' Union
ZCTU	Zimbabwe Congress of Trade Unions
ZIMSTATS	Zimbabwe National Statistics Agency
ZIMTA	Zimbabwe Teachers' Association
ZRAWU	Zimbabwe Railway African Workers' Union

Notes on Contributors

The Editors



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Sue Ledwith set up the MA International Labour and Trade Union Studies at Ruskin College, Oxford, UK, an associate member of the GLU. Before that she ran the MA Women's Studies at Ruskin. Academic coordinator of the GLU Gender and Trade Unions Research Group from 2009–2012. During 2010–12 she carried out research fieldwork in Brazil and South Africa with women in trade unions, working together in each country respectively with GLU alumni Jo Portilho and Janet Munakamwe. Sue has over 30 years' experience of research and publishing in the field, and her most recent book is: *Gendering and diversifying trade union leadership*, jointly edited with Lise Lotte Hansen, Routledge, 2013. She is a joint author of the GLU Gender and TUs Research Group contributions in GLU/ILO publications of 2012.

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Juçara Portilho Lins (known as Jô Portilho in the Brazilian social and labour movement) is currently a Ph.D. candidate at the Universidade do Estado do Rio de Janeiro (UERJ). She holds a Master in Social Work from UERJ and another in Labour Policies and Globalisation from the Global Labour University. She is a specialist in labour economics and trade unionism at the Universidade Estadual de Campinas (UNICAMP). Between 2012 and 2015 she was a member of the direction board of the National Confederation of Financial Sector Workers (CONTRAF/CUT) in Brazil. Rio de Janeiro bank workers elected Jo as an activist from 1997 to 2009, and since 2009. Jô's research within the GLU network has covered domestic workers rights, workers representation in medium and

small enterprises, international inequalities and gender issues. She was the main researcher and a joint author for the chapter: ‘How progressive can trade unions really be without gender equality?’ in the ILO/GLU book *Sustainable growth, development and labour: progressive responses at local, national and global level* (2012).



Melisa Serrano is an assistant professor at the School of Labour and Industrial Relations of the University of the Philippines. Her current research areas are comparative labour laws and industrial relations in ASEAN, union renewal, post-capitalist alternatives, wages and productivity, precarious work and non-standard forms of employment, informal economy, agrarian reform and social security. She has (co)authored and (co)edited several books and published in national and international academic journals. Her paper ‘Between accommodation and transformation: the logics of union renewal’ was awarded the SAGE Best Comparative Paper in the tenth European Congress of the International Labour and Employment Relations Association in June 2013 in Amsterdam. The *European Journal of Industrial Relations* subsequently published the paper. Melisa is an alumna of the GLU Masters programme 2005–6 in Germany, and earned her Ph.D. in Labour Studies from the Graduate School of Social and Political Sciences, University of Milan, Italy.



Ramon Certeza is the General Secretary of the Confederation of Labour and Allied Social Services (CLASS–TUCP) and Assistant General Secretary of the Trade Union Congress of the Philippines (TUCP). He is an alumnus of the Global Labour University MA Programme on Labour Policies and Globalisation in Berlin, Germany. He previously worked as Project Coordinator of the former International Textile, Garment and Leather Workers’ Federation (ITGWLF) Philippine Office and campaign coordinator for Play Fair in the Philippines and currently volunteers to work as country coordinator for the Industrial Global Unions in building a trade union network for sportswear brands. His main research interests are union revitalisation, women workers in the apparel and sportswear supply chain and trade union network in the MNC brands.



Rhea Aamina Chatterjee completed her Masters in Globalisation and Labour from Tata Institute of Social Sciences, Mumbai in 2013 with a background in political science. A graduate of the Global Labour University, her research interests include gender and informal work. She currently works for a Global Union Federation in India.

Members: GLU Trade Union and Gender Research Group



Akhator Joel Odigie is an activist and trade unionist. He is Nigerian and currently working with the International Trade Union Confederation of the African Region as its Coordinator for Human and Trade Union Rights and then as International Department Secretary. He has worked with the

Nigeria Labour Congress (NLC) in different capacities at its National Secretariat in Abuja from 2003 to 2010 when he was deployed on secondment to the ITUC-Africa. He sees himself as a pan-Africanist and humanist seeking answers to issues of Africa's development deficits and working to achieve a world where social justice is real, attained and shared. One of Joel's ambitions is to be able to support younger women into leadership positions of the African trade union movement.



Evelyn Benjamin-Sampson is an Assistant Director in charge of Gender and Youth Coordination in the Organisation of African Trade Union Unity (OATUU). A former teacher, she actively advocates and works to promote gender concerns in African trade unions as well as community-based organisations. As a teacher, Evelyn was a member of the Ghana National Association of Teachers until she joined the Public Service Workers' Union (PSWU), an affiliate of the Trade Union Congress of Ghana nine years ago. Today she remains a member of PSWU while working for the Organisation of African Trade Union Unity at the international level. At the GLU programme, she studied development economics in the area of social economy and labour.



Karen Douglas is a committed labour activist and has organised workers in the public sector, textile, footwear and garment industries and public and private health sectors in Australia. Karen is the Senior Industrial Officer for the Victorian Health and Community Services Union (HACSU) and advocates for members' and union interests in various jurisdictional fora, bargains collective agreements and engages in political lobbying. Karen is a graduate of the Masters in Labour Policies and Globalisation (LPG4) programme of the Global Labour University and a joint author of the GLU Gender and TUs Research Group contributions in GLU/ILO publications of 2012.



Patricia Chong has a Masters in Labour Studies from McMaster University (Canada) and a Masters in Labour Policies and Globalisation from the Global Labour University (Germany). She has been involved with the Canadian Labour Movement since she organised her own workplace in 2000. She has worked as a community and union organiser, university lecturer, writer and researcher, and labour educator for 15 years. She is an active member of the Asian Canadian Labour Alliance and currently lives in the Northwest Territories of Canada.

Preface

This book of case studies is about gender and trade unions in nine countries – an important topic about which it is difficult to find published research outside Europe and the Anglophone countries of Australia, New Zealand, Canada and the USA. It is the culmination of five years of collaborative research between and among union activists and academic researchers/activists working at the Global Labour University Gender and Trade Unions Research Group. As the academic coordinators of the group, the two of us have now edited these stories.

We formed the group in Berlin at the IG Metall College at Pichelssee, at the 2009 GLU annual summer school for alumni from the GLU Masters programmes for young trade unionists from the global south.¹ The demand to do so came from gender activists among the alumni. Sue Ledwith from Ruskin College, Oxford, was invited to be the academic coordinator and Akua Britwum from the University of Cape Coast, Ghana took over in 2012. At that first summer school, we spent an animated and exciting three days brainstorming and formulating our aims and methods. At the next three summer schools – now retitled the Alumni Applied Research School (AARS) – we presented findings, welcomed new group members, shared hopes and fears and decided next steps. Over the life of the group, alumni from a range of countries have joined, contributed and moved on – up to 25 in all. There is more about all this in Chapter 10 – *Our Stories*.

Our aims were to make gender and diversity issues more visible within our own unions and the wider international labour movement; we aimed to provide examples of creative, innovative and good practice across labour movements; to develop alumni skills/knowledge/empowerment and opportunities to develop strategies collectively; and to develop an enduring network. Three interlinked topics were agreed, and RG members self-selected which to work on:

1. Trade union structures and policies for gender and equality
2. Women and TU leadership
3. Bargaining gender agendas (BAGs)

Our methods were multiple and included primary and secondary data, quantitative, qualitative, ethnographic and participative action research. There was a main questionnaire for individuals, and templates for secondary data collection. These were posted on the RG's own space on the GLU website. Overall, this was an action research project.

1. GLU programmes are offered in Germany, Brazil, South Africa and India, with Ruskin College, UK as an associate. See www.global-labour-university.org.

Our outputs (see below) from these five years have, we think, helped put gender issues in labour movements more visibly on the map. There have been GLU conference papers that have become chapters in books, and follow up work by Sue Ledwith using a Leverhulme Emeritus scholarship to carry out research in Brazil and South Africa. The main researcher in each of these two countries was a RG member – Jo Portilho in Brazil and Janet Munakamwe in South Africa. This work in turn has informed both us as group members and other GLU members, and has enabled those of us who also teach, to draw on a wider range of material. For example, at Ruskin, an associate member of GLU where Sue set up an MA in International Labour and Trade Union Studies, our students, especially those from Africa and Asia would ask ‘*where is the really international literature?*’ and ‘*where is the research from my country?*’

Now we can tell them that the Gender and Trade Unions Research Group is supplying some. We commend it to labour movement activists and academic activists everywhere and we hope you find it as useful as we have.

Our thanks to everyone who has participated in the Research Group over the years, and who have provided really useful knowledge and very good company. Our thanks too to Christoph Scherrer for his encouragement and support in getting this book off the ground, and to everyone in the GLU who put in so much effort and commitment to the global labour project. It has been a privilege to work with you all.

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Akua O. Britwum, Head CEGRAD,
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Gender and Trade Unions Research Group published outputs

- 2011 Ledwith, S. Gender and trade unions. A research report (preliminary) by Global Labour University alumni. http://www.global-labour-university.org/fileadmin/GLU_research_projects/Gender_and_trade_unions/Summary_report_for_GLU_webpage_Mar_2011_1_pdf.
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- 2012 Ledwith, S., E. T. Leone, J. Portilho, M. O. Teixeira, T. Conti and A. L. M. de Oliveira. ‘How progressive can trade unions be really be without gender equality? The case of Brazil’. In José Dari Krein, Eugenia Troncoso Leone and Pedro Evangelista Duarte (eds) *Sustainable Growth, Development and Labour: Progressive Responses at Local, National and Global Level*, GLU/ILO, 177–200.
- 2013 Douglas, K. and C. Jess. ‘Gender and Trade Union Database: A Basis for Change?’. In José Dari Krein, Eugenia Troncoso Leone and Pedro Evangelista Duarte (eds) *Sustainable Growth, Development and Labour: Progressive Responses at Local, National And Global Level*, GLU/ILO, 201–22.

1. Introduction: Setting the Scene

Akua O. Britwum and Sue Ledwith

Background

A woman's place is everywhere, but especially in her union, and especially in the project to feminise gender and diversify organised labour. Unions also need women if they are to halt and reverse the decline in membership, power and influence of organised labour across the world. This book is about both these key issues and is written by women and men who are centrally involved in this gender trade-union struggle.

We are the gender and trade union research group of the Global Labour University (GLU)¹ – trade union and activist alumni and academic activists who have been working together since 2009 to research and foreground the state of gender politics and gender relations in trade unions in more than 20 countries. Our aims were to make gender and diversity issues more visible in our own unions and in the wider international labour movement; and to provide examples of creative, innovative and good practice across labour movements. We were also interested in enhancing alumni skills, knowledge, empowerment and opportunities to develop collective strategies and an enduring network.

Over that time, the group has produced findings from their own unions and countries. We have published a summary report (Ledwith and the GLU Gender and the Trade Unions Research Group 2010), and chapters in two GLU/ILO edited books of GLU conference papers (Britwum et al. 2012; Douglas and Jess 2012). In all of these, we have sought to address those four aims and we hope that this book does that. In the final chapter, we discuss the researchers, the research itself and the outcomes, and conclude from our endeavours that while the project is an ongoing one for all labour activists, we have meanwhile been able to produce some 'really useful knowledge'.

In this book, we present a collection of case studies from research group members from Brazil, Ghana, India, New Zealand, the Philippines, South Africa, Turkey and Zimbabwe with additional work in progress from Nigeria. Through these, we explore gender and diversity within our own unions and the wider international labour movement. As well as being country studies in their own right, they also address themes that recur across the cases, producing patterns of evidence that can be used to

1. The GLU is a virtual, or networked, university consisting of four core full-time MA programmes for young trade unionists from the global south, based in universities in Germany, Brazil, India and South Africa, with Ruskin College, Oxford, UK, an associate member. See <http://www.global-labour-university.org/>.

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drive change, for example in bargaining agendas for gender, which we have called the BAG, asking questions about the contents of the union bag, how they are prioritised, by whom and why.

The cases deal with three key areas of unionism. In the first set, we look at sector specific situations of bank workers in Brazil and street cleaners in India. The second set focuses specifically on union bargaining agendas for gender from the Philippines and Turkey. In the third group are cases from Ghana, New Zealand, South Africa and Zimbabwe where we examine women's roles and leadership situations in national confederations and peak bodies. We end with a chapter in which we tell the researchers' stories as union activists, women and men members of the research group, working for gender equality in our respective unions. Here we share our experiences and note what it was that first motivated us into union activism and work. Our locations are varied and stories even more so. However, our persistence speaks to the need to succeed in union work and our conviction that women workers have a right to a voice.

Our work throws light on the detail and social processes of intra-union gender politics whereby women are systematically excluded and marginalised from their unions' leaderships, despite extensive union policies of gender and diversity equality. These realities have serious knock-on effects in the muting of women's voices in strategy and policy work, and at the negotiating table, leading to too few of their demands for gender parity and rights getting into the union mainstream and onto bargaining agendas. We see this particularly in the detail of the Philippines research. On the other hand, we also see how gender and union left-wing politics can deliver positively for women in Turkey.

While the cases in this collection differ in terms of locations, the similarities are striking. Women's positioning in the labour market is in precarious work, both in and across formal and informal economies, where there is an absence of legal rights. The replication of this gendering, together with racialisation in trade-union membership, especially leadership patterns, causes patriarchy and class to intersect with cultural and religious beliefs to produce a complex web of discrimination, exclusion, marginalisation and gender pay gaps. This is where women wrestle to carve out spaces to develop gender strategies, voices and visibility.

Labour markets and gender

All the cases illustrate how globalisation and downstream national economic and political 'liberalisation' and restructuring are having an impact on labour markets. From Brazil, through Ghana to New Zealand, Turkey to Zimbabwe, women dominate the service sector, and are more likely to be in precarious, low-waged work. Depending on levels of informality, women are either in casualised employment as in New Zealand or self-employed informalised sectors in Brazil, Ghana, India, Turkey, the Philippines and Zimbabwe. Union coverage is predominantly male and white (pale) in the racialised countries like Brazil and New Zealand, and creates class

division among workers and women as well as among those where union membership means they benefit from labour legislation, whereas their comrades and sisters outside the contours of union coverage and protective rights have no such protections. In countries such as Ghana, India and the Philippines, as well as in Zimbabwe and Brazil the dominant informal economy continues to be the major employment location of working women. The difficulties in organising informal economy workers have been well documented although more recent accounts – note some success by informal economy workers in developing alternative forms of representation (Brown and Lyons 2010; Lindell 2010; Britwum 2011). However, the effectiveness of these in gaining the real voice and influence of workers in the informal economy remains unclear and trade unions remain as the major agency for the pursuit of working people's interests, irrespective of their location in the labour market. Nonetheless, it is in working people's interests, and particularly women's, that unions work more closely with such alternatives.

We observe that the countries presented in this collection are at varying stages of change. Labour market restructuring has a contradictory effect on women's employment. While the traditional male-dominated sector, manufacturing, shrinks, the female-dominated service and public sectors expand. These provide work for more women than for men, but on the other side, the cases from New Zealand to Turkey note that such jobs have problematic working conditions. In the Brazilian banking sector, for example, the introduction of new technology opened up lower end repetitive work for women and, in India, more women are hired into the lower end of waste picking on the 'pity case', which Rhea Chatterjee shows leads to a harmonising downwards of work quality.

Be as it may, however, the directions of change are targeted at eroding workers' ability to collectivise and negotiate their rights. In our case studies, women workers tend to be located at the two extreme ends of the labour market one with high and the other low union density. In the formal sector, where their numbers are low, they are more likely to be working in the public sector, especially in Ghana, New Zealand and Canada, where union density is highest with more stringent adherence to legislative protection. In all countries, though, women mostly work in sectors where unions are weak. We note therefore how women workers dominate the informal labour markets, in casual, outsourced jobs without rights and protections; even in formal sectors, they are mainly observed in the breach. Carol Jess comments from New Zealand that this situation divides women workers into those under the protection of unions and those without.

Another striking observation is how, although women are increasingly joining labour markets, their pay and conditions are not improving proportionately. While there is generally around a 10 per cent pay premium for trade unionists over non-unionists, gender pay gaps are widening rather than closing. Partly, this is due to the speed with which global capital has reinvented itself following the global meltdown in 2008, putting women in the vanguard of attacks on and the destabilisation of

labour, which drives the velocity of precarious work. For it is such workers located in the informal economy who produce the conditions for the capitalist project and neoliberal politics to exist. As Juliet Mitchell (1986) forecast, within a period of critical change in capitalism, women are used within the economy as a temporary advance guard. A repressive, controlling, patriarchal state can target those it sees as weakest, because it can.

Constitutions and rights

Nonetheless, a number of countries represented in the book have progressive constitutional rights for workers generally and for women specifically, as for example in Ghana where special care for working mothers, paid maternity leave, equal pay for equal work done are provided in the 1992 Ghanaian Constitution. The two countries with possibly the most positive stories to tell on constitutional gender rights are Brazil and South Africa. Each came out of forms of dictatorships in the 1980s and 1990s. Subsequent efforts to right the wrongs of repressive regimes have led to the development of strong democratic constitutions that foreground women's rights.² The Brazilian government of Lula, the former trade unionist who was elected president in 2003, has gone further to enact additional rights, as for example under the 2006 *Maria da Penha's* law against domestic violence. In Ghana similarly, the 2003 Labour Act made sexual harassment in the workplace an actionable offence. Through these cases, we are able to examine ways in which the countries variously from 'progressive' Brazil and South Africa have put women and gender equality at the heart of their constitutions yet still have a long way to go before the reality catches up with the rhetoric. And, labour legislation notwithstanding, it is the presence of strong unions that can help to ensure that provisions can be translated into rights.

It also becomes clear that labour law also works to control and restrict workers and unions, even in highly labour and gender conscious spaces like Brazil and South Africa, as our authors Jô Portilho and Janet Munakamwe note. In addition, in some countries, for example Turkey, trade union rights are so constrained by governments that bargaining of any kind is very limited and, in the face of globalisation and neoliberalism, even in some 'western' economies, for example the UK (see Moore 2012), or as in New Zealand, legislation has narrowed the scope for union activity. One constant can be seen as the feminised public sector, where even when opportunities have become circumscribed or repressed, such as in the Philippines, trade unionism and collective bargaining are at their strongest.

Nowhere is existing legislation considered adequate for securing protection for working women. Gender and women's rights legislation, where they exist, are practised piecemeal and, in many cases, the trade unions could do more to uphold them. Woman-sensitive legislation, as the cases from Turkey and India tell us, can serve as a double-edged sword. Additional legislation to support women in easing the

2. For further discussion on the situation in Brazil, see Ledwith et al. 2012.

burden of work life balance has been used as an excuse to keep women out of work. In South Africa, Janet Munakamwe notes that the workplace environment remains hostile to women and demands for childcare needs still fall through legislative cracks. In Turkey, according to Gaye Yilmaz, the prohibition clause regulating night work for women has been used as a disincentive to hire women. Others blatantly flout the law and, in the case from Ghana, Akua Britwum reports that employers deny women on probation their legal right to maternity leave with full pay.

Gender, power and identities

Important revelations from all the cases are how forms of power relations intersect with gender to marginalise women further. As discussed by Spivak (1983), cultural identity is a key factor and, in our case study research, we can see this is constructed from a complex intersecting of gender, unionism, race, religion, class and caste. In India, where cultural interests of caste and gender are closely intertwined, Rhea Chatterjee shows how Mumbai street cleaners are at one level, desexualised by the caste system, and how their place in the informal economy means there are no rights at all. In India, she notes, the caste system makes women's particular needs irrelevant to all but the women themselves. In Brazil, South Africa and to some extent Zimbabwe, it is race that is the main marker. Culturally, some women are hemmed in at the intersection of patriarchy with religion. In Turkey, religion serves as a powerful determinant of privilege and, in Nigeria, Joel Odigie noted that a study conducted by Oladimeji (1999) showed that Muslims were significantly less likely to be employed than Christians; women both in the Igbo and Yoruba ethnic groups were significantly more likely to be employed than their Hausa counterparts; that the higher the age at marriage, the more likely that women are to be employed; the wider the age gap between husbands and wives, the less likely women will be employed; women in both the extended and polygamous unions are less likely to be employed than women in nuclear and monogamous unions. The study suggested that an expansion of education opportunities, later marriages and promotion of contraceptive use are needed to increase women's labour force participation and, consequently, improve the status of women in Nigeria.

Women's union membership, leadership and education

Our interest in the details of union membership reveal rising numbers of female members, and a corresponding rise in women holding trade union leadership positions. This is most evident in Brazil, Ghana and New Zealand, but further interrogation reveals that a problem remains in relation to seniority and the inclusion of women in activist and leadership roles. Women are more likely to hold lower or secondary positions in both male and female dominated unions. Union leadership therefore remains deeply sex segregated and women have a more difficult road to tread towards union leadership than their brothers do. Women union leaders in Brazil and Ghana are less likely to receive support into and in trade union positions than

their male counterparts. Sometimes too, as Jô Portilho notes, Brazilian women still hold to patriarchal norms that insist that women cannot be leaders, and Gaye Yilmaz found that women in Turkey who were showing evidence of union activism in pursuing workplace rights remained unaware of the content and processes underlying bargaining. Crispin Chinguno notes that women's positions on the margins of union leadership in Zimbabwe remains more 'ceremonial than political'. Women's leadership suffers an additional blow from poaching of women in union leader roles by government and business in South Africa. The significant and positive finding however is of rising levels of union consciousness and a deeper sense of union ownership that women leaders exhibit, in particular from countries such as Brazil, Ghana and South Africa.

The development of new democracies has also yielded both benefits and problems for organised labour as able and high level union leaders become absorbed into national political leadership, thus depriving unions of active women while also offering women in politics the chance to reach across to work on the women's project more widely. In South Africa, the state is not alone in taking women out of union leadership; employers are active in poaching women trade union leaders.

Women's education emerges as significant in several of the case studies. Akua Britwum shows that the number of Ghanaian women in formal education has increased dramatically over the past decades, although there is still a long way to go, for more than half Ghana's female workers have either not progressed beyond primary level or have never been to school at all. In addition, trade union education remains a key tool in raising women's consciousness and, in a few cases, the research process itself has acted as a critical ingredient for generating awareness of union processes.

Taking on union leadership comes at a cost for women. In all situations, women continue to add a third call on their time use when they take up leadership positions. The norms of sexual division of labour still assign women the responsibility of family responsibilities, such as housework, and fail to adapt as more women become sole income earners, even in heterosexual headed households. Women union leaders therefore continue to carry a triple work burden, with men very slow to take up domestic tasks in support of women's increasing provisioning role.

Union action on gender

Against these negativities, we acknowledge that trade unions have recognised the need to address women's problematic participation and representation. All chapters identified the presence of dedicated women's structures and organs within the unions, including support for quota systems for enhancing women's participation in union decision-making activities. Such quotas ranged from 30 per cent in Ghana to 50 per cent in countries such as South Africa and Zimbabwe. Reserved seats were also strategies that were present in all the cases. In South Africa, Janet Munakamwe laments how quotas were having a negative effect because they were being used as a

ceiling rather than a baseline, which tended to reinforce women's supposed incapacity for leadership. There appeared to be a higher commitment to union women's structures. In addition, a number of chapters show evidence of dedicated funding for women's work within the unions. However, some report a reliance on foreign support, for example Brazil, Ghana and Zimbabwe, all were able to develop gender programmes because of resourcing from sister unions and NGOs, for example the Norwegian LO and ITUC in Ghana.

Collective bargaining agendas and gender

Our interests in how women's agency can and does challenge gendered structures and cultures led the research group to examine the core element of trade unionism – collective bargaining and its gendered forms. To do so we developed the idea of the BAG; the bargaining agenda for gender – what is in the BAG, who draws up the shopping list, and who sits at the bargaining table? In all these activities, the gender divide within trade unions has important effects. We find that in several cases not only do the unions not pursue gender agendas – they sometimes prefer to support and apply legal protections for their women members – but also that the processes of collective bargaining particularly are gendered in ways that foreground and support (as in the Brazilian banking unions), but also exclude or marginalise both gender agendas and women unionists.

To help to unpack some of this, we draw on Walton and McKersie's (1965) study of bargaining behaviour, and its utilisation by feminist writing. Tricia Dawson (2014) in her study of collective bargaining and the gender pay gap in the UK printing industry showed how a masculinised, longstanding, shared understanding between trade union negotiators and employers about the culture and workings of the bargaining process is at the heart of gender power relations, working to exclude and marginalise gender agendas. In her study, she found that equality, or 'women's issues' were designated as 'social' rather than political and industrial, so thus inappropriate for collective bargaining. In this way, the effects of male homosociability become part of the discourse of bargaining. Identified as *attitudinal structuring*³ by Walton and McKersie (1965), Dawson (2014) examined the gendered social processes involved in what she describes as a dual delegitimisation of women and equality – of both women's competence to handle collective bargaining and of the relevance of gender issues to the bargaining agenda. We can see similar processes in our case studies, especially in the Philippines where it is clear that male interests among the unions and the employers meet when gender demands, which would cost the employers money, are bargained away by the unions whose primary interest is in 'core' industrial issues. This includes pay, which is not, however, seen to be about equal pay (for women). Thus, these shared masculinised understandings help to crystallise bargaining agendas, exemplifying the gendered power relations in the

3. Terms in italics are those identified by Walton and McKersie (1965).

intra-organizational bargaining processes – those within the union between the masculine agenda and the bargaining agenda for gender (BAG), namely between men and women.

These practices feed into what becomes a mainly *distributive* bargaining activity to resolve conflicts of interest, usually along class lines, a traditional win–lose approach, rather than an *integrative* approach whereby there is more opportunity for win–win and a method that would more easily accommodate gender bargaining agendas. Feminist commentators have built on these to develop a newer approach described by Sue Williamson (2007) as ‘interest-based bargaining’ and is a form of integrative or more cooperative bargaining that takes account of ‘the whole context of the negotiations as well as the strategies and tactics used around the bargaining table’ (Fells 1998, quoted in Williamson 2007).

Straight exclusionary practices whereby unions refuse to pursue women workers’ rights, even as workers’ rights, can be seen in Ghana, where some female union leaders were found by Akua Britwum to be ignorant of their rights and uncertain of the demands they could make on their unions, even though the national confederation has a gender structure, women’s committees and officers. Even worse, in India, we can see the unions’ refusal to pursue even existing legal provisions for working women; they see workers’ rights as gender neutral. In these two cases we see that the gender power imbalance means that there is little *intra-union* bargaining at all happening between men and women in the unions. It does take place, however, in the Philippine case study, although the balance of power is weighted heavily against the women, and in South Africa, where a lengthy list of BAG items is given little attention in collective bargaining. This is because, as Janet Munakamwe identifies, few women form part of the bargaining process and thus have little voice to push for their demands. Unions in both South Africa and Zimbabwe have to deal with their colonial white supremacist history and, in both countries, black trade unions were central to their struggles. Crispen Chinguno identifies how, in Zimbabwe, societal patriarchal norms – a powerful overarching *attitudinal structure* – have kept women out of union leadership, so thus excluded from collective bargaining. This is especially so in one of the sectors he discusses, railways; this is an industry with few women workers and few women in leadership positions, with the exception of the Railway Artisan Union. Therefore, it becomes ‘part of the norm to have no women at the bargaining table, even from the management side’. This attitude, he writes, is mirrored in the workers’ rights legislation, which is labour friendly but not gender sensitive.

However, we also find counter directions. In Brazil, the banking unions have been in the vanguard with successes in the BAG. There, women’s voices in their unions were loud in the 1970s and 1980s in demanding childcare, better working conditions and political participation. After the first women’s banking workers meeting in 1981, they achieved childcare for babies and, a decade later, extended this to children aged up to six. Likewise, maternity leave was increased over time. Clearly gendered

attitudinal structuring was effective here through a process of *intra-organisational* exchange and bargaining in the labour movement. These processes can also be seen as a form of *integrative bargaining* since the BAG is extending the traditional bargaining agenda from its narrow focus on pay and conditions. In the 1990s the Brazilian women went on to secure positions on the direction board of the national confederation, CUT, with a full-time woman in charge of gender issues. Building on these and other successes, equality of opportunity became a constant on bargaining agendas and the banking sector was the first to achieve a collective agreement. As Jô Portilho explains, these rights gained by the female bank workers opened the way for others, less organised, to do so too. Collective bargaining remains the core activity of trade unions. It is therefore no surprise that in the Brazil bank workers' union questionnaire survey, both women and men identified this as the most important aspect of leadership for their own union leaders, and it was up with two other aspects of union experience as essential to have in order to become a union leader. These outcomes, together with key results shown by Melisa Serrano and Ramon Certeza's Philippine survey, strongly confirm how such successes and equality initiatives would not have been included in agreements but for the involvement of women. That women need to be involved in the actual negotiations and that their input behind the scenes, doing research, formulating bargaining proposals and being involved in working parties, has also shown to result in equality measures being included in agreements (see also Dickens 1988). As Gaye Yilmaz points out, World Bank studies also identify the need for women to be involved in bargaining. Furthermore, empirical research shows that women develop different agendas from the traditional male workers' ones. In this way, the presence of women not only transforms the bargaining process, the interpretation and implementation of the claims, but also helps to undermine the prevailing hegemonic ideology of the male breadwinner model (Dickens 1988: 34), an observation made by Gaye Yilmaz in her analysis of BAG in her research in Turkey. Linda Briskin (2014) also argues that internal union strategies to support equality bargaining complement the focus on the substantive issues on the bargaining agenda for gender. We think another strand is important here too – ideology and politics.

In Brazil, the strong political and union culture of socialist democracy clearly has made a difference. In the Turkish case, the politics of the gender sensitive confederation is what leads it to recognise gender issues. However, as Gaye Yilmaz explains, very tight legal restrictions on Turkish unions mean that unions have to spend much effort to develop bargaining agendas for gender (BAG). She identifies how only one confederation in Turkey could be identified as gender sensitive, and that this may be due to it being a public sector union with a relatively high proportion of women members, but especially the militancy of its cadres and its democratic traditions. Given that public sector workers only gained legal bargaining rights in 2012, and that women are unlikely to be on bargaining teams, it might be expected that gender items would not feature – with the exception of breastfeeding. And,

although it seems from Yilmaz's research that there was no women's participation in bargaining, the two leading proposals of the union were gender issues – parental leave and breastfeeding facilities. However, it also became apparent that further demands such as reproductive health, menstrual leave or protection against sexual harassment might become subject to trade-off.

Among the Turkish women health workers interviewed for this research, all those who knew about their unions' bargaining system reported that there was no women's representation on bargaining teams. Indeed, as Gaye Yilmaz recounts, none of the respondents had thought about the possible impact of having women in collective bargaining teams before. Many of them were even surprised by this question as they were not aware that teams that might well be composed of women as well as men ran the collective bargaining processes.

In the Philippines, Melisa Serrano and Ramon Certeza point out how the continuing decline in unionisation, particularly in labour-intensive industries where women are concentrated, and women's representation deficit in the unions, put women at a disadvantage in bargaining for higher wages and better working conditions. In this country, collective bargaining is focused at the enterprise level, but only in workplaces with ten or more employees.

In their survey, Serrano and Certeza found that just over half their respondents claimed that gender/women's issues form part of their union's collective bargaining proposals, but that women make up fewer than half of bargaining team members, in some cases only 20 per cent. The three provisions most wanted in their BAG were maternity leave beyond basic legal provision, pay equality and menstrual leave. Yet, all these were seen always to be traded off around the actual bargaining table, through *distributive* bargaining in a context of homosocial relations between the unions and management. Here, where management saw BAG items as having a cost for the employer, they were not accepted, notably a variety of special leave for women, including menstrual leave, breastfeeding facilities and daycare. These bargaining processes are reinforced by the researchers' negative findings about women, such as that male management bargaining teams tend not to listen to women, and that women are seen as 'soft or weak' in pushing for proposals. Positive findings, however, are that when women become actively involved in organising inclusion of reproductive health issues on union programmes is more likely. In addition, where there is a union policy allocating a certain proportion of the collective bargaining team to women and gender/women-related policies, this is strongly related to inclusion of maternity leave beyond the legal minimum in the BAG. Overall, Melisa Serrano and Ramon Certeza concluded that when women are substantially represented (or comprise the majority) in union leadership and in the bargaining team, winning more collective bargaining provisions for women's issues (particularly those that entail direct monetary costs for management, such as additional maternity leave, menstrual leave and daycare facilities) tends to be more likely.

Theory, praxis and women's consciousness

In line with feminist principles of praxis, whereby theory and research inform practice, the cases explored the potential of women union leaders to link their internal struggles within unions and workplace with broader social questions of inequality.

Again, Brazil and South Africa stand out as countries where consistent efforts have been made to link nationalist struggles with workplace concerns. In both countries, there was evidence of the existence of women's groups working consistently to pursue distinct self-interests. In Turkey, union research and publications were allowing trade unions to connect with incidences of violence against women, particularly honour killings. Jô Portilho notes high levels of union consciousness about the link between workplace and other social and political struggles in Brazil. Yet, in South Africa the gains made by activists in workplace rights appear to be demobilising and threatening women's activism; and being in union leadership positions does not readily translate into being gender sensitive. On the contrary, Janet Munakamwe observes that legally won provisions for women stand the chance of reducing women's activism. An allied theme that emerges from the cases is that the ability of labour legislation to serve women seems to depend on two critical factors – union consciousness and a core group of women ready to lead the agenda.

In addition, in some countries, like Ghana and Turkey, as well as Zimbabwe, union education has provided union women leaders with the tools to generate gender consciousness. There is clearly a need for more opportunities for women to develop in these ways; in several of the case studies, the researchers found a lack of knowledge and information among the women about their rights in the union and how they can better take on leading positions, especially in the collective bargaining sphere. The authors also found that, like the Turkish women, many of those interviewed by the researchers were not even aware of their union gender policy in relation to collective bargaining, discovering for the first time, from the researchers, what their union gender policy was.

The African context

Half the countries discussed here are located south of Africa's Saharan region – Ghana, South Africa, Zimbabwe and Nigeria. They present interesting dimensions in terms of similarities and differences that we highlight in this section. Their peculiar historical experiences are rooted in Britain's colonial empire and mediated by their geographical locations; together, these shaped their politico-economic histories and creating marked differences in their present labour market structures. South Africa and Zimbabwe enjoy cooler temperatures than Ghana and Nigeria and, of course, Nigeria is oil rich. All also have tribal and ethnic divides. The hijacking of independence from British rule by the local white ruling class and the development of apartheid in South Africa meant additional violent struggle to achieve greater democracy. In all these African countries, however, trade unions were active agents

in nationalist struggles for democratic states, which earned them special positions in the newly democratic governments, which allowed them to influence labour friendly policy and legislations. Economic policy largely determines state labour relations in Africa and this is played out in these countries (Britwum 2012). In all these countries, globalisation's structural adjustment programmes have also impacted strongly. In turn, these frame and structure labour markets, determining the availability of jobs and conditions under which various sections of the population can access work.

In particular, women's location in precarious labour market segments with low and unregulated pay are the norm, offering weaker or no protection in, for example, agriculture, domestic work, the service industry and the informal economy. In turn, women suffer from workload victimisation, for strong patriarchal norms ensure that the sexual division of labour within households fails to adapt to changing patterns of women's position as sole income earners.

In the African case studies, it is apparent that unions rely heavily on national legislation, be they general or labour specific, to promote women's workplace rights and thus women's labour rights are governed by legislation, but with few attempts within union circles to secure benefits beyond what is mandated by the state. There are varying degrees to which national legislation is seen as a tool for combating social inequality though all have made some attempt. South Africa, as we noted earlier, has the largest array of legislation targeting inequality. But, as Janet Munakamwe points out, labour friendly legislation is not necessarily gender friendly and does not automatically ensure positive outcomes. A gini coefficient of 0.6 places it firmly among the most unequal societies globally.

Male sexism frames and controls women's sexuality in these African states and constricts their union participation and ability to be elected to high positions. In each country, the authors note how women leaders complain of sexual harassment as a barrier to their union participation and ability to serve their leadership positions effectively. In Zimbabwe, Crispin Chinguno found that women trade union leaders were seen as having 'loose morals' and were therefore a threat to the societal norms. Thus, the majority of senior women in the Ghanaian trade union movement, Akua Britwum observes, are 'atypical'; they are single, divorced, widowed, or with adult children. The issue of religious cultural norms also comes into play here, but is not restricted to Africa. Along with the situation in Nigeria referred to earlier, Gaye Yilmaz noted that Turkish women are also constrained by patriarchal domination, which in turn may be informed by Islam.

On a more positive note, funding and support from overseas sister union movements has been important in some African states. In Ghana and Zimbabwe, the largesse of foreign partners like the Scandinavian trade unions has played a key role in keeping the women's organs active. The downside is that this can absolve the local labour movement of such responsibility, making it difficult for the gender structures and activists to continue when the donors finish their involvement.

Conclusion

The main themes emerging from these case studies are both universal and particular. The universal issues are ongoing and, despite women's increasing individual and collective agency, often seem to be never ending. They include exclusion and marginalisation from formal, well-paid work; increasing gender pay gaps; struggling to balance triple roles in the greedy institutions of family, work and the union; fighting to achieve union leadership positions and making a difference in these, especially in bargaining agendas for gender and getting education onto the union agenda. The more particularistic issues are to do with cultures both within and across the case studies. Patriarchy takes on many forms whether through religion, in for example Turkey, leading to more complicated intersections of gender with religious identity, race and ethnicity and, in South Africa and Brazil where race has an especially dominant role, intersecting with gender and class. Sexual harassment and violence is a theme that runs explicitly through several of the case studies, and even where there is silence, the implication is nevertheless always present in the ways patriarchal homosociability dominates in sector cultures, such as the Zimbabwe railways.

However, as feminism has been in the vanguard of pointing out, to name and make visible such issues is to move towards shifting the paradigm. In this book, the paradigm's main scaffolding consists of patriarchal homosociability enshrined in cultural mores of religion, class, and caste, which relegates women to secondary status. Women's agency, sometimes together with supportive family members such as mothers and husbands, and with progressive brothers as in Ghana where unions are now organising in the informal economy, is visible in all the cases in the range of ways in which women are educating themselves and mounting challenges, from bank workers in Brazil to the street cleaners of Mumbai.

These findings point up a clear need for stronger efforts by unions, as well as by women, to identify and deal with the exclusionary and marginalising forces. This includes the need for a more creative process of *integrative* bargaining, which studies show that women prefer to traditional conflictual negotiation situations. All these can be usefully developed through education and training programmes for women and mixed-gender courses once women have found their voice and developed their gender strategies.

There are signs of women's agency in union spaces, as in the context of collective bargaining in Brazil. These are good indicators, for it is clear that beyond unions as guarantors of workers' rights, the gender composition and politics of negotiating teams are important for securing gains for women workers. Gender transformation of trade unions is not only about promoting internal democracy, it forms the bedrock to attaining greater rights for working women around the globe.

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Part I

Sector Specific
Situations

2. Trade Union Leadership and Gender: Brazilian Banking Workers' Inequalities

Juçara Portilho Lins

Women in the Brazilian banking labour market

Brazilian bank workers have been fighting for their rights since the beginning of the 1930s. More than 12 work hours a day and labour diseases made them one of the first groups of organised workers in the country. There are many local (city or small group of cities) bank workers' trade unions, but the fact that more than 85 per cent of them are under the CONTRAF/CUT umbrella guarantees a national agreement with the representative of banking employers. The national agreement protects all bank workers in the country, establishing labour conditions and remuneration clauses. For those reasons, workers' great level of trust in the unions keeps unionisation high. In the state of Rio de Janeiro, more than 60 per cent of bank workers are union members. Although women achieved the right to vote in Brazil in 1932, during the first decades of the twentieth century the presence of women in banking work was limited to supporting roles such as secretary of the board. Even then, this required permission from their parents or husbands. The working day was more than ten hours, including night work and weekends. Working conditions indoors, with humid underground safes and archives of classified documents, meant that tuberculosis was a disease of the profession. After winning the strike in 1934, the statutory working day was reduced to six hours, but this was not implemented until the 1960s when working on Saturdays ceased.

The entry of women into the banking labour market only took off in a significant way in the mid-1960s with the advent of large data processing centres (DPCs) installed in the main capitals of the country. The tasks carried out in the DPCs required no great skill but a lot of repetition. With the struggle for female emancipation, equal rights in society and access to professional space, a huge contingent came into the labour market prepared to accept that they would earn far less than men would.

In the midst of social struggle against the country's dictatorship of the 1970s and 1980s, the female banking workers demanded better working conditions, childcare and political participation in the country's future. The first Women Banking Workers meeting happened in 1981, the year they conquered the benefit of children's daycare. Initially, only banking workers with children under seven months of age were

covered. The labour movement's intervention was important for the social achievements secured by the Constitution of 1988. An example was the extension of maternity leave from three to four months.

In the 1990s, as banks adopted neoliberal policies with lots of dismissals, the main objective of the unions was the struggle to preserve existing rights. At this time, the National Women's Committee was set up within the National Confederation of Banking Workers of the CUT¹ (CNB/CUT). In 1992 the movement was able to extend daycare/nanny benefit for banking workers with children aged up to six years and eleven months (Ordinance n° 3.296, from 3 September 1986) Legislation on this issue only guarantees the benefit for children up to the age of six. Another victory was that after four months of maternity leave (established by the 1988 Brazilian Constitution — before it was just three months), women could take daily time off (half an hour) to continue breastfeeding their baby (or for expressing milk). In 1994, the report (for the national bargaining campaign) demanded more than a 'maternal approach' – women's demands were concentrated on professional training courses and discussion on sexual harassment in the workplace – not properly addressed yet!

Inside the CNB/CUT structure, the organisation of women also secured a position in the banking workers' direction board, with a full-time woman in charge of gender issues. That decision was crucial to spread the debate on equal opportunities for the regional federations and local unions. In 1997, the National Commission on Gender, Race and Sexual Orientation (CGROS) was created, emphasising the International Labour Organisation's (ILO) Conventions 100² and 111.³

At the end of the 1990s, workers started a campaign to have the medical plan extended to same sex partners. It defended the rights generally for homosexual banking workers' partners; despite that, we have no law allowing this kind of marriage. Banking workers only fully achieved this claim in the 2009/2010 bargaining round.

Solidarity from the Canadian International Gender Equality Fund (FIG) enabled the implementation of this project, namely 'the banking category towards the construction of more egalitarian relations in the workplace.' Several brochures and publicity materials were distributed to encourage debate and give visibility to the issue within the banking category. Thus, the theme of equality of opportunity became a constant demand for the collective agreements from 2000, and the banking sector was the first to win a clause guaranteeing equal opportunities. In the 2009/2010 National Agreement, it started to guarantee the extension of maternity leave from four to six months. Such rights gained by the female banking workers opened the way for other workers, less organised such as nurses, trade/commerce attendants to do so too.

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1. In 2005, the National Confederation of Banking Workers of CUT (CNB/CUT) became the National Confederation of Financial Sector's Workers (CONTRAF/CUT).
 2. ILO Convention 100 deals with payment – equal pay for work of equal value.
 3. ILO Convention 111 deals with promoting equality, that is to end discrimination in employment and occupation.

Nevertheless, female banking workers continue to struggle for the equal division of responsibilities at home, supporting the so-called 'shared relations', and for the end of domestic violence. This struggle was central to establishing the *Maria da Penha's Law* (the Lula government law 11,340 of 7 August 2006) that serves to restrain and prevent domestic violence against women, now considered a crime.

Even though some achievements in the field of gender relations are guaranteed in the banking collective agreement, implementation is still hampered by disputes in the workplace. Women on maternity leave who are absent for six months suffer from veiled harassment by their immediate superiors and even their teammates. Banking workers' trade unions have been campaigning to raise awareness in the professional category and have been seeking to expand the right to other female workers in an attempt to dispel the prejudice. It also keeps the flag flying to put into the law the ILO Convention 156 (not ratified by Brazil at the time of writing) that ensures equal opportunities and treatment for workers of both sexes.

In the book *A critical debate from feminism: productive restructuring, reproduction and gender*, edited by CUT in 2002, the sociologist and banking trade union leader Suzineide Rodrigues de Medeiros, estimates that setting up a bargain for specific gender negotiations between banks and bankers was a milestone for the Brazilian working class. As the first professional group to establish this pattern of bargaining, female trade unionists were required to be in the team that faces the bank's negotiator directly. It was also fundamental to develop research within the banking sector to support the claims. Thus, in April 2001, the research entitled *The Faces of the Banking Workers: Map of Gender and Race in the Brazilian Banking Sector*, was launched, conducted by the Inter-Union Department of Statistics and Socio-economic Studies (DIEESE). The outcome of this research supported the establishment of a permanent thematic negotiation.

A map of diversity

Wider research about diversity has also been developed. The study, *Research in Human Resources, Best Practices and Census of Diversity*, better known among banking workers as the *Map of Diversity*, was the result of pressure from the banking trade union movement, supported by civil society groups and materialised in the lawsuits promoted by the Public Ministry of Labour (MPT).⁴

The Brazilian Federation of Banks (FEBRABAN)⁵ administered the survey in 17 banks – and 204,133 banking workers (49.9 per cent of the employees of these institutions) answered it; 66.1 per cent work in private banks and 33.9 per cent in

4. The Public Ministry of Labour has developed a study on discrimination in the workplace that justified public civil lawsuits against the five largest banks in the Federal District. According to the Attorney-General of Labour in office, Otavio Brito Lopes, the lawsuit becomes even more important because 'the banking branch is emblematic once it pulls the rest of the economy. Moreover, the sector must demonstrate that it has social responsibility.'

5. FEBRABAN – www.febraban.org.br/neg_diversidade.asp.

public ones. The goal was to map the diversity in the Brazilian financial system and check for discrimination in the sector.

The results of this census were presented on 2 July 2009 to the chairman of the Commission on Human Rights and Minorities of the Chamber of Deputies, the Public Ministry of Labour and workers' representatives and organised civil society, in Brasília (Brazil's capital).

Below is the most relevant information, it observed.

Race

Most of the workforce (77.4 per cent) is composed of whites, while only 2.3 per cent of banking workers are black. Moreover, 16.7 per cent are mulatto, 3.3 per cent are yellow and 0.3 per cent Indian. In the largest financial region in the country – the state of Sao Paulo – 41 per cent of the banking workers are white men and 46 per cent white women. Only 7 per cent are black or mulatto men, and 6 per cent black and mulatto women. In addition, the average income of blacks (including mulattos) equals 84.1 per cent of the wages of whites. Racial prejudice was also evident in the data on careers; 30.3 per cent of blacks were never promoted, while among whites the figure drops to 22.8 per cent. Most black people (66.5 per cent) have up to three years of work in the same bank. Only 4.8 per cent of blacks and mulattos were identified as superintendents, or being in management positions.

Gender

The gender balance in the workforce is 48.4 per cent female and 51.6 per cent men. Private banks employ more women (50.5 per cent), public banks more men (55.7 per cent). The gender pay gap is 21 per cent with women earning on average 78.6 per cent of the amount men earn, even considering the same positions at all levels. In terms of career, women fill 53.3 per cent of the lowest positions while men make up 81 per cent of those on the boards or as superintendents.

People with disabilities

Although the law requires a minimum quota of 5 per cent of disabled people in companies with more than 100 employees, the banks only reach 64 per cent of this goal, even though people with disabilities made up 49.1 per cent of those hired during the past three years. Only 23.1 per cent of the banking workers who responded to the survey consider that the accessibility in banks is inadequate.

Education

When it comes to educational background, 91.6 per cent of workers in the sector have attended, or are still attending, universities (frequently private ones that provide a night shift). Although 66.5 per cent of the workers have completed their university studies, there is no differentiation between the percentage of men, women and blacks.

Age

The banking workforce is comparatively young with around three-quarters aged under 44, and those under 15 making up 14 per cent. Among those aged under 34, there is a prevalence of women.

According to FEBRABAN,⁶ five working groups are operating to find solutions to such inequalities. However, there is no guarantee of participation by trade unionists, either to prepare proposals or to discuss action plans for implementation.

Gender and leadership in the Brazilian banking sector

There are no data for all bank workers' trade unions in Brazil, but it is useful to illustrate the situation using data collected by the Rio de Janeiro banking union, the second biggest in the country, as seen below in Figures 2.1 and 2.2, which reinforce the gender imbalances already set out above.

Fig. 2.1: Members by age

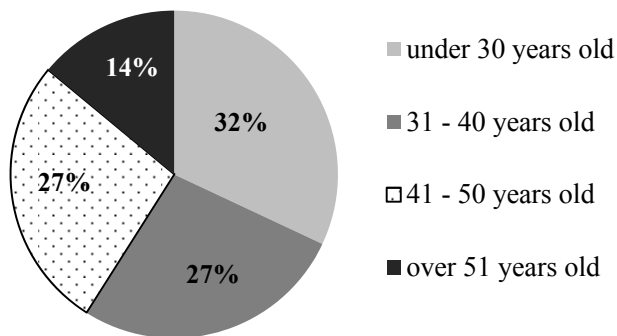
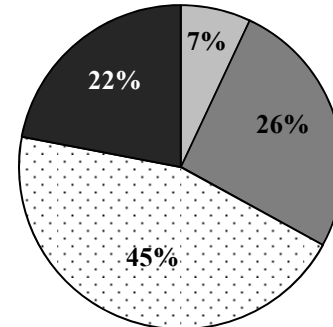


Fig. 2.2: Direction board by age



Source: Rio de Janeiro Banking Workers Trade Union. Planning Report for 2009–12.

The workforce is generally a young one, with 59 per cent aged under 40, and women making up just over half of all the staff. However, this picture is reversed at the top levels, where 45 per cent of senior management are male and almost three-quarters of the direction board are aged over 40. As we shall see above, this pattern is repeated in the banking trade unions.

Gender and leadership in Brazilian banking unions: research study

This section offers more detailed insights into gender relations in banking unions, with a particular focus on women in senior and leadership positions, and their views about union leadership. As part of a project involving field research in Brazil for Global Labour University (GLU), I interviewed some unionists. My nomination to the direction board of the National Confederation of Workers in the Financial Sector (CONTRAF) of the Workers' United Confederation (CUT, or Central Única dos Trabalhadores) in April 2009 allowed me access to focus my research on this sector.

6. FEBRABAN is the Brazilian Bankers Association in charge of trade unions issues.

The financial sector's employees are well organised throughout the country, with 85 per cent of all banking workers' trade unions under the CONTRAF/CUT umbrella. Some 108 bank-workers' trade unions, each based in a particular city or region, are under the umbrella of CONTRAF/CUT.

In this research, I am interested in exploring the feelings and opinions of women trade unionists, who are inadequately represented in the senior decision-making bodies – the boards of directors – of most trade unions in the country. CONTRAF/CUT itself has not yet succeeded to balance gender in the election of its executive body, according to CUT's determination about gender quotas (30 per cent).

As already set out in the banking labour market, women represent more than 50 per cent of the employees, although never getting the best or, at least, good positions in the hierarchy. In many cases, such as in Rio de Janeiro's trade union, women make up over half the total membership. This is an indication of these female workers' high level of union consciousness. So, why are women only a maximum of 30 per cent of this trade union's direction board?

This situation raises a number of questions:

- If women have a high level of trade union consciousness, why is decision-making at the top determined only by powerful male leaders?
- What kind of evaluation do the unions use to choose more men than women for the direction board?
- Do the women identify themselves as leaders?
- What do they believe is necessary to create equal conditions in the leadership of the labour movement?
- What about diversity on the direction board? Those of different sexual orientation, disabilities and race/ethnic issues have been generating many new demands. Faced with this reality, what is the representation of LGBT, disabled and black workers in the TU's direction board? What are the perspectives of those 'minority' groups in the labour movement?
- In the example of Rio de Janeiro's Trade Union,⁷ more than 32 per cent of banking workers in 2009 were under 30 years old and 59 per cent, under 40 years old. What about the average age of trade unionists and for how many terms are they being re-elected? What kind of inclusion policies have been in place for the direction board positions? Has anything changed within the last 20 years?

These are the subjects I have been interested since 2004, when for my first Masters' thesis I started to study education and the development of new leaders. As an activist and a feminist, for me *this* research is a wonderful instrument to continue looking at all these questions with a possibility of finding clues to contribute to the revitalisation of Brazilian's labour movement

7. Rio de Janeiro Banking Workers' Trade Union was founded 80 years ago. It is the second most representative banking workers' trade union in the country.

The research

This research has involved all 108 banking workers' trade unions under the CUT umbrella. Those unions represent 408,928 workers in the country with about 50 per cent concentrated in the southeast region. There are about 5000 banking worker unionists in Brazil overall, 30 per cent of whom are women.

A questionnaire⁸ was sent to the direction board of each union and also to one representative of diversity issues in the Rio de Janeiro Telecommunication Workers' Trade Union (Sinttel RJ) – from now on referred to as 'IT'. In addition, 137 questionnaires were sent to bank union activists in my own branch in Rio. Overall, around 250 questionnaires were emailed out with the option of forwarding the questionnaire to others. As can be seen in Table 2.1 below, 38 (15 per cent) returned completed questionnaires. The respondents were 24 women (63 per cent) and 14 men (37 per cent). They were all elected trade union activists and/or leaders at various levels. A few of them used a meeting in Rio to sit with me to clarify and finalise their questionnaires.

Table 2.1: Respondent profiles by gender

Gender		Age		Region		State	
Women	24	26–45	17	Southeast	1	Rio	12
		46–55	6	South	8	Sao Paulo	6
				Northeast	3		3
Men	14	26–45	5	Southeast	11	Rio	10
		46–60	9	South	2	Sao Paulo	2
				Northeast	0		
Total:	38						

Source: Fieldwork 2012.

Findings

Age

Of the 23 women who answered this question, nine were aged 41–45 and none was over 55. Of the 13 men, one-third was aged between 46 and 50 and the others were over 56 years old. It makes us think that female unionists are younger than male ones. However, from the youth group point of view, just 11 per cent from both genders are under 35 years old. At the same time, Rio de Janeiro's trade union's own data (it is

8. The leadership questionnaire is adapted from one used by Sue Ledwith of Ruskin College, Oxford, and academic coordinator of the GLU Gender and Trade Unions Research Group 2009–12. It was also used in fieldwork in Brazil in 2012 when I was the main researcher on Sue's Leverhulme Trust funded scholarship research in Brazil.

the second largest banking Workers' Union in the country) put 32 per cent of all workers as under 30 years old.

Caring responsibilities

Two of the men and ten of the women had no caring responsibilities; all the others had at least one family member to care for. Men seemed to be more involved with the elderly (8) and women with schoolchildren (12) and the disabled (4). Compared with women unionists' average age, we can say they are having children later or not having them at all (41.66 per cent marked nothing). This raises the question for women, is it necessary to give up motherhood to be a women leader in the unions?

Feminism and consciousness

Table 2.2 shows that from their questionnaire responses, it seems that the majority of women are conscious of their roles as women leaders. Half identified themselves as feminist, and these 12, together with five non-feminists, 71 per cent, said they carried out their union role differently from men.

Table 2.2: Identity and consciousness

Identity/consciousness	Women		Men	
As a woman/man do you carry out your union role?	differently	17	differently	3
	same way	7	same way	11
Feminist	yes	12	yes	1
	no	10		
	don't know	2		
Political consciousness as man			yes	8
			no	3
			don't know	1
			no response	1
LGBT		2		2
Political consciousness ethnic/cultural/ national	yes	12	yes	7
	no	0	no	2
	don't know	1	don't know	2
	no response	10	no response	2

Among the men only three said they did things differently, whereas 11 said men and women carried out their roles in the same way. Three of the men who marked 'the same as women' also identified themselves as belonging to one of these groups LGBT/disabled/other race/ethnic. Generally, a small majority of both women and men identified themselves as having a political consciousness of some sort, as is shown in Table 2.2.

However, identifying with feminism seems not to be a clear concept for several of

the women. For example, it is curious that two women, one in charge of gender relations and the other a women's secretary said they were not feminists. They justified their responses as '*feminists' behaviours are very radical*' in the first case and as '*a feminist is very extreme in her positions, and I am a person who likes to analyse and weigh each placement, seeking the best of each one, in order to work optimally in favour of the woman*', in the second.

Among those who answered 'don't know' we can see external opinions at play and not personal ones: '*some of my attitudes are considered characteristic of feminism.*' When it came to ethnic/cultural/national consciousness, there was an equilibrium in both genders. It is notable that homosexuals and black men answered 'yes', recognising in their comments their particular background as a source of consciousness. Just one of them justified his description as having political consciousness with the phrase 'I am macho.' At the same time, the majority of white men, even the one who declared as disabled, marked 'no'.

Being gay, my sense of equal rights, running through very subtle situations, not belonging [to] the heterosexual universe. There is an unimaginable gap to talk about rights within a society that does not respect me for my diverse way to be and love. When, as a citizen, I only have obligations and responsibilities, it becomes very complicated to expect people to realise I exist or feel what I'm trying to say; what is my message. I need to be exposing myself all the time and this is very harmful in a society such as the one where we live. Many times, it is in fact cruel. It's a no return way. This militancy helps one to develop a different view, even of its peers.

The black man, however, said that '*by being a black man, I have specific knowledge of the issue of racial politics.*'

Union roles

Due to the large size of the country, the questionnaires were sent by email. However, some respondents from Rio de Janeiro were interviewed during some union meetings. The majority were women. This last group had more opportunities to clarify their understandings about some questions. It makes a difference especially in relation to the questions about identity and union role.

Overall, among the respondents, 18 women were free from work⁹ to be full-time elected representatives free, and six were not free. Among the men, 12 were free full time and two not free. This means that those who are full-time free are able to develop more tasks than others and also have more opportunities to attend courses and meetings. The union had 137 unionists on its direction board but only 24 women and 14 men answered the questionnaire. There were a lot more men in the union free full time but most did not respond to the questionnaire. Men in the union have more

9. This refers to being paid for their work position but being free to carry out their union work.

opportunity to attend meetings and assume tasks because almost all men are free full time for the union.

As shown in Table 2.3 for both genders, ‘equality and diversity’ is in third position, while ‘travelling/being away from home’ and ‘union bureaucracy’ are the most difficult aspects of being a leader for both sexes.

Table 2.3: Leadership role: strengths, weaknesses, expectations, by number of times mentioned

Assessment of Leadership	Women	Men	
Most important aspects of own role	1st Organising	1 1st Organising	5
	2nd Campaigns	2 2nd Campaigns	4
	Strategy/policy	9 Casework	4
	3rd Equality and diversity	9 3rd Equality and diversity	3
	Recruiting members	7 Advising and supporting members	3
		7 Union education and training	3
		Negotiating/collective bargaining	3
Main strengths in own role	1st Organising	1 1st Campaigns	5
	2nd Campaigns	3 2nd Organising	4
	Representing members	7 Advising and supporting members	4
	3rd Equality and diversity	7 3rd Equality and diversity	3
		6 Representing members	3
		Negotiating/collective bargaining	3
		Understanding employment issues	3
Most difficult aspects of being a leader	1st Travelling/being away from home	8 1st Union bureaucracy	5
	2nd Union bureaucracy	7 Travelling/being away from home	5
	3rd Public speaking	6 2nd Support from senior TU leaders	3
	Getting support from senior TU leaders	6 Conflict situations	3
		6 Racism	2
		6 3rd Time pressures	2
		Persuading/getting others to listen	2

Here it is possible to observe that female unionists are more linked with ‘organising’, while the men focus on ‘campaigns/campaigning’. Is it possible to see a gender division of tasks? In this case, do women organise the rank and file while the elaboration of campaigns and negotiation is the prerogative of men? As women have mainly only been on the direction board since the end of the dictatorship, there is a tendency to say that women have not yet enough experience for negotiating with bankers’ representatives, that is the employers, many of whom have been educated at Harvard (USA) university. Yet, many male unionists have not attended university, although once men are on the union executive they know they need to look for a degree course in law or economics (though not sociology or similar). An exception is Sao Paulo City and the state of Pernambuco where the union president, finance and

general secretary are all women but at the main round of national agreement negotiation, only Sao Paulo's president (about 37–40 years old) takes part. The rest are men and at least 50 per cent of them are older than 45 years old.

Negotiating/collective bargaining

As can be seen in Table 2.4, trade union skills on negotiating/collective bargaining (seven for men and nine for women) are of central importance to the group responding to the questionnaire, and the topic of equality and diversity appears only in the middle of women's lists and not at all for men.

Table 2.4: Leadership, knowledge and skills by number of times mentioned

	Women		Men	
Knowledge and skills important for YOU	1st Listening	9	1st Negotiating collective bargaining	7
	2nd Public speaking	7	2nd Listening	6
	Project management	7	Organising	6
	Being up to date with what the union is doing for members	7		
	3rd Casework and advice		3rd Understanding what the issues are for members	4
	Equality and diversity	6		
	4th Communicating	6		
	Understanding what the issues are for members	5	4th Casework and advice	3
		5	Project management	3
Knowledge and skills most important for leadership in own TU/organisation	1st Negotiating/bargaining	8	1st Negotiating/collective bargaining	7
	Communicating	8		
	Organising	8		
	2nd Understanding what the issues are for members	7	2nd Public speaking	6
	Being up to date with what the union is doing for members	7		
	3rd Public speaking	6	3rd Supporting the union's ruling political grouping	4
			4th Casework and advice	3
	4th Casework and advice	5	Understanding how the union operates	3
	Equality and diversity	5	Being up to date with what the union is doing for members	3
			Equality and diversity	3
			Militancy	3
			Organising	3

Note: The items listed/ranked in Table 2.2 were those with substantial numbers of mentions – usually four or more. Other important items were mentioned but often only by one or two respondents and so are not included in this table.

How to become a leader

As Table 2.5 shows, the respondents were clear that to get on in the union the most important aspects were to do with being part of the ‘in crowd’ and having support from key groups of existing leaders – who are usually men, and see above for example given of male behaviour.

Table 2.5: How to get to be a leader in your TU/organisation (number of mentions, men and women combined)

Internal support from trade unionists/being part of the ‘in crowd’		Experience/record		Visibility/be well known	
To have the support of senior paid officials	23	Have a proven record as a TU activist/rep	15	Show commitment to TU/the org’s principles	26
To have the support of a particular faction or group	21	To have a proven record of industrial action (banking worker)	12	To speak up at union meetings and conferences	20
Have support of key union lay activists	18	To have experience of negotiation/collective bargaining with employer(s)	10	To be well known in the union	13

The women in this survey, while well aware of this, are also keen to challenge and change things: *‘I am a feminist and [do] not reproduce sexist behaviours; [I do] not present myself as a victim. In my militancy I try to act with equality and charge equality by the others.’* And, having expertise, the skills and knowledge to make themselves indispensable was identified by other women: *‘I am a leadership that discusses all union matters and speak[s] on all policies relating to workers, including the issue of gender equality. But I do not limit myself to just this issue. This behaviour contributes to other partners willing to participate and act.’* The comment below also illustrates an important gender difference between women and men trade union leaders – women’s relationship with the home and the family:

I do not agree to participate in all events outside the time of union work. I announce publicly that I have committed to my children. I allow myself to miss a meeting to take my son to see his doctor or performance at school. I recognize my weaknesses if necessary I give a feminine touch in union activities; whenever possible I contemplate the issues of gender in political union. ... I do not allow one to intimidate me by being a woman.

From a rank-and-file trade unionist (not free for TU work) – *‘I give what I can of the activities of my house to have more time for union activities.’* Other differences observed by the women: *‘Women are more direct and objective in activities that develop.’*

My awareness of gender issues led me to sleep consecutive nights on a bus trip to attend a meeting (400 kilometres from where I live) just to discuss equal opportunities. My participation is more active than that of male unionists in the forums of diversity. I can identify situations of discrimination in the workplace in time to avoid further problems.

Becoming and learning how to be a union leader

Experience and education were by far the most useful ways for women and men in learning to be a union leader, as shown in Table 2.6. Mentoring was mentioned eight times for both sexes in relation to how they have learned the role. For men, it was the second most important way of learning about being an activist, just after experience (13). This was different for women, who consider experience (20), trade union courses (17) and being thrown in at the deep end (13) as ways that helped them to become a trade unionist.

However, if the question is their concerns of the most useful union support, men identified education (12) and resources (for example money, equipment, office space) (8) as most important. On the other hand, women highlighted mentoring (10) and thereafter the same options as the men. It demonstrates women would like to be supported by more experienced unionists.

Nevertheless, as can be seen in Table 2.6, ‘being thrown in at the deep end’ and ‘other education courses such as college’ were the least useful ways of learning to be an activist/leader. There are many union education programmes and women used to take part in them more than men; men used to be busy with disputes of positions on the top of a TU’s hierarchy. Generally, being part of a political party gives more chance to be accepted as a union leader.

Table 2.6: Learning the role, support from the union

Role learning		Women	Men	
How learned role	Experience	20	Experience	13
	Trade union courses	17	Mentoring	8
	Being thrown in at the deep end	13	Trade union courses	7
	Mentoring	8		
Most useful in learning own role	Experience	14	Experience	9
Least useful	Being thrown in at the deep end	6	Being thrown in at the deep end	5
	Other education courses such as college	5	Other education courses such as college	4
Useful trade union support	Education	23	Education	12
	Resources (equipment, office space)	13	Resources (for example money, equipment, office space)	8
	Mentoring	10		

Leaders and leadership

Turning now to the respondents' own position as leaders, or not – of the 38 respondents only 14, fewer than half, saw themselves as leaders. This finding seems to be related to the role and level at which they were active, and several respondents said they were not leaders since they were not free to work in the trade unions full time (see above). Local, workplace representatives considered themselves of secondary importance as trade unionists as indicated by their stories below.

Table 2.7: Would you describe yourself as a leader?

	Total	Yes	No	Don't know	No answer	Elected/lay
Women	24	8	10	NA	6	24
Men	14	6	3	4	1	14
Total	38	14	13	4	7	38

Women's views tended to be along the lines of: *'As I work in the bank branch the whole day, I am not free to follow the day-to-day in the trade union'* or *'as I am working inside the bank and not in the trade union, I cannot assess my ability to lead with other leaders.'* In addition, being effective in their role brings confidence and support from the members and visibility to the women, For example, *'I always try to prepare myself through training and attending political courses. I participate also in social movements and the activities of our Central (CUT); that is the reason I have support and respect'* and *'because of my activism within public policy, I'm reference on these issues for the direction board of my union, to all unions affiliated to the Federation of São Paulo, and the whole direction board of the CUT and also the social movement.'* Men, however, are more likely to come up with comments such as *'I understand that leadership in my union can be or [is] an assignment to a function/ specific activity, or a characteristic just of the full-time unionists. This is not my case';* *'To be a leader, you have to have a great power of persuasion, oratory and a good quick perception of what is happening around you. Unfortunately, I am not figured out yet these characteristics';* or *'I do not consider myself a leader. I'm still learning.'*

However, it is worth pointing out that, despite this research focus on trade unionists and the majority of the respondents being between 36 and 55 years old, many of them seem not to have a clear concept about what a trade unionist is. When asked to define what a trade unionist is and what the main characteristics/skills are, more than 12 per cent simply did not answer a single word. One of the reasons for this may be the length of the questionnaire. Another possibility is an identity crisis but I would consider unionists are more involved with practical issues – a theoretical approach seems to be not the 'starting point'.

So, in the view of the women respondents who did answer the question, what *is* a trade union leader? What are the essential qualities, characteristics and skills needed? These are set out in Table 2.8 and are clustered in five main groups, which also overlap.

Table 2.8: Qualities needed for trade union leaders – women’s responses

Beliefs	Personal qualities	Trade union qualities/external relations	Trade union qualities/internal relations	Skills and knowledge
Labour defence and citizenship rights	Good communicator, public speaker and listener; commands workers’ respect; respects others’ limitations and difficulties	Can debate labour policies at all levels/forums; can listen and systematise workers’ concerns into viable proposals	Has legitimacy to represent working-class interests without personal priorities	Constantly attends courses/trainings, TU and political education and training
Broad/holistic vision of political scenario	Does not hesitate to take tough decisions	Capacity for relations at all levels of dialogue	Gets other trade unionists’ recognition and respect	Knowledge about tools to deal with difficult situation
Awareness of class	Is always consulted for an opinion on various topics	Ease of dealing with difficult situations	Does not allow sectarian and centralising politics	Knowledge of history, political economy (national and international)
Is democratic and believes in democracy	Capacity to convince, can aggregate and has good sense	Engages with social movements (churches, neighbourhood associations)	Knowledge about TU structures	Knows how to use statistics and data to lend credibility to arguments
	Honest and transparent, likes to work independent of recognition	Engages workers in decisions and works with rather than for them	Can establish relationships with people (members and staff)	Has and shares the ability to analyse reports, develop projects and strategic actions
Has character and ethical principles	Knows that leadership is a transient condition and not forever	Is willing to share information and learning	Knows how to retreat when necessary	Has negotiation skills
Labour and capital equilibrium	Brave, disciplined and fair	Can recognise the strategic objectives, the moment to go ahead and the time to retreat	Shares information and is a democratic mentor	Has deep knowledge of the company
	Can motivate and influence workers with ethic behaviours	Is close of workers and keeps a local presence	Can evaluate circumstances.	Has knowledge of labour law

Also, if these are the qualities women trade unionists want to see in their leaders, how can these be developed, what strategies would be necessary to put them into place and what impact might result? High self-esteem does not seem to be the main feature of most women who responded to the questionnaire. Although most of them reported that training/education departments from unions had supported them, they showed insecurity in their statements and analysis.

Several unionists from both sexes whom I know to be involved with tasks and projects in the areas of equality and diversity did not respond to the survey. Many women also seem to have assumed the dominant male discourse about women's inadequacies in leadership roles; there was a concentration of women referring to external beliefs about them and not on the opinion women have of themselves.

Concluding remarks

Regardless of the organisation of the Brazilian female banking workers, their high rate of unionisation, its achievements and prospects, it appears that the banking labour market in the twenty-first century is still extremely conservative. The most recent research in the sector attests to the complaints of the trade union movement and show that blacks, women and banking workers with disabilities suffer prejudice from financial institutions and have more difficulty in making a career than whites.

Even when rights are safeguarded by the collective agreement or by law, banks are able to evade surveillance. An example is the failure to meet the hiring quota of at least 5 per cent of disabled workers. Beyond the conclusion that financial institutions discriminate against people when hiring and that the opportunities within the company are unequal, it is still aggravating to find reflections of this behaviour also in the 'management' of employee representation.

The questionnaire study of gender and union leadership also seems to show that women in Brazilian banking unions do not always consider themselves to be leaders, even when they are in such positions. Some of this is reflected in the national situation, where regardless of the minimum quota of 30 per cent of gender that CUT has approved in its 1993 congress¹⁰ (for all instances of union management), the CONTRAF/CUT had not achieved this goal on its direction board elected in 2009. In addition, there seems to be a need for further investment in training programmes that deal with concepts such as feminism, leadership, advocacy, the issue of class, and that also concentrate on developing self-confidence and consciousness raising among women. This illustrates the strength of the male union culture in the industry, and it will be interesting to monitor the new 50:50 gender quota that the CUT itself is due to put into practice in 2015.

10. In 2012 the CUT Congress agreed that parity, 50 per cent was to be implemented in 2015. The national CUT Congress elected 32 members for the national board, of which 31 per cent were women.

3. Margins within Margins: A Case Study of Street Cleaners in Mumbai

Rhea Aamina Chatterjee

The patriarchal family, in its existence, relegates the woman to the sphere of the household, or the private sphere. Her role in society is, traditionally, exclusive of social production. However, in India, where labour outside the home is complicated by the caste division of labour, the involvement of lower-caste women in work outside the home has been a part of the reinforcement of the caste hierarchy.

This chapter seeks to use the context of street sweeping to explain the dynamics and oppressions of caste. Within this operation of caste, I examine the gender relations in the occupation and in the trade union for contract street sweepers in India's financial capital, Mumbai. The research depends largely on data collected during a three-month internship at a trade union for street sweepers and garbage-truck workers who work in the informal sector in Mumbai. Founded in 1996, this union represents workers, employed on a contract basis, by the Brihanmumbai Municipal Corporation (BMC). At present, the union has over 5000 workers, approximately 500 of which are women. The union started in Mumbai but now has extended arms in Kolhapur and Nasik (all in the western state of Maharashtra). It is currently affiliated to the New Trade Union Initiative.¹ At the union, my work included worker mobilisation and interface with municipal officials for securing worker rights for a unit of 14 workers involved in street sweeping.

Understanding caste

The caste system refers to the structuring of, originally, Hindu society into four major groups, each decided by birth and hierarchically arranged with the Brahmins at the top and the Shudras at the bottom. Antyajias existed outside the caste system and were the population that was classified as 'untouchable'. The consequences of caste pervade all spheres of life— the private and public. Caste controls, among a variety of other things, marriage, sexuality, food, the arrangement of houses in a particular space and occupation. The appointment of caste at birth makes endogamy the basis of the perpetuation of the caste system. Thus, strict control over women's bodies and sexuality assume absolute importance for the continuation of this system (Gopal 2012).

The division of labour according to the caste system is not merely a division of labour but also a 'division of labourers'. It differentiates itself from just the division

1. Information gathered through conversation with general secretary of the trade union.

of labour by the fact that it is not just the division of work but is also hierarchically organised and assigned at birth. The lack of choice and the concretised allocation of particular castes to particular professions further distinguish the caste system from any other system of division of labour (Ambedkar 2014). The hierarchical system of caste places the Brahmins at the pinnacle of the hierarchy and the Shudras at the bottom. Outside this caste hierarchy were the excommunicated social groups that were classed as ‘untouchables’ and referred to as depressed classes by the colonial British administration and, now, as the scheduled castes by the Indian government. This caste system also replicates it in occupation and is organised on the purity/pollution principle (Marriot 1976). Work considered ‘dirty’ was allocated to the scheduled castes. Work with animal carcasses in the making of leather, disposing of dead bodies and cleaning human refuse were also the jobs of the scheduled castes community.

Ambedkar’s notion of purity and pollution in caste, whereby castes at the top of the hierarchy are considered pure and those at the bottom polluted, extends into occupations that castes have traditionally been involved in. While Indian legislation, such as the right to equality, seeks to abolish the prohibition of certain castes into occupations that were not ordained for them by the hierarchical structure, the law has been unable to remove the forces that perpetuate the caste division of labour.

Research context: street sweeping and waste collection

The work of street sweeping and waste collection is done entirely by the scheduled castes community. While waste collection is done completely by men, street sweeping is carried out by both men and women. Within the work of street sweeping, women and men are given exactly the same responsibilities and tasks, that is to say, that in street sweeping there is no gendered division of labour at the workplace. A combination of both permanent and contract workers are employed to carry out these jobs for the BMC. While permanent workers receive health benefits, paid leave, safety equipment, weekly holidays and pension benefits, contract workers work in the absence of all these benefits. The union was formed in response to these disparities. First, and most importantly, the use of contract labour in a job that is both perennial and statutory is excluded from the ambit of work that contract labour can be used.² Second, there was a complete violation of minimum wage laws. Last, even for the hazardous task of managing the refuse of a city, contract workers received no safety equipment. The research in this chapter was carried out with both contract workers and permanent employees.

This research is the outcome of a three-month internship at a trade union that represents conservancy workers in Mumbai whose employment is outsourced. The internship was the researcher’s first experience as part of the trade union movement, prior to which she was a full-time student. The researcher is a woman with a family

2. Prohibited under the India Government’s Contract Labour (Regulation and Abolition) Act.

name that denotes being an upper-caste Hindu, even though she is not from the religion. Therefore, the placement is complicated as her family does not follow Hindu traditions and is ignorant of them but is socially identified as that. Therefore, the understanding of caste, prior to this research, came from an academic standpoint.

Research methods

This research depends entirely on qualitative methods of data collection – participant observation, informal conversation, unstructured interviews.

Participant observation was used during data collection while working for three months at the Ghatkopar (East) ward of the city with a unit of precariously employed street sweepers, both male and female, with whom interviews were conducted. Participant observation proved an extremely important tool while collecting data, since my interaction was on a daily basis and enabled me to build a good, familiar rapport. A key benefit of participant observation was to observe the interaction between men and women when engaging in union activities and worker struggles in the informal workers' union. The daily interaction also allowed me to be an active member in these activities and thus also a part of informal conversations between workers from the same or different sexes.

Interviews

Snowball sampling was used for conducting interviews and covered both contract workers and permanent employees. These interviews were all unstructured, with questions asked to introduce the topic and then building up from the answers received. All interviews were conducted in Hindi, without the use of a recorder, but with notes being taken. The impact of caste and women's issues were the basis of interviews with permanent workers while interviews with informal employees also included discussions on the gender dynamics within their union. Since the castes across both permanent and contract workers were the same, the issue of caste could not be confined only to informal workers. These issues were broached through questions that primarily revolved around problems at the workplace, activity within the union, identity of fellow workers and treatment by individuals in positions of power. The inheritance of work leading to the perpetuation of occupation was an extremely important issue that arose while interviewing permanent workers.

The interviews are divided into three categories:

1. six precariously employed women workers who are members of the union;
2. three male members of the union, who are also union activists; and
3. four female and one male workers who are permanent employees.

Interviews with precariously employed women workers, who are union members, were conducted with a view to mainly understand the gender dynamics in the trade union and they were conducted with six women employees. The exploration into

caste hierarchies and problems relating to women at the workplace and the union's response to this formed the basis of interviews with three men from the trade union. Caste hierarchies and problems women face at the workplace were the issues dealt with in interviews with permanent workers – four female workers and one male worker.

Informal conversations

Informal conversations with the general secretary and secretary (both male) of the union also provided data. A number of informal conversations provided the backdrop to understand the functioning of this union, its structure and its past struggles and initiatives.

Data on respondents

The first set of interviews was conducted with six women from the Bhandup ward. These women work eight-hour shifts that start at 7.00 a.m. and finish at 3.00 p.m. Of these women, all were married, two were in their thirties, three in their forties and one in her fifties. The exact ages of the women are difficult to state since they did not remember their ages and thus the age groups are a result of estimates through the age at which they were married and the current ages of their children. Only one of the women interviewed ever received a formal education and that too was only until middle school. Two women lived in Bhandup but worked in Powai, while four lived in the slums close to the work site. The women are all from the scheduled castes. Three of the respondents live in joint families, and all but one were the sole breadwinners of their family. One woman's husband was also a street sweeper and member of the trade union. However, due to alcohol abuse, his work and income were irregular, and what he earned he did not contribute to the household. The problem of alcohol or drug abuse was common to all but one respondent. The only one who did not complain of these problems was also the one whose husband earned alongside her. The women in their thirties have children who are still studying, while the older women have children who are working. Two women also had grandchildren.

The second set of interviews was conducted with male members of the union who are also union activists. Of them two men were employed as contract workers and are committee members and very active in the activities of the union. Both men belonged to the Mahar caste, but their families have converted to Buddhism, so they now identify their religion as Buddhism. The third was a permanent employee, working as a supervisor but a member of the union for contract workers, who has been employed with the BMC for 18 years. Aged 37, he belongs to the Rukhi caste. He inherited the placement in the BMC from his father, who had worked as sweeper in the corporation. Today, he is also an activist for social welfare in the BMC. Even though he is a permanent employee, he is a member of the union for informal conservancy workers.

The permanent employees who were interviewed include one male worker and four female workers. The male worker who was interviewed was employed by the BMC

as a 'pity case' after his mother retired. Aged 25, he has worked in the BMC for five years and belongs to the Mehtar caste. His mother was also a respondent in the interview. Aged 68 years, she is now a retired employee, who worked for 27 years in the BMC. She did not inherit the employment but was among a batch of women who were employed as permanent workers about two decades ago. The three female workers who are currently employed in the BMC also belong to the Mehtar caste. While one of the women has been a worker with the corporation for 25 years, the other two have been employed for ten years. While one of the women went through the contractual system before getting permanent employment, the other was employed after her father-in-law retired. All three women work in Worli. The woman who went through the contractual system related experiences of sexual harassment and propositioning by figures in power, while the woman who inherited the job did not relate personal experiences but related the experiences of women she knew and with whom she worked.

The interviews with the permanent employees and the male workers revolved largely around the issues of caste and the division of work according to it. The experiences of being engaged in what is commonly perceived as unclean work and also the feeling of anger at the caste division of labour became recurrent themes in the interview. Women employees also focused on issues of health, sanitation, sexual harassment and alcoholism. The formulation of health consequences on women was very different from male and female perspectives. The interviews served as invaluable sources of information and perspectives on caste dynamics and the consequences of work.

However, it is important to note that this research is the study of only one union and does not claim to be drawing general conclusions about trade unions in India. Further, there are limitations to the data collected – no women leaders of the trade union could be interviewed. It is a study of the caste and gender dynamics in a particular occupation and a particular union.

The concept of intersectionality (Crenshaw 1991) has been used while analysing the interaction between caste, gender and class in the occupation of street sweeping and within the trade union. Intersectionality seeks to analyse the marginalisation created at the coincidence of multiple minority identities. The theory argues that there exist multiple inequalities and the focus should be put at the intersection of these inequalities that then form an oppression that is unique to the intersection of exactly those inequalities.

Caste: form, dynamics and consequences in street sweeping

The work of street sweeping is divided along caste lines, and operates on the inheritance of caste at birth. The presence of only the lowest castes in this occupation and its rejection by all other castes results from the stigma associated with doing work meant only for the scheduled castes, and not the stigma of a caste being drawn from its occupation. However, neither is the work of street sweeping uniform, nor is

the operation of caste in the occupation. Even within the scheduled castes community there exists a hierarchy of sub-castes, where only specific castes carry out what is considered the 'dirtiest' work.

As a male worker from the Mahar caste engaged in sweeping streets commented:

In the city of Mumbai all the street sweepers are scheduled castes. You can accept that 101 per cent of this work is done by scheduled castes. Even non-Hindus who are sweeping the streets are scheduled castes who have converted to other religions. In fact, this is a job that across the country is done only by scheduled castes. It has always been done by this community. No matter how poor a person from another caste may be, they do not enter this profession.

A supervisor from BMC and member of the Rukhi caste noted that:

Even within the scheduled castes community, not all castes engage in sweeping all parts of the streets. The part of a street where human waste is present, where people relieve themselves, is done only by specific castes. Originally, only people from the Mehtar, Chamar, Rukhi and Dhedh castes came from Gujarat to clean human refuse in Mumbai. But, today, another caste also does this, which is the Valmiki caste from Haryana and Delhi.

The purity/pollution principle (Ambedkar 2014) that extends into the engagement in various occupations (Marriott 1976), is verified by members of higher castes excluding themselves from the labour market rather than seeking employment in occupations that are considered polluting (Thorat and Newman 2007). These occupations that are devoid of dignity of physical labour and determined by the caste system, thus lead to the marked lack of social status of those employed in them (Thorat and Newman 2007). However, the rigidity of this segregation with the scheduled castes community is debated, with differences of opinion from the trade union leaders and the workers. This difference may lie in the gap between those who fill the vacancies for permanent employees and the actual division of labour at the work site. The secretary of the union said that '*when a permanent position opens up in the BMC, that is for the work of cleaning human refuse as part of the sweeping, the promise of a permanent job and all its perks, makes workers who are not from these castes end up filling these vacancies.*' A female permanent employee at the BMC for 25 years claimed that '*in my whole working life, I have never seen anyone from another caste clean the toilets or the human refuse on the street. If we don't go to work for two or three days, those places stay dirty and we have to clean them when we go to work.*'

However, some claim that these divisions are not watertight; the organisation of workers into units that sweep across the city is done according to these divisions. At every *chowki* (the place where the day's attendance is filled before the workers start the day's work) there are always a few workers from the castes who deal with human

refuse. It is only in exceptional circumstances that these distinctions are ignored. BMC supervisor and member of the trade union explained how:

Workers who clean the human refuse are paid an extra Rs. 530 per month by the BMC and at every chowki it is ensured that there are workers from these castes who will clean the human waste. It is very rare that in a day there will be no worker from this caste in the unit that is cleaning a particular area. On such days, the supervisor will look for the poorest among the workers and promise a little extra pay so that he will clean the filth.

Despite education, the same work continues to be inherited by the children of the workers. Today, the third generation of the families that were interviewed is employed as sweepers by the BMC. The compulsion to continue in the same work comes from the need for housing. As a retired female street sweeper from the Mehtar community explained:

I worked in the BMC for 35 years in the conservancy department. When I retired my son got my job. Even though my family has occupied this house for fifty years, if he does not work in this job they will make us vacate the house. We can eat anywhere but to have a roof over your head is very expensive in Mumbai. As a result, even though he has studied, he has to work in the same job as me.

Passive forms of social exclusion (Sen 2000) that do not rely on deliberate policy interventions, but on the operation of seemingly neutral forces work to exclude these workers from upward social mobility. General government policies on employment benefits, such as the provision of housing to permanent employees are not deliberate interventions to perpetuate social exclusion, but reveal a disregard towards the future of workers, especially from historically disadvantaged groups engaged in low-income occupations, such as street sweepers. Since the salaries of workers do not allow them to afford private housing in urban cities, the families of these workers have to rely on the 'pity case' policies of the municipal corporation to fulfil the basic requirement of housing. Thus, policies by these institutions perpetuate caste-based work and keep families in low-income employment for multiple generations.

There has been a direct impact on the health of workers engaged in this occupation. Street sweeping constantly exposes workers to the dust, waste and a large amount of human refuse and, under present working conditions, they deal with it directly with their hands. This constant exposure to pollution, pathogens present in human refuse and the hard manual labour involved in the act of sweeping has an adverse effect on the health of workers. While these may be understood as health hazards associated with a particular profession, it becomes important to understand that this occupation is located entirely in caste hierarchy. As a male street sweeper from the Mahar community explained:

As street sweepers, we are exposed to a variety of diseases since we are dealing with dirt all day. If we are not the ones who get the diseases, we become the carriers of it and expose our families to it. When I hug my daughter in the evening, I am showing her my love but I am also putting her at risk of getting an infection or disease since her body doesn't have the level of immunity mine does. I don't think you will find more than 1 per cent of workers like me who are not carriers of TB.

The occupation of sweeping, thus, not only affects the physical health of workers, but also works to alienate them from their families and environment. This alienation does not mean a creation of distance from their own families or some form of isolation, but the alienation that occurs from the perception of being a threat to one's own family. However, the health hazards and consequences of work for the workers from the castes that deal with human refuse are much worse. A male supervisor from the BMC whose father was a street sweeper belonging to the Rukhi caste says:

The constant handling of human waste over a time period of years has severe implications on the lives of these workers. Not even 70 per cent of them reach the age of retirement. The mortality rates of these workers are very high. If one were to conduct a study on it, the results would be shocking. Those of the workers who do live until retirement die soon afterwards. This is because of the diseases that are contracted and the fact that workers who are dealing with this kind of dirt often turn to alcohol to deal with the hardships of their work.

Women and gender at work

The BMC employs the kin of workers who die prematurely due to work related illnesses under a practice that is commonly referred to as 'pity case'. The high mortality rate of workers from these particular castes has been a major factor that has led to the entry of a large number of women into the labour force for this occupation, among permanent workers. Another factor has also been the increase in the cost of living and the low paying nature of unskilled and semi-skilled work. As a female street sweeper from the Mehtar community noted:

The cost of living has increased so much that today on the salary of only our husbands we cannot afford to run a home and send our children to school. I took up this job to add to the income in the house and support my husband's salary. This job is easy to get through contractors since there is never a dearth of work in this field. It is also easier than working in people's homes since we have to deal with fewer people.

A male supervisor explained how:

When the workers die, their children are still young. They are not at an age where they can enter employment. As a result, the wives of these workers are

employed by the BMC in pity cases.³ When this occupation first started with the BMC, the ratio of male to female workers must have been 80:20, today that number is reversed.

The presence of women who are currently employed in street sweeping is thus an indicator of the hazardous nature of this occupation. Women's perception of their health problems as a consequence of the work of street sweeping is vastly different from those formulated by men in the industry.

Perceptions of women's health

The following three quotations come from the secretary of the trade union, a female permanent employee aged 46, and a female contract employee from the Bhandup ward respectively:

Women street sweepers should actually not be physically sweeping the street. It is a very hard form of labour and has adverse effects on women's health. Within the occupation, men should do the sweeping and women should collect the waste and put it in the bin. But, this does not happen. Over the years, women develop severe back problems. If you walk near Chembur station, there is a 55-year-old woman who has been sweeping for over 20 years. Her rib cage sticks out because of the movement involved in sweeping the street.

The biggest problem we face is during our monthly problem.⁴ We work for eight hours at the work sites and even though we get a break, we are not able to change since there are no toilets for women. We have to change just before we go to work and then somehow manage till we come back home. We take pain killers to deal with the pain. At this time, it becomes very difficult to work for eight hours on our feet because we feel weak and experience back pain.

The only toilets on the road are for men, we have no means to use the toilet while we are at work. If we cannot control ourselves then we have to go to a nearby slum and use the toilets there. If the supervisor comes during this time and notices our absence, he gets angry. But, we cannot help it, we have to walk very far to use the toilet so we will obviously leave the work for a longer period of time than the men do.

While male formulations of the problems of women employed in this field are along the lines of strength, drawing from the traditional notion of women as the weaker sex, the women do not view their work through this lens. To women, the physical requirements of the job become a major hindrance only during the time of

3. This is the policy of the BMC to employ the kind of workers who either lose their life or are injured such that they cannot work again during the term of employment.

4. Used as a euphemism for menstruation.

menstruation. A far larger problem for women is the lack of sanitation. Inadequate sanitation facilities for women in public spaces have a direct impact on the health of those whose worksites are the same public spaces.

Desexualised labour and sexual harassment

Street sweeping is a site of desexualised labour of scheduled caste women, the dynamics of which remain largely unexplored. This absence of a sexual division of labour at the work site, where men and women perform identical tasks of sweeping the street and collecting the waste is a rarity. The main gender issue, however, is that women street cleaners experience sexual violence.

In interviews with permanent female employees, the experiences of sexual harassment were constantly recurring. The compulsion to work, either due to being the sole breadwinners or the need for additional income to support the family, exposed these women to frequent soliciting, from contractors, supervisors and fellow employees. A female street sweeper from the Mehtar community explained how:

When I started working as a sweeper, I got my job through a contractor. After a few years, there were vacancies for permanent jobs in the BMC. At this time, the contractor asked me for sexual favours in return for him recommending my name to fill the vacancy. In later years, I was solicited by the supervisors at the various work sites that I worked at and even by some men that I worked with. The fact that I was married and had a child did not protect me from the advances of these men. Many women that I worked with also faced these problems.

A widowed female sweeper permanently employed by the BMC said that:

The people we work with and the contractors or supervisors always know the conditions of our homes. If they know that we have a financial problem or that we are the only ones who earn because our husbands are drunkards or have died, they put more pressure on us to have sex with them.

Women employed in the informal sector of this occupation report higher vulnerability to this harassment, especially when they seek to convert their jobs into permanent jobs with the BMC. However, permanency of work does not serve as a safety blanket against such harassment. The ability of supervisors to increase or decrease the workload of employees and also their position of power allows them to perpetuate such harassment. A female permanent employee who had been working for the BMC for ten years mentioned how:

Even permanent workers are not safe from this harassment. If the supervisor wants, he can make our life at work very difficult by increasing our workload. If we deny him, he can make us clean double the area than we usually do. Initially,

many women say no, but after a few days the additional workload takes a toll on them. The supervisor can also complain about our work to higher authorities. We are often threatened with such consequences if we say no to their advances.

There is a sense of shame attached to being the victim of sexual harassment. The necessity to work, coupled with the fear of social repercussions keep women silent on issues of sexual harassment. While women workers know of their fellow workers having experienced these issues, which they have often experienced themselves, there were no instances of this harassment becoming part of formal discussions or any solidarity being offered by the women workers to each other. The threat of returning to the same workplace and the fear of the issue becoming commonly known through formal or informal channels contribute to silencing women. A permanent female employee in the Mehtar community and a widowed sweeper had experienced this problem.

If we talk about being solicited by a man at the workplace our husbands won't accept it and it will become a big issue in the house. A lot of questions will be raised and either we will be blamed for being solicited or our husbands and their families will not let us go to work anymore. But we need to work so we keep quiet.

If we complain, then the supervisor will make our lives difficult. Even if he is removed, everyone around us will know about the issue, and people will talk a lot about it, and we will become the centre of gossip. Since we need to work in the same place, with the same people, it's better to try and handle it at your own level and forget the issue.

At the work place, therefore, the performance of desexualised labour does not desexualise the worker, who repeatedly becomes the victim of sexual harassment. The equality in labour and effort does not change the vulnerability of the woman worker. However, women continue to prefer this work over domestic work or work of other kinds, since the public nature of work offers some protection and a single supervisor or contractor reduces the number of individuals who are in a position to intimidate and exploit them.

The private and the public

With the evolution of the family into the modern notion of a monogamian family, the woman is relegated to the domain of the home and assigned to the upkeep of the home. This led to work within the home being understood as woman's work, taking on the social construct of feminine. Therefore, activities associated with the home, such as childcare, sewing, washing or cleaning, are associated with femininity. The extension of what was traditionally understood as feminine work has now stretched into the public sphere.

Sweeping is an activity of cleaning that occurred within the home and, thus, was understood as feminine work. However, it has extended into the public sphere and is, today, an essential part of conservancy work of a public space. The occupation of street sweeping in India is classified as unskilled labour with the minimum wage of workers being computed in the category of unskilled work. However, both male and female workers conduct this work that is determined by the caste system, with street sweeping done entirely by the scheduled castes community, a community that for centuries has been denied access to public resources such as skill development. The occupation thus intersects caste, skill and gender to produce a unique gender dynamic that creates new marginalisations within a marginalised workforce. The dominant hegemonic structures and perceptions of masculinity determine work on the basis of its nature and skill, so while some unskilled work may be masculine because of the nature of its work, such as construction work, which would be more viewed as requiring large amounts of strength, other work acquires its masculinity through the use of skill, such as knitwear within the garment industry (Kabeer and Mahmud 2004). The work of street sweeping lies outside this gender construct, that is it is not an occupation that is viewed as requiring either skill or large amounts of strength. Therefore, in an occupation, carried out exclusively by those who exist at the absolute bottom of the caste hierarchy, the work conducted by the male workforce does not have the popular perceptions of traditionally domestic work as it is viewed when it becomes work conducted in the public sphere. Thus, the intersection of skill, caste and traditionally feminine work intersect to emasculate men under dominant gender constructs in Indian society.⁵

During the interviews with women workers from the union, five of the six women interviewed were the sole breadwinners of their families. The entire dependence on the woman's income was the result of the alcoholism or drug addiction that had led to the husband either not working or spending the entire salary on the addiction. These women also experienced abuse, mostly verbal, though sometimes, even physical. The women interviewed below, both from Bhandup ward and one in her fifties, identified this as the most profound problem in their lives.

For over ten years, my husband has been an alcoholic. He rarely goes to work and, whatever he earns, he spends on drinking. I run my whole family, which includes my children and my mother-in-law and father-in-law on my own salary. When my husband returns home, he abuses me and we have fights. My daughter has grown up in this environment, where she is often abused verbally by her own father. If the union could solve only one problem of mine I would ask them to solve his alcoholism.

My husband has sat at home and not worked at all for many years. He smokes a lot of marijuana and drinks country-made liquor. He demands this money from

5. Based on analysis by DrVarsha Ayyar in her forthcoming work on caste and masculinity.

my salary and if I don't give it he gets very angry and starts abusing. I have depended on my own salary to educate my children and run the house.

The problems of female workers go beyond the public sphere of work and often, their only support system is the union of which they are members. As a street sweeper, aged 36, a female worker from Bhandup and the wife of a driver put it:

My husband has been an alcoholic for over ten years and never gives money at home. He also gets drunk and returns home, creating a ruckus and abusing me in front of our children. Although this is a big problem, I do not report it to the union because he also works in the same job as me and is a member of the union. I don't want everyone to know about the problems in my home and become the subject of everyone's jokes.

When my husband was earning and I did not work, I used to look after our home and children. But even now, when I am the one who earns the money to run the house, I do all the housework as well. If I am the one who is earning, then he should help me in the housework. Why am I working the whole day and then also working at home before I go to work and after I come back?

My husband and I both work to earn money to run our house. He and I work for the same amount of time. But, when I come home I am the one who has to do all the household work while the end of his working day means the end of his work. When we are both sharing the burden of earning money, he should also help me in the house.

The dominance of women as sole breadwinners, as well as the presence of women who share the responsibilities of earning for the family, and the dependence on their wages has led to the formulation of challenges to the sexual division of labour among the women interviewed. However, there exists a dearth in the formulation of ways to challenge these structures that have not adapted to the changes in earning patterns. According to the women, the reflection of the dependence on their wages needs to be reflected in a reorganisation of domestic work responsibilities.

Women in the trade union

Studies within India, of women's participation within trade unions are dated. Of the available literature, most writings date from the 1980s and early 1990s. In their article, Gothoskar et al. (1983) demarcate two different reasons for women's marginalisation within the union movement. First, they cite the reasons of double work – that a woman involved in wage labour, works a double amount – in her home and at her workplace. They further this argument by saying that women themselves perceive their involvement in wage labour as dispensable, but the work at home as indispensable. The second reason is specific to the unions– women are marginalised by the domination of male workers within the union. The authors argue that his-

torically unions not only excluded women from campaigns and membership but also actively campaigned against the entry of women into the labour force. This was done to preserve skilled jobs for men, but, at a deeper level, reflected the chauvinistic attitude of men as bread winners. There can be two methods of resolving this problem— the creation of separate trade unions for women or the creation of special cells for women within mixed trade unions. The problem with both these solutions lies in the amount of time such activities would require, thus leading back to the first problem itself. As a result, in a context where workers are struggling to reduce their working hours, women, by joining the waged labour force, are actually increasing theirs.

While discussing the expansion of the informal sector and its impact on the lives of women, Rohini Hensman (2001) in summarising a women workers' conference in Seoul, suggests that NGOs could struggle for the rights of women workers. However, the problems of overlap between an NGO's domain and that of a union could bring the two forms of organisation into conflict. The article makes a charter of demands that the organisations representing women workers formulated. These include the ratification of international conventions and demands to the governments of countries. The question of women gaining agency within the trade unions themselves, however, remains unanswered.

Most literature on women in trade unions is from the 'developed world' and focuses on formal sector work. The dynamics of gender in trade unions that operate in the unorganised sector, in a context where struggles are still for minimum wage, weekly holidays and eight-hour workdays, remains unexplored. A gendered examination of such a union becomes essential not only to understand the power structures within such a union, but also to formulate what women workers' view as their own specific demands.

In this case study, the exploration of gender dynamics in trade unions was done through interviews conducted with six female workers who are members of the union for informally employed street cleaners. The examination of gender dynamics revolves around four parameters: representation in union leadership, marginalisation in interaction, the inclusion of women-centric demands in union struggles, the negotiation between private and public forums for redress of worker grievances, and the formulation of the union as to what constitutes issues for trade unions. The separation between the home and the workplace is often blurred for women who constantly compromise between the two and face problems in the private sphere, which increases their burden of work in wage employment. It is also often noticed that male workers who are represented by the union may be perpetrators of violence at home, as is illustrated consequently. It is in this context that it becomes important to examine the degree to which the union enters the private sphere of workers' lives to tackle the issues that arise there.

As of 2008, the union on which this research is based had a leadership of 26 members who were organised in a hierarchical structure with the president at the top,

followed by the vice-president, the general secretary, secretary, treasurer and committee members. In 2008, the union's leadership included three women, which is 10 per cent of the leadership structure, a representation that is proportionate to the number of women in the union's ranks. However, accepting this as an indicator of gender parity would be inadequate. Committee members of the union represent workers from different areas of the city where union members work. Within the committee members then, proportionate representation would be a better indicator of gender dynamics within the union. Further, areas where the worker units with a majority of women should have women leaders emerge from there. But, in the Bhandup ward, a sweeping unit with 10 women out of the 14 workers has a male representative. A closer examination of the leadership, therefore, reveals that women leaders do not arise from units where there are a majority of women.

Interaction between male and female members of the union also reveals a marginalisation of women within the trade union. During the struggle for arrears by workers of the Ghatkopar (east) ward, there were frequent meetings organised for collecting data on non-payment and under-payment of wages. While these meetings revealed that the female workers had a very comprehensive record of the payments made to them and also of the fraudulent attendance records submitted by the contractor to the BMC, these acts by women were constantly undermined during interactions between the workers. Women were relied upon for providing this information and remembering various incidents of abuse or exploitation by the contractor, but were excluded from conversations on strategising and organising with regard to pressurising the BMC for their payments. This marginalisation also seemed to be internalised by the women since they would always turn to the men when attempts were made to include them in these discussions. It would appear, then, that women have not yet mobilised themselves as a group of self-interested individuals with particular interests and demands.

The mobilisation of women as a distinct group with specific demands and interests could also be arrested in its development due to a constant focus on only gender-neutral demands such as minimum wages, payment of bonus and provision of safety equipment at work. The formulation of primary worker struggles as exclusively being related to minimum wages, payment of bonus, permanency, safety equipment and regulated working hours and weekly holidays, has led to the understanding of primary worker rights being gender neutral. However, regulated working hours, while being about an eight-hour workday, for women workers could also be formulated as the time of the day when these eight hours of work must be performed. The Contract Labour Act (Restriction and Abolition) 1970,⁶ restricts the employment of women between 6.00 a.m. and 7.00 p.m. and is an act that is directly applicable to the informal workers employed in street sweeping. Women workers often work shifts

6. Government of India. Contract Labour (Regulation and Abolition) Act. http://pblabour.gov.in/pdf/acts_rules/contract_labour_regulation_and_abolition_act_197.pdf. Accessed 8 February 2013.

that end at 10.00 p.m., as was witnessed in the Ghatkopar (east) ward. Apart from the obvious issues, such as an increase in vulnerability to violent crime, this also leads to an increase in the burden of work experienced by women due to their double burden of work in the home and at the workplace. Women often travel two hours between their homes and the work site, which means that they do not return to their homes until midnight to the domestic work that is entirely their responsibility. The Maternity Benefit Act of 1961,⁷ also mandates women, regardless of formal or informal employment, get a particular period of paid leave at the time of delivery or miscarriage and also mandates that women should be given concessions in manual work during the period of pregnancy. While this right is guaranteed by law, informally employed female street cleaners have not received such benefits, and the right remains absent in the union's demands.

Problems of alcoholism and domestic abuse, as discussed earlier, are central to the lives of women workers, and their well-being is intrinsically linked to the resolution of these issues. The distinction between the home and the workplace and, by consequence, the personal and political, thus cannot be conceptualised as separated or opposing spheres, but, must lead to composite strategies that recognise the overlapping of identities and spaces (Chhachhi and Pittin 2013). In the case of the street sweepers, this is being attempted.

To tackle issues of alcoholism and the consequent domestic violence that the wives of male workers often face, the union started a '*bewda register*'.⁸ This register, according to the leaders of the union, has led to a marked decrease in the incidence of alcoholism among male workers that are members of the union. However, this method of tackling alcoholism is not perfect in its formulation. At one level, it only tackles the alcoholism of its male workers, thereby excluding the female members of the union who may be victims of alcoholism as well. At another level, the public nature of dealing with workers who indulge in alcohol abuse may also have wives who are fellow workers and are, thus, hesitant to report issues of alcoholism, since they occupy the same spaces of work and union activity.

Thus, while structures of patriarchy such as the sexual division of labour continue to operate to exclude women from participation in union struggles, unions themselves continue to marginalise women even though they have a proportional representation of women in overall leadership and tackle issues beyond traditional worker rights. The formulation of primary worker rights as gender neutral create gender biases in their gender neutrality by excluding the rights of women workers from the ambit of struggles for employment rights. The re-examination of primary worker rights and

7. Government of India Maternity Benefits Act. <http://www.ilo.org/dyn/travail/docs/678/Maternity%20Benefits%20Act%201961.pdf>. Accessed February 8, 2013.

8. Register maintained at the union office, where members of a male worker's family can come and record complaints of domestic abuse and violence that results from alcohol. The worker is apprehended at the next union general body meeting and the next month's wages are collected by the union and one-fourth of the monthly wage is handed over to a female member of the family every week.

negotiations between public and private spheres, as well as proportional representation of workers becomes essential for unions if they are to emerge as representatives of all worker interests.

Concluding discussion

This chapter has focused on ways in which women street cleaners in Mumbai experience and deal with the gendered violence and oppression that occur as a result of the intersection of caste and gender and the relationships between these and the spheres where women work and their private home lives. The outcomes are significant, not only in relation to their own lives of deprivation, poor health and early death, but also in ways in which caste dictates that, however they aspire for their children to become educated, in the end those children continue in the role of street cleaners. An important question arises for their trade unions; how effective might they be in addressing the perpetuation of these marginalised groups within a marginalised workforce? In this, the gender dynamics *within* trade unions become paramount if union representation of workers and the medium of struggles for better livelihoods and lives of the work of street cleaners are to be meaningful for both women and men.

The research reported in this chapter has clearly established that while the lack of a formalised gendered division of street cleaning work may betray the idea of equality at work, women, in reality, are the victims of multiple informal vulnerabilities because of their sex. These are issues that are not on the agendas of their trade unions, and it is possible to identify a number of complex, interacting factors here.

The private sphere's attachment to issues of domestic abuse and sexual violence and the stigma attached to natural bodily processes such as menstruation lead to the silence of women on such problems, both at home and at work. Thus, women, whose economic position increases their vulnerability to sexual violence at the workplace, do not report such incidents through fear of it becoming public knowledge, the threat of continued interaction with the perpetrators of such violence and the necessity to continue work in the same place with the same group of people who would know of the violence. The shame attached to being a victim of this sexual violence is in addition problematic, for it also contributes to the silence and the perpetuation of violence. This silence reproduces itself in its absence from trade union discussions about exploitation and demands in worker struggles.

Neither has the gendered division of work in the private sphere been changed with the entry of women into wage labour. While women take on the role of breadwinners, often primary breadwinners, their role as home-makers remains unchanged. Women are thus burdened with double work. In addition to double work, the home often remains a site of violence, with domestic violence remaining a primary issue among women workers. This, coupled with the absence of the security of legal protection, such as maternity leave, exacerbates their vulnerabilities. Though the work of street cleaning might be portrayed as desexualised, this does not change

attitudes and behaviour towards women, whose bodies remain sites of violence and discrimination.

Women also experience discrimination as a result of the spatial organisation of the city. While men have easy access to sanitation, for women the lack of public sanitation means that they must walk greater distances from the work site, take breaks from work, experience discomfort and often, health problems. The lack of public toilets on the streets means that women street cleaners face an additional challenge at work that results in them risking disapprobation and worse from their supervisors.

For these women, there is no space left to represent the violence they experience, where individuals in positions of power exploit their necessity to work by demanding sexual favours that they know will never come to light, and the same need compelling them to remain silent for the fear of their families refusing them permission to work.

Meanwhile, trade unions, while representing the interests of both women and men employed in the same occupation, replicate notions of patriarchy by imposing homogeneity on the workforce through a veneer of gender neutrality in the pursuit of decent employment. This can be seen in practice in the exclusion of gender-specific demands such as maternity benefits and safe working hours for women or facilities such as transport. Nevertheless, the trade unions are beginning to address some of these issues. The street sweepers' union now has a register of complaints of domestic abuse and violence resulting from alcoholism leading to a decrease in alcoholism and redress for women in such families.

However, the union still needs to do much work in pursuit of decent work for women and implementation of women's demands. The union also needs to formulate democratic modes for the selection of leaders who are more proportionately representative of the various social groups that constitute the union, especially women. It is also clear from the research evidence here that women are extremely competent and display agency in, for example, their knowledge about and keeping records of payment arrears, but are excluded from taking these grievances forward. Given the pervasive sexism and strong gender discrimination in this and other regards, if women's position is to be addressed and challenged, there must also be space for women to meet and share their experiences and develop demands they can then carry into their unions' agendas. In addition, other ways to strengthen their voice and visibility need to be explored, for example joining forces with women's NGOs as discussed earlier; thus developing a multi-stranded strategy for women's empowerment.

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Part II

Union Bargaining Agenda for Gender (BAG)

4. Gender, Unions and Collective Bargaining in the Philippines: Issues and Critical Factors

Melisa R. Serrano and Ramon A. Certeza

Amidst the global uncertainties amplified by the 2008 global financial crisis, the Philippines did not experience sharp contraction in growth. And, despite a slowdown in economic activity, the Philippines managed to maintain positive growth. According to official data from the National Statistics Office (NSO), in 2007, GDP grew by 6.6 per cent, declining at 4.2 per cent in 2008 then plummeting to 1.1 per cent in 2009. In 2010, however, the economy swung back to recovery registering a GDP growth rate of 7.6 per cent. But again the economy decelerated in 2011, growing by only 3.7 per cent.

The apparent resilience displayed by the Philippine economy during the recent global crisis may be attributed to a combination of factors. First, the Philippine banking system has an insignificant exposure to subprime and other related securitised products. Banks are largely focused in the domestic business (Yap et al. 2009). Second, prudent policies implemented in the aftermath of the 1997 Asian financial crisis and a more conservative approach by the banking system played a role in limiting the impact of the 2008 global liquidity crunch (Yap et al. 2009). Third, the Philippines introduced in 2009 a PhP330-billion fiscal package, formally known as the Economic Resiliency Plan (ERP) that aimed at stimulating the economy through a mix of government spending, tax cuts and public–private partnership projects. The ERP prioritised ‘easy to implement projects’ like repair and rehabilitation of roads, hospitals, bridges and irrigation facilities, school and government buildings (Yap et al. 2009: 19). In October 2011, another economic stimulus package was introduced totalling 72.1 billion Philippine pesos (US\$ 1.7 billion) for public works and poverty reduction projects. Fourth, existing social protection programmes were strengthened and expanded to help vulnerable sectors cope with the 2008 crisis.¹ Thus, budget allocation for ‘Social Security, Welfare, and Employment’ increased from 4.5 per cent in 2007, to 5.7 per cent in 2008 and 6.1 per cent in 2009 (Yap et al. 2009: 22).

Nonetheless, despite the seeming resilience of the Philippine economy, growth slowed down considerably between 2007 and 2011. As the economies of the

1. See Yap et al. (2009) for a discussion of these social protection programmes, as well as the impact of the 2008 global financial crisis on the Philippines.

industrialised countries contracted, Philippine exports continued to drop, dragging the country into the global economic downturn. The manufacturing sector bore the brunt of the slowdown in terms of decline in employment: in 2008 employment went down by 4.3 per cent and in 2009 by 1.1 per cent.

The unemployment rate averaged about 7.4 per cent between 2007 and 2010. In fact, this average rate is much lower than the rates in previous years, beginning in 1995 when the unemployment rate stood at 9.5 per cent. Women's unemployment rate is slightly lower than men's in the same period. In 2007, the unemployment rate among men was 7.5 per cent while that of women's was 7.0 per cent. In 2010, the gap widened a bit: the unemployment rate among men inched up a bit at 7.6 per cent while that of women went down to 6.9 per cent. Nonetheless, the labour force participation gap between men and women averaged 29.4 per cent between 2007 and 2010.

Despite the crisis, the Philippines experienced a positive growth rate in employment between 2007 and 2010. While the employment rate declined from 2.8 per cent in 2007 to 1.6 per cent in 2008, it grew by 2.9 per cent in 2009 and by 2.8 per cent in 2010, according to NSO data. During the period, the female share of employment continued to be lower than their male counterparts, averaging 39 per cent.

However, looking at the kinds of jobs created makes the picture less rosy. In 2010, for example, one in four jobs created were in the wholesale and retail trade, a sector vulnerable to very low wages and a sector where women workers predominate. Between 2007 and 2010, it was only this sector that consistently generated positive (albeit modest) growth in employment – 1.4 per cent in 2008, 4.5 per cent in 2009 and 4.4 per cent in 2010. Negative growth rates were recorded in the agriculture sector (–0.21 per cent in 2009 and –0.89 per cent in 2010) and in the manufacturing sector (–4.3 per cent in 2008 and –1.1 per cent in 2009).

Between 2008 and 2010, while casual workers in industry dropped from 40.8 per cent in 2008 to 35.4 per cent in 2010, those in the services sector went up from 59.2 per cent to 64.6 per cent. To the extent that women workers predominate in the services sector, it could be surmised that women comprise the larger proportion of casual workers.

In 2010, own-account and unpaid family workers comprised 41.9 per cent of total employed. Disaggregated by sex, data from NSO indicate the proportion of women as self-employed and unpaid family workers was higher (44.6 per cent) compared with the proportion of the same category of workers among men (39.8 per cent) in 2010. This means that although the unemployment rate among women tends to be lower than among men, women are most often found in less (or non-) remunerative and insecure forms of employment.

In its *Global Wage Report 2010*, the ILO revealed that Filipino workers are among the world's worst paid workers, underscoring the low wage employment trend in the last 15 years. It emphasised that women's low wage employment is 46 per cent higher than men's.

In the light of the above, the economic slowdown in the Philippines following the global economic downturn in 2008 highlighted how an economic crisis situation amplifies to some extent the exploitation of women's gender role. The expansion of employment in the wholesale and retail trade – a female-intensive sector – during the crisis period, for example, underscores that women are channelled into the most insecure jobs. Seguino (2006: 1) points out that as employment becomes increasingly insecure 'women are often slotted for the jobs with the least security'. Furthermore, the global crisis intensified what Elson and Cagatay (2000, cited in Seguino 2006: 4) called 'male-breadwinner' bias in job allocation in a way that women are more likely than men to be in unpaid family work. Thus, despite the lower unemployment rate among Filipino women workers as indicated above, their bigger proportion in more insecure work and informal work (that is unpaid family work) 'undermines the benefits of increased demand for female labour since the lack of a job ladder and the tenuousness of these jobs hold down female wages' (Elson and Cagatay 2000). Arguably, these tendencies may worsen in the following years in view of the long-term impact of the 2008 global financial and economic crunch.

Against this backdrop is the continued decline of unionisation in the country, mainly in terms of union density. That the Philippines was dragged into the global economic downturn through the export channel (namely contraction of global trade) means that the manufacturing export sector – the traditional bulwark of unionism in the country – continued to shrink as well. It is to be noted that women workers predominate in the top two export subsectors of the Philippines – electronics and semiconductors, and garments.

From an already low of 12.5 per cent in 2008, union density in the private sector further went down to 10.6 per cent in 2010. Between 2008 and 2010, union density went down in both industry (from 16.8 per cent in 2008 to 15.7 per cent in 2010) and services (from 9.9 per cent in 2008 to 7.9 per cent in 2010). Of course, union density has been on the decline since 1995 per available data from the Bureau of Labour and Employment Statistics (BLES). The decline has been attributed to a host of factors, but mainly the shrinking of the manufacturing sector. Nonetheless, industry still accounted for a little over half (51.9 per cent) of total union members in the private sector in 2010, while members in the services sector comprised 48.1 per cent.

In terms of membership distribution by sex, women remain underrepresented, despite an overall gradual increasing trend of women union membership between 2003 and 2010. In 2010, men union members were still the majority (62.1 per cent) while women union members comprised 37.9 per cent of all union members. The proportion is nearly the same when it comes to bargaining coverage: men were 61.3 per cent while women comprised 38.7 per cent.

To the extent that unions can serve as spaces to promote gender equality and empower women, the continuing decline in unionisation, particularly in labour-intensive industries where women are concentrated, and women's representation deficit in the unions, puts women at a disadvantage to bargain for higher wages and

better working conditions. It is in this respect, among others, that unions continue to be critical actors in the economy. An OECD (2002: 270) study confirms existing evidence of the association between higher union density and a lower share of low-paid employment and a lower level of income dispersion – in short, strong unions are linked to a compression of the wage structure. In countries where union density is low, unionised workers continue to enjoy a higher wage premium compared with their non-unionised counterparts. Indeed, unions make a valuable contribution in ‘balancing out the inequalities produced by market mechanisms’ (Behrens et al. 2004: 14–15).

But how do unions in the Philippines balance out gender inequalities within the union organisation and in the workplace?

Using a mini-survey, this chapter explores how select unions in the garments industry in the Philippines address women and gender issues in the workplace and in the union organisation. As such, it looks into how women and gender issues are reflected or internalised in union structures and processes, particularly in collective bargaining. Finally, the chapter identifies several critical factors that may increase the likelihood of specific gender and women’s issues being integrated into company policies, in the collective agreement, and in union policies and structures, programmes and processes.

The chapter is divided into five sections. The first provides a brief overview of cultural gender norms in Philippine society and how they map onto women at work and in trade unions. The second outlines legislation and policies that aim to protect women and promote gender equality at the workplace, in the economy, in politics and in public life. The third situates women in the Philippine labour market – showing the extent of their participation in the labour force, their industrial and occupational distribution and their income profile. The fourth looks into women’s representation in trade unions across sectors and their representation in union leadership. The fifth presents and analyses the findings of a survey involving union leaders from both the union federations and local unions in the garments sector. The survey probed into how women and gender issues are represented and internalised in union structures and processes, particularly in collective bargaining. Finally, the sixth concludes the chapter.

Gender and women’s status in Filipino society

Compared with their counterparts in Southeast Asia, Filipino women have always enjoyed greater equality in Philippine society. In fact, Filipino society does not question women’s rights to legal equality and to inherit family property. It is said that prior to colonisation by Spain (1565–1898), the Philippines was a matrilineal society. The pre-colonial family line was traced through the female side of the family, while males inherited their political titles and followings from their mother’s brother. The close relationships between brothers and sisters, husbands and wives, and men and women in general are typically filled with dignity, protectiveness and respect.

Nonetheless, gender differences are a key part of Philippine society. In general, men assume the dominate figure and women possess a subordinate rank. According to one observer, Heinrich (n.d.):

There are several different elements that play a role in categorising men and women into certain statuses among their gender roles. When Filipinos are born they automatically are expected to assume a specific role. They are defined by their sex and then assume that gender role. Gender differences play a key part on what they are suppose to do as an individual of that sex and what they are not supposed to do. In a matter of speaking each gender has a set of social norms they follow. Males in retrospect get more respect because females take after their mothers and elder women to take less dominating roles. ... Men on the other hand are categorised into the more dominating roles in society. Men are brought up to take after their fathers or the elder man in their life. They are defined as being more confident, accomplished, and well rounded individuals.

Today, however, the Philippines is the only country in Asia to have closed the gender gap on education, being among the few countries in the world to have done so. Education and literacy levels are higher for women than for men: in 2008, the adult functional literacy rate among women was 87.6 per cent, while that of men was 84.1 per cent. Women's secondary school graduation rate was also higher than for men: in 2010, the rate for women was 55.5 per cent and for men 52.5 per cent. However, this development did not translate in terms of employment gains, as women's overall share of employment remains dismally lower than men's: in 2010, the female share of employment was 39.2 per cent. It did so only in the services sector where a little over half (51.6 per cent) of all employed people were women. Moreover, there is also a tendency that women of higher educational attainment are more likely to be unemployed than their male counterparts. Between 1995 and 2010, among the unemployed, women who had tertiary education numbered more than such men. In 2010, among the unemployed women, those with tertiary education accounted for 48.7 per cent. Among the men unemployed, the proportion for the same category was lower at 36.8 per cent.

Since the early 1990s, women were found in more than a proportionate share of many professions. In 2010, women predominated in professional and technical positions and corporate and managerial positions, but also in clerical work, and sales, as discussed in the third section of this chapter. Moreover, according to data from BLES, women overwhelming outnumber men in private domestic household work: in 2010, among the women who were wage and salary workers, more than one in five (21.7 per cent) worked for a private household, while the rate for men in the same category was a meagre 2.5 per cent. This latter finding underscores how cultural gender norms in Philippine society continue to map onto women's work.

Filipino women have also made great strides in political and public life. As early as 1937, Filipino women were allowed to vote and stand for election. Further, as

early as 1941, a woman was elected to Parliament, the first in Southeast Asia. Women have become presidents of the country, senators, cabinet officers, Supreme Court justices, administrators and heads of major business enterprises. However, their proportion in these professions remains significantly lower than that of men. In 2008, over one in five (22.5 per cent) legislators in the House of Representatives (the lower House of Congress) were women. In the Senate (the upper house), 16.7 per cent of the legislators were women (FES 2008). In government, while about one in four (24 per cent) held ministerial positions at the provincial level in 2008, only 9 per cent were holding these positions at the national level (FES 2008). At local government level, nearly one in four (24 per cent) of all governors in 2008 were women. Meanwhile, nearly one in three (30 per cent) of Supreme Court justices were women in 2007.

Filipino women also played significant roles in the United Nations to advance women's global agenda. As early as 1964, Filipino women occupied high positions in the UN Commission on the Status of Women. They have also sat as committee chair and experts on the Commission on the Elimination of all Forms of Discrimination against Women (CEDAW).

There are more female employees than males in the public service. However, Filipino men still dominate as decision-makers and managers while women are predominantly professionals in government. The percentage of elective positions occupied by women is less than one-fifth of the total number of positions. In the judiciary branch of government, most of the judges are males. Nonetheless, according to the World Economic Forum's Global Gender Gap Report of 2011, the Philippines ranked eighth out of 128 countries in terms of progress in narrowing the gender gap, from a rank of ninth in 2010.

The significant shares of women in the above-cited occupation groups, particularly in the higher occupational hierarchy, suggest that women are accorded equal opportunity and treatment in employment in jobs where they can ably compete. Thus, according to a draft report on decent work in the Philippines prepared by the ILO/EC Project 'Monitoring and Assessing Progress on Decent Work' (MAP) (ILO/EC 2012), the computed index of dissimilarity fell continuously from 0.368 in 1995 to 0.305 in 2010. This suggests that there is no tendency for the Philippine labour market to be segmented on the basis of sex.²

However, the gender wage gap remains an overriding concern, even in occupational groups where women predominate. Although official data from NSO indicate that in 2010 women received an average daily basic pay that was 1.5 per cent higher than men, the gender wage gap varies across occupations. In 2010, women service and sales workers were paid an average daily basic pay that was 35.7 per cent lower

2. According to the index of dissimilarity, an increase in the index (ranges from 0 to 1) will mean a greater tendency for men and women to work in different jobs. Full occupational integration is a situation in which the occupational distribution for each sex is the same as the occupational distribution for the total employed population.

than that of their male counterparts. Women workers in trades and related work meanwhile received 23.5 per cent lower than their male counterparts. The gap was less among professionals (12.2 per cent) and technicians and associate professionals (14.7 per cent), and narrowest among legislators, executives and managers (1.6 per cent) and clerks (3.7 per cent). However, women plant and machine operators and assemblers were paid 3.1 per cent more than men.

Despite greater equality accorded to women in Philippine society, most household tasks are still relegated to women, making employed women carry a double burden. This burden is moderated somewhat by the availability of relatives and, if the family purse can afford it, household domestic workers who function as helpers and child carers. Thus, among those who were economically inactive due to household/family duties in 2010, nine in ten, or nearly all, were women. However, between 2005 and 2010, the percentage share of women who were economically totally inactive dropped from 94.3 per cent to 91.6 per cent. This trend may imply a shift in family roles in which men are assuming more housekeeping responsibilities and women are increasingly participating in the world of work. This is particularly highlighted by the fact that women workers dominate overseas employment. According to the ILO/EC (2012), increased overseas opportunities in household services and the care-giving fields resulted in the feminisation of migration in the Philippines. Annual deployment data from 2001 to 2009 showed that women on average comprised 61.6 per cent of the total overseas workforce. Through overseas employment, many Filipino women are now getting remuneration for domestic work, which in their own homes did not merit any economic value. Now, the huge remittances they send back home contribute substantially to the country's GDP. Here, domestic work has acquired economic value through overseas employment. Women's ability to contribute financially to their families not only empowers them but also gives them a greater sense of self-worth. But there is also a downside to the feminisation of overseas employment. Kohut (2007: 46) stresses that:

Due to the cultural and traditional 'norms' of Filipino society, women's migration and their entry into the position of primary breadwinner, conflicts with their prescribed roles in society. These gender barriers generate new conflicts and challenges within the family's dynamics.

In the absence of the mother figure, many families struggle as the responsibilities that were once the mother's are now shared among the family. However, conflicts arise when certain members, normally the eldest daughter or the aunts, take on more than they should. Overall, men resist the idea of domestic work, perceiving it as a form of emasculation, and through societal pressures, these concepts are reinforced. In the literature which I read, their new roles are not often welcomed and it is not unusual for additional family members to provide some extra help. In some extreme cases, men turn to substance abuse and gambling in order to regain the masculinity that was challenged when they stopped being the financial supporter.

Kohut further elaborates that women's employment overseas is also 'a transfer of care, and an adjustment in family strategy in order to accommodate for the absence of the family member'. Accordingly, adjustment 'due to a mother's absence has proven to be much more complicated and more of a struggle than a father's absence' (Kohut 2007: 47). This suggests that caring for one's own children and domestic work – both unpaid work – are still strongly perceived as women's work. The lack of economic value placed on these types of unpaid work reinforces the gendered roles attached to sexes in social reproduction.

Moreover, according to FES (2008), most female migrants are in reproductive occupations such as nursing and teaching as well as non-skilled employment such as domestic work, care giving, factory labour, entertainment and sex services, which are perceived to be extensions of women's traditional responsibilities in society. The nature of these types of work makes them more vulnerable to physical and sexual violence, economic exploitation, isolation and prejudice.

Legislation and programmes on gender equality and women issues in the Philippines

As briefly discussed above, the important role of women in society has long been recognised in the Philippines. Section 11 of the 1987 Philippine Constitution recognises equality of women and men as a state policy. Moreover, Section 1 of the Bill of Rights of the Constitution accords to all citizen equal protection of the laws.

The Philippines has also ratified the following international conventions, which form the policy framework for gender equality:

- UN International Covenant on Economic, Social and Cultural Rights (CESCR)
- UN International Covenant on Civil and Political Rights (CCPR)
- UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)
- UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- UN Convention on the Rights of the Child (CAT)
- UN International Convention on the Protection of the Rights of all Migrant Workers (CMW) and Members of their Families
- UN International Convention on the Elimination of all Forms of Racial Discrimination (CERD)
- ILO Workmen's Compensation (Accidents) Convention, 1925 (No. 17)
- ILO Night Work (Women) Convention (Revised), 1948 (No. 89)
- ILO Worst Forms of Child Labour Convention, 1999 (No. 182)
- ILO Convention on Equal Remuneration, 1951 (No. 100)
- ILO Convention on Discrimination (Employment and Occupation), 1958 (No. 111)
- ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

- ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

The Philippine Labour Code, under Articles 135–37, expressly prohibits discrimination. These provisions instruct that it is unlawful for an employer to discriminate against any female employee with respect to terms and conditions of employment solely on account of her sex. In the same manner, an employer is prohibited from discriminating on account of marriage and/or pregnancy. Article 130 of the Labour Code prohibits night work for women in industrial undertakings between 10.00 p.m. and 6.00 a.m. the following day, and in commercial or non-industrial undertakings between midnight and 6.00 a.m. However, on 21 June 2011, Republic Act 10151 was passed allowing the employment of night workers and repealed Article 130 of the Labour Code prohibiting employment of women for night work. The basis for the repeal is that the night work prohibition for women was viewed as discriminatory as it tends to limit employment opportunities of women workers. To address concerns about the hazards of night employment, employers under the new law are required to give all night workers adequate and reasonable facilities, such as sleeping or resting quarters in the establishment, and transportation from the work premises to the nearest point of their residence. In addition, particularly for the protection of woman workers, employers are required to take measures to ensure that an alternative to night work is available to pregnant woman before and after childbirth for a period of at least 16 weeks, and for additional periods as necessary.

Hega (2003) lists the following national policies and plans that aim to promote gender equality and mainstreaming:

- The Local Government Code (1991) provides for the election of sectoral representation, including women in local legislative councils.
- The Party List Law (1998) provides for the creation of women-oriented or women-based parties to compete under the party-list system. Women are one of the nine sectors identified in the law.
- Women in Nation Building Law, Republic Act 7192 (1991) is an act promoting the integration of women as full and equal partners of men in development and nation building. The law provides for the use of a substantial portion of government resources to support programmes and activities for women. The law also encourages the full participation and involvement of women in the development process and the removal of gender bias in all government regulations and procedures. In relation to gender budgeting, the laws specifically mandated all agencies to allocate a minimum of 5 per cent, increasing to 30 per cent, of all official development funds in mainstreaming gender concerns. Through executive directives, however, this 5 per cent allocation is further expanded to cover the total budget appropriations, not only development funds, of all government agencies and local government units in the country. This is known as the Gender and Development Budget or GAD.

- The Comprehensive Agrarian Reform Law (1988) gave Filipino women the right to own land that previously reverted to sons and other male family members.
- Republic Act 7688 (1994) gives representation to women in the social security commission.
- The Anti-Sexual Harassment Law RA 7877 (1995) is an act declaring sexual harassment unlawful in the employment, education or training environment.
- The Republic Act 7822 (1995) provides assistance to women engaging in micro and cottage business enterprises.
- The Day care Law, or RA 6972 (1990), and the Paternity Leave Act (1996) both acknowledge that children are both a parental and a state responsibility.
- The Republic Act 8353 (1997) expands the definition of the crime of rape, reclassifying the same as a crime against persons. While the constitutional and legal framework acknowledges the need for gender mainstreaming, gender equality is indeed still a work in progress. Thus, one can find a myriad of projects, initiatives, and processes on the gender challenge that are corollary to gender-oriented legislations.
- The Framework Plan for Women (FPW) is part of the Philippine Plan for Women, which the current administration developed to focus on three thrusts, namely to promote women's economic empowerment; advance and protect women's human rights; and promote gender-responsive governance. This plan identifies the concrete gender issues that will be addressed, pinpoints targets and indicators, names programmes, formulates the implementation plan, and sets up tools for monitoring and evaluation. The Philippines has a well-developed legal framework for gender equality. This is even reinforced by the ratification of international instruments on women (for example Commission on the Elimination of all Forms of Discrimination against Women or CEDAW) and clear commitments to the outputs of the UN Women Conferences. This is already a good handle for gender equality but their implementation and the 'real politics' surrounding these legal norms leave much to be desired.
- The Philippine Plan for Gender Responsive Development (1995–2025) is the National Plan for Women used to consolidate the action commitments of the Philippines during the Beijing World Conference on Women. It supplies an overall frame and point of reference for discussions and monitoring of gender mainstreaming.
- The Gender and Development Budget (GAD) (1996), which is integral to the Philippine Plan for Gender Responsive Development, aimed to institutionalise gender concerns in the mainstream development process and agenda and not just peripheral programmes and projects of the government. Concretely, it prescribes for the allocation of 5 per cent of the government agency's/local government unit's budget on gender-responsive activities and projects. As a result, the implementation of the development programmes and policies of government also means that women have a role in governance. As primary stakeholders in the development process, women have the right to maximise their involvement in governance, be it at the local or national level.

At the time of writing, there is a pending bill in Congress – House Bill 1955 or the Magna Carta for Workers in the Informal Economy. This bill seeks to provide legal protection to 17 million informal workers or 45 per cent of the country's working population of 37.191 million based on the 2011 Labour Force Survey of NSO. Some 80 per cent of informal workers in the Philippines are women. The Magna Carta for Workers in the Informal Economy seeks to give recognition to the workers in this sector, provide protection from abuse and space for participation, institute programmes and services (that is to enhance skills, health and social insurance, decent working conditions, access to credit and savings for production) and provide access to rights and justice (FES 2008).

The main state institution responsible for promoting gender equality and mainstreaming is the National Commission on the Role of Filipino Women (NCRFW), which is under the Office of the President of the Philippines. Established in 1975, the NCRFW advises the President and the Cabinet in policy formulation and implementation for gender-responsive development. It reviews and evaluates the extent of gender integration and gender equality in sectoral programmes, and promotes full equality of men and women before the law. Its major programmes include the establishment of gender focal points as an institutional mechanism for gender mainstreaming, training in gender and development, research and policy studies on issues such as violence against women, migration, prostitution, family, peace and the media, and development of a sex-disaggregated database on the Philippines (NCRFW website).

Despite the above-listed laws and policies promoting gender equality and gender mainstreaming, discriminatory laws and practices persist. FES (2008) outlines some of these laws and practices:

- Filipino women workers suffer from many forms of subtle and overt discrimination in hiring and promotion and through sexual harassment.
- Most female jobs are low paying and many women workers are unpaid family members.
- While women account for 72 per cent (estimated 6 million) of overseas Filipino workers (OFWs), their remittances comprise only 57 per cent of that of the men, possibly because most women OFWs are in unskilled, low-paid and unprotected jobs.
- Women comprise 57.6 per cent of the state bureaucracy but are mainly in the rank and file.
- There are limited opportunities for women to participate in top-level decision-making positions in the public sector, judiciary, police and military academy.
- Article 202.5 of the Revised Penal Code defines prostitution as a criminal offense for the prostituted female but not for the male customers.
- There is discrimination in the application of laws against women prostitutes but not against men involved as traffickers, pimps and clients.
- Abortion is a criminal offense that burdens women with medical consequences, often fatal, of unsafely terminating a pregnancy. Illegal abortions contribute to the maternal mortality rate.

- The Philippines continues to have one of the highest maternal mortality rates in Asia while it is also the second highest number of total births per year (1995–2000). This is due to the lower contraceptive prevalence rate among women, who do not control or decide freely on matters relating to their fertility. This results in women being vulnerable to health risks due to complications in pregnancy and reduces their job opportunities. There is no national policy on reproductive health and no provisions for prenatal care for women, with maternal deaths increasing every year. Women have no formal protection against HIV/AIDS.
- The Family Code, the Civil Code, the Code of Muslim, Personal Laws, the Revised Penal Code and Customary Law still contain provisions that are discriminatory to women or are inconsistent with new laws, for example in defining sexual infidelity for women and men.
- Stereotyped and negative portrayal of women and girls in the media.
- In 2003, some 8000 cases of violence against women were reported to the Philippine National Police. However, cases are often not reported. Violence against women causes severe health problems and affects earnings, job performance and job security.

Situating women in the Philippine labour market

The services sector remains the main engine of economic growth in the Philippines. In 2010, the services sector generated more than half (55.8 per cent) of the country's GDP, while industry and agriculture contributed 32.6 per cent and 11.6 per cent respectively. And, while agriculture and industry continued to contract overall in the last decade, services continued to expand. As a result, slightly over half (51.8 per cent) of all employment generated in 2010 came from the services sector. Only 15 per cent of total employment came from the industry sector, while the agriculture sector generated 33.2 per cent of all employment in 2010.

However, the majority of economic activity in the services sector in the Philippines is in the wholesale and retail trade, a female-intensive subsector where skills and pay are characteristically low and where jobs are more insecure. Labour productivity in the services sector is also low. In 2010, it was only half (170,000 Philippine pesos, PhP) of the industry's recorded labour productivity (PhP 344,000),³ according to NSO data. Moreover, productivity growth in the services sector is also slower compared with the industry sector. In 2010, productivity in the industry sector grew by 5.2 per cent, while in the services sector the increase was lower at 2.8 per cent.

Along with the dominance of a low productivity, low-skill and low-pay services sector in the Philippine economy is the high incidence of informal work. In the Philippines, informal employment comprises:

3. Labour productivity is defined as Gross Domestic Product at constant 2000 prices divided by total employed.

- own-account workers and employers employed in their own informal sector enterprise;
- contributing family workers, irrespective of whether they work in the formal or informal sector;
- employees holding informal jobs, whether employed by a formal enterprise, an informal sector enterprise, or as paid domestic workers of a household;
- members of informal producers' cooperatives; and
- own-account workers engaged in the production of goods exclusively for their own final use by their household (NSO 2009).

This definition of informal employment runs across traditional formal–informal divisions, underscoring instead a continuum between formal and informal work.

Based on the results of the 2008 Informal Sector Survey (ISS) – the first nationwide survey of the informal sector in the Philippines conducted by the NSO – there were about 10.5 million informal sector operators in the Philippines in 2008 (Pastrana 2009). With a labour force of 36.4 million, nearly one in three (30 per cent) of all workers were in the informal sector in 2008. In 2011, the number of workers in the informal economy ballooned to 16.655 million, or 44.78 per cent of the country's working population of 37.191 million, according to the NSO's 2011 Labour Force Survey (*Philippine Star* 2012).

Using NSO's Labour Force Survey, BLES–DOLE (2008) estimated that from 2001 to 2006, five in ten informal workers worked in agriculture, while three in ten were in the wholesale and retail trade.

Meanwhile, BLES estimated that there were about 731,548 non-regular workers employed in non-agricultural establishments in the Philippines in 2008. As of June 2008, the total number of persons engaged by non-agricultural establishments with 20 or more workers was estimated at about three million. This meant that one in four of the total workers employed in formal non-agricultural establishments (with 20 or more workers) were non-regular workers in 2008.

The 2008 ISS also revealed that two-thirds of the informal-sector workers were male, comprising a big majority of the self-employed and self-employment – overwhelmingly (87 per cent) makes up the informal sector, this finding is not surprising. Nonetheless, as pointed out later in this section, women comprised the majority of unpaid family workers. Moreover, when the proportion of self-employed and unpaid family workers in total employment is considered, data from NSO reveal that from 1995 to 2010 the proportion among women was higher than among men. In 2010, for example, among women, those who were self-employed and unpaid family workers accounted for 44.6 per cent of total employment, while among men the proportion was 39.8 per cent

The foregoing discussions shed light on the fact that although women's participation in the labour force has been increasing over the years, this is made possible through the expansion of insecure and lower-paid (or unpaid) jobs, particularly in the services sector, both formal and informal. Arguably, as jobs

become more and more insecure, it is most likely that women's entry into the labour force will increase further.

Women's employment situation

In 2010, nearly four in ten (39 per cent) of the Philippines' labour force⁴ were women. In fact, between 2006 and 2010, data from BLES indicate that women accounted on average for the same proportion (38.6 per cent) of the labour force (BLES-DOLE 2011). Women's participation rate in the labour force⁵ (49.7 per cent) was lower than men's (78.5 per cent) in 2010. Between 2006 and 2010, the women's labour-force participation rate averaged 49.3 per cent. This means that women participate substantially less in the labour force than men. In 2010, the men–women participation gap was 28.8 per cent, down from 30 per cent in 2006. Between 2006 and 2010, this participation gap averaged 29.5 per cent, meaning men participate in the labour force 30 per cent more compared with women. Nonetheless, trends indicate a marked closing of the gap during the period, namely that women are increasingly participating in the labour force.

Data from BLES show that women's employment rate was on the decline between 1998 and 2004. In 1998, the employment rate for women was registered at 89 per cent, lower than the rate for men (90.2 per cent) and for both sexes (89.7 per cent). This trend carried on in 2004 when women's employment rate was recorded at 87.6 per cent, men's 88.5 per cent and both sexes 88.2 per cent. Between 1998 and 2004, the employment rate for women averaged 88.5 per cent, while that of men was 89.3 per cent. However, this overall trend was somehow reversed in the 2006–10 period, when women's employment rate was gradually inching up. In 2010, the employment rate for women was 93.1 per cent, higher than that of men (92.4 per cent) and for both sexes (92.7 per cent). The same trend was observed in 2006: women's employment rate was 92.4 per cent, men's 91.8 per cent, and the average for both sexes, 92 per cent. Between 2006 and 2010, women's employment rate averaged 92.8 per cent, slightly higher than the rate registered for men (92.3 per cent).

Clearly, the figures above are staggering, giving the impression that indeed Filipino women are progressing very well in the employment landscape. However, the very definition of who classifies as employed as adopted in official statistics puts into question these impressive figures. Accordingly, a worker is considered employed even if she had worked for only an hour in a week, whether paid or unpaid, or those who expect to report for work within two weeks. Thus, according to the glossary of the BLES website (authors' emphasis), the employed in the Philippines:

include all persons 15 years old and over as of their last birthday and during the basic survey reference period (i.e. the past week) are reported as either: a. At

4. The labour force is the sum of all employed and unemployed persons.

5. Labour force participation rate is the ratio of the total labour force to the total household population 15 years old and over multiplied by 10.

work. Those who do any work even for *one hour* during the reference period for pay or profit, or work without pay on the farm or business enterprise operated by a member of the same household related by blood, marriage, or adoption; or b. With a job but not at work. Those who have a job or business but are not at work because of temporary illness/injury, vacation, or other reasons. Likewise, persons who expect to report for work or to start operation of a farm or business enterprise within two weeks from the date of the enumerator's visit are considered employed.

Moreover, to the extent that three in five workers in the wholesale and retail trade were women in 2006 and 2010, and that this sector experienced a steady increase in employment between 2006 and 2010, may partly explain the higher employment rate among women than men.

Between 2006 and 2010, the unemployment rate⁶ for women was on a gradual decline, averaging 7.2 per cent. Men had a slightly higher unemployment rate than women, averaging 7.7 per cent during the same period. In 2010, the unemployment rate for women was 6.9 per cent, lower than the rate for men at 7.6 per cent and for the average for both sexes, 7.4 per cent. The above trend is also observed among the underemployed. The underemployment rate⁷ for women (14.8 per cent) was substantially lower than men (21.3 per cent) and the average for both sexes (18.8 per cent) in 2010. Between 2006 and 2010, women's underemployment rate averaged 15.7 per cent, while that of men was 22.6 per cent.

Sectoral distribution of women workers

In the Philippines, women workers predominate in the service industries. In 2010, women workers were the majority in the wholesale and retail trade (60.2 per cent), hotels and restaurants (54 per cent), financial intermediation (56.5 per cent), education (74.6 per cent), health and social work (71.6 per cent), and private households with employed persons (84.5 per cent). These were the same industries where

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6. The unemployment rate is the ratio of the total unemployed persons to the total labour force multiplied by ten. The unemployed include all persons who are 15 years old and over as of their last birthday and are reported as: (a) without work, that is had no job or business during the basic survey reference period; and (b) currently available for work, that is were available and willing to take up work in paid employment or self employment during the basic survey reference period, and/or would be available and willing to take up work in paid employment or self employment within two weeks after the interview date; and (c) are seeking work, namely had taken specific steps to look for a job or establish a business during the basic survey reference period; *or* not seeking work due to the following reasons: (a) tired/believe no work available, the discouraged workers who looked for work within the last six months prior to the interview date; (b) are awaiting the results of a previous job application; temporary illness/disability; (d) bad weather; and (e) waiting for rehire/job recall.
 7. The underemployment rate is the ratio of underemployed persons to total employed persons multiplied by ten. The underemployed include employed persons who express the desire to have additional hours of work in their present job or an additional job, or to have a new job with longer working hours.

women counted more in 2006 (Table 4.1). On average, there was no marked change in the number of employed women in said industries in 2006 and 2010. In manufacturing, over two in five workers (43.3 per cent) were women in 2010. About the same proportion was employed in public administration and defence and compulsory social security (39.9 per cent). Nearly half (49.3 per cent) of all workers employed in other community, social and personal service activities in the same year were women. More than one in three workers (36 per cent) in the real estate, renting and business activities industry were women. More than one in four (28.1 per cent) workers in agriculture, hunting and forestry were women.

Occupational distribution of women workers

As women predominate in the service industries, so too in service-related occupations. It is also interesting to highlight that women comprise the majority in occupations that wield decision-making power in varying degrees, as well as occupations requiring high level of skills. In 2010, women workers comprised the majority in the following occupational groups – officials of government and special interest-organisations, corporate executives, managers, managing proprietors and supervisors (52.7 per cent); professionals (68.5 per cent); technicians and associate professionals (51.9 per cent); clerks (62.4 per cent); and service workers and shop and market sales workers (50.7 per cent). More than two in five (42.8 per cent) labourers and unskilled workers were women. Meanwhile, about one in five (20.7 per cent) trades and related workers was a woman in 2010 (Table 2). All these suggest a narrowing of occupational segregation by sex.

Table 4.1: Employed women by major industry group (%)

Major industry group	2006	2010
Agriculture, hunting and forestry	28.0	28.1
Fishing	7.1	8.7
Mining and quarrying	10.1	8.5
Manufacturing	45.6	43.3
Electricity, gas and water supply	16.4	16.7
Construction	1.7	2.2
Wholesale and retail trade repair of motor vehicles, motorcycles, personal and household goods	60.3	60.2
Hotels and restaurants	54.6	53.9
Transport, storage and communications	6.2	6.7
Financial intermediation	56.9	56.5
Real estate, renting and business activities	35.0	36.0
Public administration and defence; compulsory social security	37.6	39.9
Education	75.1	74.6
Health and social work	72.4	71.6
Other community, social and personal service activities	49.6	49.3
Private households with employed persons	85.2	84.5

Source: BLES–DOLE (2011: Table 3.8).

However, as indicated in Table 4.2, the proportion of women in many of the occupational groups listed declined if we were to compare the years 2006 and 2010. This is observed among the following occupations – officials of government and special-interest organisations, corporate executives, managers, managing proprietors and supervisors; professionals; clerks; service workers and shop and market sales workers; farmers, forestry workers and fishermen; trades and related workers; and labourers and unskilled workers. The decline is more pronounced among workers in the first occupation group (in Table 4.2) and among trades and related workers. On the other hand, an increase in women’s composition was observed in the following occupations – technicians and associate professionals; plant and machine operators and assemblers; and special occupations.

Table 4.2: Employed women by major occupational group (%)

Major industry group	2006	2010
Officials of government and special interest-organisations, corporate executives, managers, managing proprietors and supervisors	57.9	52.7
Professionals	68.8	68.5
Technicians and associate professionals	50.9	51.9
Clerks	64.1	62.4
Service workers and shop and market sales workers	51.2	50.7
Farmers, forestry workers and fishermen	15.2	14.7
Trades and related workers	25.1	20.7
Plant and machine operators and assemblers	9.2	9.7
Labourers and unskilled workers	44.1	42.8
Special occupations	12.2	19.2

Source: BLES–DOLE (2011: Table 3.9).

The picture becomes less rosy for women when we scrutinise the distribution by sex of the employed by class of worker. Data from BLES reveal that in 2010, women were fewer than men in the following classes of workers – wage and salary workers (38.2 per cent); self-employed without any paid employee (36.6 per cent); and employer in own family-operated farm or business (23.5 per cent). However, women comprised the majority (55.8 per cent) among unpaid family workers (Table 4.3). Overall, men still outnumber women in terms of paid employment.

Table 4.3: Employed women by class of worker (%)

Major class of worker	2006	2010
Wage and salary workers	38.1	38.2
Self-employed without any paid employee	35.7	36.6
Employer in own family-operated farm or business	21.8	23.5
Unpaid worker in own family-operated farm or business	54.7	55.8

Source: BLES–DOLE (2011: Table 3.10).

Women workers' average daily basic pay

In 2006, the nominal average daily basic pay⁸ of women workers in all industries amounting to Php 257.60 was lower than the men's average (Php 264.76) and the average for both sexes (Php 261.90). However, in 2010, the trend was reversed. This time women's average daily basic pay of Php 309.32 was higher than that of men (Php 304.67), and the average for both sexes (Php 306.53). On close scrutiny, however, the pay landscape is more nuanced. As indicated in Table 4.4, women received less than men in agriculture and non-agricultural industries in 2010.

Table 4.4: Average daily basic pay by major industry group and sex: 2006 and 2010

Major industry group	Men		Women	
	2006	2010	2006	2010
<i>Agricultural</i>	138.33	156.32	109.69	135.85
<i>Non-agricultural</i>	297.75	342.42	271.13	324.62
Mining and quarrying	200.56	250.45	200.34	292.63
Manufacturing	270.51	319.75	257.42	296.36
Electricity, gas and water supply	434.79	483.32	468.21	535.13
Construction	262.96	282.67	337.65	396.98
Wholesale and retail trade: repair of motor vehicles, motorcycles and personal and household goods	236.52	286.80	215.43	257.76
Hotels and restaurants	259.11	318.60	213.52	240.80
Transport, storage and communications	294.85	355.32	505.39	526.02
Financial intermediation	525.82	514.13	465.30	542.18
Real estate, renting and business activities	337.63	430.66	410.54	506.78
Public administration and defence; compulsory social security	426.68	455.03	392.45	440.28
Education	423.47	537.12	470.96	577.17
Health and social work	405.33	471.79	387.04	461.56
Other community, social and personal service activities	292.42	326.15	239.91	304.61
Private households with employed persons	183.54	188.15	101.49	123.20

Source: BLES–DOLE (2011: Table 8.8).

The statistics, however, are not giving us a complete picture. The increased participation of women in the labour force comes with a heavy price since women have to carry the multiple burden of being a mother, a wife, a homemaker and a worker all at the same time. Moreover, the stark reality is that working women are often undervalued, underpaid and overworked. Battad (2006) points out that discrimination against women comes in many forms:

- discrimination in hiring, training and promotion;

8. The average daily basic pay is the average gross daily basic pay excluding allowances. It relates to remuneration of employees for normal time prior to deductions of social security contributions or withholding taxes.

- lack of welfare facilities and benefits for women with family responsibilities;
- lack of social protection for women in atypical, flexible, part-time and informal work;
- discriminatory prohibitions against night work;
- limited participation in decision-making;
- a prevalence of sexual harassment and other forms of gender-based violence in the workplace; and
- lack of adequate maternal protection.

In the non-agricultural sector, the average daily basic pay of women was lower than for men in the following industries – manufacturing, wholesale and retail trade; hotels and restaurants; public administration and defence/compulsory social security; health and social work; other community, social and personal activities; and private households with employed persons. This is despite the fact that women workers predominate in most of these industries, such as in wholesale and retail trade, hotels and restaurants, public administration and defence, health and social work, other community, social and personal activities, and private households with employed persons.

Assessing the situation of women in various export processing zones in the Philippines, Edralin (2001) finds a relative lack of facilities, family planning services, health, dental services and occupational safety measures for women in many companies.

Women and unionism

The legal framework of unionism in the Philippines

The 1987 Philippine Constitution's Article III on Bill of Rights particularly Section 8 guarantees the rights of public and private workers to self-organisation. The Labour Code of the Philippines is the enabling law for the exercise of the constitutional right to freedom of association. It allows for the exercise of this right of employees in both the private and public sector. Contractual employees or those hired for a certain period may also form a trade union for their own category of workers. Under the code, at least 20 per cent of the employees in the bargaining unit must signify their intention to become members. Republic Act 9481, enacted into law in 2007, clarifies the minimum requirement of 20 per cent of the total number of workers for purposes of registration only applies to independent unions.

Subject to certain procedures outlined in the code, the union and the management have the duty to convene for negotiating a collective agreement with respect to wages, hours of work and all other terms and conditions, including the settlement of grievances or questions that may arise out of the agreement.

As regard workers in the informal economy, Section 3 of the Implementing Rules of the Labour Code states that 'all other workers including ambulant, intermittent and other workers, the self-employed, rural workers and those without any definite employers may form workers associations for their mutual aid and protection and for

other legitimate purposes.’ Nonetheless, while the Labour Code provides in principle the right to organise among workers in micro and small enterprises, this provision is limited by the requirement on the minimum number of workers employed – at least ten – in an enterprise subject for unionisation. This has been cited as the major obstacle in union organising in the micro and small enterprise sector.

Extent of unionisation

Unionisation and collective bargaining in the Philippines is focused at the enterprise level. Beginning in the 1990s, unions have been experiencing more difficulties in union organising compared with the 1980s. Even at the early phase of contact building, organisers encounter apathy among the workers themselves, as they fear being identified by management as union sympathisers or even more, as key leaders and are subjected to all kinds of harassments by the management. This thus makes the right to organise and freedom of association hard to realise. In the ILO High Level Mission to the Philippines report (ITUC 2012), the workers’ group involved in the mission cited particular hindrance in the observance of the right to organise. They included restrictions in the Labour Code to workers freedom of association, violation against trade unionists and ineffective protection through the legal system, obstacles in the labour justice system to organising, bargaining and peaceful concerted actions. In addition, public sector unionism has also been repressed and policy-making processes and enforcement are weak.

A recent study revealed that on the average it takes from eight to twelve months for a union to be registered (Aganon et al. 2008). After registration, the union has to petition for certification election to be accepted as the duly recognised bargaining agent of the workers in the enterprise. This certification election process usually takes one to three months.

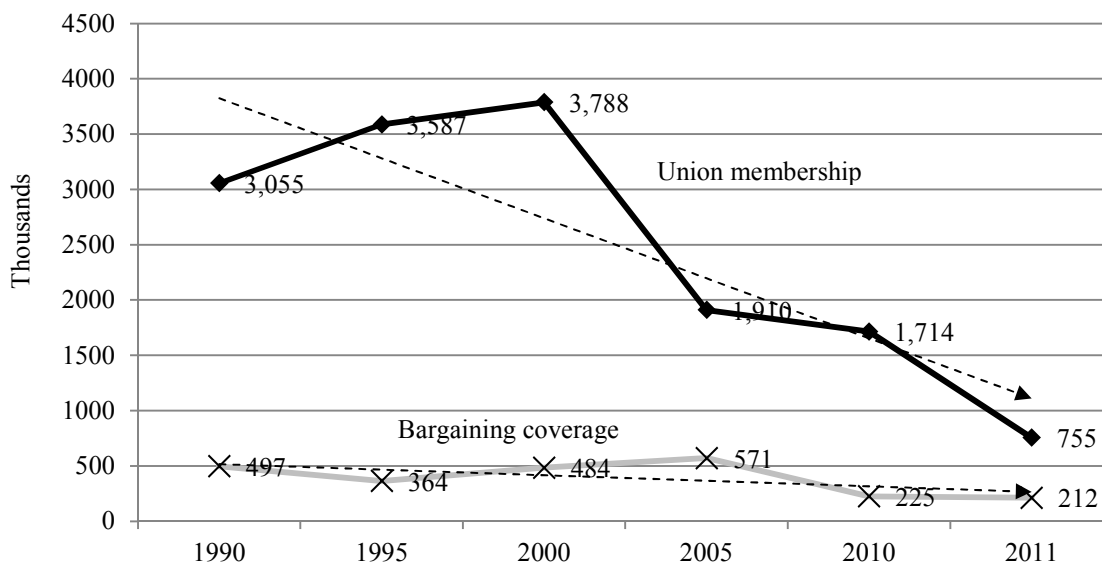
The extent of unionisation in the Philippines is low. And, like in many parts of the world, union density in the Philippines has experienced precipitous decline since the mid-1990s. From 3.57 million in 1995, union membership for both private and public sectors nearly halved to 1,985,000 in 2011. According to Aganon et al. (2008: 2) the Bureau of Labour Relations revised union membership data after an inventory or ‘cleaning up’ was made (that is after they removed from the list inactive unions and those with multiple registrations) in 2002. This cleaning up significantly lowered the number of union members. The authors, however, argue that it cannot be said that it was only in 2002 that a sudden drop in union membership took place because of this administrative inventory. It could be that the decline in union membership was already taking place even long before 2002. The more plausible explanation points to the combined effect of contraction in the manufacturing sector – the bulwark of unionism in the Philippines – and the expansion of the services sector where union density is low, beginning in the 1990s.

As a proportion of the 23.257 million employed people who worked 40 hours or more per week in 2011, union density registered a low of 7.7 per cent, lower than the

rate of 8.89 per cent registered in 2007. When all the employed persons in 2011 are considered (37.191 million), the union density further shrinks to 4.8 per cent. This lower union density may suggest that many of those working fewer than 40 hours per week are non-union members.

Also, it should be noted that not all union members are covered by collective bargaining agreements (CBAs) and collective negotiation agreements (CNAs). Data from BLES, for instance, indicate that for 2011, only about 12.8 per cent or 228,000 of the 1.779 million union members were covered by CBAs and CNAs. Between 2009 and 2011, however, incremental increases of bargaining coverage (relative to total union members) were recorded – from 11.3 per cent in 2009, to 12.4 per cent in 2010, and to 12.8 per cent in 2011. Despite this apparent positive development in the last three years, the overall long-term trend of unionisation and bargaining coverage in the Philippines is shrinking (Figure 4.1). Also, there remains a huge gap between the proportion of union membership and the bargaining coverage.

Figure 4.1: Union membership and collective bargaining coverage trends in the Philippines, 1990–2011



Source: BLES Current Labour Statistics, various issues.

Women in unions

Women's membership in unions and their representation in union leadership remains a challenge to unions in the Philippines. Despite gradual increases in recent years, the union density of women workers is still low and union leadership is still dominated by men.

As of June 2010, data from BLES indicate that women comprised 37.8 per cent of all union members in non-agricultural establishments employing 20 or more workers. It is to be noted, however, that the proportion of women union members to total union membership has been on the rise. In June 2006, women comprised 34.7 per cent of all union members; in June 2008, they comprised 37.1 per cent.

Table 4.5: Union membership distribution by sex in non-agricultural establishments employing 20 or more workers by major industry group, June 2010 (%)

Major industry group	Men	Women
<i>All industries</i>	62.2	37.8
Mining and quarrying	96.9	3.1
Manufacturing	64.8	35.2
Electricity, gas and water supply	83.5	16.5
Construction	93.2	6.8
Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods	52.7	47.3
Hotels and restaurants	71.2	28.8
Transport, storage and communications	81.8	18.2
Financial	36.5	63.5
Real estate, renting and business activities	74.8	25.2
Private education services ⁹	37.7	62.3
Health and social work except public, medical, dental and other health services	36.5	63.5
Other community, social and personal service activities	67.6	32.4

Source: BLES–DOLE (2011: Table 11.1).

Among the industries, women union members comprised the majority in financial intermediation, in health and social work (except public, medical, dental and other health services), and in private education services in 2010. In the same year, more than one in three unionised workers in the manufacturing industry were women. However, despite the predominance of women workers in wholesale and retail trade, and hotels and restaurants, men union members were still in the majority (Table 4.5).

Women union leaders

Are women union members substantially represented in union leadership? The answer is a categorical NO. Results of the 2006 BLES Integrated Survey reveal that not quite one in four (24.3 per cent) union officers is a woman. In fact, even in industries where women workers predominate (such as wholesale and retail trade, hotels and restaurants, financial intermediation, health and social work) the proportion of women union officers pales in comparison with that of men (Table 4.6).

It is only in the private education services industry where women comprised the majority (about 60 per cent) of union officers. The same observation holds true when comparing the proportion of women and men union presidents. It is only in the private education services (teachers, administrators, administrative personnel and maintenance workers) where slightly over half of the union presidents were women. In the health and social work industry, women comprised 44.7 per cent of union presidents.

9. Not included in the data collected.

Table 4.6: Distribution of union officers and union presidents by sex in non-agricultural establishments employing 20 or more workers by major industry group: June 2006 (%)

Major industry group	Officers		Presidents	
	Men	Women	Men	Women
<i>All industries</i>	75.7	24.3	83.9	16.1
Mining and quarrying	95.0	5.0	100.0	0
Manufacturing	80.0	20.0	85.9	14.1
Electricity, gas and water supply	82.2	17.8	96.0	4.0
Construction	83.4	16.6	71.4	28.6
Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods	64.4	35.6	78.7	21.3
Hotels and restaurants	77.1	22.9	95.1	4.9
Transport, storage and communications	87.7	12.3	91.3	8.7
Financial intermediation	67.5	32.5	83.5	16.5
Real estate, renting and business activities	83.8	16.2	90.0	10.0
Private education services	40.1	59.9	49.6	50.4
Health and social work except public, medical, dental and other health services	60.1	39.9	55.3	44.7
Other community, social and personal service activities	79.6	20.4	98.8	1.2

Source: BLES 2006 Integrated Survey.

Union practices addressing women and gender issues

In 2007, a research team (which includes the two authors) from the University of the Philippines School of Labour and Industrial Relations (UPSOLAIR) embarked on a study on union revitalisation and social movement unionism in the Philippines (Aganon et al. 2008). The study included a questionnaire-based survey covering 109 respondents distributed as follows – 15 national/federation union representatives, 62 local-affiliated union representatives, and 32 independent union representatives. Part of the survey included gender dimensions of union revitalisation. Results of the survey highlighted among other things:

- The highest number of respondents (24.8 per cent) claimed that women union officers comprise from zero to 20 per cent of total union officers; another 22.9 per cent claimed that women union officers account for 21 to 40 per cent of total union officers.
- Some 63.3 per cent of respondents confirmed that women union members are involved in organising campaigns (for example recruitment, expansion, conducting seminars and meetings, rallies and expression of grievances, leadership formation and participation in committees.
- Women comprise 0 to 20 per cent of collective bargaining teams according to 23.9 per cent of respondents; another 13.8 per cent claim that women make up 21 to 40 per cent of bargaining teams.

- The majority (53.2 per cent) of respondents claim that gender/women issues form part of union's collective bargaining proposals.
- While the most cited proposals pertain to women's reproductive health, such as maternity, menstrual, health and medical care benefits, issues such as gender equality in pay, promotions, non-stereotyping of work, and non-discrimination in wages are barely tackled at all.
- Some 49.6 per cent per cent of the respondents indicate that gender/women-related proposals are always accepted by the employers; 27.6 per cent of the respondents say such proposals are seldom, rarely or not at all accepted.
- The most cited women-oriented programmes set up by unions are women's committee (47.7 per cent), gender sensitivity training (40.4 per cent) and affirmative policies (22.9 per cent).

Given these findings the authors argue that, despite the gamut of laws and policies promoting and implementing gender equality and mainstreaming, these more often do not translate in the workplace and in bargaining. As the authors stress, 'gender equality has still a long way to go in terms of acceptance as a valid, urgent and legitimate issue worthy of being presented in the bargaining table' (Aganon et al. 2008: 106). In this regard, getting women into leadership positions and increasing their representation in bargaining teams would significantly increase women's awareness of their rights and thus struggle to achieve them.

Gender and women issues in unions and collective bargaining

As part of the bargaining agenda for gender (BAG) research group, a research project of the Global Labour University alumni launched in 2009, the authors/researchers fielded a questionnaire on gender and bargaining in January and February 2010. The questionnaire was designed collectively by the research group.

One of us (authors/researchers), Ramon Certeza, is general secretary of the Confederation of Labour and Allied Social Services–Trade Union Congress of the Philippines (CLASS–TUCP) and a coordinator of the International Textile, Garment and Leather Workers Federation–Philippines Council (ITGLWF–PC) IndustriALL Global Union-Philippine, the natural choice was the garments, textile, leather and allied industries sector. Most of the unions in the garments sector are affiliated with ITGLWF. This thus facilitated our access to union respondents in the sector. In fact, most of the members of the BAG research group are trade union insiders, which puts them in a unique position as both researchers and active participants of the organisations covered by the study. As trade union insiders, the researchers also provide deeper insights into women and gender issues, structures, processes and practices within their unions.

A total of 20 respondents coming from national union federations and local unions in the garments, textile, leather and allied industries were interviewed. Most of the interviews were among union representatives, all union leaders attending meetings

organised by the ITGLWF. A number of the respondents were personally visited in their offices by the researchers. Below we discuss the results of the survey.

Profile of respondents

Of the total 20 respondents, 11 (55 per cent) are male and nine (45 per cent) female. Eight (40 per cent) of them belong to the 41 to 50 age cohort, six (30 per cent) to the 31 to 40 age group, four (20 per cent) are between 51 and 60, and two (10 per cent) are 21 to 30 years of age. As indicated above, 12 (60 per cent) of the respondents are local union leaders and seven (35 per cent) are national federation officers.

One in three of the local union respondents (33.3 per cent) indicated that women account for 71 to 80 per cent of the total workforces in their enterprises. Meanwhile, one in four respondents noted that women workers comprise about 51 to 60 per cent of total workers. One in four federation respondents claimed that women workers comprise about 41 to 50 per cent of total workforce. Similarly, one in four respondents indicated that women comprise 61 to 70 per cent of total workforce. It could be said then that in all the enterprises covered by the survey, women workers comprise at least half the total workforce (Table 4.7).

However, the picture is gloomy when women workers' employment status is considered. As indicated in Table 4.8, for both local and federation respondents, women workers comprise the majority of total temporary hired workers.¹⁰ Among local union respondents, 66.7 per cent of the total workers hired on temporary basis are women.

Table 4.7: Proportion of women workers to total workforce in respondent enterprises

Proportion (%)	Local Union	Federation
11 to 20	8.3	12.5
21 to 30	0	12.5
31 to 40	16.7	12.5
41 to 50	0	25.0
51 to 60	25.0	12.5
61 to 70	8.3	25.0
71 to 80	33.3	0
81 and over	8.3	0
Total	100	100

10. It is to be noted that women predominate in the garments sector in the Philippines. In 2009, the industry employed close to 400,000 workers, making it the largest employer in the manufacturing sector with 11 per cent of the national total. An additional 700,000 people are said to be employed as home-based workers and small subcontractors.

Table 4.8: Proportion of women workers to total temporary hired workers

Proportion (%)	Local Union	Federation
0 to 10	–	12.5
11 to 20	–	–
21 to 30	–	12.5
31 to 40	25.0	
41 to 50	8.3	25.0
51 to 60	–	12.5
61 to 70	–	25.0
71 to 80	16.7	12.5
81 and over	50.0	–
Total	100.0	100.0

Women in union membership and leadership

Women comprise at least 61 per cent of total union membership of the unions covered in the survey. About one in three respondents claimed that women account for at least 81 per cent of total union membership. These figures reflect the predominance of women workers in the garments sector. However, when it comes to women in union leadership, only about one in three indicated that women are from 51 to 80 per cent of total union officers. The majority (55 per cent) claimed that women occupying union leadership positions account for between 10 and 40 per cent of total union leadership (Table 4.9).

Table 4.9: Women in union membership and leadership

Proportion (%)	Union Membership	Union Leadership
0 to 10	5.0	10.0
11 to 20	10.0	20.0
21 to 30	–	25.0
31 to 40	10.0	10.0
41 to 50	15.0	–
51 to 60	–	10.0
61 to 70	15.0	10.0
71 to 80	10.0	15.0
81 and over	35.0	–
Total	100	100

The picture is again discouraging when women's membership in bargaining teams is considered. Survey results reveal that the majority (60 per cent) of respondents indicated that women make up only 20 per cent of bargaining teams. The other 40 per

cent claimed that women account for 50 per cent. The majority (65 per cent) of respondents claimed that women are involved in organising campaigns/drives; 30 per cent said otherwise. This affirms the finding of the UPSOLAIR study cited above. Almost all those who claimed women are not involved in organising, cited that women's double-burden of work and family responsibilities as the major reason.

As regards the existence of union policy allocating a certain proportion of union leadership positions to women, the majority (52.6 per cent) confirmed the existence of such policy while 42.1 per cent pointed to its non-existence. Half the respondents indicated that the proportion of women on the executive board was 20 per cent; 20 per cent said they were 30 per cent; 10 per cent indicated 40 per cent; another 10 per cent noted 10 per cent; and only 10 per cent claimed that women comprise all of the executive board members.

Among those who indicated the non-existence of a union policy allocating a certain proportion of union leadership positions to women, the reasons cited are the following:

- no discussion within the union;
- constitution and bylaws have not been amended;
- federation practices equal opportunities and rights for women in the absence of this policy;
- lack of interest; and
- union is newly-organised.

When asked if their union has a policy allocating a certain proportion of the collective bargaining team to women, the majority (65 per cent) did not have such a policy and only 30 per cent had one. This last finding approximates the same finding of the UPSOLAIR study. The most cited reason for lack of this union policy is that it has been the practice of the union that women always form part of the bargaining team. Lack of interest among women to join the bargaining team is the other reason given.

As regard union structures, programmes and projects that address gender/women-related issues, survey findings reveal the following:

- 75 per cent of respondents claimed the existence of a women's committee; 25 per cent did not have one;
- 25 per cent said they have a women's desk; 75 per cent noted its non-existence;
- 90 per cent of respondents indicated their union provides gender-sensitivity training;
- 50 per cent of respondents said their union has a reproductive health programme; the other half said otherwise;
- 70 per cent of respondents pointed to the non-existence of a union policy allocating a certain proportion for women participation in union education and training; only 30 per cent claimed that this policy exists;

- 90 per cent of respondents indicated the absence of daycare services and facilities among union programmes; only 5 per cent said these services exist; and
- 95 per cent of respondents claimed there are no other gender/women-related structures, programmes and projects of the union apart from what they indicated above.

The majority (57.9 per cent) of respondents indicated that they have an appointed gender equality officer in their union to monitor implementation of gender-related provisions in the bargaining agreement; 31.6 per cent said they did not have and 10.5 per cent did not know if they have.

Gender/women-related company policies

Respondents were asked to identify gender and women-related policies of their enterprises that are not a product of their collective bargaining, regardless of whether they are provided by laws or beyond what these laws stipulate. Table 4.10 summarises the responses. As shown in Table 4.10, it appears that except for protection against sexual harassment and to a lesser extent reproductive health and equality of opportunities for training and education, enterprises do not have substantial policies addressing women-related needs and issues.

It should be noted that in the Philippines the Anti-Sexual Harassment Law or RA 7877 (1995), which declares sexual harassment unlawful in the employment, education or training environment, mandates enterprises to include protection against sexual harassment as part of its policies. This may explain why all the respondents indicated protection against sexual harassment as a company policy, which need not be a provision or a product of collective bargaining.

Table 4.10: Gender/women-related company policies

Company policies	Yes (%)	No (%)
Maternity leave beyond what is provided by law	30	70
Menstrual leave	10	90
Reproductive health	50	50
Protection against sexual harassment	100	0
Equality of opportunities for training and education	50	50
Pay equality	15	85
Special leaves for women	0	100
Daycare services and facilities	0	100
Breastfeeding facilities	10	90

Gender/women-related issues in collective bargaining

Table 4.11 shows gender/women-related policies and programmes that are a product of collective agreement and that the respondents' enterprises are implementing.

Table 4.11: Gender/women-related policies/programmes as products of collective agreement being implemented by enterprise

Policies/programmes	Yes (%)	No (%)
<i>Maternity leave beyond what is provided by law</i>	90	10
<i>Menstrual leave</i>	50	50
Reproductive health	30	70
Protection against sexual harassment	15	85
Equality of opportunities for training and education	30	70
<i>Pay equality</i>	60	40
Special leaves for women	15	85
Daycare services and facilities	30	70
Breastfeeding facilities	25	75

Table 4.12: Three provisions most wanted in CBA

Three provisions that you want most to be in CBA	Yes (%)	No (%)
<i>Maternity leave beyond what is provided by law</i>	90	10
<i>Menstrual leave</i>	50	50
Reproductive health	30	70
Protection against sexual harassment	15	85
Equality of opportunities for training and education	30	70
<i>Pay equality</i>	60	40
Special leaves for women	15	85
Daycare services and facilities	30	70
Breastfeeding facilities	25	75

Compared with Table 4.10, Table 4.11 clearly indicates that policies such as maternity leave beyond what is provided by law, pay equality and, to some extent, menstrual leave can be enacted through collective bargaining. When asked which gender/women-related provisions respondents wanted most to be in their CBAs, the majority of respondents chose maternity leave (90 per cent), pay equality (60 per cent) and menstrual leave (50 per cent) (Table 4.12).

As regard the propensity of gender/women-related proposals to be accepted or refused in collective negotiation, the response was varied: 35 per cent said that these proposals are often accepted by management, 30 per cent said management rarely accepted these proposals, and 25 per cent claimed that these proposals are seldom accepted. It could be said that the majority (55 per cent) of respondents rarely and at best seldom accepted these proposals.

Respondents were also asked to rate the manner in which gender/women-related proposals are traded off (Table 4.13) for other bargaining proposals. What Table 4.13 shows is quite disturbing as, except for reproductive health and protection against sexual harassment, all other gender/women-related proposals in collective bargaining

Table 4.13: Rate gender/women-related proposals traded off for other bargaining proposals

Bargaining Proposals	Always (%)	Often (%)	Seldom (%)	Rarely (%)	Not at all (%)
Maternity leave beyond what is provided by law	87.5	–	–	6.3	6.3
Menstrual leave	77.8	5.6	–	–	16.7
Reproductive health	47.4	21.1	10.5	–	21.1
Protection against sexual harassment	44.4	5.6	11.1	5.6	33.3
Equality of opportunities for training and education	64.7	11.8	–	5.9	17.6
Pay equality	68.8	12.5	12.5	–	6.3
Special leaves for women	70.0	10.0	–	–	20.0
Daycare services and facilities	87.5	–	–	–	12.5
Breastfeeding facilities	92.3	–	–	–	7.7

are always traded off for other bargaining proposals. If responses in the *Often traded off* column are considered, almost all the respondents claimed that women-related proposals, except the two mentioned earlier, are up for trade off most if not all of the time. This is despite the fact that women comprise at least half of all workers in the enterprises covered and at least 61 per cent of total union membership. To the extent that women do not figure prominently in union leadership and more so in the collective bargaining team, may provide an explanation for the above findings.

Respondents were also asked to rate management's acceptance or non-acceptance of gender/women-related proposals. Table 4.14 overall approximates the survey findings revealed in Table 4.13. Protection against sexual harassment (80 per cent) and equality of opportunities for training and education (60 per cent) are proposals that management tends to accept always as claimed by the majority of respondents. The majority of respondents also indicated that reproductive health is most likely if not always accepted. All the other proposals tend not to be accepted at all by management. This is because maternity leave beyond what the law provides, menstrual leave and other special leaves for women, daycare services and facilities, and breast-feeding facilities bear additional costs to management.

Respondents were also asked to choose from a given list gender/women-related provisions that are now in their current CBA. Table 4.15 summarises the responses.

Table 4.15 implies that except for protection against sexual harassment and to a lesser extent reproductive health and equality of opportunities for training and education, gender/women-related policies and programmes still have a long way to go in terms of winning them in collective bargaining. This is especially true for certain provisions that entail direct monetary costs to the company, such as menstrual leave, special leaves for women, daycare services and facilities, pay equality, breast-feeding facilities and maternity leave beyond what is provided by law.

Table 4.14: Rate management's acceptance or non-acceptance of gender/women-related proposals (%)

Bargaining Proposals	Always accepted	Often accepted	Seldom accepted	Rarely accepted	Not at all accepted
Maternity leave beyond what is provided by law	25.0	5.0	10.0	5.0	55.0
Menstrual leave	–	–	–	21.1	78.9
Reproductive health	21.1	36.8	5.3	10.5	26.3
Protection against sexual harassment	80.0	–	5.0	–	15.0
Equality of opportunities for training and education	60.0	10.0	10.0	–	20.0
Pay equality	6.7	13.3	20.0	13.4	46.7
Special leaves for women	–	–	16.7	–	83.3
Daycare services and facilities	–	–	–	18.8	81.3
Breastfeeding facilities	–	–	6.3	12.5	81.3

Table 4.15: Gender/women-related provisions in current CBA

CBA Provisions	Yes (%)	No (%)
Maternity leave beyond what is provided by law	35	65
Menstrual leave	0	100
Reproductive health	45	55
Protection against sexual harassment	80	20
Equality of opportunities for training and education	45	55
Pay equality	10	90
Special leaves for women	0	100
Daycare services and facilities	0	100
Breastfeeding facilities	10	90

Women in collective bargaining: strengths, weaknesses, limitations and potential

The questionnaire also enquired about the respondents' perceptions about the strengths, weaknesses and limitations of having women in the collective bargaining team and the overall impact of having gender/women-related provisions in the collective agreement. Of the 18 respondents (90 per cent) who indicated the strengths of having women in the collective bargaining team, 14 (about 78 per cent) stressed the higher likelihood of integrating and winning gender/women-related issues in collective bargaining. Other strengths cited are that it (1) empowers women through participation in union decision-making; (2) enlightens men on gender issues; and (3) encourages women to be active in union affairs.

Almost all the respondents (95 per cent) wrote down what they thought are the weaknesses and limitations of involving women in the collective bargaining team. The respondents listed the following: (1) lack of time for women to join other union

activities; (2) limited number of women volunteers; (3) management bargaining team who are mostly men often tend not to listen to women; (4) women are soft or weak in pushing for proposals; (5) women have limited interest in collective bargaining and thus do not put more time to study proposals; (6) women tend to be out of topic or out of focus during bargaining due to multiple tasks and responsibilities; and (7) other economic provisions may be compromised.

What has been the major impact of integrating gender/women-related issues in collective bargaining? Table 4.16 lists the responses.

Table 4.16: Overall impact of gender/women-related provisions in CBA (%)

Impact	Respondents
More women are empowered and more motivated to participate in union activities	30
Gender-balanced CBA	20
Increased awareness among women and men on gender issues	10
Realisation of gender equality	10
Feeling of security among women	5
No impact	15

As Table 4.16 shows, nearly one in three respondents point to women's empowerment at the workplace and increased participation in union activities as the major impact of integrating women issues in collective bargaining. One in five meanwhile indicated having a gender-balanced CBA. As Table 4.17 indicates, increasing awareness on gender issues through seminars and training is the main recommendation (by more than a third of respondents). Although survey findings indicate that 90 per cent of respondents claimed their unions provide gender sensitivity seminars or training, it could be that said training does not capture the overall importance of gender issues on union development and legitimacy especially in enterprises dominated by women workers. The involvement of women in the bargaining team is also highly recommended (by nearly a quarter of respondents), bearing out the finding that the majority (60 per cent) of respondents indicated that women comprise only 20 per cent of bargaining teams.

Gender and collective bargaining: some critical factors

To determine association between variables, cross-tabulations were run using the software Statistical Package for the Social Sciences (SPSS). The researchers selected six major variables to cross-tab with several other variables (or items in the questionnaire). These were gender, union type, women's involvement in organising, union policy on allocation of a certain proportion of union leadership to women, union policy allocating a certain proportion of bargaining team membership to women, and the existence of a gender equality officer. Union type did not have any significant association with the other variables selected.

Table 4.17: Putting more gender/women-related provisions in CBA: recommendations

Recommendations	% Respondents
Conduct of more seminars and training on gender issues to increase awareness among women and men	35.3
Always have women in collective bargaining team and in formulation of proposals	23.5
More active members especially women are needed	11.2
Conduct research on the importance of gender provisions in CBA	11.2
Link 90-day maternity leave with reproductive health	5.9
Appoint women representative in all programmes to monitor gender provisions implementation	5.9
Gender proposals should not be traded off with other economic proposals	5.9
More women representatives in union leadership	5.9

To check the significance of association or relationship between the major variables and other select variables, chi-square tests were done between two variables at a time. If the probability value (p-value) of the chi-square test result was 0.05 or less, the two variables tested are associated and/or dependent. Results, however, do not claim causal relationship between variables. Moreover, it should be noted that the sample is too small to claim conclusive results. Results may even change when the sample is increased. Thus, what are reported here are just trends that need further investigation and research. Only those variables with significant relationship (p-value of 0.05 and less) are discussed.

1. Women's involvement in organising drives and bargaining proposal on daycare services and facilities

When women are not involved in organising drives, the chances of having daycare services and facilities as part of bargaining proposals are none at all (p-value = 0.05). This means that involving women in organising drives increases the chances of including such provision in the bargaining proposal. Among respondents who indicated women are not involved in organising drives all answered that daycare services are not at all part of their bargaining proposals.

2. Women's involvement in organising drives and gender/women-related union programmes

When women are involved in organising drives, it is more likely that a women's committee is established in the union (p-value = 0.019). Among those who said that women are involved in organising, 92.3 per cent claimed they have a women's committee in their union. Meanwhile, of those who said women are not involved in

organising drives, the majority (66.7 per cent) did not have a women's committee in their union.

Women's involvement in organising drives is also significantly related to inclusion of reproductive health (p-value=0.012) among union programmes and projects. All respondents (100 per cent) who indicated that women are not involved in organising drives also said that a reproductive health programme is not part of union programmes and projects. Among those who indicated that women are involved in organising drives, 69.2 per cent claimed that reproductive health *is* part of union programmes.

3. Union policy allocating a certain proportion of union leadership to women and union policy allocating a certain proportion of bargaining teams to women

These two variables indicate a negative relationship (p-value=0.001). When the former policy exists, the majority of respondents (70 per cent) claimed that a union policy allocating a certain proportion of a bargaining team to women does not exist. Even in enterprises without a union policy, allocating leadership positions to women, the majority of respondents (75 per cent) said that a union policy for women's place in the bargaining team does not likewise exist. One possible explanation for the first finding may be that since women are already assured of positions in union leadership, having a union policy, allocating a certain proportion of bargaining team to women is no longer necessary as more often those in the leadership comprise the bargaining team.

4. Union policy allocating a certain proportion of union leadership to women and gender/women-related company policies

Having a union policy allocating a certain proportion of union leadership to women is associated with the likelihood of the existence of a company policy or programme on reproductive health that is not a product of collective bargaining (p-value=0.011). Among those who claimed that this union policy exists, 80 per cent of respondents indicated that reproductive health is part of company policies. Among those who did not have this union policy, 87.5 per cent did not have reproductive health among company policies and programmes.

5. Union policy allocating a certain proportion of union leadership to women, and gender/women-related provisions as a result of collective bargaining

The first variable is associated with having daycare facilities as a product of collective bargaining (p-value=0.047). Among those who claimed the non-existence of a union policy allocating a proportion of leadership positions to women, all noted that daycare facilities do not count among collective bargaining provisions. On the other hand, among those who claimed the existence of such union policy, half said that daycare facilities are part of collective bargaining provisions.

6. Union policy allocating a certain proportion of union leadership to women and union structures, programmes and projects

Among respondents claiming the existence of this union policy, all said their union has a women's committee (p-value=0.013). Among those who did not have this union policy, half had a women's committee in their union and the other half had none. However, the existence or otherwise of this union policy seemed not to affect the provision of gender sensitivity training by unions (p-value=0.008). Nonetheless, among respondents who claimed existence this union policy, all noted that they have gender sensitivity training in their union. Among those without this union policy, 87.5 per cent claimed having gender-sensitivity training in their union. In unions without this leadership allocation for women as union policy, 75 per cent claimed they have no reproductive health programme, while among those who claimed having this union policy, 80 per cent had reproductive health programmes as part of their union programmes (p-value=0.038).

7. Union policy allocating a certain proportion of collective bargaining teams to women and gender/women-related company policies that are not the product of collective bargaining

Among respondents claiming the existence of a union policy allocating a certain proportion of collective bargaining teams to women, 83.3 per cent said that maternity leave beyond what the law provides is part of their company policies. Among those who do not have this union policy, 92.3 per cent noted that maternity leave beyond the law is not part of their company policies (p-value=0.003). Similarly, the existence of this union policy involving women in the collective bargaining team is positively associated with having pay equality as a company policy (p-value=0.016). Among those with this union policy, half indicated that pay equality is a company policy. Among those without this union policy, all (100 per cent) said that pay equality is not a company policy.

8. Union policy allocating a certain proportion of collective bargaining teams to women and gender/women-related company policies that are the product of collective bargaining (and being implemented by the enterprise)

This union policy is significantly but negatively associated with the inclusion of protection against sexual harassment as part of collective bargaining provisions (p-value=0.008). Among those claiming the existence of this union policy, 66.7 per cent indicated that protection against sexual harassment did not count among CBA provisions, leaving only 33.3 per cent claiming the inclusion of the latter in their CBAs. However, the non-existence of this union policy makes it more difficult to include such provision as respondents who claimed the non-existence of this union policy noted the absence of such provision in their CBAs (100 per cent).

Similarly, the existence of this union policy appears to be negatively associated

with including pay equality as a CBA provision (p-value=0.032). Among those who claimed existence of this union policy, 83.3 per cent indicated the non-inclusion of pay equality as a CBA provision. However, among those without this union policy, 76.9 per cent indicated pay equality as part of their CBA provisions. An explanation for this finding could be that since women are already part of their bargaining team, the pay increases negotiated do not discriminate by gender. In this regard, a CBA provision on pay equality is no longer needed. Moreover, in the textile and garment sector where majority of workers are women, pay equity is not so much of an issue when it comes to bargaining.

9. Union policy allocating a certain proportion of the collective bargaining team to women and gender/women-related provisions in present CBA

This union policy is highly and positively associated with the inclusion in the current CBA of maternity leave beyond what is provided by law (p-value=0.000). Among respondents who claimed the existence of this union policy, 100 per cent cited the inclusion of this provision in the current CBA. Among those who did not have this union policy, 100 per cent did not have this CBA provision.

On the other hand, the non-existence of this provision does not prevent the inclusion of a CBA provision on protection against sexual harassment (as among those who indicated the non-existence of this union policy 100 per cent noted the inclusion of this provision in the CBA) (p-value=0.005). Among those who indicated the existence of this union policy of women's membership of the bargaining team, half noted the inclusion of this CBA provision and the other half otherwise. As noted earlier in this report, an anti-sexual harassment law mandates enterprises and other organisations to adopt pertinent policies to implement the law. A CBA provision on anti-sexual harassment would purportedly just improve upon what the law provides.

10. Union policy allocating a certain proportion of collective bargaining teams to women and gender/women-related union programmes and projects

Among respondents claiming the existence of this union policy, 83.3 per cent had gender-sensitivity training as part of union programmes (p-value=0.008). Among those who claimed the existence of this union policy, 83.3 per cent noted they have an appointed gender equality officer to monitor the implementation of gender-women provisions in the CBA (p-value=0.007). This proportion is higher than those who did not have this union policy and only half of them declared having an appointed gender equality officer.

11. Existence of a gender equality officer and gender/women-related union structures, programmes and projects

Having an appointed gender equality officer is positively correlated with having a women's committee in the union structure (p-value=0.031). Among those who said

they have a gender equality officer, all (100 per cent) said they have a women's committee in their union. Among those without this gender officer, half had a women's committee, the other half did not. As regard gender sensitivity training, having a gender equality officer does not distinguish the provision or otherwise of gender sensitivity training as even among those without a gender equality officer, all claimed that gender sensitivity training is part of their union's programmes and projects (p-value=0.011).

Conclusions

The findings of the BAG survey confirm a women workers' representation deficit in union leadership and bargaining even in a sector – the garments sector – where women workers predominate. The results of our small survey underscore a strong correlation between women's limited representation in union leadership and in bargaining processes, and the inadequacy or absence of company policies addressing women-related needs and issues, on the one hand, and on the other, the higher likelihood that gender/women-related proposals in collective bargaining are always traded off for other bargaining proposals. When women are substantially represented (or comprise the majority) in union leadership and in the bargaining team, winning more collective bargaining provisions for women's issues tends to be more likely, particularly those that for management entail direct monetary costs (for example additional maternity leave, menstrual leave, or daycare facilities). In this regard, a union policy allocating proportional representation of women workers in union leadership and bargaining enhances the integration of gender/women's issues both in company policies and in the collective agreement.

Overall, the integration of gender and women-related issues in collective bargaining remains a big challenge to unions in the Philippines. The fact that women's involvement in union leadership and their inclusion in the bargaining team still pales in comparison with men makes this challenge even more overwhelming. Indeed, there are union structures and processes that inhibit the embedding or integration of gender issues in bargaining. The oft-cited reason of union's reluctance to involve more women in union leadership and bargaining because of their lack of interest in and time for union activities (due to their multiple tasks at work and at home) may be dispelled by the finding of this study on the overall impact of integrating gender/women issues in collective bargaining. It empowers and motivates women to participate and become more active in union activities. This finding implies the necessity of union structures and processes that elicit more participation and involvement of women.

What this research also discovered is that many of the women interviewed by the researchers were not even aware of their union gender policy in relation to collective bargaining. In fact, the women interviewees discovered for the first time, from the researchers, what their union gender policy was. This finding suggests that the simple action of communicating union policies in the organisation is wanting in many

unions. It also stresses how action research can trigger some degree of mutual learning among research participants.

Survey results highlight several critical factors that may increase the likelihood of specific gender and women-issues being integrated into company policies, in the collective agreement, and in union policies and structures, programmes and processes. These include women's involvement in organising drives, union policy on women's involvement in leadership, union policy on women's membership in bargaining teams and the appointment of gender equality officers. Unions may need seriously to consider these critical factors in their commitment to mainstream or embed gender issues in union structures and processes.

Conclusion

Compared with their counterparts in Southeast Asia, Filipino women have always enjoyed greater equality in Philippine society. In fact, the Philippines has been able to close the gender gap in education and literacy levels, as Filipino women with higher educational qualifications and literacy levels now outnumber men. Women are now substantially represented across occupational categories and in the higher occupational hierarchy. This has led the ILO to conclude that there is no tendency for the Philippine labour market to be segmented on the basis of sex. In 2011, the WEF's Global Gender Gap report ranked the Philippines eighth among 128 countries in terms of narrowing the gender gap, one rank up its previous ninth place in 2010.

Despite all these milestones and the menu of laws, policies and programmes aimed at promoting and protecting women's interests, gender differences remain a key part of the Philippine labour market. Men still assume the dominant roles and women possess a subordinate rank. Although women's participation in the labour force has been on the rise, they often land in less secure, low-paid and low-skill jobs. Women dominate in the services sector, particularly in the wholesale and retail trade, where pay remains low, jobs are insecure and skill requirements minimal. Although women are represented substantially across all occupational categories, they predominate in unpaid work (that is unpaid family work). Moreover, the gender wage gap remains across occupational groupings with women receiving lesser pay in service and sales work, trades and related work, and professional, technical and associate professional work.

Women's gendered role in Philippine society in terms of social reproduction also remains substantially unchanged. In general, women still do all household tasks. In 2010, among those who were economically inactive due to household and family duties, nearly all (nine in ten) were women.

Gender differences are also mirrored in trade union structures and processes. Even in the garments sector, where women overwhelmingly dominate the workforce, they lack substantial representation in union leadership and in bargaining. As we have found out in our survey, women leaders comprise less than half (even down to 10 per cent in some cases) of the union leadership in all the unions covered in our survey. In

terms of bargaining composition, women workers are more disproportionately represented. All this means that the predominance of women in an enterprise is not a guarantee that women workers will have substantial representation in union leadership and in bargaining.

Women's representation deficit in trade unions puts them at a disadvantage in bargaining for higher wages and better working conditions. More importantly, this calls into question unions' legitimacy as spaces that promote gender equality and empower women.

The integration of gender and women-related issues in collective bargaining remains a big challenge to unions in the Philippines. However, our research points to several ways that this challenge may be addressed. We suggested several union structures and processes that may facilitate the embedding or integration of gender/women issues in union agenda and bargaining and in company policies: women's involvement in organising drives, union policy on women's proportional representation in leadership, union policy on women's proportional membership in bargaining teams, and the appointment of gender equality officers. These are initial steps that trade unions, as democratic and egalitarian institutions, may want to seriously take on.

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5. Bargaining Agenda for Gender (BAG): Turkey, a Case Study

Gaye Yilmaz

Although there is a general belief that trade unions must inherently be democratic organisations when it comes to specific questions such as gender equality, for instance, a deeper look may be needed. Since collective demands and involvement of female members in formulating these demands are the most basic indicators for a gender perspective on trade unions, this research mainly focuses on the collective bargaining agenda for gender (BAG). The study begins with a general overview on trade union structures and then continues with gendered labour markets because the collective bargaining power of female workers first depends on the organising power of workers in general, and second depends on the economic and social conditions of female workers within labour markets. This chapter first sets the context of legal rights of female workers, trade unions, collective bargaining for gender in general and on trade unions. This is followed by the field research of interviews for the project specifically on gender in collective bargaining (BAG) carried out in 2009. The research involved interviews and discussions with 40 women health-worker trade union activists. The case study is set against the context of trade unionism in Turkey, which makes up the next section.

Before mentioning the relations between gender and labour markets, we should underline some facts that affect the daily lives of women in general in Turkey, especially under the religious government of the last 12 years. To make it more understandable we should return to the reasons for the June 2013 riots, which started first in Istanbul and spread across the country in a few days. The AKP government shaped its economic and social policies mainly by restricting women, including strict controls on the bodies of women.¹ Therefore, the participation of female activists and involvement of feminist organisations in the June riots were high compared with previous protestations. The anti-women behaviour of the government did not change; it became even more aggressive and, following the June riots, there was increasing harassment through police raids on apartments where female university students lived with their boyfriends. *I strongly recommend readers to read this part of the book keeping these facts in mind.*

1. A few examples include increased harassment, even police raids, on female university students living with their boyfriends; banned abortion; political and social pressures on women to have more children; banned caesarean sections during childbirth; monetary government incentives for university students to marry before graduation; reduced punishments for those involved in abuse, honour killings and/or paedophilia.

Trade unions in Turkey

To gain an understanding about how and why social struggles are significant or insignificant in any country is to understand that these are mainly hidden behind historical developments in economics and politics. Therefore, in this chapter, I give an overview of the trade union movement in Turkey. This helps us to understand why Turkish unions are less strong than their counterparts in the Western world, especially the impact this weakness has on organised female workers. In other words, any question that focuses on the gender balance in collective bargaining processes, for instance, must be seen in relation to the weaknesses and/or strengths of the working class and the place of women in the country in general.

In Turkey, as of December 2009, there are three authorised union confederations for blue-collar (waged) workers² and three authorised confederations for white-collar (salaried) employees³ in the public services.

Current trade union legislation is the most prominent product of the military coup in 1980, which suspended the activities of first DISK – the Confederation of Progressive Workers' Unions – and then the majority of independent unions. Under the labour legislation passed in 1983, in which many restrictions are still valid, trade unions can operate on a sectoral basis only. To engage in collective bargaining, such unions must organise at least 3 per cent of the workers in any particular sector and at least one member, in addition to 50 per cent of the employees of any plant.⁴ Since unions have to go beyond 50 per cent in the workplace, this means that only one union is allowed to organise per workplace (ILO 2009: 32). The new labour laws covering collective bargaining, strikes and lockouts signified a serious setback in the rights of workers and trade unions. These laws crippled the cultural and educational role of the unions, and trade unions were redefined solely as organisations with economic and social functions. The foundation of enterprise unions was prohibited and more exacting demands were imposed on the founders of unions. Union leaders were required to have at least ten years seniority in that branch and not to assume any office in a political party. To conduct collective bargaining, in addition to affiliating the majority of the workers at a certain enterprise, the unions were compelled to organise at least 10 per cent of the total workers in that branch. Unions were barred from involvement in politics and commerce, and organising meetings outside their stated aims was forbidden. Organisation on a national level became compulsory, and professional unions and federations were prohibited. Unions were forced to adapt to this law within one year, which stipulated the closure of unions that failed to do so. In the new act on collective bargaining, strikes and lockouts, the strikes waged when the employer did not comply with the collective labour contract, were banned. The Supreme Council of Arbitration was furnished with the authority to postpone and to ban strikes, as well as

2. DISK, started in 1967, Turk-Is in 1952 and Hak-Is in 1977.

3. KESK, started in 1995, T. Memur Sen in 1995 and Kamu-Sen in 1992.

4. According to Act number 6356 on Trade Unions and Collective Bargaining, passed on 18 October 2012 and taking effect following its appearance in the *Gazette* on 7 November 2012.

broad powers in connection with collective negotiations. Its decisions were to be in the nature of collective labour contracts. Lockout was defined as an employer's right, the equivalent of the right to strike. In cases where the government postponed a strike and the dispute could not be resolved within the 60-day period of postponement, taking the matter to the Supreme Council of Arbitration became mandatory. The decisions of this council were made unappealable. The payment of wages or fringe benefits to workers after the conclusion of a strike for the duration of the strike was banned (FES 1998).

Due to all these factors, the development opportunities of DISK and similar unions have been constrained, the leading cadres of DISK have been subdued, by various means, and this has led to a shifting of the membership basis to Türk-İs and Hak-İs so as not to remain unorganised. Türk-İs has now become the most powerful confederation. However, in the post-1980 period, the power and social impact of all unions, including Türk-İs, have declined. While the changing international and national conditions led to a relative radicalisation of a few Türk-İs affiliates, there has been a noticeable affinity in the attitudes of DISK and Hak-İs. After 1990, these three confederations have often acted in unison in connection with various issues.

The situation of the trade union movement in Turkey was summed up below by the Friedrich Ebert Foundation in 1998, and is still the same today. Türk-İs maintains its position as the largest and strongest confederation, but all its affiliates experience the frustrations of inadequate organisation and growth and, perhaps most important of all, the lack of a militant style of unionism. Hak-İs is showing an expansion, which is also due to the fact that the Justice and Development Party (Adaletve Kalkınma Partisi), with which it has close relations, is in government. As the confederation that was most severely punished by the military regime, DISK is experiencing very serious problems in organising. DISK affiliates, apart from Birlesik Metal-İs, Genel-İs and Gıda-İs, are fighting for survival.

Although the new laws do not allow much scope for independent unions, their number is still quite high. This phenomenon can probably be explained by local circumstances, the pursuance of individual interests or, in the case of large independent unions, the reluctance to accept the discipline entailed by membership to a confederation (FES 1998). As of 2000, the trade union movement on the rise is that of the civil servants. The unions of public employees affiliated in the KESK–Confederation of Public Employees' Unions – display a growth that resembles that of DISK prior to the coup with respect to dynamism and militancy. It may be said, however, that both unions are still seen as militant.

Gender, labour markets⁵ and trade unions

Turkey has experienced significant changes in the industrial structure of employment, especially in the last 15 years. In 1989, agriculture accounted for 47 per cent of total employment while services were second at 32 per cent. The share of manufacturing

5. Because of the unavailability of statistics, the researcher has had to rely to some extent on the World Bank data.

was 16 per cent and construction 5 per cent. Following a quite fast implementation of a neoliberal agenda, agriculture's share has dropped dramatically over this period, and was down to 34 per cent in 2004. Services have now become the largest employer, with 43 per cent of total employment. The share of manufacturing went up slightly (two points, to 18 per cent), while construction's share remained constant. During this period, 1.2 million new jobs were added in manufacturing and 3.7 million in services. Some gender differences have become more apparent in this process. First, compared with their male counterparts, young (age < 25) well-educated females are more likely to hold secure jobs in the public sector because public jobs represent a more secure and stable working life and families have preferred these jobs for their daughters. According to the most recent official statistics on human health and social work activities, the total number of those employed in health and social work is 590,000 (259,000 are males and 331,000 are females) (TUIK 2011). Conversely, families were motivating their sons into private sector jobs, which are more risky but more promising. However, less educated females are more likely to work in other labour-intensive and poorly paid jobs such as textiles and food, or remain jobless. The male–female earnings gap has widened, with the latest available estimates indicating that female full-time employees earn between 78 and 83 per cent of what full-time men earn. The major deterioration in relative earnings for women occurred between 1989 and 1994 (World Bank 2006).

Regarding female labour force data, both the lack of proper regulations to motivate females to work and the existing strong patriarchal structures, have meant that the decline in female labour force participation that began in the 1960s has not begun to reverse. In general, a u-shaped pattern in female labour force participation is common as countries urbanise, but in Turkey, the labour force participation rate for urban women has remained under 20 per cent since the beginning of the 1990s. The World Bank study of 2006 documents the importance of education in encouraging female labour force participation. University educated young women have participation rates that are close to men's. Availability of part-time work has led to a significant increase in labour force participation in OECD countries, but not in Turkey. The share of part-time workers remains low in Turkey. About 9 per cent of female wage and salary earners work fewer than 35 hours a week. The World Bank also claims that employers and workers are not yet taking full advantage of the changes in the 2003 Labour Law that allowed part-time work (World Bank 2006: 67).

Slow job creation has also affected female labour force participation. Between 1988 and 2003, the unemployment rate for urban males fluctuated around 11 per cent. Over the same period, the unemployment rate for urban females fell from 28 per cent to 18 per cent. This decline is consistent with a significant number of women dropping out of the labour force because of a 'discouraged worker' effect according to the World Bank. In the World Bank statistics on worker access to formal protection instruments, by sex, age and education as of 2002, the gender gap becomes more visible as can be seen in these figures:

Table 5.1: Worker access to formal protection instruments, by sex (%)

Sex	TU members	Social security	Workplace of 10+ workers
Males	12.8	50.9	34.2
Females	7.4	24.7	19.4

Source: (World Bank 2006: 70).

The 2003 Labour Code seems to include important measures to encourage female labour force participation. For instance, the ban on employment of women in night shifts of manufacturing establishments has been taken out from the legislation. However, the World Bank still argues that two provisions designed to support women may have inadvertently increased incentives not to hire them. First, paid maternity leave lasts for a total of 16 weeks and can be extended to six months without pay. Second, establishments that employ 100 female workers must provide a nursing room, while establishments that employ more than 150 female workers must provide a daycare facility for pre-school children. The World Bank insists that the impact of these provisions on female employment should be monitored. Not surprisingly, the World Bank also criticises restrictions on fixed-term workers and temporary work agencies by claiming that both recommendations are likely to benefit women particularly (World Bank 2006: 78). In addition to the structural needs of capital accumulation these deteriorating ‘recommendations’ made by the World Bank show that unions must spend much more effort to develop collective bargaining models with a gender perspective.

The reach of labour market regulation is essentially for only half the employed workforce represented by wage and salaried employees. Incomplete compliance, especially in small- and medium-sized enterprises, further reduces this coverage. The most basic reason for this is the informality of more than 50 per cent of the total economy. Unionisation, on the other hand, is essentially a public sector phenomenon in Turkey. Only 4 per cent of private sector wage employees are union members, compared with 28 per cent in public enterprises and 51 per cent in government (World Bank 2006). Moreover, despite 59 per cent of workers being trade union members (Yerelsen 2011) only about 5.7 per cent of total active workforce are covered by a collective agreement (Çelik 2012). This is mainly because of the double criteria required for full membership, supported with collective bargaining and strike rights as mentioned above.

Women’s legal employment rights in Turkey

Women working in the formal sectors of the private economy or in public services with full rights have the following legal rights:

- Parental leave for female workers is a total of 16 weeks, eight weeks before and eight weeks after giving birth. In the case of multiple pregnancies, two more weeks are added to the eight weeks before giving birth.

- If health conditions are normal, pregnant workers may continue to work until three weeks before giving birth with the condition of approval from a medical doctor and the consent of the pregnant worker. Throughout the gestation period, female workers are given paid leave for periodical medical checks. If a woman's job is listed as 'heavy work', she may be shifted to a lighter job with a medical report given by the doctor without any reduction in her wage.
- Female workers have one and half hours leave per day for nursing their babies aged under 18 months and this period must be regarded as part of their normal working hours. Pregnant and nursing workers cannot work longer than seven and a half hours a day. It is obligatory for all workplaces where more than 100 female workers are employed to have a proper baby nursery room, which is separate and a maximum of 250 metres from the workplace. It is obligatory for all workplaces where more than 150 female workers are employed to have a proper day nursery room to meet the need of daily care for the children of female workers aged between birth and six years.
- There are some jobs that are banned for female workers. For instance, they are not allowed to work in mines, in drains or on the construction of tunnels. Only female workers have the right to demand seniority compensation in the case of marriage with the condition of quitting employment (Mother and Baby 2009).
- However, it is important to note that there are serious defaults in the implementation processes of this legislation. The first problem arises from different work statutes in public sectors where female employees are mostly not covered by this legislation. Since they have employment contracts with definite termination dates, in the case of pregnancy as soon as their actual contracts terminate these women are assumed to be on unpaid leave without having any legal right throughout the gestation period. In addition, because this is regarded as unpaid leave, the gestation period is not counted in calculating the days at work for retirement. The second problem is related to the nursery rooms. Increasingly, these have been transferred to commercial subcontractors and are of very poor quality and have insufficient capacity. In addition to these problems, female workers also have to pay market prices to meet their most basic needs.
- Despite all the above, both international institutions like the World Bank and the Turkish government propose more flexible and more insecure jobs to increase female participation in employment. Although there is no clear anti-union content in these reports, it is obvious that the result will be that women will be deprived of collective rights. This is especially so in the countries where cultural and religious codes tend to keep women at home, under a patriarchal order like in Turkey where women have very little chance to resist these policies or fight for better job opportunities. When poverty accompanies these conditions, the pressures on women increase and their bargaining power for jobs weakens.

Trade unions and collective bargaining on gender related issues

Following the deterioration in labour rights and the economic crisis, a big gap started to become apparent between actual legislation and its implementation. This was the

main dynamic behind the tendency of TUs to add more and more demands in their collective bargaining agenda day by day. Although numerous attempts of TUs to improve conditions for their female members have remained unanswered because of the erosion in their power, there are nevertheless some quite important achievements in this battle. For instance, thanks to the insistent demands raised by KESK to expand daily nursing hours from one-and-a-half to three hours for the first six months after giving birth and one-and-a-half hours for the following six months, a bill was enacted on 25 February 2011 (Act 6111/106) by the Great Assembly of Deputies.

Unions that are the subject of research about BAG: KESK/SES and DISK/DSIS

KESK is the only confederation in Turkey that can be defined as a gender sensitive organisation. It might be argued that the most visible reason for this sensitivity is the high proportion of females in the organisation. Indeed, KESK is organised in the public sector where female workers make up 33 per cent. However, the lack of gender sensitivity in the two other confederations organised in public services suggests that an important reason is the militancy of KESK cadres and its democratic traditions. Some 11 per cent of public employees are organised under KESK unions. The percentage of female members of KESK is 37; but the gender distribution of seats in executives is only 14.2 per cent female (KESK/Egitimsen 2009). SES also shows a similar picture in that, despite 59 per cent of members being female, only 30 per cent of the seats were held by women in 2011. But again, it should be noted that these percentages represent the best among TU confederations in Turkey.

The Union of Health and Social Services Employees (SES) was founded in 1996 as a union of salaried public health employees including medical doctors, dentists, nurses and administrative staff. Of a total of 554,390 health employees in Turkey, 38 per cent (TUHIS 2011) were organised under SES as at the end of December 2010 (TUIK 2011). It is important to note that approximately one-quarter of all health employees who work under subcontractors in public health services are not included in either total. The number of female members in the union is 23,176.⁶ Indeed, since the very beginning of its establishment, female employees played a significant role in applying policies and strategies. However, regarding the question of having determining positions (leadership) in the organisation it becomes apparent that women do not have positions in proportion to their membership. For instance, as of 2011 there were 135 women leaders in a total of 440 executive cadres despite female members being in the majority. In spite of the lack of proper representation for women in governing bodies of the union, SES stands out with its gender sensitive policies. Thanks to the democratic tendencies rooted in the rank and file, the union organises a number of activities to increase gender awareness. Among them, there are publications, regular meetings, research, joint international training seminars with the Public Services International and active participation in demonstrations organised collectively by women's associations and other democratic organisations. The union

6. Figures were provided by SES Executive Committee via e-mail communication in May 2012.

mostly focuses on honour killings, feminist movements in international fora, violence against women, employment policies and women, gender impacts of the economic crisis, women as seasonal workers, globalisation-body-schizophrenia, gender roles and feminist bio-ethics in its publications and meetings (SES 2009a).

Dev-Saglik Is Sendikasi (DSIS), Revolutionary Health Workers' Union of DISK, was founded in 1973 to organise health workers in public and private hospitals and in medical clinics. The 11 years between 1980 and 1991 was the period of suspension for all activities of DSIS due to the military coup. Executives of DSIS who were in charge during the period of the military coup were also subject to trials with the death penalty, torture and jail sentences. The union was legally allowed to resume its activities only in 1991 (DSIS 2009). The total number of union members is 1234 according to the official statistics as of January 2013 (CGSB 2013). DSIS thus represents only 0.44 per cent of total health workers (281,196) in Turkey, meaning that DSIS members are deprived of collective bargaining. Restricted trade union rights also led to the lack of institutionalisation in DSIS, so the union does not have reliable statistics on membership. Because of my research and the questions asked to the executives, although the union expressed its intention to work to find the exact number of women members, the data were still not available as of 2012 since the union still continues its fight to get authorisation from the ministry.

Similar to the differences in legislation applied to the umbrella organisations KESK and DISK, SES and DSIS are also subjected to different laws. This means that unlike the members of SES, DSIS members can benefit from collective rights depending on the condition of their union's performance in complying with the double criteria mentioned in the introduction to the chapter. Another important difference between SES and DSIS is that the latter is one of the only two confederal unions (not independent unions) with female presidents in the country. In addition to that, the female president of DSIS was elected as the general secretary in the confederation DISK in April 2013. In addition, the differences between two unions does not mean that they do not collaborate in defending the collective interests of their members who are in fact working in the same sector. On the contrary, SES and DSIS organise many joint actions and they have quite a good level of cooperation.

On gender issues, DSIS is the only good example among DISK unions, for it not only has a female president but also has three female executive committee members – out of a total of five. However, it is equally important to underline that this picture does not properly reflect the activities of DSIS, particularly when one looks at the website or focuses on the demands of the union. Indeed, there is only a single page in the DSIS website on gender issues, on which the union seemingly aims to inform women members of their legal rights. The lack of gender demands and activities may be explained by the priorities of DSIS in that the union is still fighting to reach the double criteria that will enable it to represent the collective interests of its members. In other words, the union is still below 10 per cent, which is legally binding for rights. Thus, in the short run the union mostly focuses on the violations associated

directly with trade union rights in general and working conditions such as outsourcing, flexibility, working time and wages in particular.

Since DSIS has no collective bargaining rights because it is unable to meet the double threshold stipulated by the, it is not able to discuss bargaining demands related to gender. However, data from the interviews, presented in the next section, may help to understand specific expectations of female members of collective agreements.

The BAG: the bargaining agenda for gender

Regarding collective bargaining agendas, it is important to remember that SES is affiliated with KESK, which falls under the coverage of public services unions, meaning that SES is deprived of the right to strike and has a very limited right to bargain collectively for its members.

Only in 2012 did public employees gain legal collective bargaining rights for the first time in their history. Until this change, SES, just like other public TUs, was preparing and submitting periodical protocols to the relevant ministry. These were named the KIK: Administrative Report of the Association, and contained the collective demands of the union according to 22nd Article in the Act No. 4688 (Dicle University 2009). Among these demands, the most prominent were improvements in working conditions in general, such as free lunch services, service buses and an office for trade union work in the workplace. It is difficult to see if specific gender demands were included in the KIK protocols – with the exception of those related to nursing needs. However, not surprisingly, KIK itself was neither a binding tool nor a collective agreement. Therefore, KESK and all its unions, including SES, have fought for collective rights since the establishment of the confederation. Nevertheless, despite the lack of collective rights, KESK affiliates were always among the most militant unions, organising general strikes, marches and rallies in the country. The difference between a KIK and a collective agreement becomes evident especially in the consequences of general strikes organised by KESK affiliates in that they are fined by the government in addition to harassment, police violence by using pepper gas and water pressure, which are commonly used against all labour resistance in the country. It must be noted here that the above-mentioned achievement on collective bargaining does not include the right to strike. More detailed reasons of why SES does not include gender demands into its KIK agenda can be found in the next section, which sets out the findings from the research. Regarding DSIS, it must be noted again that, due to the double legal requirements that every union must comply with to reach a collective agreement, this union is struggling to gain the right to bargain collectively for its members.

Research on the bargaining agenda for gender (BAG)

Although there are other health unions in Turkey, SES and Dev-Saglik were selected for this research because they are the two unions with the strongest gender

perspective. The research was qualitative and consisted of a first, initial interview and a second 'deeper' interview with 40 female workplace representatives belonging to the two selected unions in the health sector. I must underline here that in the 20 interviews with women from the SES union, apart from one executive committee member, the 19 respondents were union representatives because I was giving seminars to SES representatives in the same period as this research. Thus, I already had an established relationship with the women, which facilitated a good level of trust and an ability to discuss a wide range of bargaining issues, which also at times became personal for them. Despite the SES trainees not knowing that one of the lecturers would carry out interviews with them soon after the training seminars, they seemed quite ready and expressed their happiness to be part of such an interesting process. Thanks to the contact person whom the researcher consulted beforehand, 20 DSIS members knew about the interviews before they took part in them. The interviews/discussions took place over tea and cakes, which helped the women to relax. Although the GLU BAG Research Group discussed, agreed and prepared all the questions collectively, the voice recorder used during interviews and the flexible format of tea and cakes, made it possible to learn interesting stories related to some of the questions. Because the respondents felt so relaxed, they asked for further explanations about the interview questions, reminded each other of some policies, actions and/or strategies of their TU and clearly formulated their needs related to collective bargaining demands. On the other hand, this format made it quite difficult for the researcher to differentiate which voice belonged to which respondent.

Some of the SES representatives interviewed were kept in touch about conferences, demonstrations or other training seminars and it was seen that they would like to know the results of research and have a Turkish version of published results. In response to these demands, I contacted SES executives, forwarded the wishes of their members and agreed on publication in Turkish of the research. However, since many SES executives were arrested and given prison sentences in 2012 because of their political activities in the Kurdish Party, publication of the research has had to be delayed to a later date.

Methodology

This piece of research was undertaken for two main reasons. First, to see differences between the rhetoric and the practice of the two selected TUs, and second to understand perceptions of their representatives regarding gendered roles in collective bargaining processes. The research was carried out from a feminist-socialist perspective. Unlike radical feminism, a feminist-socialist perspective recognises both the fundamental oppression of women in patriarchal society as well as other exclusive grounds for oppressions, such as labour, race and ethnicity. This stand has a particular importance for trade unions whose members are subject to many different

forms of oppression. It is equally important for trade union researchers not to exclude the labour perspective in the name of women's liberation regardless of the oppressive character of patriarchal capitalism.

In this study, face-to-face interviews were held in Turkey's three big cities – Istanbul, Balıkesir and Canakkale. Respondents were found and contacted with the help of unionists, all of whom the researcher knew well. In Canakkale and Balıkesir, for instance, interviews with SES members were held in the evenings of residential union training seminars, as outlined above. Depending on the availability of each respondent, 'tea and cake parties' were also organised, especially in Istanbul. For some tea and cake parties, the DSIS union opened its headquarters. Thus, about one-third of the total respondents were interviewed at two 'tea and cake' parties organised by the researcher, sometimes at cafés and sometimes at the union office. During these parties, interview questions were 'deepened' according to the answers given by each respondent. *It was noted that becoming involved in the gender research project was a first for all respondents.* This fact was also clear from their unfamiliarity with the method used in general and to the questions in particular. All interviews started with ordinary chats followed by a slight move toward gender related issues at home and in the workplace. Although a strong tendency exists among some Turkish TU executives to intervene and manipulate the responses of representatives in order to hide deficiencies in TU policies, during these interviews it was observed that the respondents were free to express their opinions and were not dictated to by union executives. While the interviews with SES representatives were made one to one; those made during tea and cake parties especially at cafés were not in the same format since other respondents and few heads of representatives were sitting around and able to hear. Even under these restricted circumstances, not a single interview was interrupted by those in leadership positions.

The total time given for the project posed some constraints in terms of finding numerical data, conducting interviews with 40 respondents and also translating questions for the bargaining agenda for gender into Turkish in the beginning and then translating 40 questionnaires into English in the final stage. For those who are unfamiliar with Global Labour University research, it is important to mention that for each research topic, for example bargaining agenda for gender, a single set of interview questions is prepared in English. Because this research is undertaken in the same period in more than ten countries in which different languages are spoken, GLU researchers who are not native English speakers first have to translate all interview questions into their own language. However, since they have to interview in their mother tongue, another translation to English is awaiting at the final stage of research. Beyond all these constraints, a positive side to this process was that the respondents were not under pressure from their employers, managers or union officers, for most of the chosen venues for the face-to-face interviews were neither workplaces nor union offices.

Analysis of results

Demographic profile of the respondents

As shown in Table 5.2, 11 of the 40 respondents did not reply to the question on age. Of the remaining 29, more than one-third is in the range of 31 to 40 years. As deduced from the data, the weighted average age is 32.9 years.

Table 5.2: Age cohorts

Age category	Number of respondents
21–30	10
31–40	15
41–50	4
No response	11
Total	40

In this part of the interview, the respondents were asked to estimate women's percentage in their respective workplaces. Ten of the 40 respondents said that they had never paid attention to gender inequality issues at work and so could not answer the question. As both TUs seem quite sensitive to gender related problems but also because women represent a quite important majority, in both of them this matter deserves a more detailed evaluation in future studies. If one-quarter of total respondents (all them TU workplace representatives) say that they are unfamiliar with gender inequality problems at work, it may be argued that TUs' activities, training, actions and research do not cover all representatives and members, or are not of sufficient quality.

Thus, we come to the question of the quality and coverage of gender training programmes. On the other hand, Table 5.3 shows that female representation in health enterprises is quite high compared with traditional industrial sectors in Turkey. With the exception of ten respondents, the women reported that there is a female majority in around half of health enterprises where they work.

Table 5.3: Proportion of women in respondents' enterprises

Proportion of women in enterprise (%)	Number of respondents
Below 30	1
30–40	6
41–50	8
51–60	7
61–70	7
Over 70	1
No response	10
Total	40

In this part, respondents were asked to estimate the proportions of women leaders in their respective union branches, Table 5.4. The 18 who did not answer this question explained that they have no idea about that. Unfamiliarity with this question, which I observed among respondents, and also 18 other unanswered questions clearly demonstrate the lack of knowledge about gender equality issues in health TUs.

Table 5.4: Women thought to be in TU leadership according to respondents

Proportion in Actual Leadership (%)	Number of respondents
10	1
10–30	3
31–40	2
41–50	–
51–60	14
61–70	1
100	1
No answer	18
Total	40

Possibly because of the higher percentage of women's representation that the women thought were in leadership positions, the majority of respondents believed that there is no need for a quota of women in leadership. However, despite this thinking, when it came to the question of a 'women's quota', many of them pointed out the need for a more fundamental transformation of women's identity, involving a conscious change in the sexual division of labour both at home and at work: this is a change that a quota system alone cannot make. Only four SES respondents who were in leadership positions stated that a quota for women in leadership was adopted at their last congress and that implementation would start following the next congress. Since the remaining 85 per cent of SES respondents were unaware of this, it is possible to assume that the majority of female members of the union are uninformed about women's representation in leadership.

Proportion of women in collective bargaining (CB) teams and considerations on women's quotas in CB teams

With the exception of five respondents who did not know about the actual composition of CB teams, all respondents stated that there was no women's representation in the teams. The main difference between the two unions was that while SES members were discussing the current composition of the CB team, DSIS members stressed that there was no CB team in the union, since the Labour Ministry had not authorised one. Therefore, respondents belonging to DSIS preferred to express their own beliefs that when their union gets its authority licence, CB teams would include women. It was also apparent from the interviews that none of the respondents had thought about the possible impact of having women in CB teams before. Many of them were even

surprised by this question as they were not aware that collective bargaining processes were run by teams that might well be composed by men and women.

Rights provided by enterprise

In this part of the research, the answers of respondents were differentiated according to the union to which they belonged. Since DSIS does not yet have an authority licence for collective bargaining, all members view their work as highly precarious and felt that they were totally deprived of even the most basic worker rights. Indeed, these 20 respondents belonged to a union that is deprived of collective bargaining rights. With one exception, all DSIS respondents stated that their employer provided no given rights. Only one DSIS respondent said that her enterprise provided equality in education and pay. However, she added that she had never checked the actual situation; rather, she had been told this by management.

Six respondents belonging to SES stated that their enterprises provide equality in education and pay but did not improve on existing laws. Five respondents reported that their enterprises provided breastfeeding facilities. Only one SES respondent stated that her enterprise provided facilities for day care, menstrual leave, reproductive health and sexual harassment as well. It seems from the answers that the union headquarters does not have a strong impact on gender related problems existing in enterprises. Therefore, implementation differs according to the balance of power in each enterprise rather than general rules and/or CAs and protocols valid for all membership.

Collective bargaining proposals of the union

It is apparent from the answers that the CB proposals of SES, particularly on parental leave and breastfeeding facilities, have a dominant position among others. These answers may reflect the fact that the average age of respondents who answered the question on age is quite young (32), mostly married and either having children or expecting to have a child. Although answers of the respondents belong to DSIS give equal priority to following five proposals: parental leave, reproductive health, protection against sexual harassment, equality in education and pay equality, they also underline the fact that 'these items were marked imagining that they had a Collective Agreement'. In general it was noticed that none of respondents were familiar with the issues such as how collective bargaining processes have been formulated or why and how women should be involved in CB teams.

Items traded-off for other CB proposals

This question about whether items were traded off for other collective bargaining demands was very helpful in understanding and assessing the real situation regarding CB proposals of the two unions. For instance, it became clear that the items on parental leave and breastfeeding facilities are the two leading proposals for CB of the SES union. It was equally apparent that some gender related problems such as

reproductive health, menstrual leave or protection against sexual harassment might become subject to trade-off for other CB proposals depending on the balance of power in CB processes of SES. Respondents who are members of DSIS did not answer this question as they claimed that they did not have a collective bargaining process even though they used a hypothetical method for other questions. So it could be argued that DSIS members did not want to say anything that might show their union's weaknesses by assuming that any trade-off would damage the 'revolutionist image' of the union, which has concrete connections with a leftist political movement. However, not only because of the union's political engagement but also because of the reactions given by respondents to this question and the common tendency not to use the hypothetical method they used for other questions. Indeed, all 20 respondents underlined that their union would never engage in any trade off with employers.

Table 5.5 shows that the most wanted provision in CA is parental leave for the majority of respondents. Not surprisingly, the provision on daily child care shares the second place with provision on equality in education, which is followed by another parental issue, namely the provision on breast feeding. This question gives an important hint about how much the sexual division of labour at home determines the preferences of female workers.

Table 5.5: Most wanted provisions in collective agreements

Most wanted Provisions	Order of Priority			
	1st	2nd	3rd	Total
Parental leave	26	3	2	31
Reproductive health	4	3	1	8
Menstrual leave	1	5	1	7
Protection against sexual harassment	4	5	–	9
Equality education	–	9	5	14
Equal pay	–	3	7	10
Daily child care	2	3	9	14
Breast feeding	–	6	7	13

Gender related organs of the union

The question about gender structures in the union also helps to measure the level of institutionalisation of the unions, particularly on gender related issues. It seems that women's committees exist in SES but only at the central (headquarters) level, while there are only a limited proportion of women on the education committee of DSIS. Although one might consider that SES, as an authorised union, was more institutionalised than DSIS, the complaints made by SES respondents about it having no gender related organ in the branches or local representation offices made clear that both unions had few gender related organs in practice. In total, 16 SES respondents marked the item on women's committee, 11 (one from DSIS and ten from SES)

marked on gender sensitivity training programmes and 17 (13 from DSIS and four from SES) marked the items on a certain proportion of women in education.

While the majority of respondents seem to agree that the most effective strengths in relation to collective bargaining, was the female majority in membership in both unions, and higher level of competency of women to run CB processes, there is a greater diversity of opinions about the weaknesses. As deduced from the data, weaknesses are mainly generated from

- sexual division of labour at home
- lack of knowledge of women on how to demand their rights
- women's secondary position in society
- lack of a quota system in the union
- conservative nature of the state and employers
- family and social pressures
- destructive reforms in public services that increase workloads of women at home.

Table 5.6: Strengths/weaknesses/contributions of having women in CB teams

As seen by respondents	Number
Female majority	19
Women are more competent	12
Democratic structure of the union	11
Gender composition in health sector	4
Only having women in CB teams changes nothing	2

Despite the fact that the majority of respondents did not have any idea about having women in CB teams, when it comes to the possible contributions of having women in the teams, without exception all respondents gave very creative answers. The most emphasised contribution was about the expectation of the increase in democracy and equality inside the union in particular, but also in the society in general. The second most emphasised contribution was reducing workload and providing extra time for women. Respondents explained that if CB teams included women as well, then the workloads on female workers would lessen so they may devote more time for their political and social progress.

Recommendations from respondents

Respondents recommend unions do the following activities to encourage having more gender-related provisions:

- training, seminars and activities aiming to eliminate the sexual division of labour at work;
- gender issues must be discussed openly not only among females but also together with male members;

- publications that aim to increase awareness on gender issues;
- transformation of the needs of women into demands;
- special programmes must be developed to eliminate sexual division of labour at home;
- a woman's secretariat must be established;
- quotas must apply in all levels in the unions;
- research, training and publications on examples from the struggles in other countries;
- an awareness campaign must be organised among the rank and file;
- female members must be informed about their legal rights; and
- this interview must also be done with executives in central organisation of concerned TUs.

Beyond the above recommendations, some respondents also stated that informative activities such as research might be helpful. They also expressed the view that even this interview and these questions alone helped them to think more about gender related problems, union structures, leadership and collective bargaining issues that they had never thought about before.

Further research, training and publications

Depending on the interests and demands of respondents it is observed that translation of special writing and books that focus on gender struggles and strategies, including good examples, must be given priority in the next period. Furthermore, special energy must be spent to organise international seminars that will bring female trade unionists from different countries to share experiences on how to develop collective bargaining proposals with a gender dimension. This has particular importance especially because many respondents believe that the democratic nature of their union automatically results in equality between men and women – but when they discuss such issues, they discover that this is not the case. Even this research has shown how it became effective in enhancing the learning processes of 40 female employees, and similar research should also be considered for other unions.

Conclusion

When it is considered that SES and DSIS are the two most relevant unions for gender related issues in Turkey, thanks to their female majorities and their strong democratic traditions, this research showed how much female members need such activities to raise awareness. During talks, most of the respondents expressed their wish to learn more about struggles for women's rights in other countries.

Also, in the case of these two unions, it can be concluded that there is a gap between the rhetoric and the practices of workers' organisations on gender. This means that the democratic nature of unions does not automatically result in equality between men and women members. Indeed, this research found that neither in the

minds of respondents nor in TU structures is there a single collective bargaining committee that includes women. Another fact that was noticed during interviews is related to the quality, content and coverage of TU training seminars and activities on gender equality issues. Despite the majority of respondents holding a representative position in their respective TUs and although both TUs organise seminars, activities and actions on gender issues, it was apparent that the majority of research questions were unfamiliar to them. To overcome the problems on content and coverage of seminars, TUs should include gender issues in their regular training programmes as well as organise single seminars limited only to a particular gender. This dialectical method also bridges the range of organising, education, collective bargaining, political economy and gender, and can easily be built up, since gender will become one of the major parts in each of these seminars.

Moreover, in Turkey unionisation is the most prominent reason for losing jobs for both sexes. Since female workers already have difficulty finding jobs, they try either to access public jobs or to stay far from TUs in private jobs. Ironically, organising a woman means organising the whole family in the countries where cultural and religious codes are at work. Indeed, these working women have to get permission to work and/or to be unionised from their males – first from husbands, second from fathers, third from sons. Convincing all these males means that women's unionisation at least may open a door for unionisation of whole family members. Therefore, instead of accepting unionisation as a reason for losing job, unionisation of women may well challenge this vicious circle in countries such as Turkey.

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Part III

Women's Roles and Union Leadership

6. The Female Factor in Ghana's Trade Union Movement

Akua O. Britwum

Background

This chapter explores labour force participation trends and describes women's trade union representation in Ghana. It uses information from research conducted on the Ghana Trades Union Congress (Ghana TUC) and two of its affiliated national unions the Ghana Agricultural Workers' Union (GAWU) and the Construction and Building Materials Workers' Union (CBMWU) as well as an independent national union the Industrial and Commercial Workers' Union (ICU).¹ The Ghana TUC is the leading labour centre in Ghana with about half a million members.² It remained the sole labour centre for over five decades when in 1999 a splinter group from one of its national unions, the ICU, registered as an independent trade union centre, the Ghana Federation of Labour. The ICU, an important affiliate of the Ghana TUC, also broke away in 2005. It held at the time about 20 per cent of the confederation's membership (Labour Research and Policy Institute 2012). I selected these unions for a variety of reasons. As the dominant confederation, the Ghana TUC sets the pace for the country's labour movements and continues to offer leadership on workers' rights in Ghana. The three national unions are indicative of the changing membership structure of trade unions in Ghana. GAWU and ICU have a large proportion of their membership located in the informal economy. The CBMWU, as its name suggests, draws members from the construction sector, a known male preserve. Construction industries in Ghana, in their bid to shed overhead costs, have resorted to casualisation and contract work. Large construction concerns outsource and subcontract to small enterprises or self-employed artisans or use labour force supplied by employment agencies. These forms of informalisation plague the construction industry pushing large sections of the labour force into areas that are difficult to organise. My interest in these unions is informed by the thinking that women's trade union participation should offer prospects for enhancing their working conditions not only in the formal work place but in the informal economy as well.

Studies have sought to explain gender differences in union participation and representation, identifying women's particular experiences in their unions as a gender democracy deficit that undermines unions' claim to represent their workers (Briskin

1. The Industrial and Commercial Workers' Union (ICU) was the largest member of Ghana Trades Union Congress until it disaffiliated from the confederation in 2005.

2. See Ghana TUC 2008.

and McDermott 1993; McBride, 2001). In Ghana, some studies have lamented women's absence in trade unions altogether and captured the causes (Graham 2001; Britwum 2007).

Later ones have assessed the impact of strategies designed to address the democratic deficits in unions and union commitment to strategy success (Ledwith et al. 1990; Walton 1991; Ledwith 2006). These have assessed strategies devised to address the differential experiences of women in their trade unions and to determine their potential impact on women's problematic relations with their unions (Ledwith et al. 1990; Walton 1991; Ledwith 2006). There are in addition studies devoted to efforts to evaluate the political import of strategies on women's consciousness and ability to transform union patriarchal norms, practices and their supporting structures (Britwum 2012). The findings on the evaluation of impact vary. A number note that the barriers to women's representation remain fixed in union patriarchal structures as well as policy orientation that tend to problematise women themselves as the cause of their marginalisation (Britwum et al. 2012; McBride 2001).

The Ghana TUC is one federation in Ghana that has attempted to address its internal gender democratic deficit since the 1990s (Britwum 2010). Its efforts have had varied results. Still battling challenges, it has maintained its women's structures at the confederation level and within its national unions (Graham 2001; Osei-Boateng and Otoo 2011; Britwum 2012). Here in this chapter I update women's situation within the Ghana TUC using information from findings collected through individual and group interviews with female union leaders in the national and regional women's committees as well as heads of the gender desks and women's units of the Ghana TUC and the selected national unions CBMWU, GAWU and ICU. Three women leaders and four gender desk officers were covered in individual interviews. There were 14 group interviews in all with the smallest group having three persons and the largest ten. The main study was conducted in 2008.³ Supplementary information on female membership and leadership trends were collected in 2010, 2013 and 2014 from the Ghana TUC headquarters. Union documents and employment statistics from the fifth round of the Ghana Living Standards Survey (GLSS 5, 2008) as well as the 2010 national population census (Ghana Statistical Service 2013) formed additional sources of information. My relationship with the Ghana TUC and the national unions is twofold – as a labour researcher–educator and as an activist, which together provide the sufficient distance to project the insights gained from research endeavour. To set the background for the discussions, I begin with a description of the labour force participation in and employment characteristics of Ghana. Then I move to discuss variations in women and men's employment situations, noting improvements in women's trade union participation and representation. The legislative environment is also captured in an attempt to explore what legal options women workers can

3. This study was part of a Ph.D. research on trade union internal democracy in Ghana. I wish to acknowledge funding support received from UCC's Ghana Nuffic, 'MA Programme in Governance and Sustainable Development' project (NPT/GHA/042) for the research.

deploy to protect their workplace rights. The Ghana TUC and its affiliates have renewed strategies to enhance their attempts at reversing their gender democracy deficit. The resulting impact of the rejuvenated efforts will be highlighted.

Labour force participation and employment conditions in Ghana

Women form 51 per cent of Ghana's 15.2 million labour force (Ghana Statistical Service 2013). About 71 per cent of the female labour force is economically active (Table 6.1). More females (7.9 million) in Ghana are economically active than males (7.2 million). The female activity rate has increased since the 1960 census when it stood at nearly 26 per cent. The phenomenal increase has been attributed in part to improvements in statistical reporting (Ghana Statistical Service 2013). The female activity growth rate remains far in excess of that for males in Ghana, and increased at nearly 5 per cent while for males it was 2.8 per cent in 2010. The increase though has not been consistent over the years. The proportion of economically active females fell from 81.6 per cent in 1984 to 73 per cent in 2000 and in 2010 it stood below 70 per cent (Ghana Statistical Service 2013). The Ghanaian labour force is mainly located in the private informal economy. The female proportion in the informal economy is 91 per cent, while the male proportion is 81 per cent. Males dominate the formal sector, both public and private, where employment conditions are subject to regulation by the Ghana's Labour Act, Act 561 of 2003. Thus about one in every five males employed in Ghana is likely to work within the formal, as against one in ten for employed females.

The predominant employment sector in Ghana is agriculture, followed by trade and manufacturing (Table 6.2). These three sectors employ over 71 per cent of Ghana's labour force. Agriculture alone employs almost 42 per cent of the total workforce (Table 6.2). This is followed by trading and manufacturing. The proportion of males engaged in agriculture is higher, nearly 46 per cent, than females at 38 per cent (Table 6.2). The percentage share of females in agriculture like the rest of the nation dropped from 56 per cent in 2000. About 81 per cent of the female labour force is located in four industrial sectors. A corresponding proportion of the male labour force, however, is spread over seven industries (Table 6.2).

Table 6.1: Economically active population by age group and sex

Age Group	Current activity rates (%)		
	Female	Male	Total
15–24	19.4	18.7	19.1
25–44	52.5	51.8	52.1
45–64	22.5	23.7	23.1
65+	5.6	5.8	5.7

Source: Ghana Statistical Service 2013.

Table 6.2: Employed persons aged 15 years and above by industry and sex (%)

Main industry	Female	Male	All
Agriculture forestry and fishing	38.3	45.9	42.0
Wholesale and retail; repair of motor vehicles and motorcycles	24.9	12.3	18.7
Manufacturing	12.5	8.8	10.7
Accommodation and food service activities	5.4	1.3	9.3
Education	3.3	4.5	3.9
Mining and quarrying	0.4	1.8	1.1
Human and health and social work activities	1.3	1.1	1.2
Electricity gas steam and air conditioning supply	0.1	0.3	0.2
Water supply; sewerage waste management and remediation activities	0.2	0.3	0.2
Construction	0.2	6.0	3.0
Transportation and storage	0.3	6.8	3.5
Information and communication	0.2	0.6	0.4
Financial and insurance activities	0.5	0.9	0.7
Real estate activities	0.0	0.1	0.0
Professional scientific and technical activities	0.7	1.1	0.9
Administrative and support service activities	0.3	1.0	0.6
Public administration and defence	0.8	2.2	1.5
Arts entertainment and recreation	0.1	1.0	0.1
Other service activities	4.5	3.3	5.7
Activities of households as employers	0.8	0.7	0.7

Source: Ghana Statistical Service 2013.

Trading is a predominantly female occupation employing almost one-quarter of the economically active female population (Table 6.2). Other industrial sectors that women dominate are manufacturing, accommodation and food services. Women dominate manufacturing mainly as processors of agricultural products. Agro-processing activities constitute an extension of female domestic responsibility usually involving the use of household utensils and labour. Women's agro-processing activities include vegetable oil processing,⁴ fish processing as well as gari.⁵ The predominant employment status in Ghana is the self-employed. The proportion of employed persons in this category is large (60 per cent). A little over 65 per cent of females are self-employed without employees (Table 6.3). One-quarter of employed males is in waged employment as against 11 per cent for females. Waged employment ensures regular income and access to some work benefits. Self-employment in Ghana, however, operates mainly in the informal and precarious sector characterised by irregular income and absence of labour rights.

Another employment category that women dominate is the contributing family worker, about 14 per cent for women and under 9 per cent for men (Table 6.3). As

4. These include such vegetables as sheanuts, coconuts, groundnuts and oil palm.

5. Gari is a grainy staple made out of grated and roasted cassava.

contributing family workers, they work on their husbands' farms or other household based enterprises as part of their marital obligations (Apusigah 2009; Britwum 2009). This arrangement has its problems since marital obligations cover up women's rights as workers presenting difficulties in applying employment norms that can guarantee some minimum social protection. Where traditional practices do not recognise female rights to inherit husbands' properties in the case of intestate succession, women have been the worse off (Duncan 2004).

Table 6.3: Distribution of employed persons aged 15+ years by employment status and sex (%)

Employment status	Female	Male	Both
Employee	11.2	25.0	18.0
Self-employed without employees	65.3	54.6	60.1
Self-employed with employees	4.2	5.6	4.9
Casual worker	1.2	2.7	2.0
Contributing family worker	14.4	8.8	11.7
Apprentice	2.9	2.5	2.7
Domestic employee (house-help)	0.7	0.6	0.6
Other	0.1	0.2	0.2
All	100.0	100.0	100.0

Source: Ghana Statistical Service 2013.

Attempts to protect surviving wives and children through legislation have to contend with implementation problems (Minkah-Premo and Dwuona-Hammond 2005). Feminist and gender rights activists in Ghana have pursued legal protection for women's rights to property within marriage. This effort has led to the formulation of a bill on the property rights of spouses in marriage, which is currently before parliament for discussion. Even though employed females have lower educational attainment than males, the formal educational levels achieved for both sexes have improved over the years. From a high level of 91 per cent with no school attendance in the 1960s, the female labour force with no formal education dropped to 39 per cent in 2010 (Ghana Statistical Service 2013). The proportion still lags behind that of men. Working men with secondary or higher school attainment is nearly 24 per cent while only 14 per cent working women have been to school up to secondary level or higher. A little over half of Ghanaian working women (52 per cent) have either never been to school or did not get beyond primary school (Table 6.4).

Income levels reveal the extent of employment vulnerabilities that working women in Ghana face. Here I draw on the 2008 statistics from the Ghana Living Standards Survey Round 5 (Ghana Statistical Service 2008). Earnings in Ghana tend to be very low (Table 6.6). Average hourly earnings for all actively employed Ghanaians stood

well below one Ghana Cedi (GH¢ 0.55).⁶ Females, however, earn lower GH¢0.50 than males GH¢0.61.

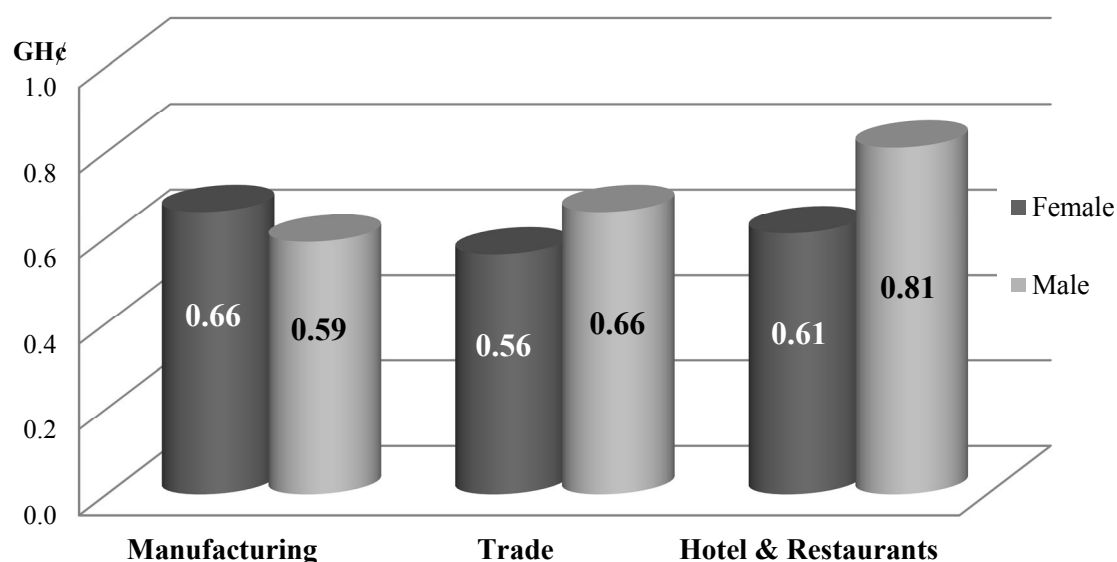
Table 6.4: Educational attainment of the currently employed by sex (%)

Educational attainment	Female	Male	Total
None	39.2	26.4	33.0
Primary	12.8	9.9	11.4
Middle/JSS/JHS	33.6	39.5	36.5
Secondary/SSS/SHS	7.3	12.4	9.8
Commercial/technical/vocational	2.3	2.8	2.6
Postsecondary/teacher training	3.3	5.4	4.3
University/tertiary	1.4	3.5	2.5

Source: Ghana Statistical Service, 2013.

Female domination in an industry does not translate automatically into better working conditions or remuneration. Figure 6.1 shows average hourly earnings by sex in female dominated industries – trade, manufacturing, community as well as hotel and restaurants, as captured in the fifth round of the Ghana Living Standards Survey (Ghana Statistical Service 2008). Female hourly earnings as shown in Figure 6.1 fall below those of males in all but the manufacturing sector. Thus, females in trade, hotel and restaurants earn less than males (Figure 6.1).

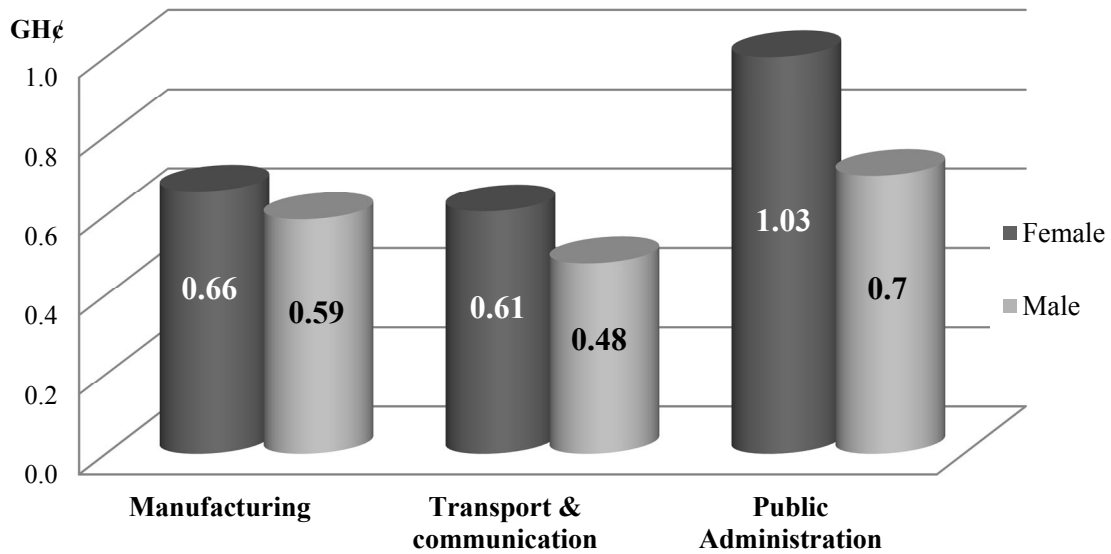
Fig 6.1: Average hourly earnings in female dominated industries (GH¢)



Industries with higher female earnings were manufacturing, transport and communication as well as public administration (Figure 6.2). This indicates the existence of a gender earnings gap in Ghana and, as reported elsewhere, women tend to be the worse off (African Labour Research Network 2004).

6. GH¢1.00 in 2008 was equivalent to US\$ 1.00.

Fig 6.2: Industry with higher female average hourly earnings (GH¢)



In terms of access to work benefits, working women in Ghana fare no better. The proportion of working males compared with females covered by written signed contracts with employers is, as expected, higher (40 per cent female, 44 per cent male). More males (46 per cent) than females (44 per cent) are entitled to paid holidays, sick leave (46 per cent females, 49 per cent males) and free or subsidised medical care (29 per cent females, 35 per cent males). The statistics discussed here cover the waged labour force and exclude the various categories of self-employed where females dominate. The main pension scheme, the Social Security and National Insurance Trust (SSNIT), covers 11 per cent of the total Ghanaian workforce with 89 per cent outside the scheme (Osei-Boateng 2012). Of the 891,678 recorded contributors to SSNIT, 83,448 were informal economy workers. Women happen to form 29 per cent of the contributors to the scheme and constitute 15 per cent of beneficiaries as of 2011 (Osei-Boateng 2012). The range of benefits offered by SSNIT excludes maternity leave. Although attempts are being made to extend social security payments to the self-employed in the informal economy, many incomes are irregular or too low to allow the majority of workers to take advantage of the facility.

An examination of the Ghanaian labour market therefore reveals gendered patterns in terms of the industrial sectors where women and men are employed as well as earnings gaps. Women congregate in occupational categories where labour protection is lowest. They have unequal access to work benefits, and earn lower wages. Females are less likely to have access to social security or receive a retirement pension. Such a pattern suggests differences in female and male labour concerns. Labour legislation recognises this fact and attempts to provide some measure of protection. Some working rights are enshrined in the 1992 Ghanaian constitution. These include general provisions for all workers like, freedom of association, satisfactory safe and healthy working conditions as well as training and promotion. In the specific case of

working women, the constitution provided special care for working mothers, paid maternity leave, equal pay for equal work done. These provisions are covered in Ghana's Labour Act, Act 651 of 2003. In addition, the Labour Act demands that employers protect their employees from sexual harassment, making employers guilty of unfair termination of appointment if a worker is forced to resign from work as a result of sexual harassment.

The employment statistics reveal a higher need for some form of interest representation in the workplace for women than men. The question is how trade unions place themselves to represent women and the extent to which they are able to take on board the exact concerns of women. Trade unions have been the most effective mode for pursuing workers' interests and ensuring access to workplace benefits. In the next sections, I discuss the nature of trade union representation and participation that the Ghanaian trade unions offer their female members.

Female union participation and representation

Gokel and Vormawor (2004) note that in Ghana trade unions tend to be organised along industrial lines and operate mainly in the formal economy. A Ghana TUC survey in 2001 (TUC Ghana 2001) revealed that about 70 per cent of all unionised employment can be found in the public sector. The GLSS 5 of 2008 shows about 36 per cent of waged workers are located in enterprises under trade union coverage. This coverage is higher for males (37 per cent) than for females (33 per cent). Another study by the Labour Research and Policy Institute (2012) reveals that the situation remains the same. Thus, even though female location in formal sector employment is low, women are more likely to be in enterprises without union coverage.

In 2001, women were an estimated 25 per cent of Ghana TUC membership and held 12 per cent of union decision-making positions (TUC Ghana 2001). In 2010, they were approximately 30 per cent of Ghana TUC union membership. Female representation on the Executive Board (EB) increased to 33 per cent (Table 6.5). The EB of the Ghana TUC and the National Executive Councils (NEC) of the National unions are the highest decision-making bodies in between the Quadrennial Delegates Congress for the peak body the Ghana TUC or Conference for the national unions (QDC). The QDCs are the ultimate decision-making bodies of the unions. As their names suggest, these bodies meet once every four years. The EB and NEC meet twice or once a year respectively.

Female membership proportions however, differ in the selected national unions with male dominated ones, like the CBMWU, having lower membership proportions 11 per cent (Figure 6.3 and Table 6.5) and GAWU and ICU higher female membership proportions of 35 per cent each because of the sectors in which they organise (Table 6.5). An important development that has led to an increase in the membership has been the expansion of GAWU and ICU into the informal economy. GAWU's rural agricultural self-employed are mainly women. ICU also organises hairdressers located in the informal economy.

Fig 6.3: Trade union membership proportions by sex

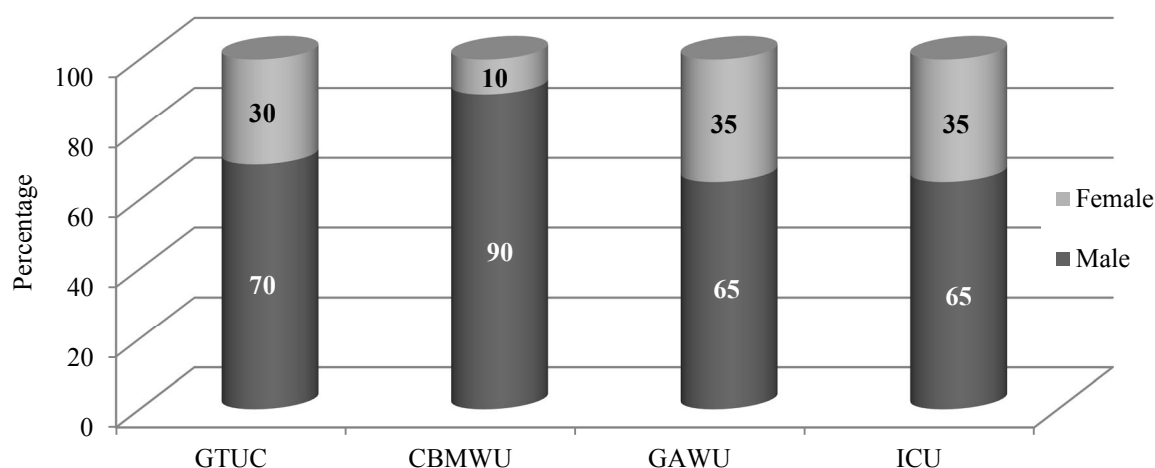


Table 6.5: Sex proportion (%) of selected unions and the Ghana TUC

Union	Members		NE Council/Executive Board	
	Female	Male	Female	Male
CBMWU	10.0	90.0	25.0	75.0
GAWU	35.0	65.0	38.2	61.8
ICU	35.0	65.0	21.1	78.9
Ghana TUC	30.0	70.0	33.3	66.7

Source: Field data 2013.

Parity in female membership and representation in union decision-making has attracted attention for two reasons. First is the extent to which representation mirrors membership proportions and second is how it meets the critical 33 per cent where women's presence is assumed to have an impact on decision outcomes (McBride 2001). In the past, union representation has failed on both counts. By the year 2001, females constituted 25 per cent of the Ghana TUC membership and were 12 per cent of the EB. There has been a slight improvement since and the Ghana TUC has reached the critical mass of 33 per cent female in decision-making in 2012. The selected national unions also are recording some levels of improvement (Table 6.5). GAWU in 2012 had gone beyond the one-third mark required to ensure that female participation in decision-making makes a visible impact. Female representation on their NEC stands at 38 per cent (Table 6.5). CBMWU and ICU follow from a distance with 25 per cent and 21 per cent respectively. That the male dominated union, the CBMWU, has representation higher than membership should not come as a surprise. Female membership levels are so low that affirmative action provisions for representation immediately produce higher participation in decision-making.

Barriers to women's union participation: research findings

Several factors have been advanced to explain women's low representation and participation in trade unions, despite decades of efforts to address the imbalance. In

this section, I present findings from individual and group interviews with two women leaders and four gender desk officers from the Ghana TUC and selected national unions as well as group interviews with regional women's committees of the peak body and national unions. Earlier studies⁷ have concluded that the male character of the Ghana TUC and its national unions, perceptions about women's capacities and attitudes as well as male hostility to female union leaders constitute strong barriers inhibiting women's representation and participation in their unions. Additional factors identified as constraining women from taking up leadership positions in their unions are domestic responsibilities and lack of access to trade union education (Graham 2001; Britwum and Martens 2008; Osei-Boateng and Otoo 2011). Follow-up interviews in 2013 and 2014 confirmed that the same old barriers continue to hinder female participation in the trade unions. Existing barriers outlined by the women leaders include male hostility, a number attributed to male ego. The general perception among men, they explained, was that they have the exclusive ownership of leadership positions in the union. Females aspiring to union office are seen to be competing with men and, worse still, not ready for the position. According to one female leader, the general attitude that greeted her filing nomination to context the national chairperson's position was 'how can a young woman with less than ten years' experience hold the position of a chairperson in a national union?'⁸ Having surmounted male hostility and won elections into union positions, female leaders have to contend with sexual harassment and negative stereotyping about women and their sexual morals. They mention name calling and branding as prostitutes. A situation, they explained, that calls for courage, in particular for those who are married. Fear of compromising their marital relations, they reported, prevents a number of women from standing for union office.

Women leaders, however, trace one of their greatest frustrations to the lack of support from other women in their unions. Either due to envy, they contend, or because certain women have appropriated the cultural perception that leadership in all situations and more especially in trade union and all related activities are meant for men only. They also pointed out that ignorance about unions and their relevance to working people is higher among women in the unions. In fact, such is the dearth of women's seeming interest in the unions that GAWU is reported in the interviews to have commissioned a study in the 1990s seeking to understand what appeared to be women's apathy to union activities. The study findings indicated some misunderstanding on the part of female members, of union function and role. As one women's leader explained, 'women did not understand what the trade unions did for them.'⁹ Most women workers, respondents insisted, do not recognise the benefit of trade unions in their working lives and, as such, do not identify with their unions. This was the result of the dearth of occasions for women to interact with their unions.

7. See Britwum (2010) Chapter 6.

8. Interview with deputy general-secretary CBMWU, 2014.

9. Interview with GAWU gender desk officer, February 2008.

The general practice of closed shop unionism in Ghana means that unions do not have to recruit new members in an enterprise. Once they acquire the bargaining certificate all new entrants become automatic members. Major avenues for workers to interact with their unions were meetings and trade union education. Union meetings also provided avenues for members to interact with their unions in ways that promoted greater awareness of union functions. Such avenues for interacting with unions were few and varied according to national unions, status within the union hierarchy and length of operation as a union leader. Trade union education was limited to leaders on their assumption of office. Female workers therefore had a low sense of union ownership as against female union leaders. Female leaders of the CBMWU in the private construction enterprises appeared to have little understanding of union structures and no idea where to channel their workplace concerns.

Women's sense of union ownership affects the success of initiatives designed to enhance their participation in union activities. Thus, attempts to use working hours for union meetings were ineffective with women workers whose notion of union relevance was low. Such women would rather use time gained off work to undertake domestic chores than participate in union activities. The gender desk officers observed that when women gain an understanding of union functions and realise the benefit of trade union membership, they develop their own coping strategies for managing the heavy time demands from home, profession and union work. Thus, though female union leaders interviewed consistently complained of the heavy burden union work imposed on their time, they reported coping strategies with pride.

Though domestic work and husbands' attitudes were noted as barriers that stand in women's way, such impediments are compounded when time invested in union activities is seen as unrewarding and the immediate benefits unclear. The demands on women's time for their engagement in union activities become an issue in situations where they have a negative perception of union utility. This however, is not to trivialise the enormous demands that the triple burden of domestic work, occupational engagements and trade union work impose on women. Women, as discussed were occupied with social groups equally demanding on their time but they found these rewarding because their relevance to their lives were clear to them. It will be interesting to investigate women's extra domestic and workplace activities and what benefits women derive from involving themselves in such groups. Lessons derived might offer useful ideas for addressing trade unions' inability to remain relevant to their women leaders. As Walton's (1991) earlier findings appear to be upheld here, union involvement is enhanced by women's sense of the rewards participation brings. The problem is more of the ability of unions to reach their female members and less one of a pervasive disinterest on the part of women in union activities.

Female union leaders interviewed insist that women leaders carry a heavier burden leading their unions than men. Women leaders have to live by example all the time. No one is ready to support them should they fail, yet they have responsibility for

domestic work, which men do not. Time for union work outside working hours was a critical resource for one's success as an effective union leader. Male achievement in trade unions rides on the back of women's unpaid labour. Females' exclusive responsibility for housework affords men the freedom to devote long hours to union work. I considered it important to explore strategies adopted by women trade union leaders to cope with the multiple demands on their time. Women union leaders interviewed confirmed the observation by Ledwith (2009) that home and family support were important elements in the lives of women who have assumed leadership roles in their trade unions. This home support, however, was derived from their mothers and in a few instances mothers-in-law and male partners. Mothers offered crucial assistance for pre-school childcare and moral support for their daughters in union leadership. Mothers then were serving as 'wives' for these women leaders and helped to free them from the burden of domestic work. Women in several instances played key roles in supporting the work of union leaders even when the leaders were women. Trade unions in Ghana are active beneficiaries of women's unpaid domestic labour, whether the leaders are females or males. Trade union reliance on women's gender roles for effective functioning demands further examination. Male support was also mentioned in one instance, where the desk officer's husband was an active trade union leader, a fact she pointed out that accounted for the considerable support she received from him.

Women leaders have little workplace protection and cannot always count on their unions to protect them from employers who set out to victimise them. Being in union leadership does not insulate women from the demands of the workplace; in fact, it exposes them to greater danger and they stand the risk of compromising their career security. Some reported instances of outright refusal by management to grant them permission to carry out union work and there were others instances of various forms of harassment by management. In some instances, management will promote vocal leaders into senior positions outside the jurisdiction of the local union. There are some attempts by the unions to organise senior staff and the ICU is leading in this regard. Group interviews with CBMWU reported women in senior positions as not having an interest in union activities. Occupational sex segregation in the workplaces finds women in low ranks more likely to be secretaries to male senior officers. This affects the ability to gain permission from work to undertake union activities. There were also reports of victimisation from senior officers. Instances of dismissals, transfers and delayed promotions were cited during the interviews as attempts by management to victimise women union leaders. Where it was possible to access management's reaction to such accusations, the response was that such workers had been found culpable of neglect of work, operating for personal gain; and that in some instances time granted from work for union activities had been spent on personal errands. Some female union leaders, however, pointed out that once their bosses deem their participation in union activities profitable to their enterprises, they readily grant release for union activities. Overall, employers and management believe that

workers, the final beneficiaries of trade union activities, should make the necessary adjustments to personal schedules outside work hours to attend to union duties.

Targeting female trade union representation and participation

The Ghana TUC has acknowledged gender imbalance in union participation and representation as an issue worth pursuing. According to its leadership, gender imbalance mars its position as a democratic institution (Ghana TUC 2012a). Additionally, it concedes that existing gender relations form the basis for the discriminatory treatment women face in the labour market and other productive spaces in Ghana (Ghana TUC 2012b: 57). It has since 1969 instituted strategies to enhance female representation and participation. Such strategies include setting up an organ specifically for women members only first called the Women's Unit (Britwum 2010). The Women's Unit was upgraded to the Women's Desk in 1992 and its coverage expanded from three to seven of the ten regions in Ghana. In late 1987, two of the selected national unions, GAWU and ICU, established their own women's organs. GAWU became the first national union to appoint a women's coordinator in the person of Elisabeth Blankson. The unions used the services of female volunteers to organise women workers. This practice was, however, unsustainable and in 1989 GAWU for example had to resort to full-time paid women's organisers.

The Ghana TUC and the selected national unions all have women's organs called the women's committee and that for the ICU it is the women's wing. Constitutional provisions of the Ghana TUC and its affiliates enjoin the women's committees to pass their concerns and decisions through the union consultative structures at the national, regional and district levels for action. These are the regional and district councils of labour for the Ghana TUC and the local, branch, district and regional offices for the national unions (Britwum 2010). The NECs of all the national unions make provision for women's representation. GAWU was the first national union to legitimate its women's organ by granting constitutional backing, the CBMWU was next. GAWU appears to be a leader in terms of taking up membership issues beyond the traditional male formal economy worker because of its coverage of agricultural workers. In a chronological order, ICU is second and initiated strategies to address gender democracy in the early 1990s. The CBMWU comes in third. GAWU's early start, however, has not been used to a remarkable advantage in the union to enhance women's representation qualitatively.

Another important gender democracy strategy revealed in this study is affirmative action provisions in the form of quotas and reserved seats. These promotional measures are geared towards expanding avenues for female participation in mainstream union activities. All unions have reserved seats for women on all decision-making structures, from local to branch, district, regional and national bodies and all *ad hoc* union boards were bound by quota representation. A high profile reserved seat for women in all the national unions and the Ghana TUC is the position of the second vice chairperson. The gender policy of Ghana TUC that binds

all affiliate national unions is a minimum quota of 40 per cent female participation in all education and training programmes. This was initially set at 30 per cent and increased to 40 per cent at the end of the 2008 to 2012 quadrennial. The strict adherence to quota representation has allowed women union members an avenue to access union activities and strengthened their ties with their trade unions (Britwum 2010). Female representation in union decision-making has as a result improved. The increases in numbers, however, are limited by voting powers. Within union decision-making structures, representatives are differentiated by whether they are full or *ex officio* members. Full members have the right to vote. *Ex officio* members only represent their constituencies on union decision-making bodies. They can contribute to discussions but cannot vote. Most of the seats reserved for women have *ex officio* status depriving them of the power of a vote. Only three out of the 25 women on the EB of the Ghana TUC are voting members. Membership on union decision-making bodies gives female leaders access to participate in union decision-making and therefore the occasion for women's voices to be included in union decisions. However, they do not always determine the outcome of meetings.

Union strategies require constitutional backing to be accepted as legitimate in union rules. All the unions have made the necessary constitutional amendments. The gender desks are the administrative structure for coordinating union gender democracy strategies. They are guided by union policy, which sets the framework for directing efforts at promoting female participation and representation. It is reviewed every four years and presented for the consideration and adoption by the QDC. The first gender policy adopted by the 1996 Delegates' Congress had seen four revisions by 2012 (Ghana TUC 2012b). The policies map out broad objectives that guide the work of national unions. The most recent gender policy of the Ghana TUC, set out for the 2012–2016 quadrennial, aims to increase women's representation in union leadership and participation in all structures and activities. Other stated objectives include attempts to influence gender equality actions at the national level by connecting with gender equality and women's rights civil society groups.¹⁰ The policy in addition aims to improve resources to the women's organs within the unions and enhance the negotiation skills of women. It emphasises the importance of data for women's equality work and commits to undertake a base line survey of women in leadership structures at all levels of the union movement.¹¹ For the first time the gender policy mentions the need to devote efforts to gender mainstream and encourage more gender related learning through the study circle concept. Though the policies aim to improve gender awareness in the unions, the specific activities outlined still concentrate on building women's capacity through separate activities.

Female union leadership has come a long way. From 1996 when the Ghana TUC

10. The Women's Committee of the Ghana TUC is a member of the leading women's rights coalition the Network for Women's Rights in Ghana (NETRIGHT). The chairperson of Women's Committee of the Ghana TUC is a member of NETRIGHT's steering Committee.

11. See Ghana TUC policies for the 2012–16 quadrennial (Ghana TUC 2012b: 58–60).

admitted the first female member to its second most powerful decision-making body, the Executive Board. As a deputy head of department, she served on the Executive Board as an *ex officio* member without a vote. It was in the same year that the women's desk was transformed into the gender desk and the Ghana TUC adopted its first gender policy (Britwum 2010). In 2003, a woman was elected into mainstream leadership and the Ghana TUC had the occasion to celebrate Georgina Opoku as the first woman chairperson of a national union, the Public Services Workers' Union. In 2012, she contested a second time for the position of Ghana TUC's national chairperson with the male incumbent and won to become a first woman chairperson of the confederation. This was short-lived since she has been appointed to the National Electoral Commission as a deputy commissioner, an equally challenging position in a country where elections are very contentious. However, the Ghana TUC has lost the occasion to benefit from the impact of its first female chairperson. In fact, the end of the 2008–2012 quadrennial represented significant shifts for women's representation in union high office of the Ghana TUC. The CBMWU also elected women to the positions of deputy general-secretary and national chairperson. The interviews held up such successes as an example of what unity among women in the unions can achieve.

Women leaders and union strategies

Women's organs have important responsibilities in union's efforts to address gender democracy deficits. Their origins and sustainability reflect to a large extent union commitment and political will. I explore in this section their origins and activity levels. The respondents of the interviews assigned a number of reasons for the formation of women's organs in the national unions and the confederation. For some, it was a response to international requests. Ghana TUC and GAWU leaders were more likely to attribute the motivating factor to international demands. External labour organisations like the ILO, and solidarity partners like the International Federation of Plantation, Agricultural and Allied Workers (IFPAAW), were cited as responsible for the first efforts to target women union members. For CBMWU and ICU it was internal developments within the Ghana TUC.¹²

External support facilitated the implementation of initiatives to enhance women's participation in trade unions without undue opposition from male union leaders. It still helped to institute programmes that have brought a number of women into trade union leadership positions. Key foreign partners mentioned were the Dutch, Danish and Norwegian trade union federations (the FNV, the LO/FTF-Denmark and LO/Norway) as well as the International Trade Union Confederation. There was a general agreement that within union circles everywhere, members and leadership had accepted the need for women's space. Such a space was seen as important for deepening

12. See Britwum 2010 and 2012 for further discussions on the role of foreign support for women's organs and activities in the Ghana TUC and the ICU.

women's relations with their unions and a conduit for accessing mainstream union positions. In the words of the regional women's committee chairperson, '*women's committees allow women to hold positions and discuss their own issues. They serve as separate organisational spaces for women to be empowered so that they own part of the union.*'

The motivation to institute union strategies originated from a number of sources. Between the late 1980s to mid-1990s, the women's organs were very active, largely due to the munificence of such foreign funders. The calls for gender mainstreaming dealt a blow to direct support to gender organs in the trade unions and between the 2004–08 quadrennial very few women's committees were operating in a manner to engage women union leaders and offer them avenues to challenge union structures. The activity report covering the 2008–12 quadrennial, however, suggests some awakening of unions to their commitment to their women members. The absence of union resources and the sustainability of union activities after foreign funding has lapsed, as well as the institutional location of the gender desk and the women's committees *vis-à-vis* the mainstream union structures remained key problems hampering union gender democracy strategies. An examination of activities in the last quadrennial 2008 to 2012¹³ of the Ghana TUC and its affiliates still targeted women. A situation noted earlier works to suggest that unions operate on the assumption that women bear the biggest responsibility for their low representation and participation in union activities (Britwum 2007). The 2012–16 policy objectives appear to suggest a slight shift from the women's focused initiatives to gender based concerns. Significant events were the activation of the women's committees; 11 out of the 18 national unions, including CBMWU and GAWU, held women delegates conferences before their QDCs. ICU likewise held its national women's conference. The activities held in the name of advancing gender equality in the unions' mainstream were educational programmes, union and gender policy workshops, leadership capacity building and training in union negotiating skills for female union leaders. They mainly targeted women. A number were externally funded by groups such as ITUC, LO–Norway. A number significantly, were sponsored by the national unions.

Despite these improvements the old problem of union commitment to resource the gender desks and women's committees still remained and a number reported that the women's organs at all levels within the unions were cash strapped. They reported the absence of resources to carry out union activities a situation that, according to one, was slowing down educational programmes and affecting the morale of members. The positioning of the desks and women's committees were an additional source of concerns. The women's committees, they explained, have little political strength to mainstream gender concerns effectively into the national unions and the trade union confederation. Neither do they have the autonomy to initiate programmes in the

13. See pp. 45–54 of the Report of the Executive Board presented to 9th Quadrennial Delegates Congress of Ghana TUC, 11–16 August 2012 (Ghana TUC 2012a).

districts or regions without the approval of the union hierarchy at the national headquarters. The non-functioning of the women's organ was seen as a major blow to the development of a cadre of women leadership in the unions. The female organs in the trade unions have served as major conduits for several female trade unionists to access mainstream union decision-making structures. They also function as a kind of training ground for females to take up elected mainstream union positions (Britwum 2012).

Unions are beginning to take responsibility for gender equality work and resourcing the women's organs and their activities. What remains is how such renewed efforts will address the barriers that constrain women's trade union representation and participation. This is discussed in the section that follows.

The women's committees and reserved seats

The women's committees were seen to be less effective in offering women members the opportunities to get close to their unions, a failing that was blamed on financial constraints. Complaints about funding for women's activities were highest among regional GHANA TUC women's committee leaders and national officers of CBMWU, GAWU and MDU. Female trade union leaders within ICU, however, blame dwindling financial support for women's activities on the union leadership struggle, which had stalled the functioning of union structures. There was the belief that legal battles were not only sapping ICU finances but were also distracting the attention of national leaders from important union matters, including the women's committees.

Union inability to support their women's organs financially was blamed on two factors – low union subscriptions and lack of political will. While the male leadership insists that, but for dwindling union resources, their women's organs would have been more active, women leaders believe that the problem lies in union priorities and the male leadership's attitude to strategies to enhance female union representation and participation. Female leaders insist that low subscriptions should translate into low funding, not complete curtailment of financial allocation. Whatever little is available should be managed to cover all union activities. Since other union activities still run, albeit on a reduced scale, a little funding, no matter its size, could have allowed female organs to maintain some level of activities and managed to provide female trade union members some platform to develop skills and interact with their unions. Group interview with the Eastern Regional Women's Committee members insisted that the Ghana TUC should 'allocate a set percentage of union funding for women's work'. GAWU desk officer observed that 'the union should recognise the Women's Committee and give it support; it should help it to stand on its feet. The unions are behaving as if once the organs have been created they can survive without union funding.'

Access to funding was therefore a big issue for the functioning of women's organs in the trade unions. Funding problems were compounded by the manner in which

union events are conceived. Union meetings are expensive because of the need to pay for venues, in addition to the travelling and feeding costs of attendees. There are poor communication networks in that internet coverage is limited to a few regional centres and, where it exists, it is highly unreliable. The recourse to direct hand delivery of meeting invitations hikes up costs. Written notices are important for members to secure release from their workplaces. The cost of organising union events as a result was quite high.

Women trade union leaders expressed frustration at their lack of power to influence the allocation of union funds and compel unions to commit funds for the operation of the women's organs. They were equally frustrated by the limits on regional and district initiatives to raise funds outside the ambit of national union supervision. Female union leaders in the regions bemoaned the strict rules of the Ghana TUC that barred independent fund raising at the local level. Some such initiatives that had been thwarted by this provision were cited. For some women leaders 'the functions of the women's committee are only on paper, they have become mirrors that we only look at.'¹⁴

The process of creating special seats for women at all levels of the union decision-making structures was instrumental in getting women into union decision-making. Women who held such positions observed that getting into union decision-making constituted a journey in self-discovery and an awakening of individual ability. It had also provided them the opportunity to access mainstream union office and to prove to male sceptics that females are capable of holding union office effectively. There were, however, some misgivings about effectiveness of special seats to transform the male character of the Ghana TUC and the selected national unions. As some women leaders explained, since the goal of union gender democracy strategies was to 'bring women up to rub shoulders with men',¹⁵ they would have wished for strategies that promoted women to aspire to mainstream union office like that of the secretary-general, and not to special seats. For them, the present provisions in Ghana TUC and national union constitutions that reserved the second vice chairperson's position for women appears to say that 'women are only good for middle level union positions and not top union positions.'¹⁶ Others felt that reserved seats could affect women's confidence. In addition, it created the perception among some male union leaders that all other positions were for males and women only had access to the reserved seats. In the Ashanti region, women leaders reported male surprise and displeasure with women who stood for mainstream union positions, protesting that they were trying to take away 'male positions'. This is the region that produced the first female chairperson of the confederation in 2012.

Women union leaders were convinced that the participation in union structures that resulted from union affirmative action provisions offered females the space to

14. Interview sessions with female trade union leaders, June 2008.

15. Interview with Ghana TUC gender desk officer, February 2008.

16. Ibid.

develop the required awareness and leadership skills for mainstream union positions. Separate events for women like education and training programmes were also identified as important in drawing women out by instilling in them confidence required to operate within the union structures. Union educational activities therefore had produced a crop of women unionists who were ready to take up leadership positions. Some harboured the fear that with reduced avenues for union education, there might be no women ready to take up union leadership positions. Promotional strategies in the Ghana TUC and its affiliates have a potential to offer women union leaders some space to influence decisions and to open up possibilities to develop power to challenge male norms. It might be necessary to devote future research efforts to examine the extent to which gender democracy strategies outlined for the 2012–16 quadrennial have generated space for politically conscious union activists to challenge patriarchal practices within the Ghana TUC.

Conclusion

Trade union responses to internal gender democracy deficits in Ghana continue to target women as needing support, as seen in affirmative action provisions of special seats, quota representation and women's committees. While these have had their strengths and resulted in increased female union participation and representation in union decision-making, women have to rely on their own efforts to cope with discriminatory practices while the union, or male colleagues, fails to make active attempts of support or change. Women's coping strategies, like dress codes to avoid sexual harassment and recruiting mothers to support in domestic chores, shift the burden off their trade unions leaving unchallenged union gender discriminatory practices. Even though affirmative action provisions have their limits, they provide important avenues for women to access trade union leadership positions and expand their knowledge of their unions. The limits of female focused strategies notwithstanding, there are signs that they are producing cadres of women ready to assume leadership positions within their unions. Enhancement in women's knowledge of their unions helps to improve their identification with them and by this their willingness to invest time, energy and effort in trade union work. As unions turn to invest more in their members it remains to be seen how such efforts that have resulted in increasing the number of women in union leadership will translate into a more gender aware trade union movement in Ghana.

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7. New Zealand Women, Work and Unions

Carol Jess

On the face of it, New Zealand (NZ) should be an example of a progressive, socially just nation, at least where gender is concerned. New Zealand women were the first in the world to seize the right to vote, with the passing of the Electoral Act 1893. There have been two women prime ministers (Jenny Shipley, National¹ from 1998 to 1999 and Helen Clark, Labour from 1999 to 2008) the current opposition Labour party has 41 per cent female MPs, and the president of the Council of Trade Unions (CTU), the national peak body, is also a woman (Helen Kelly since 2007). As of 2012, women made up 63 per cent of the membership of trade unions affiliated to the CTU (NZ Human Rights Commission 2012: 134).

But these successes are juxtaposed against a background that for women remains consistent with findings from other countries on gendered and segmented labour markets. As of 2011, the gender pay gap in NZ was 12.7 per cent for the average hourly rate (Equal Opportunities Trust 2012: 13). While this is one of the smaller gaps in the Organisation for Economic Co-operation and Development (OECD), it remains significant in signalling the worth of their work to women in the labour market. Meanwhile, the high proportion of female members in unions must be set against a background of a decline in trade union membership since 1991 from 34.1 per cent of the total employed labour force in December 1991 to 16.7 per cent in December 2012 (Blumenfeld et al. 2013: 20). The question also must be asked does this majority union membership benefit women workers generally in NZ?

Trade unions themselves have developed in concert with a labour market that consistently reflects a male breadwinner/female caregiver role influenced by a socially constructed gender contract underpinning female and male roles. Similarly, the 'ideal worker' is inextricably linked to the binary construction of gender roles. In combination, gender roles reinforced through social, political and legislative action require women to take on unpaid caring roles while also participating in the paid labour market. This has instituted the notion of the ideal worker as being free from encumbrances, hence the favoured 'unencumbered worker' protected in the labour market (Douglas and Jess 2013).

Is this the case in NZ? Does it go at least part of the way to explaining the dichotomy between the appearance of equality and the lived reality? While collective

1. National is the conservative, right-wing political party in NZ, the closest equivalent to the UK Conservatives.

bargaining can, and has, achieved much for NZ women, is a gap growing not only between the genders but also between those women covered by collective bargaining and those who are not?

As will be discussed further below, the history of employment relations in NZ, and the wholesale changes brought about by the Employment Contracts Act 1991, have left few workers in NZ covered by collective bargaining, with unions being seen in certain sectors as, at best, something to be tolerated.

The various structural changes in the labour market have been accompanied by the notion that ‘employees have become more individualistic in orientation. ... For many analysts the consequence is that solidarity is no longer possible’ (Hyman 2007: 196–7). Further, Glucksman (2009, discussed in Moore 2011: 8) has noted that sociologists too have become increasingly concerned with individual empowerment rather than collective power derived from material relations of production and with rights, morality, respect and dignity at work rather than exploitation and subordination. Can all these ideas begin to explain the dichotomy of gender in NZ?

Methods

This chapter will seek to set the position of women in NZ in today’s society and workplace in the context of an ongoing, neoliberal assault on all workers. As discussed in Britwum et al. (2012: 41), however, women bear the burden of the failures of private capital disproportionately, owing to their gendered position in societal and organisational cultures and structures.

While the neoliberal assault on workers was halted, though not entirely reversed, under the Labour government of Helen Clark (1999–2008), it has been picked up and continued apace under the National-led governments since 2008. This, combined with the effects of the global financial crisis, has impacted on the gains that had been made by women in NZ; causing the human rights commissioner to comment, in the 2010 *Census of Women’s Participation*, that advancement had been slow and patchy, and in some cases, ‘backsliding’ had occurred (NZ Human Rights Commission 2010: 2).

This contextualisation will be addressed by discussing the statistics available from various government agencies, the Organisation for Economic Co-operation and Development (OECD) and academic sources in order to place NZ women in the labour market, and in their unions. In particular, the position of women in the labour market will be tested against the question of whether segmented labour markets are part of the issue, and also whether this is replicated in the trade union representation available. Haynes et al. (2006) have looked at where there is a ‘representation gap’ in NZ, and this will be positioned alongside the current representation of women by trade unions.

Another strand of feminist academic discussion has centred on attracting female membership by having a leadership that is more representative of women (Britwum et al. 2012; Douglas and Jess 2013). The current leadership positions in CTU

affiliates will be considered to assess the likelihood, or otherwise, of this being a force for change at this time.

New Zealand: the country

NZ is a small country in terms of population (4.5 million in 2012), but it comprises a large geographical area consisting of a series of islands in the South Pacific. Most researchers agree that the first humans to settle were Polynesian, around AD 1300 (www.nzhistory.net.nz), though there remains debate about this with some suggesting AD 800 as the first Polynesian settlement. European settlement did not come until after Captain Cook made landfall on 8 October 1769. The islands became a colony of the British Empire in 1840, after a series of wars with the descendants of the Polynesian settlers – the Maori. The Treaty of Waitangi was signed between the Crown and some of the Maori Iwi (tribes/clans) on 6 February 1840. This treaty, however, is still contentious today. It was signed in both English and Te Reo Maori, with some arguing that the Te Reo Maori version did not cede sovereignty of the land to the Crown, unlike the English version, on which the government of the colony was established. There are also still cases being heard before the Treaty of Waitangi Tribunal, on issues such as compensation for land appropriated by the Crown, and over the continuing rights to land, and particularly water. These issues are exacerbated by the different attitudes to land ownership of the Iwi and the Crown – the Treaty brought the idea of private land ownership from Great Britain to NZ for the first time, as opposed to customary rights and obligations of stewardship exercised by Maori.

Immigration from Europe grew throughout the 1800s, with the main period being that leading up to 1870. Gross immigration to NZ between 1871 and 1891 was just over 362,000 and net 154,000, accounting for 41.8 per cent of the increase in NZ population during this period (<http://www.nzhistory.net.nz/files/documents/peopling4.pdf>). The main ethnic groups in NZ have remained the white European (Pakeha) and Maori together with other Pacifica ethnicities. Recent decades, however, have brought immigration from Asia, and that trend appears to be growing. Statistics NZ monthly population figures showed a 22 per cent rise in permanent and long-term arrivals from Asia between October 2011 and October 2013 (http://www.stats.govt.nz/browse_for_stats/population/Migration/IntTravelAndMigration_HOTPOct13/Tables.aspx).

Unfortunately, and outside the scope of this chapter, there remains an ethnic dimension to most social issues, with Maori and Pacifica people generally the most disadvantaged. This disadvantage in health, education and employment, of course, has an impact on the quality of Maori and Pacifica women's lives and is an example of the intersection between gender and ethnicity causing serious interconnected problems for groups of women and their opportunities.

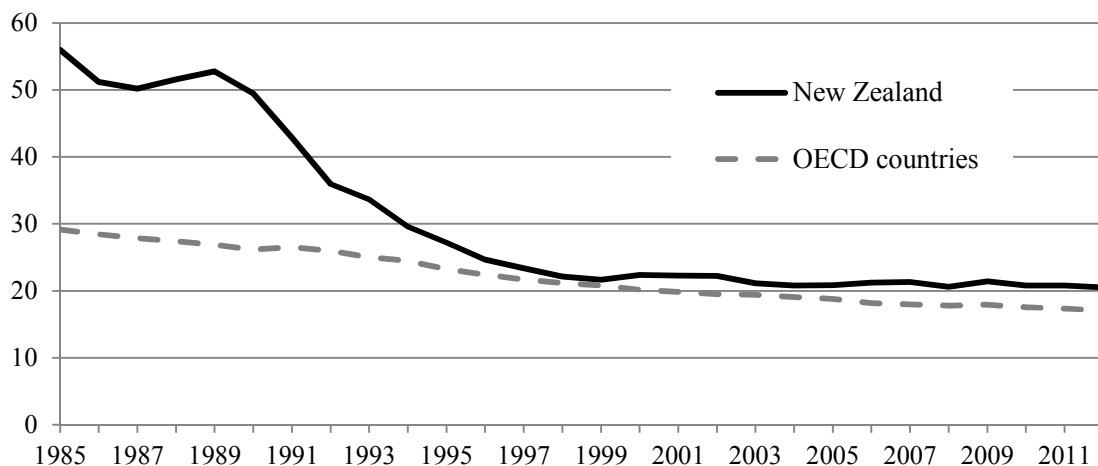
Industrial relations in NZ

Industrial relations in NZ have been marked by four distinctive periods (Geare and Edgar 2007: 248) – the pre-Arbitration period (1840–93), the Arbitration era

(1983–87), the Collective Bargaining era (1987–91) and the Laissez-faire era (1991–date)

The pre-Arbitration era encompassed the time of first European settlement of NZ, and, at least in theory, English law was enforced. This era ended with the passing of the Industrial Conciliation and Arbitration Act (1893) by the NZ Parliament. On the face of it, the conciliation and arbitration era should have been supportive of unions, for it envisaged national level, sectoral bargaining, with compulsory arbitration of disputes. From 1936 there was also compulsory union membership. Employment relations in NZ became, on the contrary, increasingly unitarist and paternalistic. ‘By the time the Labour party became the Government in 1984 strikes were all either explicitly unlawful, or liable to penalties, arbitration was available as a guaranteed back stop and certain issues ... were interpreted by the Courts as being managerial prerogatives and hence not negotiable under law’ (Geare and Edgar 2007: 299).

Figure 7.1: Trade union density in NZ and OECD average, 1986–2012



Source: Data extracted on 3 October 2013 from 22:33Utc(Gmt)FromOecd.Stat.

The Labour Relations Act of 1987 was the fourth Labour government’s only labour market reform, during a period (1984–90) in which they radically restructured the rest of the NZ economy with a programme of market liberalisation policies and privatisations. The 1987 Act, which marks the move to the short-lived collective bargaining era, made strikes lawful in certain circumstances, did not accept that some issues were managerial prerogatives and encouraged unionism and collective bargaining. What was retained from the previous era was a system of regional and national awards, blanket provisions extending those awards to all employers in the region or country, and compulsory membership of unions.

The general election of 1990 brought a change to a National-led government and the start of the ongoing neo-liberal era. Their 1991 Employment Contracts Act (ECA) swept away any legislative support for collective bargaining and trade unions, and has been described as having shifted NZ from one of the most highly regulated to one of the most liberalised labour market regimes in the industrialised world (Hayles

2005: 259). The Act recognised only the employer and employee as parties to the employment relationship, which was to be regulated purely by contract negotiated between the parties. There are suggestions in the purpose of the Act that employers and employees can negotiate whether employment contracts are individual, or collective, or both; but there is no mention in the Act at all of ‘unions’. The references are instead to ‘employee organisations’.

In 1991, on the introduction of the ECA, union density was 35.4 per cent (see Figure 7.1 for union density in NZ, showing a comparison with the OECD average over the same period).² By December 1998, this had fallen to 17.7 per cent (Geare and Edgar 2007: 321) and to 17.1 per cent by December 1999 (Figure 1). What was established in fact, if not in rhetoric, was freedom and flexibility for employers, with none of the recognition of the lower bargaining power of workers and indeed an assumption of equality of bargaining power.

In their reaction to the ECA of 1991, the focus of trade unions in NZ remained almost exclusively on collective bargaining, producing an increasing reliance on a shrinking group of core workers for leadership and a further reliance on legislative protections. Dufour and Hege (2010: 363) described these as two of the three strategies for renewal now available to unions). Given the nature of trade union strategy, and its often historical assumptions about labour, this is not a major difference from unions in other countries in their reactions to the crisis; the more restrictive focus on collective bargaining of unions until 1991 in NZ, however, has, it seems, narrowed the possible avenues for action without a radical change in policy.

The return to power of Labour in 1999, under the leadership of Helen Clark, brought with it a new legislative framework for industrial relations. The Employment Relations Act (ERA) of 2000 was intended to bring the concept of ‘good faith’ to NZ employment law and also boost support for collective bargaining and trade unions, as opposed to the Employment Contracts Act, of which the purpose was ‘to promote an efficient labour market’ (ECA 1991). Despite these intentions, while there was a small increase in union membership and collective bargaining coverage between 2000 and 2005, these numbers have remained static since then.

Women and trade unions in NZ

Accompanying the decline in trade union membership and density overall, from 34.1 per cent in 1991 to 16.7 per cent in 2012 (Blumenfeld et al. 2013), NZ unions have seen a rise in the proportion of women members over the last two decades. Economic change, away from manufacturing towards a service economy, has in part contributed to this. Perhaps the biggest change, however, has been the rise in public sector unionism. Following the enactment of the Employment Contracts Act (ECA) of 1991,

2. Trade union density corresponds to the ratio of wage and salary earners who are trade union members, divided by the total number of wage and salary earners (OECD *Labour Force Statistics*). Density is calculated using survey data, wherever possible, and administrative data adjusted for non-active and self-employed members otherwise (OECD Statistics).

private sector employers began to rely more on individual contracting, and private sector unions lost a large proportion of their membership across this period. The exceptions to this decline were those in particularly strongly unionised sectors such as the meat industry, dockworkers and transport – those coming under increasing pressure over the last few years.

This pattern, though, is also in part a consequence of the NZ unions’ focus on collective bargaining as the main, or exclusive, role of unions; unions in those industries where employers moved to individual contracting continued to focus on the remaining male, full-time, employed members and did not widen their membership beyond those for whom collective bargaining remained an option. The unions in the public sector, however, did not face such decline, as the public services continued collective bargaining. The higher proportion of women in the public sector, therefore, began to be reflected in trade union membership overall.

The Human Rights Commission Census of Women’s Participation of 2012 (based on a survey of affiliated member unions conducted by the Council of Trade Unions in June 2012) reports that the three largest unions, comprising over 50 per cent of affiliated union membership, are in the public sector. They are the Public Services Association (PSA), the New Zealand Educational Institute (NZEI) and the New Zealand Nurses’ Organisation (NZNO). Table 7.1 shows the membership of the top ten affiliated unions, and the proportion thereof of women members. For comparison, it also shows the proportion of women members in 2008. The three largest NZ unions also have a majority female membership.

Table 7.1: Top ten CTU affiliated unions by gender

Union	% Women 2012	Total members 2012	% Women 2008
PSA	69.18	58,286	68.00
NZEI	88.22	51,084	88.00
NZNO	93.23	46,187	94.00
EPMU	22.43	36,230	23.00
First Union	51.68	26,344	
SFWU	67.00	22,732	67.00
PPTA	59.40	17,894	58.00
Metalworker’s Union	14.00	15,313	10.00
TEU	51.70	10,416	
Unite	52.55	7,028	
Total	64.24	291,514	57.00

These female dominated unions, however, are for the most part in professional and skilled work – civil servants, teachers and qualified nurses. Of the membership of the other unions, there are large numbers of women in low paid and precarious work. The work is in the state sector, but has been outsourced to private sector employers. The

Service and Food Workers' Union (SFWU), for example, has a number of members in this sector. It has recently been active in organising and mobilising these members in pushing for higher wages, and more stable employment than the current situation (see <http://www.sfwu.org.nz/index.asp?PageID=2145830388> for an example).

NZ's representation gap

Haynes et al. produced data in 2006 on what they term the 'representation gap' in NZ. Their paper was an analysis of responses to the 2003 New Zealand Worker Representation and Participation Survey, which, among other questions, asked workers about their preferences for union membership, their views on union performance and what they think unions should do. Their estimates of unrealised demand, what they termed 'the representation gap' for union membership in NZ are based on responses from workers who have no union at their workplace who said they were 'very likely' or 'likely' to join a union.

While Haynes et al. (2006: 203–4) did not find any statistical relationship between gender and unsatisfied demand for trade union membership in their sample taken as a whole, they acknowledge that this is due to the higher union density in the public sector. They found women's union density is 7 per cent higher than men's and that the unsatisfied demand for men was 15.3 per cent and for women 16.8 per cent (Haynes et al. 2006: 204).

If we were, however, to look separately at the areas of private sector work in which women are located we may find a different picture (see Figure 7.2). The breakdown of sectors used by Haynes et al. (2006) is not congruent with that in the Household Labour Survey (on which Figure 7.2 is based). Some comparisons can, however, be made to show where there may be large numbers of women workers who are out with collective bargaining, and so even if collective bargaining did contribute to better terms and conditions, it would be beyond the reach of those improvements.

Table 7.2: Unsatisfied demand for union membership

Sector/industry	% of female workforce	Existing union density	Unsatisfied demand for union membership
Retail and wholesale		8.5	19.3
Hotels and restaurants	23	10.2	28.6
Transport and Communications	5	18.5	16.7
Finance and Insurance	4	23.1	15.4

Source: Derived from Haynes et al. (2006: 205).

The main private sector area of employment for women is 'retail trade, accommodation and food services', at 19 per cent of women workers, followed by professional, technical, scientific, administrative and support services at 11 per cent. Areas that may be comparable, particularly the 19 per cent of women workers in 'retail trade,

accommodation and food services’, plus 3 per cent in the ‘wholesale trade’ have been combined to show the unsatisfied demand for union membership in those areas of 19.3 per cent and 28.6 per cent. This is a substantial number of female workers who would ‘likely’ or ‘very likely’ join a union if it were available in their workplace.

Haynes et al. (2006: 201) noted that the reach of unions ‘is lowest in private sector services; in particular real estate and business services (around 2 per cent of women workers), retail and wholesale trade and hotels and restaurants (3 per cent for wholesale trade and 19 per cent for retail, hotels and restaurants). This means that trade unions have little or no ‘reach’ to around a quarter of women workers in NZ.

Women and trade union leadership

The proportion of overall female union membership in the top ten CTU affiliated trade unions has risen from 57 per cent in 2008 to 64.2 per cent in 2012 (NZ Human Rights Commission 2012). While the 2012 report shows there was also an overall growth in the proportion of women on national executives – from 43.2 per cent in 2008 to 51.83 per cent in 2012 – there was also a decline in the number of female workplace representatives (delegates) in the same period (see Table 7.4 below). Women’s representation at workplace level continues to mirror more closely women’s overall participation, as long as this decline in delegates does not become an ongoing trend.

Table 7.3: Top ten unions delegates and national executive by gender (%)

Union	Women 2012	Delegates women 2012	Delegates women 2008	National Executive women 2012	National Executive women 2008
PSA	69.18	53.52	61.00	40.00	45.00
NZEI	88.22	88.60	88.00	78.57	75.00
NZNO	93.23	93.55	94.00	94.44	80.00
EPMU	22.43	18.86	15.00	16.67	8.00
First Union	51.68	56.18		30.00	n/a
SFWU	67.00	67.96	66.00	66.67	87.00
PPTA	59.40	51.10	61.00	59.26	58.00
Meatworkers’ Union	14.00	14.17	14.00	0.00	9.00
TEU	51.70	57.75	n/a	53.33	n/a
Unite	52.55	58.53		61.54	n/a
Total	64.24	60.47	65.00	51.83	43.20

The representation of women in the unpaid hierarchies of NZ unions seems to diminish the fewer the posts there are and the further from the grassroots. The proportion of women delegates to women members at 60 per cent to 64 per cent appears to be a ‘victory’ when compared with the diminishing representation at president and vice-president level (Table 7.3), which is hovering around 35 per cent. When we come, however, to the paid hierarchy, no progress seems to have been

made at all in the four years since 2008 – there are, as of 2012, still only (in total) six women national secretaries, out of 26 positions available.³

Table 7.4: Women in elected positions in CTU affiliates

Union	Women 2012	Delegates women 2012	Delegates women 2008	National Executive women 2012	National Executive women 2008
PSA	69.18	53.52	61.00	40.00	45.00
NZEI	88.22	88.60	88.00	78.57	75.00
NZNO	93.23	93.55	94.00	94.44	80.00
EPMU	22.43	18.86	15.00	16.67	8.00
First Union	51.68	56.18		30.00	n/a
SFWU	67.00	67.96	66.00	66.67	87.00
PPTA	59.40	51.10	61.00	59.26	58.00
Meatworkers Union	14.00	14.17	14.00	0.00	9.00
TEU	51.70	57.75	n/a	53.33	n/a
Unite	52.55	58.53		61.54	n/a
Total	64.24	60.47	65.00	51.83	43.20

Source: Derived from New Zealand Human Rights Commission 2012: 136.

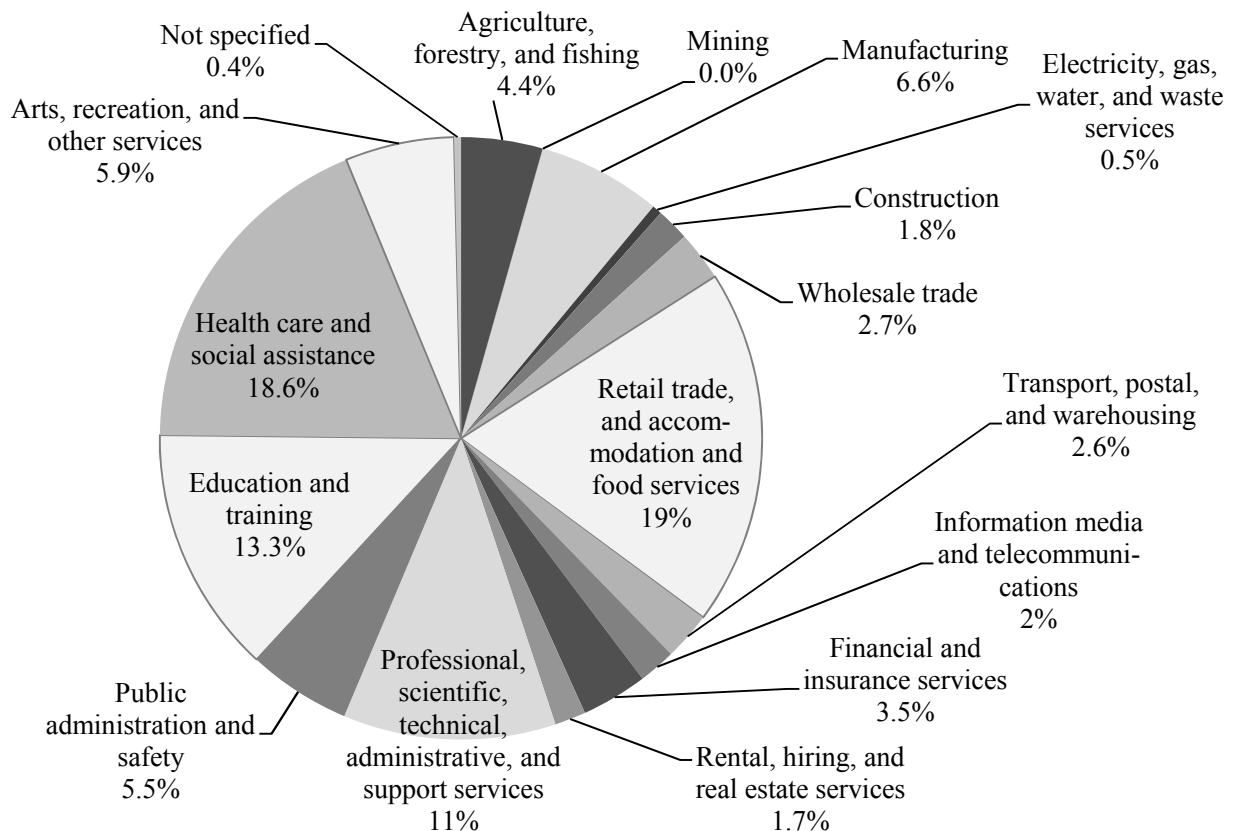
While there is currently no evidence available for the reasons behind either the trend for lowering women's participation at delegate level, or for the lack of women's proportionate representation in the paid hierarchies, it could be argued that the issue might be that of the competing 'greedy institutions' of family and the union (Franzway and Fonow 2011: 41). The competing needs of family and trade union activism have been a constant for women. However, it may be more likely that the trend away from women's participation in recent years is a result of the ongoing casualisation of working hours from the effects of the policies put in place by the National government. One particular policy that may well have had an impact on women's participation is that of changes in the child-care subsidy available to families from 27 September 2010 (<http://www.workingforfamilies.govt.nz/childcare-assistance/>). While there was a lowering of the qualifying income for access to the subsidies, the hourly rate and the maximum number of hours for which that subsidy was available were all cut. Confronted by both the reduction in assistance with child care, and massive changes to work patterns, 'sustaining work and family has become women's responsibility' (Franzway and Fonow 2011: 65) so it would be no surprise that the additional time (and energy!) required to participate in trade union activism also may no longer be available to most women.

3. There have been some union mergers in the intervening period (leading to the creation of First Union and the Tertiary Education Union) and given the small figures involved this may explain some of the decline at an individual level. That, however, is no explanation for the static proportion of general secretaries overall.

Women in the NZ workforce

According to a NZ household labour force study, for the quarter ended June 2013 NZ women had a labour force participation rate of 62.3 per cent, compared with the total (men and women) labour force participation rate of 67.7 per cent and a male rate of 73.4 per cent. The areas of the economy in which women were employed at this date are shown in Figure 7.2 below. This figure has been created from the statistics (available at www.stats.govt.nz) of the quarterly household labour force study. This provides a snapshot of where women were located in the formal economy in NZ at the end of June 2013. This can be said to conform to the segmented labour market, where women are concentrated in the five ‘Cs’ of caring (health care and social services, education and training), cashiering (retail trade), catering (accommodation and food services), clerical (administrative and support services) and cleaning (Britwum et al. 2012: 43).

Figure 7.2: Women’s labour force participation in quarter ended June 2013



Looking at this figure it can be seen that women in NZ tend to work in those areas that come under the public sector – in particular ‘health care and social assistance’, which, together with ‘education and training’, account for 42 per cent of all women’s labour force participation during this period. While ‘education and training’ is a big part of this public sector employment, the private sector area, which comprises as much female employment as ‘health care and social assistance’, is ‘retail trade, accommodation and food services’. These two sectors comprise 19 per cent each of women’s labour force participation (see Figure 7.2).

Education and work

Women have increasingly participated in education in NZ. Figures available from Education Counts, a government agency whose ‘aim is to increase the availability and accessibility of information about education statistics and research in New Zealand’ (www.educationcounts.govt.nz), show that overall the proportion of the population aged 15 years and over enrolled in education at any time during the year has increased from 8.1 per cent in 1994 to 12.1 per cent in 2010. In the same period, the proportion of women so enrolled has increased from 8.3 per cent to 13.2 per cent over the same period. Indeed, there was a peak of 15.1 per cent females over 15 enrolled in education at any time in the year 2005. The rate has fallen slightly over the years since.

Table 7.5: Participation rates of domestic students by gender and qualification⁴

Year	Proportion of female population aged 15 and over					Total Female	Total Male	Total
	A	B	C	D	E			
2005	4.1	0.5	0.6	0.4	0.1	15.1	12.8	14.0
2006	4.1	0.5	0.6	0.4	0.1	14.3	12.8	13.6
2007	4.1	0.5	0.7	0.4	0.1	14.0	12.5	13.3
2008	4.2	0.5	0.7	0.4	0.1	13.4	11.4	12.4
2009	4.4	0.5	0.8	0.4	0.2	13.5	11.3	12.4
2010	4.4	0.5	0.8	0.4	0.2	13.2	11.0	12.1
2011	4.4	0.4	0.7	0.4	0.2	12.2	9.6	10.9
2012	4.4	0.4	0.7	0.4	0.2	11.9	9.2	10.6

A=Bachelors’ degrees; B=graduate certificate/dissertation; C=Honours and postgraduate certificate/diploma; D=Masters degree; E=doctorate.

Source: (http://www.educationcounts.govt.nz/statistics/tertiary_education/participation adapted from PPN.12)

The proportion of the female population over the age of 15 participating in tertiary education is not available for this full period. However, the site does show these statistics for the period from 2005 to 2012. These are shown for universities, institutes of technology and polytechnics for this period. While the overall trend has been for reduced participation in education across the population, the rate of participation by women has remained higher than by the population as a whole. The incidence of women being enrolled in degrees higher than Bachelors’ degrees has also remained static. This, however, reflects the trend across the whole of the population aged 15 and over (http://www.educationcounts.govt.nz/statistics/tertiary_education/participation:PPN.12).

4. Rate of participation in formal study, which has been age-standardized to match New Zealand’s total population of 15 years and over. The Total column also includes the proportion of the female over 15 population enrolled in secondary education, the breakdown of which is not shown here.

Despite more than half (59 per cent) of all tertiary education graduates in 2009 being women (Equal Opportunities Trust 2012) women in 2013 remain in traditional female employment – the five ‘Cs’ as discussed above. With only 11 per cent in the ‘professional, scientific, technical, administrative and support services’, the translation of tertiary education into professional careers has sadly not yet been followed through. Given also that some of this 11 per cent will be in ‘administrative and support services’, this is a disappointing outcome for NZ female graduates. This does suggest that it is not simply access to education that is fuelling the gender segregated labour market in NZ.

Precarious work and women

The CTU released a report at the 2013 conference in which it reported at least 30 per cent of NZ’s workers are in insecure work (CTU 2013). This report also states that women are more likely to be in insecure work, as more of them are in part-time, temporary and low-paid work (Council of Trade Unions 2013: 10). This trend to insecurity, and in particular for women, is not restricted to the non-unionised, and low-paid sectors. The Tertiary Education Union conducted a members’ survey in 2013, which found that while women made up 60 per cent of the total survey respondents, they made up about 64 per cent of those currently in non-permanent work, namely casual, hourly paid, part time, fixed term or with limited tenure (<http://teu.ac.nz/2013/08/women-face-insecure-work-bias/>).

Women, trade unions and the labour market

It seems from the above that NZ, despite its appearance of gender egalitarianism, reflects the norms that are observed in other countries with regards to women in the labour market, women in their trade unions and women in trade union leadership.

Women in NZ are most likely to work in one of the 5 ‘Cs of caring, cashiering, catering clerical and cleaning (Britwum et al. 2012: 43). While those employed in the public sector are very likely to be in a union and covered by collective bargaining, those in the less well paid, and less secure jobs in the private sector are subject to the ‘representation gap’ (Haynes et al. 2006). This is where, although there has been found to be demand for union membership, those workers are beyond the reach of unions. Participation in education at higher rates than men has not diminished the segmentation of the labour market and the gender pay gap in NZ remains a stubborn issue.

The question then needs to be asked whether trade union membership would assist women make gains in the workplace. Does it matter to them that they are out of the reach of unions? First, I will summarise the legislative minima available for the gender agenda in NZ, then discuss any additional rights and gains made by collective bargaining for women.

Gender equality in legislation

Over the decades since 1970, various legal rights intended to increase equal treatment

of women, particularly in the workplace, have been enacted in NZ. These legislative rights are based on the right not to be discriminated against, equal pay, parental leave, flexible working and breast-feeding.

Discrimination

The Human Rights Commission Act 1977 established the right to be free from discrimination in the workplace on various prohibited grounds, including sex. The current law is contained in the New Zealand Human Rights Act 1993, S21(1). This section contains the current list of prohibited grounds, and these include:

- sex, which includes pregnancy and childbirth;
- marital status;
- family status; and
- sexual orientation.

Equal Pay

The first piece of legislation pertaining to gender equality in NZ was the Equal Pay Act 1972. An attempt to update this law, and further promote equality in pay for women and men was the Employment Equity Act 1991. This had been enacted by Labour just prior to the new National government taking office in 1990, and would have taken a more comprehensive approach to equal employment opportunities, as well as pay equity but was repealed within six months by the enactment of the Employment Contracts Act 1991.

As of 2011 the gender pay gap in NZ was 12.75 per cent for the average hourly rate (Equal Opportunities Trust 2012: 13). While it may be contended that this is partly due to segmented labour markets, it does not only affect those on low pay. Despite growing numbers of female graduates, the gender pay gap favours male graduates by 6 per cent after one year of employment and 17 per cent after five years. While some of this is due to the different employment fields men and women tend to choose, reflecting a segmented labour market for graduates as well as generally, males enjoyed bigger pay increases than women from every field of study over a five-year period (Equal Opportunities Trust 2012: 13). The Clark Labour government had a policy to introduce gender pay audits in order to attempt a solution to this, but this was superseded by the 2008 election of the National government.

Parental leave

A right to 12 months unpaid parental leave was introduced in NZ by the Parental Leave and Employment Protection Act 1987, for parents who have worked for their employer for at least 12 months. This can be shared with a spouse/partner as long as they had also worked for their employer for at least 12 months. NZ's first state funded scheme of paid leave was not introduced until 2002, when the 1987 Act was amended to allow those eligible to leave to 12 weeks paid leave. Further amendments in 2004 saw eligibility extended to those who had worked for their employers for at

least six months, with the length of paid leave being increased first to 13, then to 14 weeks.

The current law allows those who meet the six-month employment criterion to 14 weeks paid parental leave, some or all of which can be transferred to a spouse/partner if they also meet the employment criterion. Those who meet the 12-month eligibility criterion are also entitled to a further 52 weeks unpaid extended leave, less any paid parental leave taken. This also can be shared with a spouse/partner if they have worked for their employer for at least 12 months.

At the time of writing, a Member's Bill is before the NZ Parliament, sponsored by Sue Moroney (Labour), to extend the right to paid parental leave to 26 weeks. This is proving to be controversial, and it is by no means clear if it will gain sufficient parliamentary support.

This situation certainly puts NZ towards the bottom of the OECD 20 when it comes to parental leave in general, and paid leave in particular. The OECD average (calculated on a full-time equivalent (FTE) basis) is for 22 weeks paid leave with a further 73 weeks unpaid. Calculated on the same terms, NZ has a paid leave FTE of 14 weeks with only a further 40 weeks unpaid (discussed in Blumenfeld et al. 2013: 97). Many workers, however, rely on collective bargaining agreements for further entitlement to parental leave. This will be further discussed below.

Flexible working arrangements (FWA)

There is a specific statutory right to request flexible working arrangements for employees who have been employed by their employer for six months or more and have the care of any person under the Employment Relations (Flexible Working Arrangements) Amendment Act 2007, Part 6AA. The act does not define 'care' or require a particular level of care. It can include caring for children (either your own or others), caring for adults (for example elderly parents or others), caring for *whānau* or *āinga*,⁵ friends, or neighbours. There is no requirement that the carer and the person being cared for be related or live in the same place. The request, however, can be turned down on reasonable business grounds. Indeed, further, the onus is on the employee to outline the changes the employer will need to make if the request is accepted, and any appeals against a refusal must be on the basis of procedural non-compliance (Donnelly et al. 2012: 186).

This is a more extensive right than is available in the UK, for example, as it is not restricted to the care of a child. It has, however, been argued to create more of a flexibility gap for women, in widening the gap between women who are carers and those who are not. In a workplace (or trade union) context, while it is argued that a great majority of the barriers to women's participation and leadership are down to the disproportionate amount of caring and other 'invisible' (Franzway and Fonow 2011) work done by women outside the paid workplace, characterising these responsibilities

5. These Maori concepts are closest to, but not congruent with, the English language concept of extended family.

as ‘women’s work’ and seeking flexible working arrangements as ‘women’s issues’ only serves to entrench the notion of the ‘unencumbered worker’ as the norm, namely someone who can work for 40 hours a week, or more, throughout the year, with no career breaks (Reilly 2012: 161, discussing Williams 2000). This approach includes as ‘normal’ those women who are not parents, or carers, and excludes men who may have primary carer responsibilities, or who may wish to take on caring responsibilities. Further, it does not challenge these myths and does not open the space to find new ways of approaching work/life balance. In response to calls for fairness of access to all employees, a recent review of the ‘right to request’ act has recommended the extension of the legislation to all workers, irrespective of their caring responsibilities (Department of Labour 2011; as discussed in Donnelly et al. 2012: 186).

Even in the public sector, where there is a high union density among women workers, many are not aware of their right to request flexible working arrangements. In 2009, two years after implementation, 59.3 per cent of women public service workers (Donnelly et al. 2012: 194) were unaware of the legislation. This may be explained by other flexible working arrangements being available through collective bargaining, but given that this is a proportion of the workers for whom the legislation was intended to benefit, it is a worrying trend. However, it is worth noting that amendments to this part of the ERA are likely to occur with the enactment of the Employment Relations Amendment Bill of 2013.

Breast feeding

This Employment Relations (Breaks, Infant Feeding, and Other Matters) Amendment Act 2008 inserted a new Part, Part 6C, to the ERA 2000, which provides an obligation on the employer to ensure ‘so far as is reasonable and practicable in the circumstances’

- appropriate facilities are provided in the workplace for an employee who is breastfeeding and who wishes to breastfeed in the workplace; and
- appropriate breaks are provided to an employee who is breastfeeding and wishes to breastfeed during a work period.

The act further provides that a break taken for the purposes of breastfeeding is in addition to the paid rest and meal breaks an employee is entitled to under Part 6D (also inserted to the ERA 2000 by this act). However, if an employee and an employer agree, the same break may be taken for the purposes of this Part and Part 6D. It therefore leaves it in the hands of individual negotiation between the worker and her employer if the paid breastfeeding break, to which she is entitled, is in addition to or in place of her paid rest and meal breaks, to which all workers are entitled. Given the low level of unionisation in workplaces in NZ, and the extremely pro-employer bias seen in recent times from both government and the media, it seems that it is unlikely that a woman breast feeding, except in the most benign of workplaces, will be entitled to separate breaks for this purpose. A further

encroachment on the practice of this right may come from the withdrawal of the legislative right to paid rest and meal breaks under Part 6D, which was proposed in the Employment Relations Amendment Bill 2013.

Bargaining agenda for gender (BAG)

As can be seen here, most of the legal rights set out above have developed piecemeal, not because of a coherent strategy for advancing legislation supporting workplace rights in the gender agenda. Case studies developed by the Gender and Trade Unions Research Group (of the Global Labour University alumni) demonstrate that women's industrial needs can be achieved by women fighting for specific clauses such as breastfeeding, additional parental leave and menstrual leave (Britwum et al. 2012: 57). There may be some evidence of this in a NZ context, but the data are not very easily obtained. There are no official, public sources of information on the contents of collective employment agreements (CEAs). However, since 1991, the Industrial Relations Centre at Victoria University of Wellington has been keeping a database of agreements for the purposes of industrial relations research. While this is now an established body of data, there is the proviso that the submission of agreements for recording is purely dependent on whether the relevant union (or in some cases employer) submits them as they are concluded.⁶

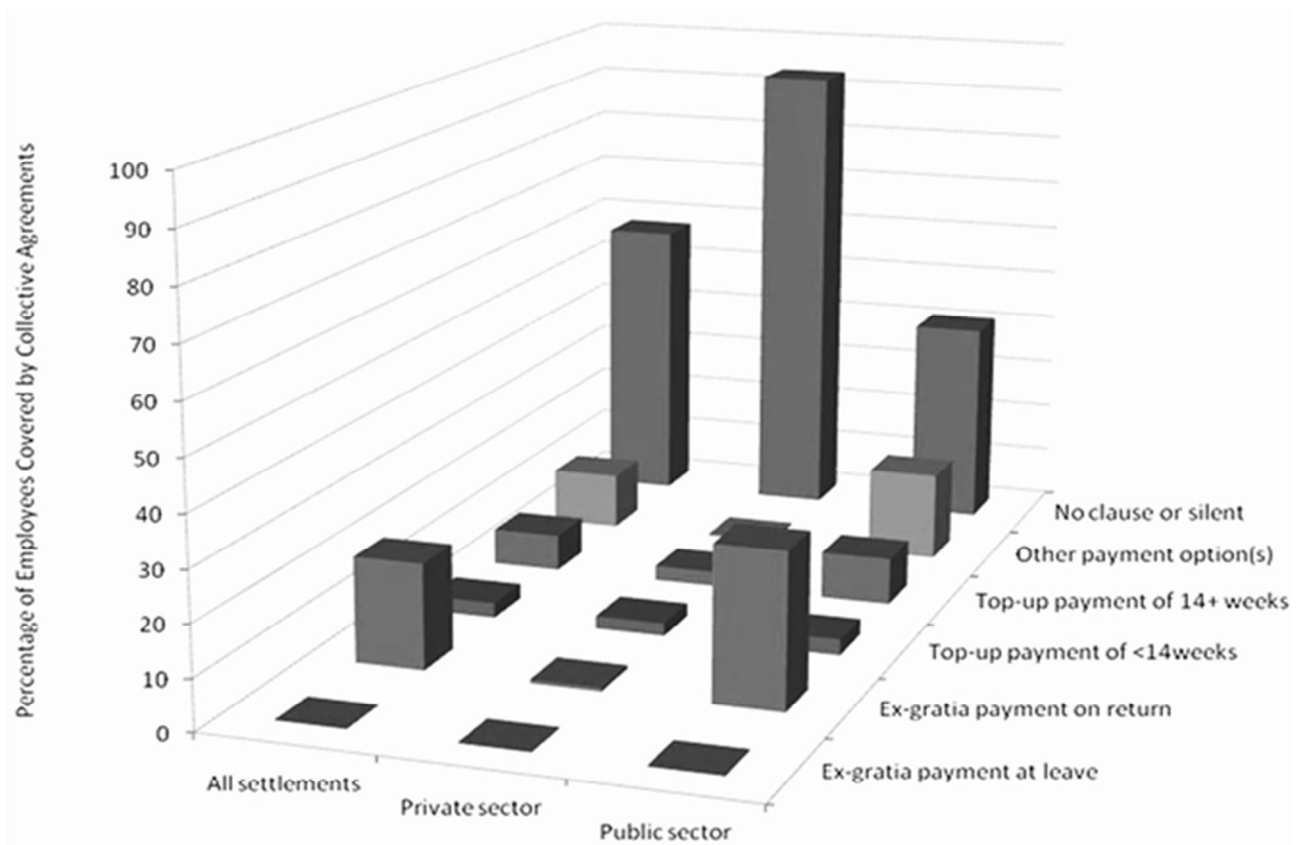
While NZ has one of the lowest rates of legislative provision of paid and unpaid parental leave in the OECD (Blumenfeld et al. 2013: 97), is it the case that collective bargaining has improved this for workers who are in unions? As discussed in Blumenfeld et al. (2013: 97), in the absence of any statutory entitlement, collective bargaining has played a crucial role in determining paid parental leave policies and in shaping legislative initiatives in many industrialised countries. Blumenfeld et al. (2013) analysed the collective employment agreements (CEAs) held in the Industrial Relations Centre database for clauses regarding parental leave, and noted any rights over and above statutory rights that were included. The results can be seen in Figure 7.3. Of those covered by a CEA, more than 50 per cent of employees have no clause in that agreement on the subject of parental leave. This lack is particularly prevalent in the private sector, where this figure rises to over 90 per cent. This would imply that collective bargaining, in the main, does not compensate greatly for the majority of women workers for the lack of legislative provision of paid parental leave. The much higher incidence of extended rights in the public sector agreements, however, does suggest an influence from higher women's union membership on the collective bargaining process here.

None of the CEAs recorded in the Industrial Relations Centre database include provision for any other gender related policies discussed by Britwum et al. (2012). Given the lack of available data about what has been the 'starting' point of the

6. For example in the year to 30 June 2013 the centre received collective employment agreements that had been concluded in that year from 60 unions. Collective employment agreements vary in their terms but are usually for at least two years in duration.

negotiations that led to the collective agreements collated here, it is impossible to state whether other clauses, or higher benefits, were ‘traded away’ within the negotiations, as is discussed in other literature on the inclusion of such gender issues in collective bargaining (Britwum et al. 2012). What does seem clear, however, is the likelihood of a widening gap between the terms and conditions of those women in the highly organised public sector and those in the relatively lower paid private sector.

Figure 7.3: Collective agreements including extended parental rights by sector



Source: Blumenfeld and Ryall 2013.

Conclusion

New Zealand’s history is one where formal, electoral gender equality was gained decades prior to the other liberal democracies, and having had two women prime ministers in the last two decades also makes the country appear to be a progressive, egalitarian society. The reality, however, is one of mixed experiences for NZ women. Women have a high participation rate in the labour market; however, this participation is met with a stubborn gender pay gap. While the gap is one of the lowest in the OECD, progress in reducing or eradicating it seems to have stopped.

Further, the labour market remains segmented along gender lines, with women being more often employed in caring, cashiering, catering, clerical and cleaning (Britwum et al. 2012: 43) than in professional, technical, scientific and engineering roles. This segregation does not reflect the consistently higher participation rate of women in secondary and tertiary education than men over the past two decades.

Women's high participation rate in the labour market is accompanied by a high proportion of trade union membership. This membership, however, is concentrated in the public sector and, with around a quarter of women workers having no access to a trade union in their workplace, any benefits gained through union membership are not easily shared. Indeed, the women without access to unions are more likely to work in sectors with lower pay and less secure work than those covered by union membership.

As legislative support for gender issues has been piecemeal over the decades since 1970, and indeed NZ has one of the lowest rates of paid and unpaid parental leave in the OECD, many women in unions have relied on collective bargaining for additional leave, pay and other rights. This reliance, however, contributes to the gap in terms and conditions between those women in a union and those without.

While it can be argued that women leadership of unions may lead to higher women's participation in unions, NZ unions do not seem to reflect this. The issue for women with their unions does not appear to be the lack of role models, or female leaders, but rather the lack of unions willing to organise in sectors where collective bargaining rights have been lost through the neoliberal era. There are some signs that this is changing, and Unite has been making some progress in the Auckland hotel industry, for example.

Continuing the tradition of having women in leadership roles in unions, however, appears to be an issue. The proportion of women in national elected roles and in paid roles has not changed and does not match the membership of women in those unions. Additionally, there has been a decrease in the proportion of workplace delegates who are women since 2008. It is speculation, but this may be due to the impact of changing work patterns and the continuing societal expectation for women to manage the competing demands of home and family. It will be interesting to see if this decline has been halted or been reversed when the next Human Rights Commission gender survey is published at the end of 2014.

NZ is one of the most liberalised labour markets in the industrialised world (Haynes 2005: 259) and those without collective bargaining coverage have minimal protection in legislation for their terms and conditions. Indeed the current National government has over its two terms in office further liberalised the labour market. The passing, and coming into force in 2014, of the Employment Relations (Amendment) Bill 2013 will further exacerbate the gaps between unionised and non-unionised workers in NZ. Accompanying this, however, is also a further attack on the recognition of the right to collectively bargain, putting unions at risk of further decline, if not removing their effectiveness altogether. While the policy proposals are framed in terms of flexibility and choice for all (in the Object of the Bill), what in reality they amount to is the removal of any legal basis for trade unionism in NZ. There is the possibility of a change of government during 2014, but at the moment it looks almost certain that the 2013 bill will become law before any general election is called.

There is some hope that the trade union movement itself will change in the coming years. The CTU has itself signalled a move away from the strict adherence to collective bargaining structures for NZ trade unionism through its role in the living wage campaign (Living Wage Aotearoa) and its ‘What Killed Ken’, health and safety in the forestry industry awareness campaign. For those workers (women and men) in the private sector with no union coverage, perhaps this new focus on issues such as low pay and health and safety will allow them to mobilise and organise to protect and improve their incomes and standard of living.

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Online Resources

Education Counts	www.educationcounts.govt.nz
Equal Employment Opportunities Trust	http://www.eeotrust.org.nz
New Zealand History	www.nzhistory.net.nz
OECD Statistics	www.oecd.org/statistics
Service and Food Workers' Union	http://www.sfwu.org.nz
Statistics New Zealand	http://www.stats.govt.nz

8. Women in the South African Trade Union Movement

Janet Munakamwe

In most of the literature available on the working lives of people in South Africa, little attention is given to trade unions' function as either reversing or perpetuating gender disparities in society. Researchers, academics and activists working in the fields of industrial sociology, gender and politics have done little or no work on gender and trade unions. Through its studies and review programme, 'Women at Work', the National Labour and Economic Development Institute (NALEDI) has, however, dealt with some aspects of gender and trade unions, mostly as applied as opposed to academic research, producing a popular publication called *Labour Pains* (NALEDI 2006). Again, the seminal academic publication by Malehoko Tshoadi (2008) provides some knowledge on women as leaders in the trade union movement.

Through this case study, I aim to contribute towards closing some of the academic gaps noted and to theoretical debates on gender and trade unions by providing an insight into the extent to which unions have incorporated gender parity and equity in their structures, policies and activities. Over several years, I have worked as a researcher with the National Labour and Economic Development Institute (NALEDI) and the Congress of South African Trade Unions (COSATU) and its affiliates and some of the work I have done in these roles is drawn on for this chapter.

In addition, using a constructionist approach of qualitative methods, the results of a study I conducted between the period 2009 and 2012 reveal that akin to most societies in the world, South Africa is still a patriarchal society obscured by culture, religion, class and racial struggles, tracing back to the colonial and apartheid era. Patriarchal ideologies transcend beyond the private to the public realm, which includes the workplace and trade unions.

To set the scene, I discuss the position of women in South Africa in labour markets, the apartheid state and trade unionism, and since the new democracy post-1994. I then move to make a closer assessment of gender and trade unions and draw on my own empirical study.

Socio-economic situation, labour markets and gender in South Africa

When the ANC government came into power, in 1994, many lauded the new constitution introduced as one of the most progressive in the world. This constitution established equality for women and included clauses, among others, on non-discrimination on the grounds of gender, marital status and sexual orientation. The

South African government, under the leadership of the ANC and with massive influence from women's organisations has promulgated a number of pieces of legislation to promote gender equality and to benefit women.

Below are some basic economic statistics on South Africa (African Labour Research Network 2010):

- the real GDP is R1.251 billion (US\$ 144 billion);
- the real GDP per capita stands at R26,695 (US\$ 3075);
- the growth in real GDP slowed to 3.1 per cent in 2008 (compared with 4.9 per cent, that is down by 5.3 per cent from 2004 to 2007);
- there are 5.2 million people currently living with HIV/AIDS;
- one in three women aged 25–29 years is HIV positive; and
- in 2004, 15 per cent of all workers were HIV positive.

In addition, the government has also established a number of institutions commonly referred to as National Gender Machinery. These include among them, the Commission for Gender Equality, the Ministry for Women, Children and People with Disabilities, as well as established posts for *gender focal persons* at all levels of government and in all government departments (COSATU 2012a). COSATU has expressed a keen interest in the evaluation of the impact of gender focal persons in relation to improving the lives of women qualitatively in accordance with the Republic of South Africa (RSA) Constitution, Clause 9(1) and Clause 9(3). The appointment of gender persons had been viewed as part of the mainstreaming strategy of government. The government also developed a Gender Framework Policy in its first five years. In 2012, the Ministry for Women, Children and People with Disabilities proposed a bill known as the 'Women Empowerment and Gender Equality Bill', popularly known as the WEGE Bill. While there were contestations by some women's groups that felt that the bill gave much power to the minister and excluded some constitutional structures most notably the Commission for Gender Equality (CGE), the bill eventually passed through parliament in November 2013. Some women's pressure groups also felt that although much legislation had been passed in favour of women, in practice women are becoming more and more disempowered and demobilised from activism. However, the good side of the WEGE Bill (2012) is that it gives the ministry power over all public institutions, private institutions, traditional authorities and community organisations to ensure that, *inter alia*:

- they institute 50:50 representation of women;
- they build the capacity of women to participate and to lead;
- they provide any necessary support to ensure that women can participate and lead;
- they institute affirmative action measures for black women, rural women and women with disabilities; and

- they are called upon to report on progress with women's empowerment by the Minister at any given time.

However, in 2014 the new ANC government abolished the Ministry for Women, Children and People with Disabilities and replaced it with Ministry of Gender, whose mandate is not so clear in relation to its predecessor. The WEGE Bill also recognises the persistent feminisation of poverty as one of the ills it seeks to address, and that empowerment of women in the economy and the workplace has been very limited. The African Labour Research Network (ALRN) South African report of 2010 goes as far as saying, 'for some working-class women, poverty has deepened (NALEDI 2010). According to Jones (2011: 1):

unemployment is highest among African women aged 15 to 24 years, at 63 per cent. Youth unemployment is lowest among Indian men, at 15 per cent. The youth unemployment rate varies considerably between the races – it is 57 per cent among Africans, 47 per cent among coloured youths, 23 per cent among Indians, and 21 per cent among whites.

At the same time, a COSATU (2003) study indicates that a whopping 75 per cent were unemployed in the under-30 age group. The COSATU study is dated, but the new evidence suggests that young African women still bear the brunt of unemployment in South Africa (see Price 2012). The endemic unemployment of African women spells worrying trends for the future and for other social ills such as HIV and AIDS. Women who are dependent on men for their livelihoods are not likely to assert themselves when it comes to negotiating safe sex (see Lekganyane 2009).

Women tend to be concentrated in the most vulnerable sectors such as agriculture, domestic work and cleaning (see COSATU 2012a; Webster et al. 2012). This is possibly because of their poor access to skills and these are the sectors that have experienced declining wages, partly as a result of the disregard for decent conditions of work and partly because of the economic crisis (NALEDI 2010). Access to decent health care and basic services remains way behind the needs of the majority of women, 59 per cent of whom reside in under-resourced and poorly served rural areas (Mnisi 2012) and they are exceedingly poor.

The 2009 global economic recession left many workers jobless, especially women because of their vulnerability and lack of skills due to the endemic prejudice suffered previously during apartheid. While the country's policies have changed in favour of the previously disadvantaged individuals (PDIs) namely blacks (comprising Coloureds, Indians and Africans) and women of all race groups; the reality of these PDIs is that they are still very much discriminated against in the economic sphere, with the exception of white women (Commission for Employment Equity 2009). The fact is that since 2001, the majority of women have been losing jobs, thus depriving them of their socio-economic rights as enshrined in the South African Bill of Rights, which is contained in Chapter 2 of the South African Constitution. The latest official

unemployment statistics, according to the latest Labour Force Survey, demonstrate that 28 per cent women are unemployed compared with 22.5 per cent unemployed men. Of the approximately 13,300,000 employed workers in the country, women make up 43.6 per cent while men comprise 56.4 per cent (Statistics South Africa 2012). It is also fundamental to state that most women are employed in the service industry, domestic work or as home-based caregivers through the Expanded Public Works Programme (EPWP) (Munakamwe 2012). The reality is that these sectors have always been stereotyped as the 'best place' for women to work, which further entrenches the inequalities found within the labour market. They also highlight the heavier burden that is carried by women as a substrata of society. The apartheid era was signified not only by stratification and the bureaucratisation of discrimination; but it was also exceedingly controlled. It was very difficult for blacks to gain access to income generating activities legally. Since 1994, however, this has changed. It has led to a tremendous growth in the informal sector. Valodia (2001), in a paper entitled 'Economic Policy and Women's Informal Flexible Work in South Africa', indicates that,

The South African government's trade and industrial policies are shifting the economy onto a path of capital intensification. Allied to this, firms are undergoing a process of extensive restructuring. These developments are further promoting the growth of flexibilisation and informalisation, and thereby disadvantaging women. The paper demonstrates that whilst government offers a vast package of support measures to large business, its policy is largely irrelevant to the survivalist segment of small business, where most women in the informal economy are to be found. The picture for labour policy is more diverse. Aspects of the labour legislation are promoting the growth of a dual labour market, whilst there seems to be some tightening up of practices aimed at by-passing aspects of the protection provided to workers.

Though the Labour Relations Act of 1995 (LRA) has resulted in a number of advances in worker protection, it has, however, failed to avert retrenchments of which women are mostly affected. As a consequence, women resort to the informal sector. A study conducted by NALEDI in 2009 revealed that in the third quarter of 2009, women comprised just 45 per cent of all in paid employment (and young women merely 40 per cent). They made up only 41 per cent of formal workers and 34 per cent of agricultural workers, but 79 per cent of domestic and 46 per cent of informal workers. Domestic work accounts for 20 per cent of employment for African women.

Workers' rights, which encompass both women and men, are entrenched in the South African Constitution. One is the right to strike. Apart from the constitution, the Employment Equity Act of 1998 (EEA) has also gone a long way in attempting to address past inequalities in the labour market for vulnerable groups like women, blacks and the disabled. However, according to NALEDI (2005), systems of labour regulation that abide by constitutional and legal rights of employees are visible only

in the formal sector. In fact, in the informal economy where most women work, employment rights are usually violated. In other words, informal workers are excluded and deprived of their legal rights under the South African Constitution, which, among others, denounce discrimination on the grounds of sex. One good example is the exclusion of women working in the informal sector from maternity protection as called for by the South African Basic Conditions of Employment Act (BCEA) and the International Labour Organization (ILO)'s Convention 183 of 2000. At the same time, the LRA totally excludes the informal sector from legal protection, and ultimately, union representation.

Gender equality issues

Gender equality measures have been at the fore of the founding principles of the democratic dispensation in South Africa. Indeed, women played a fundamental role alongside men both in the general politics and union struggles during apartheid as mentioned before. However, women have been better placed in party politics and government than in the trade union movement (see Meintjes and Simons 2003; Hassim 2006).

To change a patriarchal, chauvinistic society into one that sees women as equal players has been, and continues to be, a long arduous process for South Africa. Some years ago, feminism was rarely and reluctantly spoken of, even in the most progressive circles, as women were hardly considered to be equal members of society. But, in 1992, F. W. de Klerk's National Party took a progressive decision by proposing legislation to end discrimination and violence against women. It appeared good that politicians were finally becoming sensitive to the subjugation of women in South African society. However, 'the zeal for gender justice coincided too nicely with the discovery that 54 per cent of those eligible to vote in South Africa's first democratic election were women' (Beck 1996: Meintjes and Simons 2003) hence women's votes were of paramount significance. Although this may have been the case, regrettably some of South Africa's labour market policies and the Labour Relations Act before amendments soon after the 1994 elections, still made it virtually impossible for women to establish and sustain themselves socially and economically. A desktop review conducted in preparation for COSATU's third National Gender Conference of 2012 indicates that women still suffer high rates of violence and are more likely to be in abject poverty than their male counterparts are. Thus, rampant sexism makes women bear the burden of not having equal rights.

Some of this can be traced back a long way. Generally speaking, all racial and ethnic groups in South Africa have ancient beliefs concerning gender roles, and most are based on the premise that women are unequal to men. Most African traditional social organisations are and have been male centred and male dominated from pre-colonial times. Even today, in some rural areas of South Africa, wives walk a few paces behind their husbands in keeping with traditional practice. This may have originated from the protective role of the man in pre-colonial and colonial times

mainly against wild animals. This practice can, therefore, be interpreted as sexist in modern times as there are no more wild animals roaming around in areas set aside for human habitation.

In terms of religion, Copeland and Copeland (1992) argue that differing interpretations of biblical texts sometimes indicate that men are senior and women are junior and therefore submit women to patriarchy. It is important to note that these interpretations are, however, challenged by other notions that suggest that God is both male and female (Copeland and Copeland 1992). If such is the reality, then all are equal socially and spiritually.

Although Christianity is a dominant religion in South Africa, there are also Christian denominations that are infused with traditional African beliefs and/or 'mythology'. It is possible that these fall under other Christian denominations. There is also a small presence of Jewish parishioners who are estimated at just over 75,000. Religion also plays a huge role in gender relations and gender dynamics as most of these advocate inequality or at best different roles for men and women. Religion in the main, also frowns on homosexuality. This is the main argument used in the perpetration of violence against gays and lesbians in particular known as 'corrective rape'. This phenomenon is on the increase in South Africa.

Race

In South Africa race is still a dominant issue playing a pivotal role in the way South African society is shaped, making it a social category of exclusion, which the apartheid regime used to sideline black¹ people economically and socially, as well as reducing their life prospects. On the same note, black women had to suffer more in terms of gender and class. NALEDI research refers to the 'mutual constitution of class domination, racism and patriarchal relations', arguing that this captures this tripartite phenomenon better than the notion of 'intersectionality' (NALEDI 2010). Racism manifests in various forms in South Africa, which include '*cultural racial discrimination, individual level racism* and more significantly racism based on the colour of your skin mostly directed towards Indians, Coloureds and Africans.

Many of the problems/challenges experienced today by Africans in particular and blacks in general emanate directly from the racist apartheid past. The position of African women is still the worst with many of South Africa's challenges such as poverty and HIV and AIDS being epitomised by racism and ethnicity (Matjila 2012). According to Borat (2003), twice as many women have HIV than men. The majority of these women are poor, black women who again have limited access to treatment.

Though the government has taken steps to put black people in a better position (economically) by introducing legislation like Black Economic Empowerment (BEE) and the Employment Equity Act of 1998, which were meant to realise the country's full economic potential, nonetheless the minority white population continues to retain nearly half of the most highly paid positions in the workplace.

1. Black as used here indicate Africans, Coloureds and Indians.

Post-apartheid

Nevertheless, since 1994 South Africans have witnessed a revolutionary change in legislation and the consequent re-engineering of political and social structures of society. No other country has encapsulated the most visibly violent and oppressive forms of racism and gender inequality through the practice of institutionalised apartheid based on skin colour (Sivananda 1991). It is within the context of this historical institutional marginalisation and prejudice that the social processes of becoming or being made marginal (especially for black South Africans and, more precisely women) that the powerful narratives of resistance and confrontation of the liberation struggles are located. Despite the dismantling of apartheid, the issues of exclusion and marginalisation in contemporary South African society are still very prevalent and relevant, and consequently generate substantial debate among previously disenfranchised people (Levermore 2003).

The process of including women has, however, been strongly advocated by the African National Congress (ANC) which, through the Bill of Rights, Chapter 2 of the Constitution (1995), made sure that women in South Africa received formal recognition as equal citizens and not under the social or legal control of their fathers or husbands. Meintjes (2004) posits that the many years of women's involvement in the struggle against apartheid paved the way for gender equality in the new democracy. Thus, today women are protected by a full range of rights guaranteed in the new Constitution. For instance, the right to life, dignity, privacy, abortion and more specifically the right to equality, which under Section 9 of the constitution says: 'The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth' (Constitution of the Republic of South Africa 1995).

South African women in the twenty-first century

Though this may be the case, as of 2012, the political representation of women in parliament in South Africa stands at 43 per cent. Ten years earlier, in June 2002, Frene Ginwala and Naledi Pandor were the only women from South Africa to preside as officers in Parliament or a House of Parliament. Before that, when the negotiations process started in the early 1990s, it was a male domain. In an effort to remedy this, South African women's groups came together under a national umbrella organisation, the Women's National Coalition (WNC) to ensure that gender equality was guaranteed through the negotiation process and the constitution making process (see Meintjes 2004; Hassim 2006). Mechanisms that came out of this coalition included affirmative action in the form of a quota system that encouraged institutions to observe and implement constitutional laws on gender equality and is monitored by one of the Chapter 9 Institutions of the Constitution of South Africa, the National Gender Commission (NGC). Through this structure, any institution that breaches

gender equality measures is fined. However, the WNC suffered from ‘attrition’ and was replaced by other formations, most notably the Progressive Women’s Movement of South Africa (PWMSA).

The results of a G20 survey conducted in 2012 by Time Lives demonstrate that women made up 41 per cent of the 2012 South African Cabinet while only 18.6 per cent of executive positions in the private sector were held by women (although the majority of these are white women).

Labour markets and gender

In the twentieth and twenty-first centuries, numerous economic and political developments presented South African women with both new challenges and new favourable conditions to change their situation. The mining industry has relied on migrant labour for the better part of its life (It is only in recent years, post-1994 that this has been transformed to allow for family habitation in the mining areas.) From a cursory inspection of the sector, it does not seem as if this pattern of migration is completely eradicated, with many rural men coming to Johannesburg to work in the city (not only the mines) and leaving their families behind. The migrant labour system often drew (and still draws) men away from their homes for months (sometimes years) at a time that resulted (and results) in changed roles for women who then had (and still have) to bear many traditionally male responsibilities in the village and home (see Crush 1997; Dodson 1998; Crush 1999; Simelane and Modisha 2008). Women have had to play a more substantial role in the day-to-day survival of their families and to carry out many responsibilities that otherwise would have been reserved for men, albeit with some limitations. The limitations are imposed by tribal values and mores and are specific. For example, a woman cannot sell or access land in a tribal setting. This role is reserved for men in spite of the new constitution.

The gender wage gap

This refers to the difference in wages between men and women and is most prevalent in male dominated sectors. Again, the problem of low wages is still common among female dominated sectors like care work, hospitality, catering, domestic work or retail and men who work in such sectors will likewise face the same problem (Munakamwe 2008).

South African constitutional and some legal provisions prohibit direct discrimination on the grounds of gender. While this is the case, still the differences in pay between men and women are manifest in the following ways:

- There is indirect discrimination emanating from values placed on different tasks placed by women and men.
- Within the formal sector, there are sectors that mainly employ women to do welfare work such as care work and social work services, whereas most men are employed in the production of goods and financial services. The trend is for low levels of pay in sectors that employ women. Likewise, men who work in female

dominated sectors also succumb to wage discrimination as they have to be paid the same amount as their counterparts.

- Slower mobility of women between entrée level posts and promotion posts.

It is difficult to reach a conclusion on the difference in pay between men and women. What complicates it further is the composition of the labour force, especially in the post-1994 era where policies such as affirmative action exist. With labour legislation put in place, differences in pay between men and women manifest indirectly, which makes it difficult for one to make a claim of discrimination of pay on gender grounds. Equal value mechanisms are included in the Employment Equity Act (1998), which clearly mentions that:

Failure to apply the general principle of ‘equal pay for equal work, or for work of equal value’, even though the principle is accepted in our law, failure to apply this principle will only amount to unfair discrimination if the reason for distinguishing between the higher paid and the lower paid employee is shown to be one of the grounds referred to in terms of section 6 of the Employment Equity Act – namely race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth.

Gender wage gaps are therefore found to be worse and wider in informal jobs than in formal jobs where workers have the protection of trade unions and other labour statutory instruments. In some cases women are not seen as suitable candidates to be promoted (with a notable exception in the public service).²

Power and authority

South Africa has graduated in recent years to become the most unequal society on Earth with a Gini-coefficient of 0.6 (Bhorat 2003). Of importance to note in Bhorat’s report is that the inequality is much higher among black people and even higher among Africans, indicating some changes of access for elite groups only as opposed to the majority of blacks and Africans who have little or no skill or networks to leverage for an improved income. The position of women in South African society is lower than the position of men, despite attempts to introduce policies to promote equality between men and women. This also does not mean that all women in South African society have the same experience of gender oppression. Bourgeois women have access to working-class women domestic workers who can relieve the burden of household chores. Working-class women do not have such liberties. They retain their

2. The pressure for government to be exemplary in implementing legislation, in this case, the Employment Equity Act, does put pressure on relevant officials to consider women and to promote them. This should not be understood to mean that this is the case at all levels and in all cases within the public service.

double shift or make use of their girl children of a certain age to share the burden of household work. Policies (in government, business, education, union, political parties and religious institutions) and legislation are geared towards promoting gender equality; but the implementation is more challenging. Most responsibility and trust for running institutions still rests with men even in institutions where women are the majority (Nzimande 2011).

Domestic violence and sexual harassment

Despite progressive legislation such as the Prevention of Family Violence Act No. 133 of 1993 and policies that are biased or meant to address gender imbalances, it is sad that gender-based violence has become pervasive in South Africa. Green (1999) argues that, in many cases, it is the state, its ideology and its laws, that perpetuates and promotes violence against women. For instance, the South African Constitution promotes the rights of all citizens, in this case, both victims and perpetrators. It is the responsibility of the state to ensure that the justice system is gender sensitive and to uphold the policies that it imposes, such as affirmative action, to enable more women to take up judiciary jobs and participate in gender related cases.

Gender democracy

Thinking back to South Africa's apartheid era, one cannot dispute the significant role that women have played in the struggle against apartheid segregation (see Tshoadi 2008). Indeed, working-class women have been at the forefront of protests and demonstrations against minority rule through defiance campaigns (defiance against carrying passes at all times as was the apartheid law then), resistance and participation in strikes masterminded by the labour movement (Menitjes and Simons 2003; Hassim 2006; NALEDI 2006). After 1994, at the dawn of democracy, the African National Congress (ANC), as the ruling party implemented a strong policy on gender whereby a quota system was established in all its structures and a drive was set for government departments to adhere to the Employment Equity Act. It is critical to explain that this did not happen naturally, but that women had to fight for it. The COSATU (2012a) discussion paper on National Gender Machinery indicates that:

As the negotiations for South Africa's transition to democracy started in 1992, women found themselves marginalised once again. They quickly formed the WNC, which was able to push for women's inclusion in the negotiations process as well as to fight for women's issues to find their way onto the negotiations' agenda.

An overview of South African trade unionism

The first trade union of Africans was organised in 1919; known as the Industrial and Commercial Workers' Union (ICU) under the leadership of Clements Kadalie (Nel

and Rooney 1993). This trade union, ICU, organised across sectors. In December of the same year, Kadalie and the ICU gained popularity because of the success of the dockworker's strike, which prevented the export of all goods through Cape Town harbour facilities. In 1922, white miners embarked on a strike, but Africans were not part of this strike. The strike was precipitated by the mine owners' plan to cut the wages of the white miners and to draw workers from the large reserve of cheap black labour in South Africa's rural hinterlands. It is at this time that the then Communist Party of South Africa (CPSA) started to organise African workers into a mining union. The ICU collapsed and was replaced by the South African Congress of Trade Unions (SACTU), which was later banned alongside the CPSA, ANC and the Pan African Congress (PAC). SACTU, the ANC and the CPSA were in a strategic alliance. It is interesting that these trade union organisations were formed and they managed to thrive while they were not recognised or were considered illegal. As Tshoadi (2008) says, 'until 1979, only white workers had rights to organise and form trade unions.' The South African apartheid state was extremely vigilant against trade union organisation, particularly among the Africans. Malehoko (Tshoadi 2008) confirms in her thesis:

For the employers and the state, trade union organisation was a threat to the economic and political dominance of white people. The state in particular still remembered South African Congress of Trade Unions (SACTU)'s political influence on the working class, and was determined to discourage any black trade union organisation in the workplace.

The trade union movement has often been given accolades for building women's leadership. Women's participation in the trade union built their confidence and public speaking skills. This in turn empowered them to build a women's only structure called the Bantu Women's League (BWL) and through this structure, they managed to have the men-only ANC of 1912-42 to take a decision of admitting women into the organisation in 1943. In 1948, the African National Congress Women's League (ANCWL) was formed (ANC 2012).

The dearth of trade union organisation in the ten-year period between 1963 and 1973 erupted in wild cat strikes around Durban. These spontaneous combustions resulted in the resuscitation of the trade union movement in South Africa. In 1973, South Africa was in the grip of the Black Consciousness Movement (BCM) (usually associated with Steve Biko) (Mzamane et al. 1973). Trade unions in the main were partial to this philosophy. In the period between 1973 and 1985, there was a turn in the tide of philosophical dominance in the trade union movement (and the student movement) towards the philosophy of the congress (ANC) movement, which favoured non-racialism as opposed to BCM. COSATU, in the tradition of SACTU, is in alliance with the ANC and the South African Communist Party (SACP).

COSATU, as one of the parties of the Tripartite Alliance thought it necessary to adopt a policy on gender. As trade unions play a pivotal role in South Africa's labour

relations, women are not only members but also participate as activists – shop stewards, elected officials or organisers and, of late, such key senior decision-makers as presidents and secretary-generals. Women seem to participate better than men in unions that represent workers in the workplace and in the broader society, that is trade unions that are democratic and gender conscious. COSATU (2012a) had this to say about this concept: ‘gender democracy is inextricably linked to worker control and democracy in unions. Engendering trade unions and organising can have a profound effect on union democracy and participation.’

National union federations and gender in South Africa

South Africa has four national union federations, namely Congress of South African Trade Unions (COSATU), Federation of Unions of South Africa (FEDUSA), National Council of Trade Unions (NACTU) and the Confederation of South African Workers’ Unions (CONSAWU). Of the four trade union federations, COSATU has the largest membership of more than two million paid up members, followed by FEDUSA with approximately 372,000 members, NACTU and CONSAWU with an estimated lower membership. This study has chosen COSATU as the federation with the highest membership as a case study because it has a longer history than the other three federations, and is part of the Triple Alliance. In addition, its structures are comparatively better organised nationally and in all nine provinces, which would enable better analysis, whereas the other three federations are not consistently well represented in other provinces. Again, COSATU and its affiliates have separate gender (or women’s) structures (except for the Southern African Clothing and Textile Workers’ Union (SACTWU)) specifically meant to address gender equality while FEDUSA has an Equity Forum, which is located in the Social Policy Department. NACTU has a gender desk though it is not clear as to who drives the programmes and how it is coordinated.

COSATU

The COSATU was launched in December 1985 under the principles of:

- paid up membership,
- workers control,
- one union, one industry,
- one country one federation,
- non-racism,
- non-sexism, and,
- international worker solidarity.

The federation has 19 affiliated unions comprising more than two million paid up members. COSATU continues to be among the fastest growing trade union movements in the world, in spite of the membership loss experienced by the trade union movement globally. COSATU’s broad strategic objectives are:

- to improve the material conditions of its members, the working class and poor people in general,
- to ensure that the unorganised become organised, and
- to ensure worker participation in the struggle for peace, equality and democracy.

The COSATU logo has a wheel that represents the economy, which is driven by workers. The woman with a baby represents the triple challenges of economic exploitation, racial and gender oppression. It also symbolises men and women working harmoniously together (www.COSATU.org.za).

COSATU gender policy review

In 2000, COSATU and its affiliates adopted their first gender policy, which was to provide a framework on how the federation should deal with the issue of gender equality. The gender policy of the federation was reviewed in 2011, 11 years after its development (COSATU 2012b). This was necessary to allow for space for amendments where necessary to suit the needs of the current workforce and the changing legislation targeting workers, women in particular, in the harsh face of globalisation. However, there are no clear mechanisms for monitoring and evaluation, including how to deal with the outcomes. For instance, what happens in cases of poor performance or even non-compliance in terms of gender policy implementation by COSATU and its affiliated unions?

Gender structures

COSATU has a national gender structure, which is driven by an executive structure called the National Gender Coordinating Committee (NGCC) and the national gender coordinator. Although this structure is not constitutionalised, it is able to develop and drive gender programmes. The policy development process that this structure coordinates relies heavily on support from the affiliates. The affiliates have got bona fide status in the National Congress and thus far, affiliates have been equal to the task of driving policy development in the federation. The 11th Congress held in 2012, adopted all gender resolutions that included embedding of the gender structure within the constitution and the need to decriminalise sex work. Though this is a considerable achievement, the problematic issue is that there was no substantial debate, unlike political discussions, which dominated the entire Congress.

At provincial level, the Provincial Gender Committee (PGC) coordinates gender programmes for the federation. The federation also has local gender focal persons to coordinate structures and programmes at local level. One major problem noted by the delegates to the 2012 National Gender Conference is that provincial administrators have to carry out coordination of the structures yet they are already loaded with other administrative responsibilities. This impacts negatively on the performance and activities of the structure as this would also require somebody who is also passionate about gender or the structure might 'die'.

The gender structure of COSATU conducted a study prior to COSATU's third

National Gender Conference held in March 2012 to interrogate and make an audit of the federation's affiliates in terms of how much they have achieved so far with regard to gender parity and mainstreaming (COSATU 2012b). According to the results of the study, there is evidence that most unions have made attempts to subscribe to COSATU's gender policy. Unfortunately, this is more theoretical than practical. The results also indicated uneven interest from affiliates in providing the required information to the federation.

The affiliates who responded to the Federation's call were CEPPWAWU, CWU, DENOSA, NUM, NUMSA, POPCRU, SACCAWU, and SATAWU.³ This leaves out 11 other affiliates of COSATU. Four out of nine COSATU provinces also reported, namely North West, Mpumalanga, Free State and Western Cape. Most unions indicated that a gender policy was available but a further probe concerning implementation revealed that nothing much was being done to implement the policies. The results from the initial study indicated that a third of the affiliates had virtually no staff or structures on gender. In the same vein, most of them do not keep data on gender for members, shop stewards, organisers, national office bearers (NOBs) and provincial office bearers (POBs). This is very critical for research and documentation purposes. The next section discusses my research into these gender issues.

Research methodology

A qualitative research design was used to gather information through desktop research and a literature review of relevant documents, interviews, focus group discussions (FGDs) and participant observation. I also worked with NALEDI, a research institute for trade unions in South Africa (see above), where I carried out key informant interviews with trade union officials in the 2009–10 period. Among these were gender coordinators and elected women national office bearers. Focus group interviews were also conducted separately for trade union officials and for trade union elected office bearers of COSATU. During the run-up to the third National Gender Conference of COSATU, I also conducted some surveys with the federation's 19 affiliates and also ten informal interviews with some women office bearers, the national gender coordinator and provincial coordinators of the federation. The COSATU gender desk circulated a questionnaire to its affiliates that was meant to evaluate the state of affiliates with regard to gender issues, of which the results were documented in the federation's National Gender Co-ordinator's Report, which was tabled at the 2012 National Gender Conference.

I had the privilege to participate and at the same time observe the gender dynamics that took place prior, during and after the conference. In the preparation stages, I was interested in observing issues like resource allocation to the gender structure, which would somehow impact on the success of the event, as well as an analysis of political commitment and support of COSATU's national leadership to the gender structure.

3. See List of Abbreviations, for full titles of the unions.

During the conference, much concentration was on the adoption of proposed resolutions, which were to be tabled at the federation's national congress in September 2012. The good side is that the national congress of COSATU adopted all the gender resolutions as submitted, but what still needs to be tracked and observed is the implementation of the resolutions.

Research Limitations and Access

The study had limited funding especially at the beginning, but was supplemented by the Leverhulme scholarship⁴ project on which I was the main research assistant, which funded my participation in the conferences and congresses in 2012, which in turn allowed for observations. The bulk of the study has been in the form of desktop research. However, access was eased as I was also working closely with the COSATU gender desk, giving additional access to some unions and correspondence. The study was also limited by the fact that the information gathered for this study emerges in the main from one federation – albeit the main one – to the exclusion of the other three, clearly indicating a need for a follow-up study that will include or focus on the other federations and independent trade unions in the near future. The gender situation in the eight COSATU affiliates that responded are shown in Table 8.1.

Table 8.1: Gender policies and appointment of full time gender coordinators to drive gender programmes in unions

Union	Gender policy	Full-time national gender coordinator	Budget	NOB designated to gender specify position and gender(male/female)
CEPPWAWU	No	Yes	No	Yes
CWU	Yes	Yes	No funded as per activities	Yes. 2nd deputy president
DENOSA	Yes	Yes	Yes	Yes
NUM	No	Yes	Yes	Yes. 5 women NOBs designate for national Women's Structure
NUMSA	No	Yes	Yes	Yes
POPCRU	Yes	Yes	Yes	2nd deputy president
SACCAWU		Yes	Yes	Yes
SATAWU	Yes	Yes	Yes	Yes ⁵

Source: COSATU Gender Report to the 11th Congress of 2012 (COSATU 2012c).

4. Awarded to Sue Ledwith of Ruskin College, Oxford, project leader.

5. It is encouraging to note that SATAWU, a male dominated union was one of the first of the federation's affiliates to develop a gender policy.

The COSATU Gender Policy (COSATU 2012a) aims to increase women's representation in leadership structures, stating that unions should use the following guidelines:

- additional *ex officio* position on constitutional structures,
- portfolio positions,
- reserved seat for women,
- quota system including fixed and proportional representation, and
- representation of sector coordinators on constitutional structures.

The gender breakdown of COSATU's key national executive leadership positions shows that women constitute one-third or 33.3 per cent of the total leadership positions of COSATU. A gender breakdown of COSATU leadership at provincial level also revealed that gender disparities still exist, whereby men still dominate and occupy the most powerful positions of the federation. Though strides have been made in other structures, the federation is still far short of the 50/50 quota. There is still a sexual division of labour whereby most, or all, treasurer positions are occupied by women. Our analysis leads us to believe that this is informed by South African thinking that regards women as more honest and responsible with financial matters. Women are also deputising and unions then can feel comfortable that 'at least women are represented'.

For those unions that have women among the national office bearers (NOBs) these women are usually deputising or in less powerful positions. SAMA and DENOSA each now have a woman as general secretary. Though DENOSA has made such achievements, it is sad to note that only a third of its provincial general secretaries are women, yet the membership is predominantly female. The South African Clothing and Textile Workers' union (SACTWU) comprises mostly women in membership, yet it does not have a gender structure. Again, men constitute the majority of the top executive leadership positions with women occupying the deputy positions.

Nevertheless, where trade unions have developed policies on gender equality and abide by the spirit and principles of the overarching vision, as revealed by some women in informal interviews in 2009–10, women are afforded the opportunity and respect as leaders. Within these trade unions, women are able to take up leadership positions at various levels though they face challenges. Most women interviewed complained that men like to 'dictate' and 'instruct' them as they always think that women cannot lead even if they are in the same position as the men are.⁶

Gender division of labour in unions?

Unions that organise in industries, or sectors that are male dominated like CEPPWAWU, NUM, NUMSA, POPCRU, SAFPU, SAMWU, SASFU and SATAWU still have a long way to go in addressing the issue of quotas in their

6. Focus group discussion with women leaders from COSATU affiliates, 2009.

leadership structures. Of great concern is the fact that most women tend to take up lower rank union positions such as treasurers or deputising even in those female dominated sector unions like SACTWU, SACCAWU, SADNU, SADTU and DENOSA.

In terms of union staffing, there appears to be some elements of gender division of labour in some affiliates whereby most personal assistants (PAs), human resources, marketing and communications, and education people are women. On the other hand, security, information technology, finance, research, organising and recruitment personnel are usually males. Men, due to their masculinity, are believed by society (gender stereotyping) to be stronger and are therefore perceived as capable of doing security jobs. They are also thought to be more intelligent than women, so are given more challenging jobs in finance or information technology.

Some unions like SAFPU (for football workers) do not have women's representation in the top six leadership roles, yet they have female members. In an interview with one president of an affiliate, he admitted that a quota system exists within the union but it is deplorable that in most cases woman office bearers fail to complete their term of office. The major reason cited is that once women get to such positions they are then elevated to top government positions. While there is no empirical study of this trend, there is anecdotal evidence to suggest that once women are elevated within the union, government and/or business often wants to 'poach' the women leaders. This can probably be explained through the Employment Equity Act, which puts pressure on all employers to improve their race, gender and disability employment profiles. In other words, top union positions for men and women are perceived automatically to guarantee or probably to be a gateway to 'greener pastures' in government or business structures; however, because fewer women are in top positions, their mobility is much more visible.

Collective bargaining and gender

Collective bargaining is at the core of any trade union business and is a major reason why members want to join or retain their union membership, for issues of pay and working conditions are part of their lives. Acknowledging the fact that women workers have gender specific needs, and that the existing labour laws have gaps (for instance on maternity protection), they can only seek a 'safety net' through collective bargaining processes by unions.

Below are some of the collective bargaining demands that women COSATU affiliates wish to see on the bargaining table, as reported to COSATU's 11th National Congress in 2012:

- the need to ensure that all collective agreements have occupational health and safety;
- workplace child care facilities/parental rights policy;
- paid maternity leave and paternity leave;

- sexual harassment;
- menstruation leave – to be part of the reproductive rights of women;
- job security and decent employment;
- safe transport, especially for those working late hours/shifts in retail, security or hospitality sectors;
- employment equity agreements must be implemented and seriously monitored by Department of Labour;
- equal access to promotion, training and skills development;
- equal pay for work of equal value;
- compassionate leave; and
- confinement leave.

N.B. the demands are placed randomly without any observance of priority.

An analysis of the above demands would show that demands that benefit both men and women, such as pay increments or improvements in working conditions, can easily be won because men fight hard as the majority on the bargaining table. However, those that affect women only receive little attention because fewer women form part of the bargaining process and have ‘little voice’ to push for these demands.

A new development that has recently emerged is that SACCAWU, a predominantly female union, has managed to capacitate young women with negotiation skills. Another positive step is that the Labour Research Services, in collaboration with the International Trade Union Confederation (ITUC), is implementing a project dubbed ‘Decisions for Life: Organising Young Women’, whose aim is to empower young women workers and female job seekers with life skills and to attract them to trade unions.⁷ A striking aspect of the project is that it unites all four federations in the struggle against gender inequality in trade unions. For the first time, we have witnessed a strong spirit of cooperation and solidarity among women activists in trade unions beyond federations.

Monitoring and evaluation of gender programmes

COSATU has two reporting mechanisms for gender structures in place – one through the provinces and the other through the National Gender Commission (NGC). Lack of reporting by affiliates is a major problem faced by all provinces, with an average of only five affiliates per province sending in their reports. Lack of resources to undertake this has been attributed to the failure and non-existence of such instruments and activities in unions, where no clear mechanisms have been put in place. This failure to report has a negative impact on both provincial gender structures and on interventions that are supposed to be done by the federation. However, through the NGC, most affiliates with a gender coordinator are able to send in their reports through to the COSATU National Gender Coordinator’s office.

7. See http://www.lrs.org.za/docs/DFL_Sharing%20our%20Stories%20and%20Strategies.pdf.

Opportunities and challenges

Of course, opportunities have been noted in the form of male gender activists who support the women's struggle and are always encouraging, as noted in most of the interviews conducted. Some unions have also made strides in their efforts to constitutionalise gender structures as formal substructures of unions (NALEDI 2010). This would enable full participation of gender office bearers and departmentalise gender, thereby facilitating dedicated budgeting for gender programmes, which delineates it from the main union accounts. Some unions have increased women's participation and representation on their constitutional structures by bringing them in as *ex officio* members representing gender (NALEDI 2010).

However, the struggle for women's representation needs to be more intimately tied to the material improvement of women's lives, as this has not been the experience of women on the ground. Challenges still exist like sexual politics and lack of attention to the longstanding demand for workplace and trade union child care facilities, which is one of the major hindrances to women's participation in trade union leadership as expressed in most interviews with women worker leaders, activists and officials. Economic problems, especially harsh neoliberal policies, still affect women the most. Women are getting outsourced, casualised, sometimes work as volunteers for a stipend or worst of all lose their jobs and end up operating in the informal economy, where organising and unionisation is limited. Shop stewardship is the starting point for women to participate in union leadership and if they lose jobs at this level, this translates to a lesser percentage of women participating at higher levels. Women's leadership training and education programmes also need to be tightened up (COSATU 2012b). Some gender activists have expressed their discontent at the manner in which the concept of gender has been misused and has caused confusion in the movement (NALEDI 2010: 39). As a way forward, there is a need then to 'advance the idea to talk of both women and gender struggles' (NALEDI 2010: 39).

Conclusion

Historically, the South African women's movement did not lead to the marginalisation of women; rather, it led to gender mainstreaming and to bringing equality to the core of the democratic debates in the general national political leadership, in trade unions and in society (see Hassim 2004). Despite the existence of 'cracks' or divisions among South African women based on race, class, culture or religion, women's activism and unity ensured gender equality was enshrined in South Africa's constitution. In contrast to the increase in women's participation and representation at 43 per cent as of 2012 in parliament, trade unions have not transformed much from their patriarchal attitudes. In all the four national federations and their affiliates, men still dominate in the top six roles with women occupying less significant positions such as treasurer, where women claim that they still rely on instructions from either the president or general secretary of the union.

In some instances, women find space in the top six, as vice presidents for gender,

again a less significant position set aside for women. One could argue that while the quota system exists on paper among many unions, in practice these quotas tend to prescribe what women are assumed to be able to do as opposed to awarding them freedom of choice to aspire to the most powerful positions of the unions. Some women participants in one of the focus group discussions pointed out that the male leadership in unions usually targets women who are not ready or fully capacitated to take up positions so that they could easily 'outshine' them and eventually be able to claim that women cannot lead.

The issue of meagre resources or lack of allocation for gender structures is still a huge challenge insofar as implementation of resolutions is concerned. In the same vein, very significant programmes for women in trade unions and the workplace have been set aside, most notably the Sexual Harassment Education Programme (SHEP). Given that the country is highly volatile, the occurrence of violence in the form of sexual harassment in the workplace is high. The gender-based violence experienced in the country is inconsistent with its progressive laws and policies and therefore I argue that this phenomenon does result from a constitutional crisis but has more underlying factors that need addressing. Some gender activists attribute gender-based violence in the workplace to the diminishing power by trade unions in negotiations, while gender workers in the field attribute the high rates of gender-based violence to the violent past of the country. Certainly, sexual harassment matters should form part of the bargaining agenda.

With reference to the South African context, there is a need among trade union leaderships to address the imbalances that are embedded in the racial, class, cultural, social, economic, religious and political structures that thrive on the exploitation of women. Gender transformation in both general politics and union politics, according to Wandia (2010: 47), should translate into 'real liberation and empowerment for women'.

There is also a need for unions to devise new ways of organising that accommodate the new workforce comprising predominantly young women workers. At the same time women should also be organised and be visible on the collective bargaining table where decisions for basic social and economic needs of the working class and the poor are made.

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9. Trade Union Leadership and Gender: Cases from Zimbabwe

Crispen Chinguno

The current neoliberal globalization dispensation is characterised by a growing rise in precarious forms of employment. This is associated with new forms of capital accumulation and the transformation of the global economy linked to the general decline in workers' collective voice. Most of the new forms of work are being taken up by women, as this is associated with the growing feminisation of work (Clawson 2003; Yates 2010). In addition, these new forms of work are growing in the sectors that are traditionally perceived to be difficult to unionise. The revitalisation and future of trade unions is thus tied to the capacity to transform and absorb a diverse workforce that includes women and other marginalised minorities. Hence, the participation of women in trade unions is a critical priority for any union revitalisation effort (Kirton and Healy 1999; Clawson 2003; Franzway and Fonow 2009; Yates 2010).

The participation of women in trade unions is at two levels – as members and in leadership. Therefore, any concerted campaign for women's participation must address this concurrently. This chapter examines the relationship between women's participation in trade unions in Zimbabwe as members and in leadership. It draws cases from the main trade union federation, the Zimbabwe Congress of Trade Unions (ZCTU) and the education and railways sectors. The evidence for this chapter is drawn from a qualitative study based on triangulation of interviews, participant observation and archival research. A total of 30 interviews were conducted with key informants. The study aims to explore whether the presence or absence of women in trade unions as members is linked to their participation in leadership.

In many countries, women face systemic and structural challenges aligned to patriarchy, which frames union leadership as a realm for men. It is often presumed that women's participation in the union as leaders is linked to their presence or absence in the union as members (Kaminski and Yakura 2008; Britwum 2010). However, participation of women in trade union leadership has not been relative to their share in the job market, which in recent years has been on the rise (Tsomondo 2011; Briskin 2012).

The onset of a capitalist system of production divided the spaces of production and reproduction and confined women in the reproduction space. Despite a rise in women's participation in the production space, their role nevertheless remains constrained. For example, in Zimbabwe women's labour force, participation is only

20 per cent in the mainstream economy and yet women constitute 52 per cent of the population. The participation of women in the labour market is highest in the education sector where the work is traditionally perceived as feminine. As a result, 49 per cent of all the teachers in Zimbabwe are women. The railways sector, on the other hand, has the lowest women's participation levels. Women constitute less than 10 per cent of the workforce in the railways. However, the participation of women in trade union leadership in the two sectors is not dissimilar; it is marginal.

Country history and political economy

Zimbabwe was colonised by Britain in 1890. The process of colonisation was tied to a shift from a pre-capitalist economy to a capitalist system of production. This also resulted in the process of proletarianisation, which was based on coercion and racial discrimination (Arrighi 1967). The majority of the blacks thrived independently of the capitalist system of production as peasants. They were gradually coerced into the capitalist system of production through a process that Arrighi termed 'stimulation and strangulation'. During the Zimbabwean colonial era, agriculture constituted the foundation of the capitalist system of production. The majority of Zimbabweans lived in agricultural communities and rural areas (Sylvester 1991) either as workers on farms or practising subsistence farming. As a result, the class structure that emerged was anchored in agriculture and based on racial discrimination. The manufacturing economy later evolved, but was primarily tied to agriculture. The growth in the manufacturing economy resulted in the change in the class structure characterised by a growing proletarianisation. However, the direct participation of women in capitalist space of production was limited, as the majority remained confined in the reproduction space.

The rise of the capitalist system of production particularly in mining, agriculture and later manufacturing, propelled the need to institutionalise the regulation of employment relations. Thus, in 1934, the colonial regime enacted the Industrial and Conciliation Act, which recognised white trade unions and collective bargaining but excluded black workers. Nevertheless, black trade unions emerged as a form of resistance to the capitalist forms of exploitation. The first such trade unions, the Industrial and Commercial Workers' Union (ICU) took an amorphous character and embraced the struggles at the workplace and the broader society. Many other associations emerged to advance the interests of black workers. The strike by railway black workers in 1945 over poor conditions of work ignited workers' consciousness, which resulted in the conception of black workers' trade unions in other sectors (Vickery 1999) and the first national general strike in 1948.

Africans realised that their struggles at work were intimately tied to the broad political struggles, namely the lack of political citizenship. The rise in working-class consciousness was characterised by a rise in militant strike action and in turn was followed by a rise in the general level of political consciousness. Thus, in 1957, the

first nationalist political movement, the African National Congress (ANC) (Rhodesia) was formed. It was not by coincidence that this was led by a prominent railways unionist, Joshua Nkomo. The black trade unions in Zimbabwe were from the onset central in the struggle against colonialism and democratisation. Zimbabwe gained independence in 1980 after a protracted liberation struggle. Agriculture remained the backbone of the economy after the attainment of independence, as the colonial class structure remained resilient. Most of the prime agricultural land was owned by 3000 white commercial farmers out of a population of 12 million, comprising 95 per cent blacks by 2000. The leading nationalist party, ZANU PF, came into power in 1980 led by pro-Marxists. It is important to note that the liberation struggle was one of many, including women's struggles in both the spheres of production and reproduction. The struggle for women's rights before 1980 in Zimbabwe was over-shadowed by that of political independence and racism and thus never came into the limelight. When the new government ascended to power, it adopted new legislation to rationalise the industrial relations regime. This included the Minimum Wage Act of 1980 and the comprehensive Labour Relations Act adopted in 1985. This legislation in principle outlawed any forms of unfair discrimination, including gender discrimination and, among other rights, recognised the right to freedom of association and institutionalised industrial conflict. Thus, for the first time, trade unions were now legally able to organise across all races. However, in practice, the new industrial relations regime failed to eliminate gender discrimination as the practice is entrenched in the society's patriarchal structures and practices.

An intersection of factors culminated in what became the Zimbabwean systemic crisis characterised by a crisis in production, distribution and exchange. First, the adoption in 1991 of the Economic Structural Adjustment Programme (ESAP) was accompanied by massive factory closures and retrenchments. Second, in 1997 Zimbabwe intervened in the Democratic Republic of Congo war and this strained its economy, which was already ailing. Third, the Zimbabwean government embarked on a controversial land reform programme in 2000 that was aimed at redistributing the land to the majority black Zimbabwean.¹ Between 1997 and 2008, Zimbabwe plunged into a 'multi-dimensional crisis', which started after the controversial land grab from the white farmers, mainly by veterans of the liberation struggle. This resulted in an unprecedented collapse of key sectors of Zimbabwe's economy – agriculture and the exponential rise of the informal economy. For most of this period, the GDP was in the negative and employment declined across all sectors. The formal economy declined from 1,316,000 in 1999 to 1,071,000 in 2002. This translated to 19 per cent decline, or to a share of 815,000 jobs for males. The decline for women was comparatively less at 13 per cent, or to a share of 256,000 jobs (Kanyenze et al. 2011). Drawing on a much longer period, the decline was from a

1. The Zimbabwean land reform programme was controversial because ZANU-PF (the ruling party) might have motivated it to divert attention from an increasing loss of legitimacy.

peak of 1,348,300 jobs in 1998 to 480,000 by December 2008. The resulting negative economic growth rate and hyperinflation levels, which peaked in 2008, resulted in unprecedented emigration by citizens for better opportunities. It is estimated that over three million Zimbabweans emigrated to neighbouring and other countries (Kanyenze et al. 2011).

Gender and labour markets in Zimbabwe

Women constitute 51.2 per cent and men 48.8 per cent of the Zimbabwean population (Zimstats 2012). Yet the women's share in waged employment is only 34 per cent, having joined the capitalist labour market late, and in some sectors their presence is still marginal because of factors attributed to patriarchal norms and values. The last national census of Zimbabwe in 2012 recorded a population of 12,973,808 people. This is an increase from an estimated 10.8 million in 2003. Zimbabwe's population is young, as 41 per cent is below the age of 15. However, one of the biggest challenges that Zimbabwe faces is growing levels of unemployment, which is gendered. Structural unemployment is as high as 70 per cent for women compared with 56 per cent for men and worse for women in the rural areas (Kanyenze et al. 2011).

The definition of unemployment is political and highly contentious. In 2006, the Ministry of Youth Development updated the unemployment figures to 80 per cent, but some independent analysts estimated that this peaked to above 90 per cent at the height of the Zimbabwean crisis in 2008 (Kanyenze et al. 2011). On the other hand, ZIMSTATS puts the unemployment level at only 11 per cent in 2012. However, the general consensus is that unemployment in Zimbabwe is very high and this is attributed to the collapse of agriculture, which was the main sector of the economy.

In agriculture, security and domestic services, where the proportion of women is significant, the pay is very low. These sectors are characterised by a high decent work deficit and the workers in reality are part of the working poor. Women are least found in mining (4.2 per cent), construction (5.9 per cent), electricity and water (7 per cent), transport and communication (9.6 per cent) and manufacturing (LFS 2011). However, these are some of the sectors where there are better opportunities for decent work and where organised labour has a significant voice, as the unionisation levels are higher (see Table 9.1).

In 1980, the proportion of women in formal employment was 17 per cent. This marginally increased to 18 per cent in 1990, 20 per cent in 1995, 23.8 per cent in 2002 and 34 per cent in 2012. The highest concentration of formally working women is in health where they constitute 58 per cent, education 45 per cent, agriculture 31.7 per cent, finance and real estate 28.5 per cent and private domestic services 26 per cent (see Table 9.2). The participation of women in the formal labour market over the years has increased marginally and is far from attaining gender equity, despite legislation promoting this.

Table 9.1: Zimbabwe industrial sector employment profile by sex (15 years and above)

Industry	Male	Female	Total
Agriculture, hunting and fishing	59.9	71.6	65.8
Mining and quarrying	3.6	0.3	2.0
Manufacturing	7.7	2.3	5.0
Wholesale and retail trade, motor vehicle and motor cycle repair	8.2	10.7	9.5
Electricity, gas, steam and air conditioning	0.3	0.0	0.2
Water supply, sewerage, waste management and remediation	0.1	0.0	0.1
Construction	3.4	0.4	1.9
Information and communication	0.5	0.1	0.3
Transport and storage	3.1	0.2	1.7
Accommodation and food services	0.5	0.6	0.6
Finance and insurance	0.5	0.3	0.4
Real estate	0.1	0.1	0.1
Professional, scientific and technical	0.4	0.3	0.4
Administrative and support services	2.5	0.8	1.6
Education services	2.8	3.4	3.1
Health and social work	0.9	1.6	1.2
Arts, entertainment and recreation	0.5	0.2	0.4
Public administration, defence and compulsory social security	2.1	0.5	1.3
Other	2.7	6.4	4.5
Not stated	0.1	0.2	0.1
Total %	100	100	100
Total Number	2,704,060	2,726,967	5,431,026

Source: LFS 2011.

Table 9.2: Percentage share of women in formal employment per sector

Sector	1997–2002
Agriculture	32
Mining	4.2
Manufacturing	8.7
Electricity and water	5.6
Construction	5.2
Finance, Insurance and real estate	27.1
Distribution, restaurants and hotels	18.9
Transport and communication	9.5
Public administration	17.2
Education	45
Health	58
Private domestic	26.4
Other services	14.2
All sectors	22.8

Source: Adapted from Kanyenze et al. 2011.

Culture, gender and the status of women in Zimbabwe

As discussed above, women constitute only 34 per cent of the workers in the formal economy in Zimbabwe and yet they make up 52 per cent of the total population. The dominant religion in Zimbabwe is a composite of Christianity and African traditional beliefs that consider women as subordinates and inferior to men. These prejudices are prevalent in the daily interactions in society. Many of the independent African churches and the African traditional belief and value systems accept and promote polygamy. As a result, more than 10 per cent of the women in Zimbabwe are in polygamous unions. Polygamy is tied to African traditions and the social order that prevailed in the pre-capitalist system of production. Its persistence puts women in a weak position in relation to men. The societal norms and values exert pressure on women to remain dependent on a man for life. The man pays a bride wealth for the marriage to be recognised. Putting a price tag on a woman transforms her into a commodity. There are two main types of recognised marriages in Zimbabwe – civil and customary. Civil marriage prohibits polygamy while customary marriage condones it. However, in both cases women occupy a position of inequality to men. Furthermore, at least 70 per cent of the customary marriages are not registered (Dube 2013). Civil marriage and the law in general grants equal rights to men and women in principle. However, this is not the case in practice. Women are considered inferior and men execute most of the family authority and decisions. Because of the cultural norms and values, many of the men even influence the women's political decisions.

The African traditional culture and perceptions and some religious sects in Zimbabwe (especially the independent African churches) do not perceive women leaders in a good light. These attitudes are reproduced at the workplace, including within the trade unions. Women who take up leadership positions in the trade unions, for example, are viewed negatively as of loose morals, single and a threat to societal norms. Women are thus covertly and overtly discouraged from taking up leadership positions. As a result, most of the women who challenge this are atypical; they are usually single or have grown up children. Values and beliefs reinforcing subordination of women are expressed overtly and covertly at different levels in society.

Trade unions in Zimbabwe

Trade unions in Zimbabwe emerged from production politics and contestation over control and resistance to exploitation, which characterises the capitalist system of production. During the colonial period, race constituted one of the organising principles. At the workplace, workers were divided along racial lines. As a result, the first trade unions that emerged were organised on the basis of racial segregation. During most of the colonial era, only white unions were recognised. The Industrial and Conciliation Act was adopted in 1934 as an instrument to institutionalise industrial conflict, but it only applied to white workers. This labour legislation was amended in 1959 to incorporate black workers, but with restrictions. For example, black trade union meetings were prohibited during working hours or at the work

place. The shift to recognise black trade unions by the colonial regime was part of a control strategy designed to weaken the trade unions and to monitor them more closely in line with industrial relations theory.

After independence in 1980, the new government adopted separate legislation that regulated workers' rights to organise into trade unions. Trade unions were legally instituted for workers in the private sector. The workers in the public sector were allowed to set up staff associations regulated by the Public Service Act. These have limited rights when compared with trade unions. For example, the workers' associations do not participate in collective bargaining, but are only consulted.

The new labour regime after the attainment of independence expressly outlawed any form of gender discrimination and unfair discrimination and introduced criminal sanctions for failure to recognise a registered trade union. This is referred to as 'unfair labour practice'. This promoted trade unions to organise across race, gender and other forms of divisions.

The Zimbabwe Congress of Trade Unions (ZCTU)

The trade unions were instrumental in the conception of the liberation movements in Zimbabwe. However, their role had fizzled out by the time independence was attained. They became weak and highly fragmented. The main liberation movements had by then switched their support base from labour to the rural peasants. Thus, in 1980, there were at least six trade unions federations that were very weak and divided and lacked the trust of the new ruling party, ZANU-PF. Furthermore, ZANU-PF as a ruling party adopted a Marxist inclined ideological perspective. Hence, it had interests in having a trade union federation that was subordinate to it and the state. Thus, in 1981, it facilitated the formation of a new labour federation, the Zimbabwe Congress of Trade Unions (ZCTU).

The ZCTU was from the onset aligned to the ruling party. However, after the collapse of the Soviet Union, the ruling party in Zimbabwe abandoned the Marxist ideological perspective and adopted a neoliberal agenda. This resulted in the drift of the ZCTU into an independent labour federation. This manifested through growing levels of worker militancy. The ZCTU became the biggest trade union federation in the country and in 2010 it had 238,998 members from 35 affiliates. Over the years, it evolved into a key player in the country's political landscape. It was instrumental in the formation of the Movement for Democratic Change (MDC), the largest opposition political party since independence. The ZCTU secretariat is divided into eight portfolios in charge of the following departments – education and training, women and gender, legal, information organising, health and social welfare, informal economy and parliamentary affairs and advocacy

Gender and the unions

Although all the unions in Zimbabwe, including the ZCTU, maintain a position against gender discrimination, this is often not in practice. For example, although

most trade unions claim their support for gender equality, not any of those interviewed in this study disaggregated the gender profile of their membership. This strongly suggests a general lack of commitment in promoting gender equity and women's issues.

The ZCTU has been working with Scandinavian trade unions to promote women's rights and gender equity. It has women's structures at all the levels from the national, regional and district levels referred to as Women Advisory Councils (WAC). These structures do not have a budget dedicated to support women's activities. However, the ZCTU resolved to incorporate one of the WAC national committee members into the General Council, the supreme organ of the labour federation.

The ZCTU gender policy is fragmented and not applicable across its affiliates. It nevertheless passed a resolution for a 50:50 gender representation in all its structures. This includes services to its affiliates. Most of the ZCTU affiliates have adopted a similar policy. However, the reality is that this has not been put into practice due to a number of challenges including the absence and or unavailability of women candidates in some of the affiliates.

In 2010 only ten of ZCTU's 35 affiliates had a woman president, while three had women secretary generals, as shown in Table 9.3. The fact that there are more women presidents than there are general secretaries is tied to union internal politics and dynamics. The reality is that in most of the unions, the secretary general is the centre of power, while the president is mainly ceremonial. Thus, this highlights the gender power dynamics within the unions, which in most cases are skewed in favour of men.

Table 9.3: ZCTU affiliates gender profile of leadership

Position	No. of women	No. of men	Total	% Women
President	10	25	35	29.0
Vice president	8	48	56	14.3
General secretary	3	32	35	8.6
Deputy general secretary	9	26	35	26.0
Treasurer	4	31	35	11.4
National executive members	233	292	525	44.3
Grand total	267	454	721	37

Source: ZCTU General Council Report 2011.

Table 9.3 shows that men constitute 63 per cent of the national office bearers of the ZCTU affiliates while the share of women is 37 per cent. However, the level of women's representation in the national executive committees is over 44 per cent. This suggests women are more in the margins of leadership, in positions that are less influential without the real power. There are many reasons why this may be the case. First, the level of women's participation in the labour market is constrained because of how the capitalist system relegates and confines them in the space of reproduction.

In some sectors their participation in the trade unions is weak because of the gendered structural factors discussed above that impede their involvement in the labour market.

Women constitute an estimated 20 per cent of the total ZCTU membership. The gender profile of the ZCTU executive leadership reflects this dominance of men. The fact that women are few in the ranks of the ZCTU has often been cited as one of the reasons why they are not well represented in the national leadership of the federation and its affiliates.

Table 9.4: ZCTU national leadership positions by gender

Position	No of women	No of men	Total
President	0	1	1
Vice president(s)	2	1	3
Secretary general	0	1	1
Deputy secretary general(s)	0	2	2
Treasurer general	0	1	1
Executive committee members	5	11	16
General council members	8	37	45

Source: ZCTU General Council Report, 2011

All the ZCTU affiliates are second representatives to the general council, which is the supreme body of the federation based on membership levels. It has the overall authority over its affairs between congresses. The women constituted only 18 per cent of the general council members in 2010 and further declined to 7 per cent in 2014. Only three members out of 41 of the general council were women in 2014. Most unions nominate the general secretary and/or president to the general council, given the significance of this body.

Many of the unions do not collect disaggregated data capturing the gender profiles of their structures. Hence, it was not possible to compute the ZCTU affiliates leadership gender profile at the shop floor levels. The data that most of the affiliates collate are gender neutral. This accordingly reflects embedded gender stereotypes and shows that women's issues in most unions are peripheral. However, the positive impact is that this research inspired many unions to disaggregate the gender profile in future.

Railway and teacher unions

Railways: Nature of the sector

The railway industry in Zimbabwe has traditionally been a male domain since its inception in the country in the late nineteenth century. Women started working in the sector early but mainly as support staff in jobs such as clerical and junior administration. Nevertheless, women have still not been fully included to date (see Table

9.3). The railways space is framed as masculine and women-unfriendly. This is reflected in the work culture, language, ethics and symbols. For example, many of the job titles common in the sector clearly proclaim masculinity and gender sex stereotyping – for example enginemen, signalmen, yardmen, callmen, trainmen, furnacemen, patrolmen and pointsmen. The generic name for a person working in the sector is railwayman. The societal patriarchal practices are deeply embedded in the sector. The meaning behind these masculine job titles is the underlying covert resentment to women's participation. This has not been seriously challenged as it is generally perceived as a natural phenomenon.

Work in the railway industry involves extensive travelling across the country, very long hours and shift work. That is one of the reasons behind the perception that work in the sector is women-unfriendly. Few women were thus taken aboard from the onset. A proposal by the minister of transport in the 1980s to increase the female proportion in some of the jobs that were a preserve for men, such as driving trains, was shot down by management in collaboration with the unions. The industry recruitment policy was designed to maintain male domination (see Table 9.5).

After independence in 1980, the new government enacted legislation that promoted gender equity and outlawed any form of unfair discrimination. However, this did not have any real impact on the traditional and conservative railways industry. By 1990, ten years after independence, the sector had fewer than 500 female employees out of a total of about 10,000. This proportion of women in the sector had remained almost unchanged by 2000, despite the gender equity legislation. The railways' recruitment policy covertly maintained gender discrimination. For example, in 1992, the National Railways of Zimbabwe advertised vacancies for learner train drivers, generically referred to as enginemen. All the women who applied and revealed their gender, or if this could be interpreted from their names, were systematically excluded. Those who did not specify their gender in the application and had gender neutral names were invited for interviews, but subsequently dropped for no substantial reason.²

The trade unions

Trade unions in the railway industry occupy a special space in the history of the trade unions and gender rights activism in Zimbabwe and, despite the limitations in the numbers of women, have produced some of the country's prominent gender activists and political leaders.

During the colonial era both black and white railway workers in Zimbabwe responded to employment production politics of control and resistance by establishing trade unions based on racial differences in line with the dominant organising order. The first black trade union in the sector was the Rhodesia Railways African Workers' Union (RRAWU) formed in 1944. It was from the onset very militant and became the first union to organise a strike by black workers against the poor working conditions in 1945. This ignited an unprecedented wave of worker militancy, which

2. This is based on participant observation. The researcher took part in these interviews.

culminated in a general strike by black workers across the country in 1948 (Vickery 1999).

The unions in colonial Zimbabwe from the onset adopted a social movement unionism strategy by making broad social demands for democratisation. The intricate connections between colonialism and capitalism forced African trade unions to broaden the scope of their struggles beyond the shop floor and embrace the wider struggle for liberation, democracy and the promotion of economic development and social reconstruction.

Before the attainment of independence, trade unions in Zimbabwe were divided on the basis of race. After the attainment of independence, divisions shifted to occupational solidarity. The sector had three unions, the Railways Association of Locomotive Enginemen (RALE) which represented train drivers, National Union of Railwaymen (NUR) for trainmen and Zimbabwe Railway African Workers' Union (ZRAWU) for the general staff. However, the new government, which adopted a Marxist ideological perspective, aimed at consolidating the workers' collective voice by promoting trade union unity. It thus passed legislation that curtailed the proliferation of trade unions by allowing only one union per sector. All the railway unions were amalgamated into a single union, the Zimbabwe Amalgamated Railway Workers' Union (ZARWU). However, the shift to a neoliberal ideological perspective after the 1990s also resulted in the swing in trade union policy. The Zimbabwean government repealed the legislation that barred trade union competition. This was in line with the free market policy but at the same time was designed to weaken the unions. This over the years resulted in a new proliferation of railways unions divided mainly on the basis of occupational solidarity with four trade unions that are legally recognised by 2012 (see Table 9.5).

Although the railway industry is one of the most highly unionised in the country, with a trade union density of over 80 per cent, as already identified, women's participation in the leadership roles is very weak. Of the four unions, only the Railway Artisans' Union (RAU) has a woman in the executive leadership. She is the union's general secretary (see Table 9.5). Women are also hardly represented at the bargaining table even from the management side. None of the four unions has a clearly defined and comprehensive gender policy, although the main union, the Zimbabwe Amalgamated Railway Workers' Union (ZARWU) recently changed its name at its last congress from Zimbabwe Railwaymen Union (ZARU) in an attempt to reflect gender neutrality. This was after extensive pressure from women and gender activists within the union and beyond. However, this has only been a change in name, as women are still under represented, especially in the key leadership positions.

At its 2012 national congress, the delegates of the train drivers' union (RAE) paid lip service to a motion put forward to discuss the possibility of changing the name of the union to reflect gender neutrality on the grounds that women were now members of the union and part of the sector. There was surprisingly a consensus among the delegates that this was not important despite the issue being raised by some of the

delegates who were gender sensitive. The absurd justification of this position was that the ‘men’ in ‘enginemen’ is neutral as it represents mankind and not the masculine gender. The same union also ignored and deferred the setting up of gender structures in contradiction with the ZCTU policy. All the other unions in the railway sector have constituted separate women’s structures known as advisory committees in line with ZCTU policy. However, most of these structures are dysfunctional as they have no separate budget and in most cases are not incorporated into the constitutions.

Table 9.5: Railway trade unions and gender profile in Zimbabwe

Trade Union	Women	Total Membership	% Women
Railway Association of Enginemen (RAE)	4	505	0.79
Railway Artisan’s Union (RAU)	24	787	3
Railway Association of Yard Operating Staff (RAYOS)	14	490	3
Zimbabwe Amalgamated Railway Workers’ Union (ZARWU)	800	8600	9.3

Source: Field Research 2012.

Teaching: primary and secondary schools

The Zimbabwe Teachers’ Association (ZIMTA)

Most of those working in the formal economy in Zimbabwe are employed in the public sector and public utility enterprises. Over two-thirds of public sector workers are teachers with women constituting the highest share, but there are no reliable data available on the current gender profile. However, according to 2011 estimates by the Zimbabwe Teachers Association (ZIMTA) which is the biggest union, there were 102,395 teachers in the country divided into 52,387 male (51 per cent) and 50,008 (49 per cent) female in 2008.³ It is not surprising that women’s representation was above average and significant. Education represents one of the feminised sectors in line with women’s role in the household as caregivers. Women’s proportion is also high in other sectors that conform to their gender roles as caregivers such as domestic work and health sectors.

Table 9.6: Teachers unions in Zimbabwe

Union	Membership
Zimbabwe Teachers Association (ZIMTA)	43 055
Progressive Teachers Union of Zimbabwe (PTUZ)	10 819
Teachers Union of Zimbabwe (TUZ)	17 079

Source: Field research 2011.

3. This is based on an interview with ZIMTA CEO Ndlovu conducted in 2011.

In many of the sectors where women have a significant share of employment they are also well represented in the unions as members but the same may not be said with their representation in the leadership. The puzzle is that women are often marginal in the leadership of unions, even in cases where they may constitute a majority. For example, the high proportion of women in employment levels raises the expectations of their higher participation as members and leaders. In ZIMTA, for example women's participation as members is high, as they constitute more than half the members (52.4 per cent) (see table 9.7). This is slightly higher than women's labour force participation in the sector. Women constitute 49 per cent of those employed in the sector. However, the high proportion of women participating as members is not reflected in the leadership.

Table 9.7: ZIMTA membership and national executive gender profiles

Position	Male		Female		Total
	No.	%	No.	%	
Membership	20 505	47.6	22 550	52.4	43055
President	0	0.0	1	100.0	1
Deputy president	1	50.0	1	50.0	2
Secretary General*	1	100.0	0	0.0	1
Treasurer*	1	100.0	0	0.0	1
National executive committee	19	73.1	7	26.9	29
Totals NEC	22	71.0	9	29.0	31

* These positions have never been contested by a woman in the history of the organization

Source: Field research 2011, 2012.

The multiplicity of unions in the sector is explained by ideological differences and the production politics of control and resistance, which has shifted to fragmented and precarious labour. In addition, the legislation in Zimbabwe does not recognise the formation of trade unions in the public sector, but instead staff associations. This is also tied to the perception among teachers to associate with what may be identified as the middle class. There is thus an internal contest over whether to be represented by a staff association or trade union.

In ZIMTA, women make up less than 30 per cent of the NEC leadership despite their share as members being over 50 per cent. Harare region, which is urban, is a typical example where over 75 per cent of the members are female and yet men dominate the leadership (see Table 9.8). Over 70 per cent of the leadership is male and yet men only constitute about 21 per cent of the members. This strongly suggests that there is no direct relationship between the participation of women in employment and in the unions as members and leaders. The more participation of women in work and membership does not often translate into the union leadership.

Women constitute the highest share of ZIMTA's members in most of the provinces. However, the delegates for the 2009 national conference from all the provinces were

predominantly men (see Table 9.8). This trend was similar for both the rural and urban provinces. The marginalisation of women in leadership is consistent at both the regional and national level (see Table 9.8).

Table 9.8: 2009 ZIMTA national conference: gender profiles of the delegates per region

Province	Total delegates	Total female delegates	% female delegates	% female members in the region
Bulawayo	11	3	27	79
Harare	11	5	45.5	76
Manicaland	23	9	39	47
Mashonaland East	15	3	20	42
Mashonaland Central	13	3	23	46
Mashonaland West	12	2	16.7	48
Masvingo	17	3	17.6	44
Matebeland North	11	3	27	50
Matebeleland South	13	3	23	52
Midlands	13	3	23	52

Source: Field research 2010.

Although the majority of ZIMTA members are women, its leadership is dominated by men (22 out of 31, which translates to 71 per cent). The senior positions occupied by women are for the president and deputy president. This raises questions on why women are relegated to the margins even in unions where they dominate as members.

The predominance of a male leadership in ZIMTA, despite the majority of members being female, is a reflection to the society's patriarchal structures and gender prejudices that disadvantage women. The domination of men in many trade unions such as ZIMTA is hegemonic, that is the women consent to the domination without any challenge or any form of overt coercion.

ZIMTA's constitution contained a clause, which until recently stipulated that at least one of the two vice presidents must be a woman. This was interpreted in practice on the shop floor to imply that women were only to contest the vice president post and never that of the president. According to Mrs Grace Chikowore: *'the expectations were that a man will be the president and women may be a vice at the most. Women were not expected to be presidents. This raised eyebrows when in 2009 I decided to contest for the president.'*⁴ Mrs Chikowore was the first woman to contest the presidential post at the ZIMTA 2009 congress; she was successfully elected and became the first women president of ZIMTA. She argued that she was only able to challenge it because she is an atypical woman, being over 40 years with grown-up children.

4. Interview Mrs Grace Chikowore, ZIMTA President, 20 January 2010, in Mutare.

Some of the unions have adopted policies on gender proportional representation. ZIMTA had such a clause in its constitution, which ensured that at least women were represented on the national executive. However, the ZIMTA delegates at the 2009 congress later voted to scrap this quota system on the basis that it promoted covert forms of discrimination against women. They argued that the quota system reaffirmed women's inferiority. They declared that women did not need any protection in an organisation where they were dominant in numbers. However, the reality is that women have not significantly been able to claim the leadership of ZIMTA despite their numbers.

Discussion and conclusions

All the unions reviewed in this project recognised the need to promote women's participation as members and in leadership. Different strategies have been adopted to achieve this. In some of the unions, there has been contestation on the use of a quota system to promote more women leaders. This is drawn from the recognition that, unlike men, women face formidable structural and systemic constraints – for example, booking gender unfriendly venues for union meetings and sexist language and behaviour.

Yet, the ZCTU, and all the railway unions have policies in place designed to promote the participation of women in union leadership. However, there is opposition to gender quota systems in some contexts. The rationale behind this is that leadership must be based on merit and not just gender balancing. Having a quota for women's representation is argued to be an overt recognition that women are less capable than men and that this also prevents competent leaders from being elected. Furthermore, it is argued to be a reverse form of discrimination and implies that women are incapable. The ideal therefore, according to this perspective, is to advance gender neutral policies and elect the 'best' leaders (Briskin 2012), as the ZIMTA delegates have done. However, this ignores the systemic barriers faced by women and the gendered nature of the labour market.

Beyond the two sector case studies discussed here, many trade unions in Africa have adopted a quota system. This is mainly derived from political systems based on gender proportional representation (NALEDI 2011). However, this has not worked for some of the unions. For example, in this study the ZCTU has put in place separate structures for women referred to as Women Advisory Councils (WACs). The essence of this strategy is that women need their own space to develop leadership skills before they can be part of the primary body of the union (Colgan and Ledwith 2000). However, it has been argued that the creation of a women's space can construct a comfort zone for women. Furthermore, for women the main advantage of forging space within the union is that it creates visibility about women's issues and brings more women into the leadership (Britwum 2010).

ZIMTA on one hand, and the ZCTU and the railway unions on the other, have different perspectives on how gender equity and democracy may be attained in the current context. ZIMTA members rejected and dropped the quota system for women's representation because they argued that women are the majority in the

union and that they did not need any special protection to be the leaders of their own union. On the other hand, the male dominated ZCTU and the railway unions adopted the quota system. However, women's leadership is nevertheless weak across this divide. In ZIMTA, for example, the leadership of women is fragile both at regional (provincial) and national levels. The women, as highlighted in ZIMTA, are visible as workers and members of their union and marginal in the union leadership. This highlights how patriarchy has endured in union leadership structures despite a shift to the dominance of women in the union as members.

The lack of significant participation by women in the labour market and as trade union members has often been interpreted as one of the main reasons for their constrained participation in trade union leadership. This study, however, suggests that women's trade union leadership participation is not necessarily linked to their presence or absence in the unions. In many of the ZCTU affiliates, for example, women are indeed present in the leadership. However, it is important to take this further by analysing the leadership positions, namely where the women leaders are found. Women are usually confined to peripheral positions. This reflects the power dynamics in the unions, which are inherently skewed in favour of men. Hence, women in trade union leadership roles are often unable to make any radical change, even in cases where they may be in the leadership. Gender and traditional norms force women out of the trade union leadership, even when they form the majority of members.

Leadership in unions is still framed as a realm for men even where they may be a minority. This is linked to the broader socio-economic and political factors that prejudice against women. This chapter has shown that men may still dominate the leadership, even when women are the majority. Women are disempowered, as they suffer from double discrimination – at work and in the society. This suggests that women may require protection through leadership quotas even in sectors where they are the majority members to address the challenges they face in accessing leadership because of the systemic barriers. The trade unions must embrace and accept women, not only as a window for growth but also as leaders.

The cases discussed in this chapter have reflected the patriarchal structures of Zimbabwean society, which centre on sex stereotyping. Women are presented as not equally capable leaders. The chapter argues that there is no relationship between women's participation in the unions as members and in leadership. The link between trade union activism and political leadership in many ways explains the limited participation of women in politics in Zimbabwe. Thus, the promotion of women's political participation should be linked to trade union participation and leadership as the two are not mutually exclusive.

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10. Union Researchers as Active Agents: 'Our Stories'

Sue Ledwith

Essential to the international project in this book are the researchers themselves – a unique group in that the majority are simultaneously both union insiders but in their research role are outsiders. These are trade union activists, leaders and officers with a commitment to, variously, gender research and analysis, challenging union hegemonomies of masculinity, class and race, seeking union renewal and gendering strategic union change. In this they are joined by external scholars, themselves also activists working with unions, such as us two editors, and the academic researcher who used her research to better inform union strategy on gender equality and in the workplaces researched. Both insiders and outsiders employ the gaze of a critical friend, producing 'really useful knowledge' for the research respondents and partners, ourselves, and wider progressive and radical labour movements. The idea of 'really useful knowledge' goes back to the nineteenth century in Britain and to struggles for working-class education and the vote (Johnson 1979). It is concerned with distinguishing between 'merely useful knowledge' – the kind of knowledge that keeps people in their place and supports the status quo, and 'really useful' knowledge that enables people to understand the root causes of the circumstances in which they find themselves in order to make changes (Thompson 2000) and to work for that change. This is also known as *praxis*.

For social and political activists like the GLU alumni and the Gender and Trade Unions Research Group, the idea of praxis,¹ theory into practice, is central and has been advocated by political movers from Marx – 'the philosophers have only interpreted the world. ... The point however is to change it' – to Brazilian educationist Paulo Freire and his concern with *conscientizacao*,² to feminists (Stanley 1990) – and all radicals who believe in the usefulness of knowledge and its application. Working-class education movements had traditionally been *extra-mural* (*outside the walls*) of mainstream education institutions, as was the early second wave feminist pedagogy, and indeed historically, much of women's education. Further, for Freire (1970), education of the oppressed is a pedagogy that must be forged *with*, not *for*, the oppressed in the incessant struggle to regain their humanity.

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1. The interaction between knowledge and experience and the possibility of political change as a result. The point is to 'change the world, not only to study it' (Stanley 1990).
 2. Paulo Freire's *conscientizacao* – the development of consciousness that is understood to have the power to transform reality (Taylor 1993).

This pedagogy makes oppression, and its causes, objects of reflection by the oppressed and from that reflection will come their necessary engagement in the struggle for their liberation (Freire 1970: 30). A further axiom is that praxis emerges from and feeds into *conscientisation*; a critical consciousness. It is political.

Collaborative feminist research: methodologies and methods

Feminist pedagogy is political too. Since the 1970s, mainly, feminist research and knowledge has effected paradigm change inside the academy – a feminist turn, or even a New Knowledge Movement (Arthur 2009). Not only has feminist empiricism ‘put women and gender back in’, opening up for scrutiny women’s lived experiences in both the private and public spheres, but standpoint methodological approaches that explore gendered and, more recently, intersecting identities and ways of knowing, have also led to the building of new research agendas and research methodologies (Ledwith and Hansen 2013). Here, in discussing the workings of the GLU Gender and Trade Unions Research Group (RG), I examine how such international collaborative research as a solidaristic feminist socialist project can widen, deepen, and democratise research, and also discuss its limitations.

This GLU Research Group³ was the result of trade unionist postgraduates/alumni deciding to carry out gender research in their own and wider labour movements. One of their group, Patricia, became the alumni coordinator/facilitator, and I was invited to be academic coordinator. So, in 2009, we set up our RG at the annual summer school in Berlin. We aimed to ensure that our working methods were as democratic, inclusive and participative as possible, and the aims, set out below, the topics and the methods of our research were worked out with much laughter, enthusiasm and commitment through a succession of hectic and creative brainstorming sessions where we shared ideas, experience, skills and knowledge.

Over its life, our Research Group (RG) has consisted of up to 25 trade union and academic political activists from over twenty countries who have been collaborating in carrying out research with and about women, gender and labour movements cross-country and cross-culturally in this project of gender praxis. The group’s aims emerged from our intense three-day workshop at that GLU summer school, and embody the ideas of praxis outlined already:

- to make gender and diversity issues more visible within our own unions and the wider international labour movement,
- to provide examples of creative, innovative and good practice across labour movements,
- the development of alumni skills/knowledge/empowerment, and opportunities to develop strategies collectively, and
- to develop an enduring network

3. Other research groups of GLU alumni include low pay and the minimum wage, work alternatives, pedagogy. See GLU website: www.global-labour-university.com

Three interlocking topics were agreed, and RG members self-selected which to work on:

- Trade union structures and policies for gender and equality
- Women and TU leadership⁴
- Gender agendas for bargaining (BAG)

We developed and used a range of standardised research methods and tools aiming as far as possible to enable comparison and to make analysis and writing up meaningful. These included primary and secondary data, quantitative, qualitative, ethnographic and participative action research. There was a main questionnaire for individuals and templates for secondary data. These were posted on the RG's own space on the GLU website. Overall, this was an action research project.

The analytical approach was grounded theory and was developed through coding and emerging thematic issues. It compared and contrasted the situation in the countries in the research, identifying key themes that emerged from the reports, locating them within a wider analysis of labour market structuring and varieties of patriarchal, racialised and diverse cultural frameworks. The underpinning construction was the interaction between structure and culture, although conceptually, we discussed them separately as well as together.

We synthesised findings and provided an overview in which we identified women's situation in labour markets, their membership and roles in trade unions, unions' own strategies for gender equality, barriers to women's participation, and successful strategies for challenge and change. In the first year statistical data and country reports were produced variously from women and a few male colleagues about Australia, Brazil, Canada, Ghana, South Korea, Nigeria, Philippines, South Africa, Turkey, UK and Zimbabwe and a summary report was developed, presented at the 2010 summer school and posted on the GLU website (Ledwith et al. 2010). Some of this is discussed here in Chapter 1.

Enthused by these outcomes, the RG then opted to produce a paper for the 2011 GLU annual conference. This was written mainly by three of the RG members who developed a central theme – gender and power in unions – and carried out a literature review and analysis of the RG data. Successive drafts were circulated around the whole group. Subsequently, it was published in the book of selected conference papers (Britwum et al. 2012). The story so far was telling us that objective number 1 was on its way to being achieved.

An additional project arose from discussions about a major problem in data collection for the research group – and one that is not unique. This is the issue of statistical data. Data across countries are not compatible in every way you can think of, such as timeframe, level, detail and categories – especially data about gender, which in many places are not disaggregated or collected at all, as shown in several

4. This was also compatible with research I was already carrying out, plus a further project in Brazil and South Africa.

cases in this book. Some of these are political, some to do with competence and some with what is seen as priority. For example, as the European Industrial Relations Observatory has commented about gaps in union data, these can be ‘sometimes contentious and sensitive for unions themselves, and feature numerous methodological and conceptual problems’ (Carley 2009: 2). Other examples include variation among British and other trade unions in how they count retired members, or those out of work. In some countries, trade unions are outlawed or have dubious legal credibility.

So the RG decided to set up and pilot its own data-base of union membership by gender among the group members’ own unions and countries with the possibility of expanding this across all the GLU alumni – now over 330 from 63 countries across seven continents. The database is intended to be a tool for researchers and activists to use to track the proportional representation of women in trade unions and union leadership roles, and to enable RG and ultimately the worldwide GLU membership (Douglas and Jess 2012). The information, both quantitative and qualitative, is collected via an online survey using survey monkey, and the first year pilot resulted in data from five countries – Australia, Ghana, New Zealand, the UK and Zambia. The first findings reinforced other gender research, namely that even where women are a majority of the membership they are not proportionately represented in union leadership positions. The BAG section shows that by using gender union structures and caucuses, women have achieved moving collective bargaining onto gender specific topics (Douglas and Jess 2012: 210).

Our stories

With all these moves towards our first two objectives – that is making gender and diversity issues more visible within our own unions and the wider international labour movement, and providing examples of creative, innovative and good practice – it seemed clear to the two of us editing this book that part of all this was also about setting an example. And, crucially, this involved encouraging others. To do this we decided it was important to tell the stories of our researchers. In doing this, we can also identify key moments and key people in the development of their conscientisation and activism, which in turn can inform union activism more widely.

‘Our Stories’ came from an animated discussion among eight of us at the annual research summer school in Brazil in 2012, and were focused on the broad questions of: *Why did you join a trade union? Did anyone encourage you? Why are you still active?* Here we present what they had to say, together with findings from a small follow-up survey among research group members, some of whom were unable to be in Brazil. Together, these data also enable us to evaluate how near the group is to achieving its aims.

Encouraging others, ‘bringing-on’ activists, is an important and traditional part of trade union and political organising, and it has a gendered aspect (see discussion in

Ledwith 2013). In our RG, in different ways, everyone had been encouraged by others. For Karen, it was her parents, for Ramon and for Carol their grandfathers. For Patricia it was a sister Chinese Canadian union activist. Joel had been active in student politics and, when he moved into unionism, he was encouraged by his deputy general secretary, who was later killed. For Jô, ‘I had a man who encouraged me. I got married with him. He was marvellous as a trade unionist and terrible as a husband!’

All remain steadfastly political and committed to both their unions and the gender project, despite the many challenges and difficulties, which often feature in email updates and exchanges. Questions such as ‘*Why are you still active?*’ became an increasing focus in our discussions, as well as reports on successes. The most often repeated reason, after political commitment, was the excitement of activism.

Patricia worked as a union organiser for more than a decade and at the time of writing lives in the Northwest Territories of Canada. For Patricia, unionising was more exciting than schoolwork:

I was a cashier working at a university bookstore to help pay for school and some of my co-workers wanted to unionise and that was great. To be honest, the union staff person who was supposed to help us form a union (as an organiser) did nothing but we did not know any better, so we organised it ourselves. We actually had to go on strike during our summer vacation to get our first collective agreement. That’s very rare for Canada. It was such an exciting time. So many people that you don’t really know that well came together to work on the strike, and you discover they have so many skills and talents.

I would go to school and then come home. I would sit down at my desk and I had my homework, which was so boring. I did not want to do that. And then I had all my union stuff, which was much more interesting. I got very passionate about it. I dealt with a lot of racism and sexism while growing up in Canada. My parents are immigrants and I was born in Malaysia. We were middle class, so I had no union background. But I’m glad I had to deal with it because I think I’m tough as hell now because of it. I kind of transferred my anti-racism and anti-sexism fire into unionism because I saw unions as a vehicle for change. But I also recognised that unions must also change. But unions don’t change because we say ‘please’ or ‘thank you’. They change because you have power to force them to change. So I’m very happy that trade unionism is part of my life and that’s why I became and continue to be active.

Winnie Ng (also Chinese Canadian) encouraged me – she was with the CLC (Canadian Labour Congress, the central labour body in Canada) and ensured I had educational opportunities, because there was no way my local (branch) would have sent me. She was in a position of power. She was very inspiring. It was very nice for me to see a Chinese trade unionist.

Patricia studied on the first GLU Masters programme in Germany. Her dissertation was published as an early GLU working paper: No. 7, March 2009: Servitude with a Smile: An Anti-Oppression Analysis of Emotional Labour.

Janet was formerly a teacher union activist from Zimbabwe and is currently researching with agricultural and foreign workers in the hospitality sector and working towards a Ph.D.

I observed the suffering of workers in Zimbabwe at the hands of the state and its poor economic policies in particular the Economic Structural Adjustment Programme (ESAP), which resulted in retrenchments, casualisation and rise of the informal economy sector in the country. While civil servants' jobs were somehow secure even today, remunerations were extremely pathetic and as a teacher at that time, I was also affected. I decided to join the Progressive Teachers' Union of Zimbabwe (PTUZ) as a safety net to fight for my rights, including those of colleagues.

I started as a shop steward and organiser in Mazowe, Mashonaland province of Zimbabwe and became a national executive member responsible for health and safety, including gender. I also represented my union at the Zimbabwe Congress of Trade Union Women's Council. By the time I joined PTUZ, there were strong tensions and rivalry among national unions organising educators. To make matters worse, my union was labelled a Movement for Democratic Change (MDC) 'stooge' and 'rebel' because of our radical ideology in as far as teachers' working conditions and remuneration were concerned. Our members, particularly those based in the rural areas, were persecuted, such that nobody wanted to be identified with my union. Because the union was strong and eager to genuinely fight for the rights of teachers, I felt that was the right place to be, even if I knew that I was taking a huge risk in terms of safety and security for me and my family. Most of my family and friends tried to discourage me because of the risk that was attached to trade unionism in Zimbabwe, where activists would even lose their lives. I was arrested and detained several times before leaving the country. My union colleagues and in particular our secretary general mentored me to study the GLU Masters at Witwatersrand University, Johannesburg. While I did not make it back to Zimbabwe after completing my Masters, I'm still in touch with my union.

Carol, a lay bank union activist from Scotland is now in New Zealand studying for a Ph.D. Ironically, it was also women who partly galvanized Carol into activism:

Margaret Thatcher, the thatcher government! My dad argued all the time with my grandmother, who was quite a supporter of Margaret Thatcher. I was also influenced by the idea of social justice and my grandfather.

My first job was in the private sector where there were no trade unions and there was blatant discrimination. Women were told 'you will have maternity

leave, you will get pregnant' so they paid us less. When I joined a bank, I joined the union. I became a workplace rep when I asked who was my workplace rep and I was told, 'well you are'.

Carol was a student, and found her voice on Ruskin College's part-time MA International Labour and Trade Union Studies, and half way through was elected to her union's national executive. She and Karen developed the gender and union database for the RG as a response to the difficulties group members had in finding published statistical data about their unions.

Karen is an officer in an Australian white-collar, public-service union, and before that worked for a union of mainly women in the textile, clothing and footwear sector – low pay and hard work. Her parents first encouraged her unionism.

As soon as I started working aged 15 I worked in a supermarket as my first job and joined the union. Trade unionists are fundamental agents for social change.

It is difficult work. Increasingly I'm reading reams of paperwork and making sure the words are right to make the legal arguments. I may get one or two wins a year. When you get them, it is fantastic and it reminds me of why I am here. Our system has become so litigious in the last ten years; and the ruling class and conservative government hate our industrial tribunals and have made the law so much more complicated. But people like me still need to get out there and make the case. I keep going because of the power imbalance; it's a shocking power imbalance, abuse of power and trying to redress it. That's what keeps me going – don't let them get away with it'.

Joel, from Nigeria, is an officer with the African Organisation of the International Trade Union Confederation (ITUC-Africa)

I was involved in making links between the student movement and the labour movement – consciousness from the campus, taking it to the workplace. The military was very dominant (and repressive) at the time. There were lots of students' anti-military, pro-democracy struggles with strong support from the labour movement. We had students' protests and saw how unions organised strikes to win gains. There was the question about redistribution for workers, who had very poor wages, even though the country was very rich. Joining the union became somehow the natural transition.

For me, like Karen, it is rewarding, inspiring, exciting when we get gains from our struggles. One of my trade union mentors taught me that trade unionists, especially trade union leaders, cannot afford the luxury of lamentation and manufacturing excuses for failures. Rather, they must work hard to get results because it is results that we celebrate and not efforts.

Citizens' expectations of what union can do are important. Trade unions have become the unofficial political opposition, at least in most African countries.

This is the case for Nigeria. Trade unions have responded well by taking on social causes and framing issues beyond the traditional bread and butter issues unions clamour for.

Joel's attraction to gender justice struggles was inspired by his mother and observations within his family of six boys and a girl. 'Growing up was interesting and somewhat a privilege as I had the chance to benefit from the orientation that boys and girls are equal and so should do and share house chores evenly without consideration for the strong or weak vessels. I learnt to cook, haggle market prices and wash clothes and dishes at a tender age – all taught by my mother.'

Organising is the tool to bring about the changes we seek; I like organising campaigns on social justice themes because I believe those affected by such issues should be provided spaces to participate and own the spaces. Collective action is the key... just like one of my female Korean friend and fellow activists told me ... 'the union is not an *automated* (my emphasis) coffee machine where appointed or elected officials and officers work to produce results. Everyone, especially the members, have to be involved in brewing the coffee! It is the people, they make you stay.' In Swaziland for instance, the people are oppressed by the king, yet the working men and women there together with their civil society allies have resolved to fight to change this situation. Women are more oppressed and treated as objects. When I see these women together in a union organising and mobilising for progressive actions, I want to give them my support. To fight can be tough, and we can say change is coming. When? You never know when it will come. You continue to struggle and remain optimistic'.

Ramon, deputy general secretary of a federation of unions in the garment, textile and leather goods industry in the Philippines came to trade unionism partly from a social movement:

I was part of a youth movement and an activist. I felt a burning desire to join them, be involved and I started to become active. I was recruited by a fellow trade unionist organiser, and organised the garment factory where I worked. Working conditions were very bad. We had very short breaks, dirty toilets; it was not healthy at all. But you never give up. You want to make change.

Jô, a bank-worker union activist in Rio, Brazil, studied the GLU MA in Germany. She is now studying for a Ph.D.

In my teenage years we had a dictatorship in Brazil, so there was no organising, nor student movements in school or university. I got a job in a public bank so it would be easier to join a union. It was paradise for me. It was when Lula was trying to be the president for the first time. We had all the forces from the left

trying to support Lula and so we were on the streets so it was a good environment to mobilise people.

In 1985 [there] was the biggest bank-workers' strike. The media could not avoid to show how many workers were on the streets and so on. All of it was delicious. There was a man in the human resources department who said 'how can I be a member of the union?' and I told him how. I felt so powerful. It was so natural.

She continues to be active 'because I do not know how to give up. When the institution where you work does not give you anything back, you need your union. You have to find another social movement, institution, so you can move from one to the other ... the union, the GLU, from one to the other ... keeps you going.

Evelyn, an activist in Ghana, is an assistant director in charge of gender and youth coordination in the Organisation of African Trade Union Unity (OATUU). She studied the GLU programme in Brazil on Social Economy and Labour and completed in 2010.

Whilst studying the Master programme, I did a research on 'Socioeconomic contributions of domestic workers and their working conditions: the case of Ghana'. Since then, my horizon has been broadened on the unacceptable situations most working women and girls are confronted with. I am now a better advocate, trainer, consultant and researcher today than before.

Evelyn was originally a teacher:

When I was teaching and having children at the same time I was confronted with a big challenge of having a head teacher who did not understand my position as a mum and kept harassing me anytime I needed to send my sick child to the hospital, for instance. It was very stressful and sickening. I had a lot of headaches, backache and other related sickness of which I later realised the stress was a contributing factor. I saw a gap that needed to be attended to – women workers' rights was [*sic.*] lagging in my field of work. The harmony a working mother could get depended on the availability of immediate relatives to assist her. I realised my headmaster wanted me to work like the men who did not carry a baby. He had no idea of maternity protection whatsoever. Those experiences made me active on workers' rights issues. As a mother and a teacher, I knew what it meant to be committed to my job whilst taking good care of my children. I realised women workers do have peculiar challenges and I saw the need to take a stand for them. This motivated me into gender and trade unions.

My mentor is primarily my husband. He encourages me. We had three children when I was entering the university and when the youngest was four years old. He said to me, 'go to the university, I will take care of the children.' Since then, his support has been even extensive. I am married to a gender-

sensitive person. The second person that has become keenly passionate in me is Mrs Grace Addison – the wife of the area head of the church I attend.

Today, I am still actively advocating and working to promote gender concerns in African trade unions as well as community-based organisations. This is because there are many more workers who are not yet covered in the unions in the community and country I work and live in – informal economy workers constitute over 85 per cent of the working population of Ghana with higher percentage of women.

Gaye is a researcher and university teacher in Turkey.

I have never joined a TU as a member, but I worked as international relations expert in two unions in the near past. I accepted a job offer from my TU because I always believe the struggles of organised workers.

For the moment, I have a volunteer relationship with my union because I have also been working at the university. When and what made me first become active in the TUs? I was retired from my job in the mid-1990s. In that period, one of my friends in a TU confederation requested me to work for them. This confederation was, and still is, the one that I highly appreciated [for] its activities and stand, so I accepted. Then I also started to read, research and write about globalisation and its negative impacts on workers around the world. These works made me much more active at my job in [the] TU confederation because I was able to test my readings in the real life.

Gaye joined the Gender and Trade Union group when it began: ‘I saw that I was able to explain my ideas, develop my recommendations in a much more friendly environment.’ She continues to research with women, currently a project with migrant domestic workers, in Istanbul, London and Berlin. When she was researching in London for three months, she also ran education classes for these women on politics and economics.

Praxis: theory into practice

As these stories unfolded, it became clear that challenge, change and transformation are central aims of our researchers. It also became clear that, for several colleagues, carrying out the research had an impact on both those they were researching and on themselves. We have written elsewhere about how this action research is a powerful method of consciousness raising and empowerment that feeds into the development of gender democracy (Britwum et al. 2012: 59). For example, in the Turkish case study here, Gaye Yilmaz shows that by raising questions with women activists in health unions about who and what is involved in collective bargaining, she was also informing the women of their rights in this. In addition, later on, when Gaye was researching with migrant domestic workers in London and running education classes for them, this was a pedagogy of

conscientisation. Similarly, in the Philippines, Melisa Serrano and Ramon Certeza made unionists aware for the first time what their union gender policy was in relation to collective bargaining. In this way, asking the questions can trigger ideas, encouraging moves towards praxis.

For the researchers themselves, reflexive knowledge and understanding have also been important aspects of this collaborative, cross-cultural research. Some have reported how they have been able to inform and educate the women they have been researching with about their rights both at work and within their unions. Male researchers reported surprise and new insights into women's role and position in the labour market and their trade unions.

In a small follow-up survey among research group members, there were more helpful insights into the group's aims. The first two aims of the group were about making gender and diversity issues more visible within our own unions and the wider international labour movement and sharing innovative and good practice.

As noted by Bheki Ntshalintshali, the deputy secretary-general of COSATU (Congress of South African Trade Unions) in the preface to the 2012 volume of GLU conference papers, the Global Labour University is part of a shift in international trade union and labour research cooperation, working as a global knowledge and research network. Part of this shift is the Gender and Trade Unions research group. As Carol puts it: 'The RG seems to me to have contributed greatly to making the issues more visible at GLU meetings, and therefore in the wider international labour movement. I think our idea of a database of qualitative and quantitative data was seen as a good example of innovation.' As outlined above, Carol and Australian research group colleague Karen have taken on running a database of gender and trade unions for the research group. Carol reports that 'colleagues in New Zealand at the Labour, Employment and Work (LEW)⁵ conference were very interested in it. I also was contacted by academics in the USA when the Global Labour Column was published on the topic, expressing their interest and that they thought this was a novel idea'. Janet described how her research and interaction with women in South African unions was well received, and that she has 'become one of the key points of reference or resource persons in the field of gender in trade unions and society at large'.

In Brazil, things are stirring, with the CUT in 2014 proposing to run a programme of women's capacity development, produce and circulate papers and a book. Nevertheless, there are barriers to overcome. As Jô reports, language and sexism remain problematic:

Brazilian unionists do not read English and can't take much advantage of the results, and union executive boards themselves do not consider the research as important. Executive boards of unions should encourage the research and discuss the results/start changes, but they do not even talk about the research.

5. The paper is available on line at: <http://ojs.victoria.ac.nz/LEW/article/view/1976>.

They only ‘allow’ it with female unionists because it should be considered negative if they do not ‘allow’ it.

For Jô this also forms part of the commitment to the project of praxis: ‘I am a feminist unionist. I am interested in all ways to help male unionists to understand and become part of feminist struggles. The research itself is just an instrument. We must take advantages of it collectively, and help other women to use its findings.’

At the academic level there was an optimistic view, with most reporting positive outcomes, like Melisa who ‘presented the results of our research in a public forum in our school and they were received well. I am also using the research report as part of my readings in class.’ These are all important in the wider dissemination of new gender knowledge; the GLU and academic teaching of trade unionists are significant ways to extend the range of the research and the findings, and to develop further the knowledge and skills of trade union women and men.

RG networking and keeping in touch

The researchers are able to meet once a year at the annual GLU research school, although not all can make it each year. In between, the group keeps in touch electronically.

The third and fourth aims of the group were more about group members themselves – developing their research skills and making an enduring network. For Janet, the research group is ‘a very essential and effective research network grooming young researchers and academics’. However, as she points out, as always, resources can be problematic: ‘the project needs to mobilise ample resources to ensure smooth running, particularly on the part of fieldwork.’

Personal development was also identified by research group members. For Melisa, ‘it broadened my understanding on how some unions actually address gender and women issues in their organisation.’ Jô ‘felt myself stronger to discuss and happy to do something useful for women, especially for female unionists.’ Janet ‘gained in-depth knowledge on the subject of women’s leadership and participation in trade unions and am ready to present on the topic at any given time or platforms.’ For Carol, it was a great opportunity to learn a lot about the history of New Zealand trade unions, and of the current situation for women in society in general. ‘I have a much greater understanding of both’ and ‘for my own research I learned a lot about unions in my new, adopted home. I also learned a lot about academic writing. I collaborated in writing two conference papers with our colleague Karen Douglas, Australia. I had never worked with someone else on a piece of writing before, so this was both challenging and a surprise. I had always assumed I would work better on my own, but really appreciated the sense of achievement from having collaborated with Karen.’

Evelyn’s involvement with the GLU alumni, gender and trade union research group:

has transformed me immensely. It has been a unique opportunity and inspirational to study, research and network with more experienced experts in the same field. The motivation I have received from Akua and Sue – our partners and leaders – cannot be over-emphasised. They are my mentors. They may not be aware of this but I must admit that they have made a tremendous impact on me and my career in addition to the inspiration I draw from my peers in this group.

Evelyn has gone on to publish three articles ‘relating to Gender and Employment in the most patronised journal of my country, *The Daily Graphic*’. Being part of the research group was shown to be a rich experience, but with its problems: ‘Meeting only once a year, if that, for an intensive three or four days at the annual GLU summer/research school, provides a focus and a huge boost’. It was ‘enjoyable but hard work.’ The best thing about being part of the RG was seen as: ‘being involved with an issue I believe is fundamental for the working class’ and sharing experiences and ideas across the globe through the researchers’ network. But, while electronic contact is cheap as it does not involve travelling, its key shortfalls reside in the lack of detailed explanations, in particular where certain issues need clarity. Again, access to communication facilities such as internet, is not equitably distributed across the globe. On a professional level, she found the ability to keep being involved in research both interesting and important. On a personal level, she values ‘the friendships and camaraderie that I have found with the group. I also like [it] that the RG has allowed me to keep a connection with Ruskin,’ for it allowed her to ‘learn from the research output of other colleagues from other countries. Both RGs I was involved with provided opportunities to gain new learning and to improve research skills (for example designing questionnaires, processing data)’.

Some Research Group members also worked in other GLU RGs,⁶ but for one member this one was the most democratic: ‘Questionnaires were created collectively and it was stimulated to analyse and circulate results.’ The *difficulties* of sustaining such a group project were summarised by Janet and Carol. Janet said that ‘the project needs to mobilise ample resources to ensure smooth running particularly on the part of fieldwork. This is because in most cases, researchers find themselves making priorities between paid and unpaid work which could be the reason why some ended up pulling out.’ Janet also ‘enjoyed the face to face interactions, which could not happen with electronic interactions which has its own limitations.’ Carol said, ‘it is difficult to keep in touch with a large group, when we are so geographically scattered and all in different time zones! Having missed the 2013 and the 2014 meetings I believe the summer schools are crucial for group dynamics (even when we’re not all in the same RG all the time) and for the feeling of camaraderie for the research project itself. I have social media connections with many members of the RG, and

6. For example, the garment workers’ Play Fair at the Olympics, and members of the domestic workers RG are part of the International Domestic Workers Network set up in 2013.

keep in touch in that way. As I am geographically isolated, it keeps my spirits up to know that other similarly minded people are out there, all across the globe.’

For me, as co-editor of this book, and as the research group academic coordinator, working with this group has been one of the most enriching experiences of my life in so many ways. I have enjoyed learning about international labour movements, being able to support, teach and learn with such an interesting and committed group of union insiders and outsiders, and even though the project is drawing to a close, I hope and expect to keep in touch with what this next generation of committed activists is doing.

Finally, but looking to the future

Key points emerging from ‘Our Stories’ were that everyone had been encouraged in one way or another, either through family background, where fathers especially were politically engaged, as students, at adversarial workplaces, or by other union activists. They themselves were highly politicised and committed to labour and the labour movement and, of course, to women and the gender question. They found all this both frustrating and hard work, but ultimately exciting and rewarding. It was this sort of solidaristic animation that drove their activism and their gender work – it was an important gender vanguard.

Additionally, although none of the research group members who responded to the follow up survey felt that our aims had been fully met yet, it is clear that the five-year collaborative project has had an impact in a number of interlinked areas. Through the group’s publications it is helping to put gender issues on the map and make the discussions of experiences, demands, challenges and issues of women trade unionists visible and available, especially in countries where patriarchal cultures and structures are very strong, and particularly in the central function of organised labour; collective bargaining.

In the process of this research project, a key achievement has been the development of alumni skills, knowledge, empowerment and prospects for ongoing cross-national networking. Although the aim of developing strategies collectively, while achieved during the life of the RG, may be compromised through lack of resources, geographical distance and competing demands, the foundations have nevertheless been laid for RG members to continue to keep in touch, carry out further work and encourage others’ activism.

Producing useful knowledge for other unionists and academics through praxis, and adding to the body of knowledge in the field, can surely be seen as outcomes greater than the sum of the parts given the cross-national, cross-cultural and intersecting data and findings. In addition, the research itself and the research processes illustrate creative, innovative and good practice across labour movements.

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