



**STOP SEXUAL HARASSMENT PROJECT:  
A MODEL SEXUAL HARASSMENT POLICY FOR THE  
FLOWER SECTOR IN EASTERN AFRICA**

[www.east-africa.hivos.org](http://www.east-africa.hivos.org)

**Hivos**  
people unlimited

## About Hivos

Hivos is an international non-governmental organization that seeks new solutions to persistent global issues. With smart projects in the right places, Hivos opposes discrimination, inequality, abuse of power and the unsustainable use of our planet's resources.

We. The

## The Women@Work Campaign

Founded in 2012, the Women@Work Campaign aims to contribute to decent work for women who earn their living through global production chains, most notably: Flowers, fruits and vegetables grown for the export market. The Campaign involves partners in Kenya, Uganda, Tanzania, Ethiopia and Rwanda for Eastern Africa; Zimbabwe, Zambia and Malawi for Southern Africa. It enlists both local and international partnerships (CSOs; businesses; governments, certification bodies, trade unions, media and citizens), working together to improve work-place conditions for women.

The Campaign has adopted a number of strategies, including: Promoting an effective, results based social certification regime; contributing to law and policy reform; building capacities of workers and workers' representatives to influence workplace policies and practices; and, promoting engendered Corporate Social Responsibility.

## Stop Sexual Harassment Project

Sexual harassment in the workplace, often, takes the form of promises of preferential or beneficial treatment of a worker by a superior in exchange for sex. It can also amount to procuring sex from an individual through threats of detrimental consequences or simply unwanted sexual advances by a colleague towards another.

It is a conduct which explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive environment. This conduct may be verbal, physical or even involving signage and use of symbols.



people



*One day,  
you will feel  
the stinging  
of these thorns*



**\$4.4M**

lost in wages by sexual harassment victims in the United States

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**973K hrs**

lost in unpaid leave each year in the United States

## Effects of Sexual Harassment at the Workplace

The effects of sexual harassment at work manifest both for the harassed individual as well as for other working women and men who experience it second-hand. Sexual harassment affects job security – a harassed worker could lose her job or the chance for a promotion if she refuses to accept sexual advances by someone in a position of authority. Unreciprocated sexual advances by colleagues make for a hostile working environment. This may be traumatic to the victim, in certain cases leading to serious emotional and physical ailments. This also affects productivity at the workplace.

Data compiled by Equal Rights Advocates, a women's law center in the United States, states that 90-95 per cent of sexually harassed women suffer from some debilitating stress reaction, including anxiety, depression, headaches, sleep disorders, weight loss or gain, nausea, lowered self-esteem and sexual dysfunction. In addition,

victims of sexual harassment lose \$4.4 million dollars in wages and 973,000 hours in unpaid leave each year in the United States.

Generally, sexual harassment has a long term demoralizing effect that discourages women from asserting themselves within the workplace. It also objectifies women employees as sex objects and perpetuates a culture of abuse.

Besides the primary victim, sexual harassment also has an effect on the morale of third parties and employees within range of it. Colleagues of the victim, for example, can find their work disrupted by sexual harassment, even where they are not directly involved.



## Why the Stop Sexual Harassment Project?

Baseline studies conducted by a number of regional civil society organizations (Workers Rights Watch – Kenya; Uganda Workers' Education Association – Uganda; Tanzania Plantation and Agricultural Workers' Union – Tanzania; and National Federation of Farm, Plantation and Fisheries and Agro-Industries Trade Union – Ethiopia), in 2013, revealed that sexual harassment at the workplace was common, yet widely unacknowledged.

Many workers, especially women, were not comfortable reporting incidences of sexual harassment to their employers in the flower farms. Many flower farms did not have workplace sexual harassment policies, even though national legislation required that they do. Those that had sexual harassment policies did not have effective and viable structures for implementing these policies. Gender Committees, tasked with addressing

incidences of harassment did not have the technical capacity to address sexual harassment. They also did not have time and space to deliberate on matters brought before them. Furthermore, it was almost impossible for Gender Committees, mostly composed of general workers, to determine matters relating to senior management and ensure the enforcement of their recommendations.

In a number of labour catchment communities, sexual harassment was not seen as a significant social wrong. Thus, many women workers did not feel the need to report incidences, at the risk of suffering the backlash of losing their standing in society, even marriage. Lastly, and most challenging, there was a near universal lack of knowledge and understanding about the meaning, scope, effects and legally defined consequences of sexual harassment, both in the community and in the flower farms.



## PROJECT PHASE ONE (2015)

In 2015, the aforementioned organizations, with funding from Hivos and in collaboration with Women Working Worldwide (WWW) entered a pilot project phase where they engaged a number of flower farms in their respective countries with the aim of promoting a workplace culture that protects workers from sexual harassment.

The foundational instrument was a model workplace sexual harassment policy. The sexual harassment policy was developed collaboratively with participating farm management, trade unions, non-governmental organizations, certification bodies and workers. It was benchmarked on international and national laws policies and best-bet practices.

The Sexual Harassment Policy had the following main components:

- Definition and scope of sexual harassment;
- Sanctions for violating the policy provisions;
- Measures required for implementing the policy;
- Workplace structures for implementing the policy.

In partnership with flower growers and other stakeholders, the four organizations from Kenya, Uganda, Tanzania and Ethiopia, working with WWW and Hivos, lobbied for and supported the implementation of these policies in participating pilot farms across their respective countries. These policies were adopted as part of the participating farms' official policies.

Workers, supervisors and managers were sensitized on the substantive scope of the policies as well as the broad context of sexual harassment and its effects. The Gender Committees in the respective farms were also trained on how to address matters reported to them as well as on mechanisms for preventing sexual harassment in the work-place. Farm management had the ultimate responsibility of implementing the policy, while the Gender Committees and union committees at farm level were tasked with monitoring compliance with the policy.

**The pilot project closed at the end of 2015.**



PHOTO: Ingrid Baars



## Lessons from Phase One

Following the end of the pilot project, a number of milestones towards protecting workers from sexual harassment have been registered. There is a general acknowledgement of the presence – latent or open – of sexual harassment in the work-place. More importantly, there is consensus that the sector should collaboratively tackle the problem. Workers and farm management now better understand the scope and meaning of sexual harassment. In the Kenyan pilot project, Fairtrade and Kenya Flower Council certification standards have been demonstrably established as crucial and sustainable avenues of sustaining the vision of the project.

The pilot experience has also exposed structural, legal and policy challenges that need to be addressed. It has also revealed that addressing sexual harassment at the workplace calls for intervening both at the workplace and in the host community, to address knowledge, attitudes and capacities. Often, cultural – and sometimes, harmful – practices diffuse from the labour catchment community to the workplace. Still, in regards to societal norms and beliefs, the project better appreciates the complexities of cultural relativism – the idea that a person's beliefs and activities should be understood based on that person's own culture.

Whereas the project has traditionally had a bias on protecting women workers, in particular, from sexual harassment, the strategic benefits of male-engagement in project programming have become apparent. Further, the project has mainly responded to the rights based theory, based on protecting and restoring human dignity and physical security and safety. To gain more traction, the project should also develop practical and empirical business cases for protecting workers from sexual harassment. This approach would also track and measure progress in addressing these violations.

The pilot phase has revealed that tackling sexual harassment and broad gender based sexual discrimination and violence at the workplace requires addressing not just a sexual harassment policy but several other policies at the work place. It is crucial to address these policies in a manner that integrates and links their enforcement where appropriate, through a user friendly consolidated compliance checklist.

Through the Women@Work Campaign, Hivos has led the revision of the sexual harassment policy, to incorporate learning from phase one of the project. As an annex to the policy, an implementation or compliance checklist has also been developed.

## PROJECT PHASE TWO (2017 - 2019)

Phase two of the Stop Sexual Harassment Project, Hivos will work with the following project partners to implement an enhanced intervention in Eastern Africa:

- **Kenya** – Workers Rights Watch and Haki Mashinani;
- **Uganda** – Uganda Flower Growers Association (UFEA), Uganda Horticulture Industrial Service Providers and Allied Workers Union (UHISPAWU), Uganda Workers' Education Association (UWEA), and National Organization of Peer Educators (NOPE);
- **Tanzania** – Tanzania Plantation and Agricultural Workers' Union (TPAWU);
- **Ethiopia** - National Federation of Farm Plantation and Fisheries and Agro-Industries Trade Union (NFFPFATU).

The goal of the project is to promote a workplace and community culture that is responsive to addressing sexual harassment in the flower farms.

### **Overall Objectives:**



- To enhance a culture and systems for protecting workers from sexual harassment in the workplace;
- To develop replicable and scalable best practice methodologies for protecting workers from sexual harassment in the workplace.

### **Specific Objectives:**


- To enhance the capacities of farm management for addressing or forestalling incidences of sexual harassment in the workplace;

- To enhance capacities of Gender Committees in flower farms for addressing or forestalling incidences of sexual harassment in the workplace;
- To sensitize workers on sexual harassment, thus increasing protection and redress at the workplace;
- To sensitize host-communities in order to improve their knowledge, change attitudes and boost their capacities for addressing sexual harassment;
- To lobby for the improvement of the legal and policy framework on sexual and gender based violence in the work-place;
- To support the development of sound implementation and compliance tools and practices among stakeholders in the workplace;
- To leverage on the instrumentality of sustainability certification for the purpose of promoting a workplace free of sexual harassment;
- To develop a sustainable and practical anti-sexual harassment implementation monitoring framework;
- To develop empirical business cases for protecting workers from sexual harassment;
- To document and showcase emerging best practice on addressing sexual harassment in the workplace;
- To develop a peer learning framework on sexual harassment for horticulture sector stakeholders.





The **negative impacts of sexual harassment at the workplace on the victim** manifest through physical injuries and difficulties and psycho-social challenges.

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- 1** Victims lose self confidence or standing amongst their peers or in society.
  - 2** Their performance at work is affected, and the resultant loss of morale contributes to absenteeism.
  - 3** Victims' social and marital lives are affected adversely.
  - 4** Victims often being blamed by their spouse, partner or society, for their part in the crime.

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## The employer, on the other hand...

- 1** May suffer the corresponding negative impact on the performance and reputation of his company.
- 2** This makes businesses lose out on social capital amongst the society.
- 3** At the workplace, the employer has to contend with decreased job satisfaction, de-motivation and the resultant poor performance, leading to loss of labour and expertise.



# Causes of sexual harassment at the workplace

- 1** Weak laws and regulations, which do not aptly address sexual harassment;
- 2** Poor enforcement of laws and policies by the state and by businesses;
- 3** Harmful cultural beliefs and practices, particularly those that subjugate women in the community;
- 4** Exploitative economic practices;
- 5** Poor understanding and appreciation of the law;
- 6** Weak remedial systems and structures – workplace systems, national courts.



In Kenya, it is considered to be a form of employment discrimination as well as sexual abuse (sexual and psychological) and bullying.



## Sexual harassment in flower farms persist yet unacknowledged



**Sexual harassment and abuse are complex problems to discuss because they include:**

**Psychological aspects** (emotions), **Sociocultural aspects** (gender roles, subordination, discrimination), and **Economic aspects** (labor relations, salaries).

Sexual harassment in flower farms is not seen as an offense worthy of losing one's job, marriage or standing in society.

Women in flower farms rarely report incidents of sexual harassment. They prefer to keep their jobs, marriages and standing in the community.

Sometimes women are afraid to talk about sexual harassment incidents because their husbands will find out and this may lead to marital problems.

### 55,000

workers, mainly young women, are directly employed in the cut flower industry.



### 2 million

workers indirectly depend on the flower industry for their livelihoods.

## Management of the Model Sexual Harassment Policy Project

- ✓ It introduces a participatory methodology with broad ownership and obligations for developing and implementing workplace policies.
- ✓ It sustains a constructive dialogue across the workplace and across the sector, under the common multi-stakeholder ambition of achieving safeguards against sexual harassment.

### As a term of the collective bargaining instrument

- 1** **Sustainability Certification organizations** are charged with aligning their standards and compliance indicators with the project methodology and experience and subjecting flower growers to these standards.
- 2** **Workers** are tasked with supporting the implementation by participating in workplace grievance redress mechanisms.
- 3** **Civil society organizations and practitioners** bear the responsibility of imparting knowledge and knowhow as well as documenting the experience.
- 4** **Government** is tasked with putting in place an enabling environment for the development and enforcement of responsive laws and policies.
- 5** **Companies** are charged with the primary responsibility of implementing the policy at the workplace.
- 6** **Trade unions** are enlisted to monitor company compliance with provisions.

Thus, the project is assured of cross-sectoral ownership and dynamism in implementation.

