

Impact of Covid-19 on Women Workers in the Horticulture Sector in Kenya



POWER

April 2020

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Since 2012 Hivos, through the Women@Work Campaign has partnered with the civil society organizations to improve the status of women in the horticulture sector. In Kenya, Hivos has been carrying out interventions aimed at empowering and strengthening women's leadership skills, human rights and labour rights understanding, promoting workplace gender-responsiveness as well as collaborating with key industry players and stakeholders in the horticulture sector to influence national, regional and international policies through lobbying and advocacy.

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Abbreviations

AEA	Agricultural Employers Association
AWCFS	African Woman and Child Feature Service
ARFSD	Africa Regional Forum on Sustainable Development
CBA	Collective Bargaining Agreement
CSW	Commission on the Status of Women
CSOs	Civil Society Organisations
COTU	Central Organization of Trade Union
COVID-19	Corona Virus Disease – 2019
FEMNET	African Women’s Development and Communication Network
FIC	Forum for International Cooperation
FKE	Federation of Kenya Employers
FTA	Fairtrade Africa
FPC	Fairtrade Premium Committee
SGBV	Sexual and Gender Based Violence
GDP	Gross Domestic Product
GoK	Government of Kenya
HCD	Horticultural Crops Directorate
ILC	International Labour Conference
ILO	International Labour Organisation
KEMRI	Kenya Medical Research Institute
KFC	Kenya Flower Council
KHRC	Kenya Human Rights Commission
KNBS	Kenya National Bureau of Statistics
KEFHAWU	Kenya Export Floriculture, Horticulture & Allied Workers Union
KPAWU	Kenya Plantation & Agricultural Workers Union
MoH	Ministry of Health
NHIF	National Hospital Insurance Fund
NSSF	National Social Security Fund
NGO	Non-Governmental Organisation
OVC	Orphans and Vulnerable Children
PPE	Personal Protective Equipment
SDGs	Sustainable Development Goals
SRHR	Sexual and Reproductive Health and Rights
UNFPA	United Nations Population Fund
WHO	World Health Organisation
WRW	Workers’ Rights Watch
W@W	Women@Work

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1.0 Executive Summary

Covid-19 effects has in the past three months (January to March 2020) projected severe consequences to the global economy since the disease was declared a pandemic. The surging economic crisis being witnessed globally has further widened existing gaps in countries' preparedness and response systems. With the world's economy largely relying on agriculture, the horticulture sector is rated among the top foreign exchange earners with Kenya ranked as the leading exporter of fresh produce and cut flowers to the European market.

Since 2012 Hivos, through the Women@Work Campaign has partnered with civil society organizations (CSOs) to improve the status of women in the horticulture sector. In Kenya, Hivos has been carrying out interventions aimed at enabling and strengthening women's leadership skills, human rights and labour rights understanding, promoting workplace gender-responsiveness as well as collaborating with key stakeholders in the horticulture sector to influence national, regional and international policies through lobbying and advocacy.

Hivos commissioned an assessment in April 2020 to establish the impact of Covid-19 on women workers in the horticulture sector. This was assessed with special focus on their current employment status, living conditions, shifts in their household expenses and their outlook for the future. The understanding of Covid-19 by women workers was also a subject of interest for this assessment. Finally, the assessment also put out recommendations to both government and CSOs with regard to strengthening response mechanisms as well as ensuring inclusivity. A summary of findings and recommendations are presented below:

Summary of Findings

The impact of Covid-19 pandemic has impacted women workers in the horticulture sector socially, economically and psychologically, with the effect spiraling to their homes. The following findings were recorded from the assessment;

- Massive layoffs of temporary and seasonal workers.
- Hundreds of permanent workers sent on unpaid leave, or operating on salary cuts as further downsizing is imminent should the pandemic persist.
- Women workers entirely rely on their meagre earnings from the farms thus the disruptions on their jobs have sabotaged their livelihoods and well-being.
- The layoffs, salary cuts and unpaid leaves were effected in contravention of labour laws – with neither notice nor consultation.
- Intensified unpaid care work for women workers who have lost their jobs. This is further compounded by homeschooling obligations following the closure of schools and higher learning institutions.

- Prices of essential commodities have gone up against diminishing wages.
- Women workers are struggling with soaring food and house rent bills.
- Directives on containment of movement pose a starvation risk, forcing women to compromise their safety in search for food.
- The waning job security agonizes thousands of women workers and subjects them to untold anxiety and mental anguish.
- The impact of Covid-19 on horticulture (vegetable and fruits) and floriculture farms are diverse with the latter being severely bruised.
- Establishment of economic rescue and stimulus packages at national and county levels to boost Micro, Small and Medium Enterprises (MSMEs)
- Control of food prices and those of essential commodities to ease the consumption burden for the already strained population.
- Mass production and free distribution of personal protective equipment (PPE) to workers through their employers.

Civil Society Organisations:

- Foster dialogue with sector players for harmonized, inclusive and comprehensive responses and interventions that foster public participation.
- Establish a fund basket for food packages, cash transfers and/or other basic essentials for supporting strained workers especially those who have lost their jobs to the pandemic.
- Roll-out sensitization of workers on Covid-19 to bridge the information deficits created by a single government narrative.
- Enhance lobbying and advocacy on policy and practice reforms to ensure governments remain accountable in their commitments and deliverables in safeguarding human and labour rights.
- Support youth and women in rural economic livelihoods.

Summary of Recommendations

The study recommended the following policy, legal and advocacy actions as approaches to respond to the current situation in the horticulture sector:

Government:

- Transparency and accountability on the utilization of the monies freed through salary cuts effected on civil servants salaries.
- Coordinated policy efforts to protect the labour force and the economy of the country through inclusive and sustained interventions.
- Roll-out of mass testing in flower companies, provision of free quarantine services where necessary, treatment and psychosocial support.
- Expansion of the government's cash transfer programme and other safety nets to workers in precarious employments such as the horticulture sector.

2.0 Introduction

Over the years, Hivos has partnered with local organizations to promote decent work for women workers in both the horticulture and floriculture sub-sectors of the agriculture sector. It is therefore in the interest of Hivos and its partners to connect with the women in the flower sector who have become an integral part of a Campaign that was initiated by Hivos in 2012.

The Campaign, dubbed the Women@Work Campaign, is currently implemented in Eastern and Southern Africa as well as Netherlands, where most of Kenya's flowers are sold through the Dutch auction market. In Eastern Africa, components of the Campaign are implemented in Kenya, Uganda, Tanzania, Rwanda and Ethiopia. In Kenya, the Campaign is implemented by nine CSOs namely; African Women's Development and Communication Network (FEMNET), Kenya Human Rights Commission (KHRC), FIDA-Kenya, Workers' Rights Watch, Haki Mashinani, Ufadhili Trust, African Woman and Child Feature Service (AWCFS) and Forum for International Cooperation (FIC) in partnership with the Hivos Foundation.

The Campaign is a structured dialogue and advocacy platform that addresses women's labour rights as a critical component of promoting decent work, professionalism and respect for human dignity. The Campaign works with horticulture and floriculture farms, businesses, civil society actors and governments to enforce change for women employees through decent wages, participation in decision making, leadership at management levels and in trade unions, as well as safety and security in the workplace. The Campaign also promotes a world of work that is free from violence and sexual harassment.

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3.0 Literature Review

3.1 The emergence of a global pandemic

The world has been through a numbing experience since December 2019 when a new strain of corona viruses commonly referred to as corona virus disease - Covid-19 - first struck Wuhan, in China. The strain of the virus whose vaccine is yet to be identified has seen close to 3 million people infected and killed nearly 200,000 around the globe, according to a World Health Organization (WHO) Situation Report- 98. The statistics change exponentially every day.

The virus received global attention after it quickly spread throughout China causing a humanitarian crisis. On 30th January 2020, the WHO declared Covid-19 a public health emergency of international concern and later declared it a pandemic on 11th March 2020¹. According to the Secretary General of the United Nations, "we are facing a global health crisis like no other in the 75-year history of the United Nations. A crisis that is spreading human suffering, infecting the global economy and upending people's lives"².

The virus quickly spread to Africa with the first case being reported on 14th February 2020 in Egypt. In Sub-Saharan Africa, Nigeria was the first country to confirm a positive case of Covid-19 on 27th February 2020³. Two days after the WHO had declared corona virus disease a global pandemic, on 13th March 2020 Kenya reported its first positive case with the number escalating to at over 500 confirmed cases and 24 deaths by the time of writing this report.

As the numbers of confirmed cases continue to soar globally, the virus is crushing the strongest of public healthcare systems and economies are not spared either. Africa's growth rate which stood at 3.9 percent before the onset of the pandemic is estimated to drop to 0.4 percent⁴. Closer home, Kenya's Gross Domestic Product (GDP) growth is expected to shrink significantly as can be seen with Central Bank's revision of its estimates from the initial 6.2% to 3.4%⁵. This is mainly because of the thrashing that Kenya's horticulture and floriculture sub-sectors have taken from the pandemic. With limited flights and falling demands in Europe and Asia, the two sub-sectors in addition to coffee and tea are struggling to remain afloat. These unprecedented challenges are having economic ripple effects across the country as thousands of Kenyans unexpectedly find themselves out of work with the potential for significant increases in unemployment and further broadening of the poverty index.

1 <https://www.statnews.com/2020/03/11/who-declares-the-coronavirus-outbreak-a-pandemic/>

2 United Nations (2020), Shared responsibility, global solidarity: responding to the socio-economic impacts of COVID-19

3 <https://www.afro.who.int/news/second-covid-19-case-confirmed-africa>

4 <https://www.mckinsey.com/featured-insights/middle-east-and-africa/tackling-covid-19-in-africa>

5 Center for Global Development (2020), The Economic Impact of Covid-19 in Africa: A Round-Up of This Week's Analysis



As this happens, the government has stepped up its response to the pandemic and has put in measures to curb further spread of the virus. These measures range from enforcement of a dawn to dusk curfew, stay at home directives, social distancing and containment of movement in and out of select counties including Nairobi, Mombasa, Kilifi and Kwale. Confinement has exacerbated the strain and anxiety for most low income families especially those whose livelihoods have been cut off. This strain is particularly felt by women who are also disproportionately impacted by the pandemic. According to a statement by the UN (United Nations) Women, confinement is fostering the tension and strain created by security, health, and money worries⁶. This situation is further predisposing women to sexual and gender based violence as has been reported by local media.

This assessment takes a close look at Kenya's flower sector where part of Hivos Women@ Work Campaign is implemented. The sector which employs about 150,000 workers excluding seasonal⁷ and casual workers, has particularly been affected following the lockdowns currently enforced in most European countries. Kenya exports up to 70% of its flowers to Europe⁸ and therefore lockdowns in European countries have a huge negative trickle-down effect on the sector. The first three weeks of March were particularly hard for the industry with most growers having to uproot and dispose flowers. In the third week of March, more than 30,000 temporary workers lost their jobs with a further 40,000 permanent workers being sent home on annual leave⁹.

6 <https://www.unwomen.org/en/news/stories/2020/4/statement-ed-phumzile-violence-against-women-during-pandemic>

7 Andrew Wasike (2020), Kenya Flower Industry Dying Due to Covid-19

8 Andrew Wasike (2020), Kenya's Flower Industry Dying Due to Covid-19

9 Ibid

According to the Chief Executive Officer of the Kenya Flower Council, the industry has been losing about Kshs. 20 million per day due to the coronavirus outbreak¹⁰. The CEO expressed fears about a looming collapse of the industry noting that the sector may, by end of this year, shrink by half of its value which stood at Kshs. 120 billion in 2019¹¹.

Meanwhile, the government continues to step up efforts to safeguard the economy from a looming collapse. President Uhuru Kenyatta announced on 25th March 2020 a raft of measures which included a reduction of Corporation Tax from 30% to 25% and reduction of the turnover tax rate for Micro and SMEs from 3% to 1%. To cushion low income earners from the effects of the pandemic, 100% tax relief was extended to all workers earning a gross income of up to Kshs. 24 000, reduction of Income Tax Rate (PAYE-Pay As You Earn) from 30% to 25%. Further, the government's cash transfer programme that is managed by the Ministry of Labour and Social Protection was expanded to cover poor households in Nairobi's people's settlements. Previously, the programme only covered the elderly and orphans and vulnerable children (OVCs).

Other countries are taking even more measures to protect their economies as well as their most vulnerable populations. In Netherlands, Montenegro and Germany, for instance, social contributions have either been deferred or subsidised. South Africa is one of the countries reported to offer unemployment benefits. The government of Albania has doubled its cash transfer programme and introduced a new one for self-employed families that will now receive a special benefit equivalent to a monthly salary set by their government¹².

Further Algeria is currently distributing food and hygiene items to the most vulnerable families including those living in isolated areas and impacted by lockdowns. To guarantee the right to housing, the government of Argentina has prohibited the eviction of tenants until 30th September when the situation is hoped to have improved. The Argentinian government has further ruled that key utilities such as water, energy and gas should not be suspended even if the consumer has been unable to pay for the services¹³.

10 Daily Nation, 21st March 2020

11 Andrew Wasike (2020), Kenya Flower Industry Dying Due to Covid-19

12 Ugo Gentilini et al (2020), Social Protection and Jobs Responses to Covid-19: A Real Time Review of Country Measures

13 Ibid

4.0 Methodology

4.1 Introduction

The assessment was conducted at an unprecedented time when the world order had completely shifted and new ways of working gained prominence. The methodology of the assessment had to fit within a context of limited movement and social distancing.

This chapter defines the study design for the assessment, target population, sample size and sampling procedure, research instruments, data collection procedure, data analysis and presentation techniques as well as the limitations of the study.

4.2 Study design

This was an action oriented rapid assessment which was heavily qualitative in nature with nearly all questions being open-ended. This was mainly for the purpose of drawing out as many unique nuances from the respondents as possible. The primary data is therefore mainly presented in a qualitative manner with a few quantitative elements. Secondary data was useful in providing context for the study and providing quantitative elements of data.

4.3 Target population, sample size and sampling procedure

The assessment targeted women workers in flower farms located in Nairobi and its environs, Rift Valley and Mt. Kenya regions. Overall, the assessment set out to reach a total of 100 women workers with an eventual reach of 71 drawn from 12 farms from the three regions.

The respondents were identified through purposive and snow-ball sampling techniques. The former based on their previous engagement

in the Women@Work Campaign which allowed accessibility to the women workers in view of the current realities brought about by the pandemic and the latter based on referrals from the respondents.

The study also benefited from interviews with key informants and stakeholders that included: the Ministry of Labour, Agricultural Employers Association (AEA), Horticulture Crops Directorate (HCD), branch secretaries from the Kenya Plantation and Agricultural Workers Union (KPAWU), the Kenya Export Floriculture Horticulture & Allied Workers Union (KEFHAWU), farm owners and company management, host communities drawn from the three regions, local administration from Thika and Naivasha and select Women@Work Campaign partners in Kenya.

4.4 Research instruments and data collection procedure

A semi-structured interview guide was developed for the various categories of respondents. Interviews with 71 women workers were conducted through telephone while those with key informants were conducted through mixed procedures including telephone calls, email correspondence and an online data collection tool.

4.5 Study limitations

The assessment was conducted under arduous circumstances following directives by the government to contain movement in and out of select counties in order to curb transmissions. Nairobi was among the counties locked alongside Mombasa, Kilifi and Kwale. With this closure, all interviews were conducted virtually. Virtual communication tools as a mode of data collection, although the most feasible under the circumstances, were limiting to the extent that some nuances may have been missed especially those that would be picked through observation of the respondents and their environment.

Calls were made randomly with only those who picked being interviewed. The workers who responded to the calls during the day were at home either on unpaid leave, had been laid off or were scheduled for night shift work. There were also respondents who had previously left the sampled farms and were pursuing different interests and fields such as real estate (1), business (2), resumed college (1) or resigned (2) and were waiting for normalcy to resume to figure out next steps. This report views their exit from the flower

companies as a limitation on one hand and an opportunity on the other. It is a limitation because they lacked up to date information that the study sought and an opportunity because it presented useful nuances on the fact that workers in the flower sector are now increasingly looking out for better opportunities including self-development through going back to school.

Time was a major drawback to the assessment. Firstly because some respondents were at work during the period of the assessment. In this regard, some interviews were started off and completed later due to the pressing demands facing the women workers at work. The interviews would begin during the lunch-break and a continuation would be done later in the evening, yet a balance had to be struck between the interview and household chores. Secondly, the assessment had to be conducted fast and within a rapidly-changing environment. For instance, the statistics on reported cases and deaths would change rapidly every day. Similarly, the situation in some of the flower farms was changing fast while in others, there was a likelihood of a change in the status quo as the pandemic raged on.

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5.0 Data Analysis, Presentation and Interpretation

5.1 Response rate

Out of the envisaged target of 100 women workers, 71 (71%) responded to the interviews. All the 71 women interviewed were general workers drawn mainly from various committees from 12 farms. This was as a result of snow-balling by the respondents which led the assessment to more farms.

The key informants were drawn from the government, employers' associations, the two trade unions in the agriculture sector, company management, local administrators, host communities from Thika and Naivasha and Meru and Women@Work Campaign partners. Two of the key industry players failed to respond to the interview questions, one citing hindrances owing to the need to respond to the challenges bedeviling the flower sector and the need to keep the industry afloat and the other not responding completely.

5.2 General information

The women workers interviewed were drawn from a cross-section of departments which included: production, grading, pack house, sanitation, security and propagation. Some of the respondents had representation roles in health and safety, welfare and gender committees while some were members of the Fairtrade Premium Committee. We also interviewed shop stewards and chief shop stewards.

Below is a representation of the respondents in tabulated form:

Table 1: Workers Interviewed

Workers	Total Number (x)	Percentage (x/71)100
Female	71	71%
Male	0	0
Total	71	100

No.	Category of respondents	Frequency(x)	Percentage(x/71)100
1	General workers	50	70%
2	Committees	14	20%
4	Union	7	10%
	Total	71	100

No.	Category of respondents	Number of workers + management interviewed	Number of farms interviewed
1	Rift Valley	13	5
2	Mt. Kenya	33	6
3	Nairobi	34	1
	Total	80 (inclusive of 9 management)	12

Key Informants

No.	Designation	Organization
1	Deputy Labour Commissioner	Ministry of Labour
1	Manager-Compliance & Regulatory Services	Horticultural Crops Directorate
1	Chief Executive Officer	Agricultural Employers Association
1	National Treasurer	Kenya Export Floriculture, Horticulture and Allied Workers Union
2	Branch Secretaries	Kenya Plantation & Agricultural Workers union
1	Managing Director	Legacy Farm
3	Human Resource Managers	Kenya Horticulture Exporters
6	Other managers (marketing, production, procurement)	Isinya Tropiflora
1	Chief	Sokoni Area-Naivasha
1	Chief	Mugumoini-Thika
2	Village Elders (Thika)	Nyumba Kumi
3	Village Elders (Naivasha)	Nyumba Kumi
3	Village Elders (Mt. Kenya)	Nyumba Kumi
15	Community members	N/A

5.3 Findings of the assessment

5.3.1 Flower Industry hard hit by Covid-19

The horticulture sector in Kenya is perhaps one of the worst hit by the pandemic. The sector is Kenya's third largest foreign exchange earner, and contributed Kshs. 120 billion last year alone to the country's gross domestic product (GDP) is currently at less than 10% of its normal operations according to the Kenya Flower Council (KFC)¹⁴ CEO. Kenya sells up to 70-75% of its horticultural products to Europe¹⁵ and therefore closure of European markets has had an immediate negative effect on the sector. Closure of the Dutch auction where part of the flowers from Kenya are sold has further compounded the situation for the sector.

As this happens, the world of work is being profoundly affected by the novel Covid-19 pandemic. The economic and social disruption caused by the crisis threatens the long-term livelihood and well-being of thousands of Kenyans, especially women. The most vulnerable to the impacts of the pandemic are the thousands of workers found at the start of supply chains such as production, preparation and packaging. Most of these workers are often predominantly women who are plagued by dual roles-domestic and professional roles-in which they double-up as the primary caregivers in their households and communities. In Kenya's horticulture sector, women workers constitute 65-75% of the entire workforce¹⁶. These are workers who, long before Covid-19 have been subjected to decent work insufficiencies that include poverty wages, dangerous and unsafe working conditions, sexual harassment as well as job insecurity. These are the very workers bearing the initial shock of the pandemic for which they are least prepared to weather.

Josephine Simiyu, Compliance and Regulatory Manager at the Horticulture Crops Directorate (HCD), the government body charged with

regulating and licensing companies in the horticulture sector, said the industry was almost completely ravaged by the pandemic. She added that the effects are felt across the entire industry: from producers, businesses, workers, to government.

“It is a ripple effect across the entire chain. Even the government is affected,” remarked Josephine.

Additionally, Josephine noted that the HCD was yet to decipher the full impact of the pandemic as it is still too early. However, she appreciated that the impact is already high and severely being felt. The regulator will conduct an evaluation in a month's time to establish the exact nature of impacts in the horticulture sector. Although the government is already engaging in stop-gap measures such as tax reduction, the evaluation report from the HCD will inform further steps to be taken to address the challenges faced by the industry in a more targeted manner.

The National Treasurer of the Kenya Export Floriculture, Horticulture and Allied Workers Union, Mr. Bernard Mukaisi reiterated the hardships that workers are currently facing, noting that most of them are staring at starvation and are living in constant trepidation about looming eviction from their rented houses. He further pointed to the difficulties that the trade union currently finds itself in since most farms have closed while those still in operation are paying workers to uproot and dispose flowers. The union is no longer receiving union dues from the flower companies as most workers are either out of employment or on wage cuts.

14 <https://www.aa.com.tr/en/africa/kenya-s-flower-industry-dying-due-to-covid-19/1782378>

15 Andrew Wasike (2020), Kenya Flower Industry Dying Due to Covid-19

16 Fairtrade Foundation (2018), Gender Equity Across Supply Chains: A Comparative Analysis

“We almost do not want to think about this situation. It is terrible. We are in a place where all we can think about is saving lives. We cannot even negotiate with employers, many of whom have closed their companies.”

**Bernard Mukaisi,
National Treasurer, KEFHAWU**

The Chief Executive Officer of the Agricultural Employers Association described the impact in one word: devastating. Mr. Wesley Siele said the industry had nothing to sell as there were no markets.

Asked what the Association is doing to support the industry to remain afloat, he said all they can do is remain optimistic. However, the Association together with the KFC are pursuing the government for a Value Added Tax refund totaling to about Kshs. 10 billion to revamp the industry. Similarly, the Association is following up with the National Industrial Training Authority (NITA) for refunds on trainings undertaken by companies and for which costs ought to be refunded by NITA.

The assessment, however, established that the horticulture sub-sector which deals with production of vegetables and fruits had not been affected in the same magnitude as the floriculture sub-sector. One of the Human Resource Officer's from Farm 6¹⁷ confirmed this variance stating that the horticulture sector is surviving the harsh pandemic on the basis that their produce [food] is an essential produce compared to flowers which are categorized as luxuries. This can further be explained in part by the fact that there have been major disruptions in local harvests in major European, Middle Eastern and Asian countries following the devastating effects of Covid-19 in those countries. This must be driving up demand for fruit and vegetables but the challenge, to an extent, is limited outbound air freights. Josephine Simiyu confirmed that there are few cargo planes flying out due to lowered volumes of the consignments being exported. Ms. Simiyu remarked that this has shot the cost of exporting cargo upwards and therefore, the eventual cost of food is high. This has an adverse effect on Kenya's exports due to competitiveness of other produce from other countries.

“Employers have been forced to send workers home on unpaid leave. In extreme cases, contracts will have to be terminated,” said Mr. Siele.

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17 Names of farms have been coded to protect identity.

The table below gives a comparative analysis of the effects of Covid-19 on both the floriculture and horticulture sub-sectors.

Industry	Horticulture (Vegetables and fruits)	Floriculture (Flowers)
Effects of Covid-19	Minimal	Adverse
Permanent workers	All workforce retained	Workforce reduced by 50%, others sent home on unpaid leave and others working in shifts/half pay/ pay per hour module
Seasonal, Casual workers	Contracts expired (usually hired in season)	All laid off
Salary	No change	Half pay Unpaid leave
Work load	Steady	Increased by more than double due to reduced workforce. Workers getting overworked
Work security	Orders are still consistent. The industry is promising. Recruitment being done on need basis	Bleak Insecure Precarious Produce is being disposed due to lack of market.

As one of its response strategies to salvage the crumbling floriculture industry, the AEA in partnership with KFC has established a fund that is intended to contribute towards an emergency response fund established by the government. The challenge with this strategy, if adopted, is the risk that the funds channeled through a government conduit may never reach the targeted beneficiaries due to the high stakes involved. In addition, it is not clear whether the fund will factor in all the flower farms, regardless of size and social certification status. According to a Managing Director of one of the farms, there is a need to encompass all floricultural industries in any scheme intended to benefit the sector as the economic impact is universally felt by all flower farms.

Appreciating that the pandemic had visited profound shock on many sectors in the country, the Deputy Labour Commissioner, Ms. Hellen Apiyo said the Ministry of Labour and Social Protection is working round the clock to foster social dialogue among the labour tripartite that includes the government, workers (represented by the Central Organisation of Trade Unions) and employers (represented by the Federation of Kenya Employers). According to Ms. Apiyo, one of the ways to mitigate against the shocks of the pandemic was forging collaboration with all key players in order to find sustainable solutions. She added that the situation in the country, particularly the world of work is unprecedented and can only be likened to an emergency situation.

The situation is dire. Many employers are not making revenue and it is difficult for them to pay salaries. We are in a state where some laws may not apply,” said Ms. Apiyo, Deputy Labour Commissioner.

5.3.2 Workers understanding of Covid-19

As Covid-19 continues to spread in every corner of the country, a lot of information is churned and disseminated widely every day. All the respondents confirmed to know about the virus, its origin, spread, symptoms and preventive measures. Specifically, they were more deliberate about their hygiene and observed regular washing of hands, wearing masks, avoiding crowded places and limiting movement unless it was absolutely necessary.

Similarly, employers are increasingly adopting measures and changing workplace practices to accommodate the rapidly changing times. In the flower sector, all employers from the sampled

farms have taken precaution to protect their workers from infection and also to curb possible transmission. All the respondents interviewed confirmed that the employers were taking directives issued by the government seriously. In all the farms, employers provided hand sanitizers and required workers to sanitize their hands at the main entry point. There are increased water points positioned at strategic places with soap and sanitizers and hand washing points installed outside each greenhouse. Workers are required to sanitize their hands before entry into the green houses, the changing rooms and before boarding company buses. The buses are regularly fumigated and no worker is allowed in without wearing a mask or before sanitizing their hands.

Additionally, companies have provided each worker with a re-usable free mask without which they [workers] are not allowed entry into the company premises. From the sampled farms, only two farms (Farm 6 and 7) have provided each of their workers with a pair of masks. This is laudable as it allows workers to clean their masks after work and still have one for the next day.

In addition, the farm managements carry out bi-weekly sensitization meetings with department supervisors and health and safety committee leaders mandated to ensure their line staff are fully compliant to the guidelines issued by the Ministry of Health.

“Sisi huku kutoka Korona ianze, ni kuosha mikono, kuvaa mask, kuangalia maneno ya social distance, na sanitizers ziko kila mahali. Huwezi ingia kwa gate ama kupanda gari ya kampuni bila mask,” said one worker. (Since Corona was first reported, we have developed a culture of washing hands, sanitizing and keeping social distance. Sanitizers are placed everywhere. You cannot get into the company or board the company bus without a mask).

The companies have also adhered to the government directive requiring all public service vehicles to limit their carrying capacity to 60%. Nevertheless, this is not deemed to pose a challenge because most farms have laid off their temporary workers and released the permanent staff for annual leave while the others have arranged for rotational shifts that have seen workers engaged for half a month. One of the companies has hired additional buses and also introduced night shift work for the pack house department - ordinarily workers worked overtime. This measure to withdraw overtime work is geared towards compliance with the dawn to dusk curfew directives currently in enforcement by the government.

However, the workers that were interviewed expressed fears over the safety of their children who are left unattended at home, after the abrupt closure of schools, as their parents eke a living in the farms. While the children are always advised to stay indoors and to wash their hands regularly, their parents live in constant apprehension hoping that the children are safe and will not contract the virus and bring it home to the family. The situation is not any different for the workers who were laid off and are currently at home. They said it was difficult to contain children indoors especially within cramped up spaces.

5.3.3 Employment status

As the economic and human rights impacts of the COVID-19 outbreak become more apparent, women workers, especially those in precarious and informal jobs, bear the worst impacts of the crisis.

The fate of hundreds of workers who have been sent home on unpaid leave hangs in the balance as the possibility of their return to work remains unclear. Respondents from six farms reported that an unconfirmed number of permanent workers had been sent home on unpaid leave.

In one of the farms (F4), workers were asked to voluntarily take a break from work in light of the current crisis. Those who did so were under the misconstrued notion that they would enjoy

half salaries while on leave. As it would later turn out, their last pay was effected in March 2020 and there has not been communication on their expected date of returning to work.

In farm F2, a rotational system has been established where workers go on unpaid leave in shifts – split in two weeks. In light of the difficulty that comes with determining the group that would take leave first, dices were cast and those who selected a 'no' were the first ones out. However, all casual workers in the company lost their jobs and were evicted from company houses without notice.

As a result of reduced workforce in the sector, the amount of work for those who have remained behind has more than doubled. In farm 7, the workforce in greenhouses has been reduced from 10 to 4 thereby almost tripling the workload whereas the number of workers in green houses in farm F12 has been reduced from 22 to 11 workers. In farm F10, a greenhouse that used to be attended by 7 workers is currently managed by 2 workers and the situation is similar in all the departments. Workers noted that this has led to an increase in the number of sick-off cases in the farm. The situation of increased workload for reduced pay was also reported in 8 other farms. As a result of increased workload, women reported increased fatigue and stress levels. One worker had this to say:

“I feel tormented both mentally and physically. It is like life has turned upside down. I am doing more than double the work I used to do. And yet when I get back home, my children need my full attention.”

Those who have remained in employment are only half lucky as they have to contend with half salaries for working half the month and yet have to remain resilient to the escalating harsh working conditions. This report infers that due to the increased workload, workers who have been retained on half-pay to work for 15 days every month are actually doing a month's job in 15 days. The fact that the pandemic was unforeseen, flowers had been planted on the vast pieces of land as has always been the case. The heavy workload relates to uprooting and disposing the flowers but also responding to the few orders that are received.

In one of the farms (F11), the workforce has been reduced by half. One of the managers we interviewed from this farm said the entire management team is surviving on sustenance pay as their salaries have been reduced by 50% despite increased workloads and increased hours of work. A grading station that initially accommodated three workers is currently managed by one worker. Workers advance salaries were also suspended as the system of payment has since been revised. The retained employees are mainly harvesters whose main job has stretched to disposing tones of flowers. The market demand has also shifted to carnation flowers, which are mostly used in expressing sympathy and condolence during illness and bereavement.

The Kenya Plantation and Agriculture Workers Union (KPAWU) had negotiated with companies for retention of workers on revised terms which included unpaid leave and reduced hours of work for half pay. Notably, the union had also secured housing allowance, National Hospital Insurance Fund (NHIF) and National Social Security Fund (NSSF) contributions for workers at Kenya Planters Production (KPP) also known as Seleka 1 that had sent more than 200 workers home on unpaid leave. A KPAWU branch secretary pointed that one of the farms in Kiambu was in the process of rolling out a redundancy plan and had already issued notice to the Ministry of Labour in line with Section 40 of the Employment Act.

A worker in another farm said she was sent home on 24th March 2020 on unpaid leave.

She said the process was laced with favouritism and nepotism as long serving workers were targeted for unpaid leave while those that remained in employment had worked for less than three years. The move to send home long serving workers was seen as a ploy by some companies to lower their wage bill by retaining the workers earning lower salaries. This action by the company came only a day after the Ministry of Labour and Social Protection had issued a statement outlining a raft of policy directives, among them, a call for mutual agreement between employers and employees before the workers are sent on unpaid leave. This is in line with Section 10 of the Employment Act (2007) that obligates employers to consult employees before varying terms of their contracts.

Three workers from one of the largest farms in Naivasha raised concerns about an increasingly tense and hostile environment. They indicated that the management was on a witch hunting mission to either terminate contracts or send workers on unpaid leave on superfluous reasons. Important to note is that at the time of conducting the interviews, no worker had been sent home for Covid-19 related reasons in this particular farm. However, two days later 18 workers were sent home on unpaid leave for what other workers described as a witch-hunt. Some of the reasons highlighted for the disciplinary action included non-observance of social distance and failure to wash hands when getting into green houses. According to operational level grievance handling procedures at the far, it would have sufficed to issue warning letters but instead, show-cause letters were issued with the eventual outcome of sending the 18 home. This move contradicts principles of fair administrative action which provide for fair hearing of employees before any disciplinary measures are taken. Additionally, failure to wash or sanitize hands or to observe social distance requirements does not form part of workplace grievances.

Farm 5 in Kajiado was reported to have significantly reduced its workforce from 500 to 180 and sent close to 100 permanent workers on unpaid leave, including some managers from the human resource and marketing departments.

Other employees reported that their two weeks unpaid leave were further extended to a month upon resuming work while others were asked to stay home until further notice. In the midst of this confusion some workers opted to resign to secure their gratuity.

“I am at home with no job. First I was sent on compulsory leave and when I resumed I was asked to fill in for unpaid leave. Three days later I was summoned to surrender all my work equipment and resign,” said a devastated worker.

From the interviews, we established that farms were too quick to reduce the number of employees in what appears to be a well-orchestrated plan to achieve cheap labour. In April 2020, the Pandemic Response and Management Bill was tabled before parliament. It seeks to cushion employees from possible job losses and allow employers to put in place mechanisms for retaining employees in the event of inability to pay salaries. It is hoped that this bill, if enacted into law, will offer workers the much-needed reprieve from job insecurity during crisis situations such as the one the globe is currently grappling with.

While it is not in dispute that the flower industry has been ravaged by the effects of the pandemic and that drastic measures will inevitably have to be taken to keep the industry afloat, there is need for ultimate good faith to prevail and for employers to ensure any measures taken to save the industry are transparent and predictable. If employers believe that workers are the most valuable assets to their businesses, they will find it necessary to be consistent in their plans and to involve workers in arriving at decisions that have a bearing on their lives.

Best Practice

This assessment found that four of the 12 sampled farms have retained all their workers even as the effects of Covid-19 rage on. The decision to retain workers has been a result of social dialogue between company management and the Kenya Plantation and Agricultural Workers Union, that none of the workers would lose their jobs. Instead, a two-week rotational schedule is currently being rolled out in these farms allowing workers two weeks of paid work and two of unpaid leave.

One of the companies adopted innovative means of managing the curfew by introducing night shifts for their pack house workers and expanded the grading area to accommodate all the workers in order to observe social distancing.

Another company has hired extra buses to accommodate their employees and introduced variety of breeds in their farms in order to reach new markets. These four companies demonstrate that it is possible to adapt to a new normal and to balance between the interest of employers and those of employees in the face of a difficult crisis.

5.3.4 Living conditions

Most of the women workers interviewed were household heads as confirmed by 65% of the respondents. They have an average of 2-4 children and live in single rooms within the vicinity of the farms with only a few living in two rooms (double-rooms). Many of them endure the financial strain brought about by extra obligations because they live not only with their own children

but also with in-laws, nephews, nieces and grandchildren. One of the workers had this to say:

“Ninaishi kwa room moja pamoja na watoto wangu wanne. Mkubwa ana umri wa miaka kumi na minane na mdogo ana umri wa miaka miwili na nusu. Ningependa kuishi kwa nyumba inayoruhusu usiri kidogo lakini mshahara wangu hauniruhusu,” said a worker. (I live in a single room with my four children. My eldest is 18 years while the youngest is two and a half years. I would like to live in a house that allows a level of privacy but my salary won't let me).

The respondents living in double-rooms mostly have spouses who either work in flower companies or provide casual labour in the local construction industry. Whereas some farms provide housing within workers' camps located within the companies, majority of workers who are married and whose spouse(s) work in different farms or industries prefer to live outside the farms. This group said they prefer the freedom that staying outside the farm grants and the benefit of house allowance for which workers living in company houses were not eligible. Moreover, those in workers' camps are mainly single or couples who work in the same farm.

Access to clean water is dependent on the location. Those who live within the farms are at an advantage of accessing free water while those who live outside the farms are billed by the homeowners or buy water from local vendors at a cost of Kshs. 5 – 10 for every 20 liter jerry can. The fact that water comes at an extra cost against rapidly diminishing wages and incomes could mean that workers may eventually feel the financial strain of keeping up with regular hand washing and observance of general hygiene, which are the most effective ways of preventing transmission of the virus. Hand sanitizers are unaffordable to these workers who are grappling with meeting the most basic needs in the wake of lost jobs and/or reduced earnings.

On average, workers in the flower sector earn a basic salary ranging from Kshs. 6,736 (\$65) (the minimum wage in the agricultural sector) to Kshs. 13,000. About 60% of the women interviewed earned below Kshs. 10,000. Those who earn between Kshs. 10,000 – Kshs. 14,000 are mainly long serving workers or in supervisory positions. It is little wonder therefore that all the respondents live in informal settlements such as Karagita in Naivasha and Mugumoini in Thika. The cost of single rooms in these areas ranges between Kshs. 1,500 – 2,000 while double rooms go for about Kshs. 2,500 – 3,000. This was confirmed by two chiefs from Mugumoini and Sokoni areas in Thika and Naivasha respectively.

As a result of crowded living conditions and harsh containment measures, workers in the flower farms face unique risks that could easily put them in harm's way of contracting the virus. Their vulnerability remains significantly high as they have to make regular trips to the shops, open air markets and other crowded places to source for food. This comes against a backdrop of inability to stock up on food because they already cannot afford regular meals. Further, they rely on shared sanitary facilities which further predisposes them to the virus as well as poses the challenge of effective self-quarantine in the event that one exhibited Covid-19-like symptoms.

5.3.5 The shadow impact of Covid-19 on women

According to the respondents, women are severely impacted by the pandemic. This is because 83% of those interviewed reported that there was an increased burden of care imposed on them as their male counterparts have relinquished most domestic obligations. Women have also taken up homeschooling roles besides their hectic schedules of balancing between domestic chores and the heavy workloads in the companies where they now work under the current stressful environments. One of the respondents said:

While most of the respondents indicated that sexual and gender based violence (SGBV) was not unusual in their localities, none of the women explicitly pointed out to have experienced it firsthand. However, they expressed fears over a surge in violence should the pandemic persist. They attributed these violent behaviors from spouses to anguish orchestrated by job losses and stressful working conditions. This position was confirmed by Margery Mwiruri, Sokoni Area Chief, who said there were no cases of SGBV reported to her office.

5.3.6 Household expenses

As Covid-19 rages on, its impact on households is especially felt by workers on low wages and the unemployed. The situation in the farms as described in this report is tough; workers have to put food on the table, pay other household utilities as well as respond financially to other unforeseen eventualities such as illnesses.

All the respondents confirmed their household expenses had drastically gone up in the wake of Covid-19. The main expenses revolve around food and other household utilities for families. All of them pointed out their biggest dilemma to be the sky-rocketing cost of food especially now that children are at home after the premature closure of schools. The consumption of food in their households had more than doubled as they now have to provide all the three meals in a day. All the respondents indicated that when children are in school-whether day or boarding schools, the budget for food is manageable as some of the meals are provided in schools. Oblivious of the current hardships their parents currently face, children did not understand that austerity measures may be imposed to reduce the household budgets. The respondents said they were contemplating reducing food portions or skipping some meals altogether.

“Ingawaje mimi sijaadhirika, kesi za ugomvi nyumbani ni za kawaida huku kwenye mitaa. Hata hivyo tunahofia ugomvi utazidi kwa sababu wazee wakati huu wana kisirani sana. Kuna wale hawajazoea kukaa nyumbani na wale ambao wamepoteza kazi ama biashara zao zimeenda chini juu ya hii korona. Sasa wanaleta stress zao nyumbani,” said a worker. (I have not been affected but SGBV cases are normal in our localities. We are only afraid the pandemic may compound the situation as men may turn wild as they are not used to staying at home while some are agitated by job loss and collapse of businesses as a result of corona).



“Imekuwa ngumu sana kwangu. Tunakaa tukiangaliana na watoto kwa sababu wakati mwingine hatujui chakula kitatoka wapi. Siwezi nunua nyama tena wala kupika chapati. Siku hizi tunakula ugali na cabbage au sukuma wiki kila siku.”

(Life has become very hard for me. Sometimes we sit and blankly stare at each other [with the children] because we do not know where the next meal will come from. I can no longer afford to buy meat or to cook chapati for my children. We now feed on ugali and cabbage or kales every day).

Asked what they thought about the tax relief announced by the President, all the general workers said they were not enthusiastic about the tax relief. All of them earned below Kshs. 24,000 and therefore the tax relief did not mean anything to them.

To put her current salary in context, one of the workers from Farm 8 said she had to introduce drastic austerity measures to lower her expenses on food. While a cup of tea would ordinarily be served with three slices of bread for each of her three children that she raises single-handedly, bread is now a luxury that she cannot afford to provide.

Her situation, as that of other women workers in the flower sector, is further exacerbated by the fact that the cost of basic food commodities has gone up countrywide. The cost of charcoal per gallon has doubled from Kshs. 40 to 80 while the cost of 6kgs cylinder cooking gas has shot from Kshs. 650 to 1200 in Naivasha.

When asked about the impact of covid-19 on her lifestyle, one of the gender committee representatives from Farm 10 in Naivasha reiterated that food consumption at home for her extended family is overburdening. She stated that many single mothers and widows have been unable to provide for their families and are now staring at starvation.

“Mfuko moja ya unga ya ugali ilikuwa shilingi 97 na sasa ni shilingi 125. Kila kitu kimepanda bei na inabidi tujinyime chakula. Wale wenzetu ambao walifutwa kazi nao wanatutegemea wakati mwingine, tukipata kidogo tunagawana. Pale kazini nayo kuna pressure mingi hatujui hatima yetu,” says a worker from Naivasha. (A 2kg packet of maize flour which was initially sold at Ksh. 97 is now retailing at Ksh. 125. Basically expenses have gone up and we’ve had to cut down on our intake and number of meals we take a day. Those who lost their jobs now rely on us for support and we therefore have to share the little we get. Things are not any better at the workplace. We are now working under too much pressure and we have no idea how our end will be like).

The fact that the uncontrolled fluctuation in cost of basic foods and commodities had further shrunk the real wage earned by workers cannot be gainsaid. Long before the onset of Covid-19, workers in the flower sector faced food security issues due to their low purchasing power. With reduced wages for some and job loss for others, these workers are now more vulnerable to food insecurity as they plunge deeper into poverty. Due to the low wages, all the women workers said they preferred to buy their food from the local shops where they enjoy credit facilities and pay for them either at mid-month when they get a salary advance or at the end of the month.

The directive by the government to close open air markets was a major contributory factor to the escalating food prices. Similarly, the containment directives that limited movement from one area to the other has implicated negatively on

access to food. ILO recognizes that because of movement restrictions, many workers cannot reach their places of work or carry out their jobs, resulting in decline in economic activity, which is having knock-on effects on incomes, particularly for informal and casually employed workers¹⁸. For instance, people living in Gatunyu and Mugumoini areas that are within the vicinity of many flower companies are restrained from crossing over to Thika while Limuru is trapped between the roadblocks demarcating Nairobi metropolitan areas on both sides of Kikuyu and Kiambu. Although the government has guaranteed that food trucks will be allowed across the temporary borders, drivers of such trucks are required to have a special permit. As drivers struggle with obtaining permits, especially for the direct farmers and retailers, the cost of food continues to soar due to limited supply.

18 ILO (2020), COVID-19 and the world of work: Impact and policy responses

The cost of transport has gone up by more than 100%. In Naivasha, for instance, the cost of transport for public service vehicles from Karagita, where most flower farm workers reside, to town, was previously Kshs. 20 but this has shot to Kshs. 50. In Thika, workers living in Gatanga area would spend Kshs. 40 to and from work before the onset of corona virus disease but now have to part with Kshs. 100 to and fro.

However, respondents from Farm 7 and Farm 12 in Naivasha indicated there was a silver lining owing to some sector players coming to their aid. The two farms had appealed for support from Fairtrade and had received a nod with Fairtrade committing to play a part in alleviating their hardship, albeit partially. In Farm 7, it was reported that each worker would get Kshs. 2,100 from May for an unknown period of time. This would include workers who had been sent home on unpaid leave. In Farm 12, workers in the hypericum flowers section who had been subjected to half-pay would get Kshs. 3,000 per month while those in rose flowers section and still had their jobs would get Kshs. 1,000. These monies would be drawn from the Fairtrade premium from May 2020 for an unspecified period of time. The CEO of the Agricultural Employers Association confirmed that Fairtrade had approved a decision allowing the Fairtrade Premium Committees in the affected farms to pay a cash token to the workers.

However, it is important that Fairtrade puts in place mechanisms to ensure prudent utilisation of the funds to avoid cases of misappropriation. Additionally, the support of other well-wishers would be useful in closing in the gap created by partial aid directed to a segment of workers since not all farms are Fairtrade certified. As noted by Bernard Mukaisi of KEFHAWU who said this level of support would leave out many equally deserving cases from farms that do not have Fairtrade certification.

5.3.7 Outlook for the future

All the women workers interviewed expressed fears about a looming bleak future. For those who were out on unpaid leave, there was a gripping fear about their employment status

which remains unknown. Although they were technically still in employment, they would remain on unpaid leave for an unknown period of time. To them, every day is a gut-wrenching experience with stark realities of their waning ability to put food on the table. Asked what their greatest fears were, 92% of the respondents said they were worried that they would be unable to provide for their families. Many others (83%) expressed anxiety about their ability to keep their children in school. With the meagre wages, all of the respondents indicated they survived on perpetual loans from savings and credit co-operative societies (saccos) and had very minimal savings to weather a state of joblessness. Their savings ranged between Kshs. 500 – 1,000 against which loans were taken, leaving them with no money at all.

One of the workers who had been sent home on unpaid leave retreated to her rural home and took her children to her elderly mother. Asked whether her mother would manage to take care of her children, her distress was palpable as she said:

The situation of uncertainty was not only expressed by those who had been sent home on unpaid leave. Those remaining in the companies were equally anxious as it remained unclear how long the Covid-19 situation would last. The implications of wage cuts were as shattering as those of unpaid leaves, as explained by one of the workers. This worker broke down her expenses on a monthly basis and on bare minimum rates. She has been running on a deficit long before Covid-19 but the pay cut occasioned by the pandemic has made things worse.

The situation presented above is not unique to the respondent. Many others confirmed they are perpetually tangled in debt as a way of making ends meet. The loans are taken mainly to pay for school fees and to ameliorate their financial situation. They are now considering moving to even cheaper houses, skipping meals and suspending their monthly savings to the saccos. They also indicated they had approached their employers to negotiate with the saccos for suspension of loan repayments.

Monthly Salary	New Salary After Pay Cut	Monthly Expenses
Kshs. 9 000	Kshs. 4 500	House rent-1 500 Loan repayment-1000 Meals (Breakfast, lunch, dinner) @150 per day=4500 Water @20*3 jerry cans*30 days=1800 Total 8 800 (Kshs)
<p>This worker will be operating on a deficit of Kshs. 4 300 per month. To survive the situation, she has suspended her monthly savings (Kshs. 500) to the sacco and is contemplating other austerity measures such as cutting down on her expenses around food and water.</p>		

By the time of writing the report, only one farm had successfully negotiated with the sacco to suspend loan repayment until the situation improves. All the respondents indicated there is a high chance they will have huge difficulties paying their bills in the near future. Out of the 71 respondents, 53 women indicated there was a likelihood they would retreat to their rural areas to eke a living where the cost of living was much lower compared to the metropolitan areas. Others said the only hindrance to starting up a small business was lack of capital. The rest of the women felt too overwhelmed by the crisis to think of a future without a guaranteed wage.

In the whole conversation on their outlook for the future, one thing stood out: the women workers

considered this pandemic a wake-up call to think critically about their future, safety and security. The need to have a fall back plan featured prominently with workers committing to start saving for emergencies. Respondents from Farm 6 said their contingent is the establishment of a local savings kitty commonly known as chama.

On the part of management, innovation and diversification of work was cited as a critical element to remaining relevant during pandemic. Specialization in one area of business poses a higher risk compared to expanding the variety of produce. One of the managers indicated that their farm breeds a variety of flowers and herbs. They are also growing vegetables for workers and providing foodstuff to them during this pandemic.

Unlimited

‘Angalau mama ako na ng’ombe moja na amepanda ndizi kiasi. Ataweza kuwapatia chakula hata kama ni ndizi peke yake. Kwa sasa, ninahofia watoto wangu hawataweza kurudi shule kwa sababu pesa zote zimeishia kwa nauli ya kuja Kisii’ (At least my mother has a cow and a few banana plants. She will be able to provide them [my children] with a meal even if bananas will be the only meal. For now, I am worried about my children’s return to school because I do not have money as I spent all of it on our bus fare to the village).

They have also negotiated for a grace period for the repayment of sacco loans. Such initiatives highly motivate workers and are likely to increase their resilience to weather the current storm. In Farm 6, night shift work has been introduced for all pack house workers to ensure steady supply and transit of produce as they secure the livelihoods of workers who may otherwise be rendered jobless.

5.4 Workers’ suffering spirals to host communities

Covid-19 has exposed government’s weaknesses and ill-preparedness in responding to emergencies and pandemics. Lack of prioritization and safeguarding of essential services is crippling the country’s economy.

The brunt of a crumbling economy is most severely borne by workers, such as those in the flower sector, who are engaged in precarious employment where difficult conditions of work and job insecurity abound. The unemployed and the already neglected—the old, orphans and vulnerable children and stateless persons are particularly exposed to the raging effects of the virus. All these people, who in one way or the other, benefitted from neighbours with a little

guarantee of an income every month, are now on their own. The ecosystem of most societies is reeling under the weight of massive disruptions caused by the pandemic.

According to Jonathan Whittal, Director of Analysis at Medecins Sans Frontieres (MSF), “Covid-19 is demonstrating how policy decisions of social exclusion, reduced access to free healthcare, and increased inequality will now be felt by all of us.” In order to mitigate the impacts of the pandemic, especially on the less fortunate communities who are least prepared to weather the storm, the government needs a well-coordinated, well thought-out, inclusive and proactive response plan.

Interviews with eight host community members and two local administrators from Thika and from Naivasha showed the interconnectedness between flower farm workers and the host communities living around flower growing zones. The connection is directly proportional to the effect that a reduction in one variable inevitably reduces the other variable. In the case of loss of employment or reduced wages for workers, the effects are felt directly by community members. Since most of the workers are migrants from other parts of the country, they live in houses

rented out within the vicinity of the farms. Landlords now decry workers' inability to pay rent. This loss of income has a direct negative impact on their own families. Interviews with four local shopkeepers portrayed a desperate situation where tens of workers have been unable to clear their debts on food supplies. These shopkeepers said their biggest predicament was the difficult decision to either save their small businesses from imminent collapse, by suspending the sale of items on debt, or to watch the workers [who are also their neighbours] go hungry.

“The loss of jobs for these workers and the state of uncertainty has a major effect on us. They [workers] contribute a great deal to our local economy. For instance, I am a poultry and dairy farmer and most of the customers for my produce are flower farm workers. My sales have dropped drastically since this corona virus was reported in Kenya,” said Ruth Wanjiru, Nyumba Kumi Village Elder from Gatunyu

The local administrator of Sokoni area in Naivasha, Margery Mwiruri confirmed that the situation was very difficult especially for those who had lost jobs or were on half-pay. She said they had received support from well-wishers

such as the Lottery Club and Naivasha Pastoral Team who had distributed food supplies and masks respectively. These reflections were echoed by James Kamande, Mugumoini area chief, who emphasized that locals, especially flower farm workers were in dire need of food. Two local politicians had rolled out an initiative to distribute maize meal to the workers who are currently out of jobs.

5.5 Impact of Covid-19 on the Women@ Work Campaign

The impact of the Covid-19 pandemic has not only been felt by the horticulture players, it has also impacted on the W@W Campaign partners who have been working closely with the farms to promote decent work through various interventions.

Hivos through the W@W Campaign has been working with eight civil society organisations drawn from different fields to empower women workers on leadership and labour rights as well as support the advancement of decent working conditions in the farms.

The ban on mass gatherings, observance of social distancing and cessation of movement in particular counties has locked the campaign implementing partners out of the farms forcing them to suspend on-farm interventions such as trainings, interviews, meetings, evaluations and courtesy visits. This assessment sought their views especially on proposals to the government on possible ways of strengthening response mechanisms towards curbing Covid-19. Additionally, their views were sought on practical ways in which CSOs and development partners should respond to the situation especially of women workers in the flower sector. Many of them said the pandemic had thrown everyone off balance and therefore sustained dialogue would be key in identifying collaborative response strategies. Further, it was felt that women workers who were bearing the heaviest brunt of the pandemic would be best placed to propose the necessary practical responses.



They noted they have had to find innovative ways of engaging with the women workers in the flower sector. Some of the ways included use of bulk short messaging services to disseminate key messages and constantly checking in on women workers through phone calls, for solidarity.

With the massive lay-offs and economic tension around the flower sector currently, focus by industry players has shifted to resuscitating the sector as well as complying with the government's directives. During the interviews that provided an opportunity to check-in on the women workers and express solidarity with them, there has been a rising demand for support on provision of essentials such as food packages, cash vouchers and personal protective equipment for the workers.

"One of the key effects of the pandemic on women workers in the floriculture industry is the loss of jobs and this means loss of livelihoods especially for those working as casuals. Those

who are employed are now working in shifts of two weeks but earn half pay. This is according to interviews I have had with the women workers in two farms; Farm 8 and Farm 12 farms in Naivasha. Meanwhile and since we don't have a kitty to support the women, I sometimes share what I have with some of the women workers that I speak to, even if through mobile money transfer", Ruth Omukhango, AWCFS.

"There have been massive lay-offs, loss of livelihoods, fear, anxiety and distress among the women workers in the farms. As a feminist women's rights organization, we cannot afford to keep quiet and wait for normalcy to resume our interventions. It is time for us to stand with the women workers and express our solidarity. As such we have been making check-in calls with the workers on our database to find out how they are coping with the situation and to express our empathy", Dorothy Otieno, FEMNET.

With the increased lay-offs in the farms, FIDA-Kenya is committed to ensuring that women working in the farms are aware of their labour rights. FIDA-Kenya achieves this by offering free legal aid and psychosocial support to the affected workers. Workers are encouraged to use the toll free number, 0800720501, for this purpose. FIDA is currently exploring alternative livelihoods programmes for the women under their economic empowerment initiatives. FIDA-Kenya is also facilitating consultations between the workers' unions and the business owners with a view of coming up with sustainable solutions to address women's labour rights violations. "Downsizing, lay-offs, and closure of businesses may further propagate women labour rights violations", Janet Anyango, Program Officer, FIDA-Kenya

"First, the international, regional and national regulations in response to COVID-19 badly affected the world of work and the rights of workers at all levels and across sectors. Secondly, the restriction and cancellation of international flights adversely affected the movement of goods, more so the export of flowers to the main European market. Moreover, the collapse of the Dutch auction further complicated the already worsening situation for Kenya's flower sector. All these have led to a major exposure of workers who are already vulnerable owing to the precarious nature of their labour. The net impact has seen many temporary workers being laid-off and permanent workers being put on paid leaves. KHRC predicts more lay-offs and wage cuts if the pandemic is not controlled soon enough. As workers struggle to "survive" in such a situation, more cases of sexual harassment and gender injustices are likely to rise. All these impacts negatively to women workers who constitute close to 70% of labour in the flower sector", Davis Malombe, Deputy Executive Director, KHRC

"We work very closely with trade unions. They have all been greatly affected by the pandemic as most of their members have either lost jobs or been sent home on unpaid leave. Trade union membership is dwindling but how does a union engage its members especially when

most of them are not tech-savvy? We are seeking to understand the full scope of the impact on trade unions and are currently collecting data through a guiding questionnaire that we have shared with our members to fill. In the meantime, it will be imperative for development partners to shift focus to rural economic livelihoods as well supporting business start-ups. It is time to focus on skills development with perspectives beyond employability of individuals, especially the youth," Casper Pedro, Forum for International Cooperation.

Asked whether they had received complaints from the women workers they engaged with in the farms, all the partners reported that during their check-in calls they were informed of the massive lay-offs, with some workers complaining that farms are taking advantage of the situation to reduce the workforce and later re-employ them on lower pay. Following these allegations, AWCFS plans to interview (investigate) women workers to establish if these allegations are true or otherwise and publish the stories. FEMNET, KHRC, FIDA-Kenya, Haki Mashinani and Ufadhili Trust reported to have received distress calls from some women workers. Workers' Rights Watch reported that besides the calls and text messages received, a section of grieved workers visited their office in Thika to seek redress.

While working remotely and virtually is the new norm, W@W partners have been following up on the horticulture sector's response to the pandemic and documenting the progress as well as lobbying for inclusive and dignified Covid-19 response from their different levels of engagements. For example, KHRC has been working on a policy brief and statement, Protection of labour rights and the world of work in the wake of Covid-19 and developed a release, Impact of Covid-19 on jobs in the flower sector in Kenya. Internationally, under the Economic Social Cultural Rights Network (ESCR-Net), KHRC is working on a joint position paper regarding the effects of Covid-19 in responding to women workers' rights issues and corporate impunity. At national level, KHRC is working towards entrenching workers' issues in the category of

special interest groups for Emergency Support and Social Protection. The commission has also included workers in the interventions that will entail documenting and responding to human rights impacts of Covid-19 and government responses to vulnerable groups.

Prior to lockdowns being effected in the West, the glaring initial impact of Covid-19 was felt following the restriction of the travel of participants to the Commission on the Status of Women (CSW64) convening to a reduced New York based delegation. There was also a proposal to downsize the two-week event into a one-day procedural meeting. This meant that voices of thousands of women around the

globe would be missing in this policy space, including the voices of three women workers in the horticulture sector in Kenya that FEMNET had intended to support to participate in the decision-making space. As a result, FEMNET mobilized her members and petitioned for the postponement of the event to accommodate the voices of women globally and the virtual lobby has since been adopted. Recently FEMNET petitioned the UN Women over the increased number of gender-based violence cases reported since the directive on social distancing was put in place. FEMNET is working to launch an online hub that will provide key information for women in response to Covid-19 pandemic.



6.0 Recommendations

6.1 Government

Transparency and accountability on pay-cuts:

The President and his deputy announced on 25th March 2020 that they would take an 80% pay cut as part of their commitment to fight Covid-19. This was followed later by the Speaker of the National Assembly and the Speaker of the Senate who both took a 30% pay cut. However, workers felt that the monies freed by the pay cuts did not trickle down to the people who bore the brunt of the impact of the pandemic.

There should be a mechanism to ensure transparent and accountable use of such funds and that they are channeled to the most vulnerable including workers who lose their jobs to the current crisis.

Coordinated policy efforts to protect employment and income and stimulate the economy

The government needs to engage in well-coordinated measures to not only salvage the ailing economy but also to protect jobs and incomes. These measures ought to be pro-active and participatory as well as integrated across all policy areas in order to make strong, inclusive and sustained impacts. The government could start with developing a fund that would cushion unemployed workers and those who have lost their jobs to the pandemic, not overlooking the floriculture workers who by now have been reduced to vulnerability. Since the crisis is evolving rapidly, there is need for careful monitoring of the direct and indirect effects of all the interventions currently proposed by the government in order to ensure policy responses remain relevant. The Ministry of Labour and Social Protection, for instance, issued a statement in March and made far reaching policy directives among them the suspension of all Collective Bargaining Agreement (CBA) negotiations.

This blanket directive needs to be rethought to allow sector and industry players to negotiate on feasible strategies for mitigating the impacts of Covid-19 within the CBA framework.

Free healthcare for workers

The government and employers should put in place urgent measures to ensure that mass testing is rolled out in flower companies as well as other sectors, and that workers who show any symptom akin to those exhibited by persons infected with Covid-19, can receive free healthcare including free quarantine services. Such workers should be allowed to take sick leave without fear of losing their jobs or incomes. Workers – irrespective of their employment arrangements – need to be able to access health care and stay at home when unwell without worry of losing their jobs. Relatedly, the government should lower the monthly deductions made to the National Hospital Insurance Fund, especially for workers in precarious work and also consider waiving deductions for a certain period of time for workers who have either lost their jobs, are on unpaid leave or have suffered salary cuts. These considerations would motivate workers who show Covid-19 related symptoms to seek treatment at the earliest opportunity. The danger in lack of such assurance lies in the possibility

that workers in these circumstances would feel compelled to work even while exhibiting symptoms of the virus, imperiling their own health and the health of those they come into contact with.

Expand safety nets to women workers in precarious employment

The Ministry of Labour and Social Protection runs a Cash Transfer Programme known as Inua Jamii which benefits the elderly and orphans and vulnerable children (OVCs) through a monthly stipend. In line with ILO's Social Protection Floors Recommendation (2012), the government should invest towards guaranteeing at least a basic level of social protection for everyone. Various countries are already implementing social safety net policies: Uganda is allowing businesses to reschedule social security contributions while Namibia is offering an emergency income grant to workers who have lost their jobs due to the pandemic. Such measures would especially be useful to women workers in precarious employment such as the flower sector where the pay is too meagre to cushion them from the shocks caused by crisis such as Covid-19. Particularly, attention should be paid to women workers in the flower sector who have lost their jobs in the wake of the pandemic. The definition of vulnerable persons in government policies including the recently drafted regulations on Public Finance Management (Covid-19 Emergency Response Fund), 2020 should be expanded to include all unemployed persons, workers who have lost their jobs to the pandemic and those earning below Kshs. 24 000. Such groups of people should benefit from income support in case of a crisis-related reduction of working time or job loss.

Enhance protection for most-at-risk populations

In addition to the initiatives led by the local administrators, the government should introduce economic rescue and stimulus packages at both the national and county levels and consider protecting the socioeconomic rights of the most-at-risk populations. Further, there is need for the government to expand the meaning

of vulnerable persons as defined in the Public Finance Management (Covid-19 Emergency Response Fund) Regulations, 2020, to include the unemployed, workers who lose their jobs during the pandemic and those who have suffered severe pay cuts.

Control the price of basic foods

As indicated in this report, there has been a raise in the cost of basic food and other commodities in Thika and Naivasha. There are two main factors that have pushed this raise. One is the artificial shortage created by a surge in demand for goods and foods especially in panic-shopping triggered by anticipation of an imminent lockdown. The second is caused by the limitations in movement following government directives to contain particular areas, especially the major towns, in order to curb possible spread of the virus. Although these two factors are natural forces within the economics sphere, it is imperative that the relevant government agencies step in to ensure raises are only triggered by normal supply and demand forces and not price manipulation.

Provision of free Personal Protective Equipment (PPE)

With the horticulture industry suffering the adverse impact of the pandemic, compliance measures further force them to dig deep into their now shallow pockets to purchase face masks, sanitizers, soaps, install more water tanks, fumigate the farms and the buses as well as hire additional buses to ferry their workers to and from the farms. The provision of PPE will promote standardization of equipment to cushion employers from purchasing substandard materials which may further predispose workers to contracting the virus.

6.2 Civil Society Organisations (CSOs)

Foster dialogue with sector players

In order to harmonize responses in the wake of Covid-19 and other work-related emerging issues, CSOs should establish a steering committee that will liaise with employers and other key stakeholders in the sector so as to harmonize responses and interventions. This

should include developing comprehensive data of all floriculture farms regardless of size for inclusive and systematic interventions. This approach will ensure that any support that is marshalled towards supporting women workers in the flower sector reaches them.

Establish a fund basket

Women workers proposed that CSOs should consider pooling funds into a common basket with a view to supporting households where jobs have been lost or wages slashed. The support envisaged could be in form of distribution of food and other basic supplies, or cash transfer.

It was further proposed that the fund should be managed by a reputable organisation that would ensure transparency and accountability in the manner the funds would be expended. There is fear that if the funds are left to farm management, the most deserving and vulnerable may miss out due to bias perpetuated by tribalism and nepotism reported to exist in the farms.

Mobilise global markets to support workers

Relatedly, workers proposed the need to establish a platform to mobilise retailers from the global north to chip into the basket fund in support. For instance, Waitrose Foundation was reported to have supported workers from Farm 9 Roses with

food supplies that would last an average family of four up to three months. This initiative would benefit all workers including those who were away on unpaid leave. They also proposed that Women@Work partners should stand in solidarity with the workers and support the food fund drive by providing food packages or vouchers to the identified vulnerable employees, and especially those who have lost their jobs in this pandemic.

Sensitization on Covid-19

Although all the workers interviewed confirmed they had adequate information on Covid-19, its spread and the attendant preventative measures, they noted there was a huge information deficit in the communities where they live. Most people living in the rural areas consider the disease an urban virus which does not threaten their way of life. Many still go about their business in crowded places without wearing protective gear. Hivos and the Women@Work Campaign partners should develop information, education and communication (IEC) materials in local languages and distribute them strategically through local administrators. Further, hosting of radio shows in vernacular radio stations would allow for discussions of Covid-19 issues in a more targeted and strategic manner.



Lobby and advocacy towards policy and practice reforms

CSOs hold a unique place that allows them to influence change in policies, regulations and laws. Considering that some of the responses by both government and employers to the Covid-19 pandemic have had human rights impacts on many people, it is imperative that CSOs position themselves with alternative narratives that are supported by data in order to challenge responses that curtail the realization of human rights.

With the massive job losses reported in the horticulture sector, there is need to cushion employees against job insecurity. As a mid-term strategy, CSOs should therefore hold the government accountable in their commitment towards the realization of the sustainable development goal agenda 8 on promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. In addition, the safety of

the employees at the workplace will further be strengthened through the ratification of ILO Convention 190 on eliminating violence and harassment at the place of work.

Support rural economic livelihoods

Given the precarious livelihoods of many Kenyans, especially women, agriculture, food security, safety net policy and programme responses are necessary. As demonstrated in this study, many women workers who have lost their jobs, suffered salary cuts or are on unpaid leave would retreat to their rural homes. It is therefore imperative to innovate programmes that will support the development of rural economic livelihoods as well as start-ups. Similarly, focus should be directed to women and youth delving into income generating activities and support them with a seed fund.



7.0 Conclusion

The sting of Covid-19 is felt acutely in the flower sector in Kenya with many growers resorting to uprooting their flowers for disposal. As this happens, thousands of workers have lost jobs while hundreds are currently on 50% pay or unpaid leave. Trade unions have found themselves in an unfamiliar territory where the power to negotiate to save workers has been dimmed. This has further thrown workers into an abyss of helplessness with many of them now struggling to meet their basic needs.

While appreciating the difficult terrain that employers in the flower sector currently find themselves, this report emphasizes the need for all parties to act in utmost good faith. The existing labour laws provide for consultation between employers and employees before the latter is sent home on unpaid leave. Further proposed amendments to the Employment Act have tightened protection of jobs against loss in the wake of pandemics. In the event employers are unable to pay salaries due to eventualities such as pandemics, they are expected by the proposed Bill to take measures to ensure retention of employees.

Annex 1

Employment status in each of the farms we interviewed:

Name of Farm	Location	Employment Status
Farm 4 and farm 9	Thika	Some workers were sent home on unpaid leave. Workers remaining in the company are engaged for half a day and for half pay.
Farm 1	Thika	Some workers were sent home on unpaid leave. The remaining workers have not suffered pay cuts.
Farm 2	Thika	All casuals lost their jobs and were evicted from company houses without notice. There is a rotational system where workers take two weeks unpaid leave and resume work for two weeks of paid work.
Farm 8	Naivasha	No worker has lost their job. However, all workers are engaged for half a month, for half their basic salary.
Farm 7	Naivasha	All casuals have lost their jobs. Permanent workers due for annual leave are on paid annual leave for an unknown period of time. Those remaining now work for half a month, for half their basic salaries.
Farm 12	Naivasha	Workers in the hypericum section are alternating between two weeks of unpaid leave and two weeks of paid work. Workers in the roses section are working full time and on full pay.
Farm 6	Nanyuki	All employees are at work. None is affected by the pandemic. The only staff released are the seasonal ones whose term had expired
Farm 10	Naivasha	All seasonal workers were laid off and permanent staff sent on 2 weeks paid leave which will be alternated with two weeks of unpaid leave.
Farm 11	Limuru	All seasonal workers laid off and the workforce has been reduced by 50%. The entire management is on 50% salary cut
Farm 5	Isinya	All seasonal workers have been sent home, permanent staff reduced by half and a section sent on unpaid leave
Farm 5	Naivasha	All seasonal and casual workers have lost their jobs. Some permanent workers had not been affected at all while others were on a two-week rotational shift of paid leave and two weeks of unpaid leave. The management indicated that workers staying outside the farm were asked to move to the workers' camp/quarters to curb the spread of the virus. However, workers noted that the camps/quarters were not enough to accommodate every worker in the company.

WEBSITES

Women at Work
Hivos East Africa

womenatworkcampaign.org
east-africa.hivos.org

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