

## Gender Equity Seal (GES) Standard

### I. PURPOSE AND SCOPE

The intent of the Gender Equity Seal (GES) is to provide a standard, based on international human rights norms and national labour laws, that will protect and empower all women and men within an organization's scope of control and influence, who produce products or provide services for that organization, including personnel employed by the organization itself, as well as by its suppliers, contractors, sub-suppliers, contracted workers, homeworkers and temporary workers.

Gender equity means that women and men are treated fairly according to their respective needs. This may include equal treatment or treatment that is different but considered equivalent in terms of rights, benefits, obligations and opportunities.

GES is offered in the hope that using such a targeted "gender lens" will inspire and intensify efforts to empower women to participate fully in economic life across all sectors and throughout all levels of economic activity. It provides a way for an organization to communicate these values to all stakeholders.

GES has been designed to be integrated into an organization's existing labour monitoring and management systems. GES provides added value through the inclusion of capacity-building processes in the standard itself. The goal is to enable an organization to benefit from the talents and skills of a fully participatory workforce.

GES is verifiable through an evidence-based process. Its requirements apply universally, regardless of an organization's size, geographic location or industry sector. By complying with these requirements, the GES will enable an organization to:

- a) Develop, maintain and implement policies and procedures in order to manage those issues which it can control or influence;
- b) Credibly demonstrate to stakeholders that existing organization policies, procedures and practices satisfy the requirements of this standard.

Concerning gender issues, the organization shall comply with national and all other applicable laws, including applicable international labour standards, prevailing industry standards, other requirements to which the organization subscribes and this standard. When the same issue is addressed by national and other applicable laws, including applicable international labour standards, prevailing industry standards, other requirements to which the organization subscribes and this standard, the provision most favourable to personnel shall apply. The organization shall also respect the gender principles of the international instruments listed in Annex 1.

## II. DEFINITIONS

1. Definition of organization: An entity or group of people and facilities with an arrangement of responsibilities, authorities and relationships
2. Definition of personnel: All individual men and women directly employed, contracted or sub-contracted by an organization, including directors, executives, managers, supervisors and workers, including casual and temporary workers
3. Definition of worker: All non-management personnel
4. Definition of supply chain: Sequence of activities or parties that provides products or services to the organization
5. Definition of supplier or contractor: An organization which provides another organization with goods and/or services utilized in the production of its goods and/or services
6. Definition of sub-supplier or sub-contractor: An organization in the supply chain which, directly or indirectly provides the supplier or contractor with goods and/or services utilized in the production of its goods and/or services
7. Definition of corrective action: Steps taken to remove the causes of an existing non-conformity or undesirable situation
8. Definition of preventive action: Steps taken to remove the causes of a potential non-conformity or undesirable situation
9. Definition of stakeholder: An individual or group concerned with or affected by the performance of the organization
10. Definition of forced and compulsory labour: All work or service that is exacted from any person under the menace of any penalty, threat of punishment or retaliation, demanded as a means of repayment of debt and which the person has not offered to do voluntarily
11. Definition of human trafficking: The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud or deception for the purpose of exploitation
12. Definition of home worker: A person who is contracted by the organization or by a supplier, sub-supplier or subcontractor but does not work on their premises

### III. CRITERIA

#### 1. RECRUITING, EMPLOYMENT AND TERMINATION

The organization shall promote gender equity and non-discrimination in employment areas such as hiring, remuneration, access to training, promotion, termination and retirement. The organization shall take concrete steps to attain gender equity by adopting and implementing employment policies, procedures and practices that eliminate gender discrimination in these areas. The organization shall comply with national and all other applicable laws, including applicable international labour standards, prevailing industry standards, other requirements to which the organization subscribes and this standard and extend this equally to all personnel.

In particular the organization shall:

- a) Ensure the existence of policies on gender equity and policies on anti-discrimination and a commitment to equal opportunity. These policies shall encompass amongst other criteria in relation to employment: recruitment and selection processes, interviews, contract agreements, salary and pension schemes and any other benefits, retention, skill development and training programs, retirement programs and termination of labour contracts.
- b) Promote the employment of women and men in non-traditional occupations for their gender by undertaking concrete, verifiable actions to recruit and retain candidates from traditionally underrepresented groups.
- c) Proactively promote the participation by women in decision-making and governance at all levels in the organization and the recruitment and appointment of women to managerial and executive positions including to the corporate board of directors.
- d) Provide equal opportunities for all aspects of training and personal and professional development, including job-related skills, literacy training, education and certified vocational and information technology training.
- e) Not subject personnel to pregnancy or virginity tests under any circumstance related to their employment.
- f) Provide opportunities for formal and informal networking, events and mentoring which allow for equal access by all personnel.
- g) Implement equitable policies for non-salaried personnel regarding contract work, temporary work and layoffs that do not disproportionately affect women or men.
- h) Ensure that men and women personnel receive equal pay for work of equal value, taking into account skill levels and length of service. Ensure fair and comparable wages, hours and benefits, including retirement benefits, for all personnel for comparable work.

- i) Have in place well defined policies for the calculation of basic wages, overtime, bonuses and payroll deductions that are free of gender discrimination bias and ensure that all personnel understand these policies.
- j) Establish action and policies within the organization to ensure that personnel who take maternity or paternity leave are not impacted negatively on their return and support their return to positions without loss of seniority or reduction in pay scale or benefits.
- k) Base individual dismissals on the principle of non-discrimination and do not take gender into account. In collective dismissals, the organization shall demonstrate that dismissals were not based on gender.

## 2. WORKING ENVIRONMENT

Companies will take concrete steps to attain gender equity by adopting and implementing policies to secure the health, safety and well-being of all personnel.

Companies will, wherever possible, take concrete steps to attain gender equity by adopting, implementing and promoting policies and practices that support educational, career and vocational development.

In particular an organization shall:

- a) Prohibit, prevent and remedy all forms of violence and harassment in the workplace, including verbal, physical, sexual or psychological abuse.
- b) Clearly state that sexual harassment in any form is not acceptable in the workplace or in any facilities related to the workplace including transportation and dormitories.
- c) Prohibit sexual harassment, including unwelcome sexual advances, unwanted hugs and touches, suggestive or lewd remarks, requests for sexual favours and the display of indecent, derogatory or pornographic pictures, posters, drawings or videos.
- d) Protect all personnel from retaliation for complaining about harassment.
- e) Take effective steps to protect the safety of all personnel in the workplace, in travel to and from the workplace, in organization-provided housing and on organization-related business.
- f) Train (where relevant) security staff, doctors, nurses, managers and other key personnel to recognize signs of gender-based violence and understand laws and organization policies on human trafficking and sexual exploitation.

- g) Undertake to assess all the risks to new and expectant mothers arising out of their work activity and to ensure that all reasonable steps are taken to remove or reduce any risks to their health and safety. If the organization provides the expectant mother with a different job during the pregnancy, this must be at equal pay to her previous job.
- h) Eliminate and disclose unsafe working conditions and provide protection from exposure to hazardous or toxic chemicals in the workplace, particularly when those substances have known or suspected adverse effects on the health of women and men specific to reproductive health.
- i) Take reasonable actions to ensure that personnel have access to health services and insurance that serve the distinctive concerns and needs of women and men.
- j) Ensure that representatives of workers and any personnel engaged in organizing workers are not subjected to discrimination, harassment, intimidation or retaliation for reason of their being members of a union or participating in trade union activities and that such representatives have access to their members in the workplace.
- k) Undertake concrete, verifiable actions to promote, offer and implement flexible work options; time off for family, parental or dependent care; and related workforce reentry opportunities.
- l) Offer flexible working arrangements and on-site facilities to women who are pregnant or nursing.
- m) Allow time off for personnel seeking medical care, treatment or counseling, for themselves or their dependents.
- n) Take reasonable actions to ensure that personnel have access to childcare services.
- o) Ensure that the organization's dress code is gender neutral and respects and makes reasonable accommodations for personnel's religious practices and beliefs, taking into account occupational health and safety.
- p) Maintain ethical marketing standards by respecting the dignity of women in all sales, promotional and advertising materials and excluding any form of gender or sexual exploitation in marketing and advertising campaigns. The organization shall forbid business-related activities that condone, support or otherwise participate in trafficking, including labour or sexual exploitation.

### 3. MANAGEMENT SYSTEMS

As a requirement of meeting the GES, the organization shall develop and implement a management system to ensure that all personnel follow the gender equity policies stated above. The management system shall consist of policies, procedures and record-keeping that can be reviewed to verify its existence. The organization shall demonstrate that all personnel are trained and aware of the gender

equity policies and procedures. The organization shall actively promote the implementation of the management system to operationalize the Gender Equity Seal (GES) in its daily activities.

The organization's management system shall include the following:

- a) A statement from senior management that affirms support for the adoption of the GES.
- b) The organization shall establish and display the GES and policy in appropriate form and in a prominent, easily viewable place on the organization's premises.
- c) The organization shall ensure that the policy and procedures are effectively communicated to all personnel in all native languages whether the personnel is directly employed by the organization, contracted through a third party or working on its premises for a customer, supplier or sub-contractor.
- d) The organization shall maintain records related to the implementation of the GES standard and other aspects of the management system requirement contained in this section.
- e) Senior management shall facilitate the formation of a Gender Equity Committee (GEC) with the task of developing and implementing the requirements of the GES. The GEC shall include male and female representatives from management and workers, selected by their peers. In unionised facilities, worker representation in the GEC shall be undertaken by recognized trade union(s). Elsewhere, workers may elect representatives from among themselves for this purpose. In no circumstances, shall GEC be seen as a substitute for trade union representation. Once selected, the team members shall select a Gender Equity Coordinator, who, irrespective of other responsibilities, shall ensure that the requirements of this standard are met.
- f) The GEC and Gender Equity Coordinator shall conduct routine internal audits and produce reports for senior management on the performance and benefits of actions taken to fulfill the gender equity policies. The GEC shall have the authority to coordinate with other departments to study, analyze, define and/or address any cases related to any violations of the gender equity policies.
- g) The organization shall establish quantitative and qualitative indicators and targets under its gender equity policies and establish methods to collect statistical data. The organization shall document all areas for improvement uncovered by its monitoring and evaluation processes and strengthen its gender equity policies accordingly. The organization shall report regularly by department on its gender equity policies, using benchmarks and key performance indicators and this shall be included in the performance reviews of the managers responsible. Summary reports shall be made available to workers.
- h) The GEC shall conduct periodic meetings to review progress towards promoting gender equity in the organization including monitoring progress on the gender equity indicators and identifying potential changes to strengthen the gender equity policies.

- i) The organization shall ensure that the requirements of this standard are understood by and implemented at all levels of the organization including for full time, temporary and contracted personnel.
- j) The organization shall demonstrate that there are routine communications with all personnel concerning gender equity and that all personnel have channels for communicating to management.
- k) The organization shall establish a confidential, unbiased, non-retaliatory grievance procedure allowing personnel to make comments, recommendations, reports or complaints concerning their treatment in the workplace regarding gender equity. The organization shall have in place procedures for investigating, following up on and communicating the outcome to all personnel of any complaints in respect to the gender equity policies. The organization shall provide a confidential means for all personnel to report on non-conformances with this standard to the GEC and the Gender Equity Coordinator. The GEC shall investigate, address and respond to the concerns of personnel and other stakeholders about conformance/non-conformance with the organization's gender equity policies. The organization shall refrain from disciplining, dismissing or otherwise discriminating against any personnel for providing information in relation to this standard.
- l) The organization shall cooperate with external auditors to determine the severity and frequency of any problems that arise in meeting the GES and shall conduct analysis to determine if the problems are systemic or isolated.
- m) The organization shall promptly implement corrective and preventive actions and allocate resources appropriate to the nature and severity of any identified nonconformance with the organization's gender equity policies and this standard. The organization shall maintain central records that identify any non-conformances related to gender equity, the root cause analysis, the corrective action taken, the responsible personnel and the timeline for implementation.
- n) The organization shall demonstrate its willingness to attain sustainable compliance by participating in dialogue with stakeholders, including, but not limited to -- workers, trade unions, suppliers, contractors, buyers, consumers, NGOs, investors, media and local and national government officials.
- o) The organization shall conduct routine training for all new and existing personnel on its gender equity policies. The organization shall document and record the nature and frequency of the training for all personnel. The organization shall establish methods to determine the effectiveness of the training.
- p) The organization shall demonstrate that it has taken steps to promote the gender equity policies of GES in its supply chain. The organization shall communicate the policies to suppliers and contractors and receive written confirmation of their receipt. To the extent possible, the policies shall be included in contractual and other agreements. The organization will train its internal staff, including those responsible for procurement, to evaluate the suppliers' level of implementation of GES. This provision shall be extended to suppliers and contractors that utilize home workers.

## Annex 1

ILO Convention 1 (Hours of Work – Industry)

ILO Conventions 29 (Forced Labour)

ILO Convention 87 (Freedom of Association)

ILO Convention 98 (Right to Organise and Collective Bargaining)

ILO Conventions 100 (Equal Remuneration)

ILO Convention 102 (Social Security – Minimum Standards)

ILO Convention 105 (Abolition of Forced Labour)

ILO Convention 111 (Discrimination – Employment and Occupation)

ILO Convention 118 (Equality of Treatment - Social Security)

ILO Convention 131 (Minimum Wage Fixing)

ILO Convention 135 (Workers’ Representatives)

ILO Convention 138 (Minimum Age)

ILO Convention 155 (Occupational Safety and Health)

ILO Convention 156 (Workers with Family Responsibilities)

ILO Convention 158 (Termination of Employment)

ILO Convention 159 (Vocational Rehabilitation and Employment - Disabled Persons)

ILO Convention 161 (Occupational Health Services)

Recommendation 164 (Occupational Safety and Health)

ILO Convention 169 (Indigenous and Tribal Peoples)

ILO Convention 171 (Night Work)

ILO Convention 175 (Part Time Work)

ILO Convention 177 (Home Work)

ILO Convention 181 (Private Employment Agencies)

ILO Convention 182 (Worst Forms of Child Labour)

ILO Convention 183 (Maternity Protection)

ILO Recommendation 90 (Equal Remuneration)

ILO Recommendation 102 (Welfare Facilities Recommendation)

ILO Recommendation 111 (Discrimination in Respect of Employment and Occupation)

ILO Recommendation 116 (Reduction of Hours of Work)

ILO Recommendation 130 (Examination of Grievances)

ILO Recommendation 146 (Minimal Age)

ILO Recommendation 165 (Workers with Family Responsibilities)

ILO Recommendation 166 (Termination of Employment)

ILO Recommendation 191 (Maternity Protection)

ILO Recommendation 200 (concerning HIV and AIDS and the world of work)

Resolution on equal opportunities and equal treatment for men and women in employment, adopted by the International Labour Conference at its seventy-first session, 1985

Universal Declaration of Human Rights

The International Covenant on Economic, Social and Cultural Rights

The International Covenant on Civil and Political Rights

The United Nations Convention on the Rights of the Child

The United Nations Convention on the Elimination of All Forms of Discrimination Against Women

The United Nations Convention on the Elimination of All Forms of Racial Discrimination

Tripartite declaration of principles concerning multinational enterprises and social policy (4<sup>th</sup> edition)

UN Women/UN Global Compact Women's Empowerment Principles



## Additional References and Tools

The Gender Equality Project

San Francisco Gender Equality Principles in partnership with Calvert and Verite

SA8000®

Social Fingerprint®

Global Reporting Initiative (GRI)

ISO 26000

OECD Guidelines for Multinational Enterprises