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AUDITING GUIDANCE DOCUMENT

**MANAGEMENT SYSTEMS
TO ADDRESS GENDER DISCRIMINATION**

Prepared by Social Accountability International (SAI)

Funded by UK Aid as part of RAGS* project
Responsible and Accountable Garment Sector

Index

Introduction

This guide has been written to help you assess the management systems in your organization to address gender discrimination. This guide was originally part of SAI's RAGS Project in India but can be used for organizations of all industries and sizes in other parts of the world.

The guide is intended for practical use and has been created as a result of as much input as possible from current practitioners in the field both though a series of Macs (Multi-Stakeholder Advisory Committees) and consultation meetings held with auditors in Delhi and Bangalore, India, in June 2013. A list of the organizations represented by these auditors can be found in Annex 3. More information on this UKAID funded programme can be found at: http://www.sa-intl.org/index.cfm?fuseaction=Page.ViewPage&pageId=1128.

It is hoped that various stakeholders including NGOs, brands, investors, academics, auditors and organization management can use the guide. It provides enough information and pointers so that an auditor can start to evaluate the extent to which, through management systems, the organization is dealing with gender discrimination in the workplace whether this is as a stand-alone social audit or part of an audit on SA8000, BSCI or WRAP. It is also hoped that this guide can help managers put in place and build up management systems for tackling gender discrimination. This way, the auditor's report can be value added and better understood and worked with by management and workers. Essentially everyone is "singing from the same hymn sheet".

Improvement in workers' conditions particularly around gender discrimination, will come not from "quick fixes" of non-conformances but from a genuine commitment by management to making the workplace a setting that makes workers feel safe, valued and motivated.

About Social Accountability International (SAI): SAI is a non-governmental, multi-stakeholder organization whose mission is to advance the human rights of workers around the world. It partners to advance the human rights of workers and to eliminate sweatshops by promoting ethical working conditions, labor rights, corporate social responsibility and social dialogue. For more information, visit www.sa-intl.org.

About SAI's RAGS Project: RAGS: Improving Social Standards in the Indian Ready-Made Garment Sector" was a program of SAI to improve working conditions of workers by reducing gender discrimination and improving factory level processes of engagement with homeworkers in supply chain. The program was supported by UKAID from the Department for International Development (DFID). For more information, visit www.sa-intl.org/indiarags.

How to Use This Guide

<u>For the assessment</u>

We suggest you gather information from the three typical audit sources: documents, interviews and physical inspection, to identify and assess six criteria on gender discrimination (recruitment and hiring, equal remuneration, training and promotion, disciplinary action and dismissal, sexual harassment and maternity provisions) and the procedures, processes and structures put in place to manage these issues. We have divided these procedures, processes and structures into nine different management system categories: Policies and Procedures, Social Performance Team, Worker Involvement and Communication, Complaint Management and Resolution, Labour Compliance Areas, Progress on Corrective Action, External Verification and Stakeholder Engagement, Training and Capacity Building, and Management of Suppliers and Contractors.

The management systems category on Policies and Procedures is more detailed than the other eight as this is the category that "sets the scene" and is the entry point to the organization's management systems for addressing gender discrimination. The policies and procedures are critical. They are the umbrella under which the other categories function. They elaborate on the organization's commitment to gender equity, frame the workload of the Social Performance Team, form the basis of workers' challenges, complaints and grievances under the Complaint Management and Resolution system and outline the commitment the organization expects of suppliers and sub-suppliers. They are essentially the glue that binds the workplace, its suppliers, the workers and the managers together. You will need to read this category carefully and you will find information you have gathered is of course, then relevant to how you assess the effectiveness of the other management system categories in implementing these policies and procedures.

We have included a matrix of how to audit for management systems addressing gender discrimination on page 5. It provides a summary of what kind of information you are gathering (from documents, interviews and physical inspection) for which management system category. Then you need to turn to the relevant category to get more detail from the boxed text and footnotes.

<u>Before your visit</u>

Before you begin the assessment, you should, if possible, do some <u>*background research*</u>: read and meet with interested groups in order to build up a picture. It is important to note that conditions related to gender discrimination can differ vastly based on region and industry. Therefore these conditions need to be factored into pre audit/assessment preparation. Your background work will involve developing a good understanding of relevant international and national law on gender discrimination, applicable local laws and regulations, as well as finding out from local NGOs and trade unions more about the conditions and major problems facing women workers. See Annex 1 for more details on what to read and who to talk to.

As the three forms of <u>*information gathering*</u> - document review, interviews and site inspection - are so important, we have included some advice on how best to undertake and conduct these in Annex 2.

MATRIX OF MANAGEMENT SYSTEMS FOR GENDER AUDIT

Criteria / MS Category		Recruitment and Hiring	Equal Pay	Training and Promotion	Disciplinary action & Dismissal	Sexual Harassment	Maternity Provisions
1. Policies & Procedures	Documents	Laws, Worker Files, Internal Records Organization Code of Conduct and Policies and Procedures on recruitment and hiring	Laws, Internal Records, Worker wage records and pay slips, Organization Code of Conduct and Policies and Procedures on equal pay	Laws, Internal Records, Worker Files and Training Materials, Handbook, Organization Code of Conduct and Policies and Procedures on training and promotion	Laws, Internal Records, Worker Files, Worker grievance records, Organization Code of Conduct and Policies and Procedures on disciplinary action and dismissal	Laws, Internal Records, Worker Files, complaints lodged with Internal Complaints Committee, review of this Committee's constitution and its members for compliance with local laws regarding Sexual Harassment in the Workplace, Organization Code of Conduct and Anti-Sexual Harassment Policy	Laws, Internal Records, Worker Files, Organization Code of Conduct and Policy on Maternity Leave and Pay
	Interviews	Permanent and contract workers (on hiring experience including virginity/pregnancy tests), managers, NGOs, TUs	Permanent and contract workers (on jobs, pay, bonus, pensions), managers, NGOs, TUs	Permanent and contract workers (on job training availability and promotion offers), managers, NGOs, TUs	Permanent and contract workers (on CMS, retribution), managers, NGOs, TUs	Permanent and contract workers (on safety, atmosphere, experiences) managers, NGOs, TUs	Permanent and contract workers (on pregnancy risk assessment, maternity leave and pay, management attitude) managers NGOs, TUs
	Physical Verification	Job adverts, visible fair hiring policy	Job categories/segregation	Ratio of men/women supervisors	Visible and used CMS	Workplace Culture	Crèche, working conditions
2. Social Performance Team	Documents	Internal audits, management reviews, team training records, team job responsibility	Internal audits, management reviews, team training records, team job responsibility	Internal audits, management reviews, team training records, team job responsibility	Internal audits, management reviews, team training records, team job responsibility	Internal audits, management reviews, team training records and job responsibility	Internal audits, management reviews, team training records and job responsibility
	Interviews	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs
	Physical Verification	Team meetings and dynamics	Team meetings and dynamics	Team meetings and dynamics	Team meetings and dynamics	Team meetings and dynamics	Team meetings and dynamics
3. Worker Involvement & Communication	Documents	Communication docs: flyers, posters; CMS and suggestion boxes, training materials, worker surveys, improvement plans	Communication docs: flyers, posters; CMS and suggestion boxes, training materials, worker surveys, improvement plans	Communication docs: flyers, posters; CMS and suggestion boxes, training materials, worker surveys, improvement plans	Communication docs: flyers, posters; CMS and suggestion boxes, training materials, worker surveys, improvement plans	Communication docs: flyers, posters; CMS and suggestion boxes, training materials, worker surveys, improvement plans	Communication docs: flyers, posters; CMS and suggestion boxes, training materials, worker surveys, improvement plans

	Interviews	Workers, managers, NGOs and TUs	Workers, managers, NGOs and TUs	Workers, managers, NGOs and TUs	Workers, managers, NGOs and TUs	Workers, managers, NGOs and TUs	Workers, managers, NGOs and TUs
	Physical Verification	Policies, training materials visible and in local languages	Policies, training materials visible and in local languages	Policies, training materials visible and in local languages	Policies, training materials visible and in local languages	Policies, training materials visible and in local languages	Policies, training materials visible and in local languages
4. Complaint Management and Resolution	**Documents**	Documented CMS system with follow up, documented communication to suppliers, review employee t/o to assess age, area of employment, tenure and reason for leaving	Documented CMS system with follow up, documented communication to suppliers, review employee t/o to assess age, area of employment, tenure and reason for leaving	Documented CMS system with follow up, documented communication to suppliers, review employee t/o to assess age, area of employment, tenure and reason for leaving	Documented CMS system with follow up, documented communication to suppliers, review employee t/o to assess age, area of employment, tenure and reason for leaving	Documented CMS system with follow up, written complaints related to sexual harassment documented communication to suppliers, review employee t/o to assess age, area of employment, tenure and reason for leaving	Documented CMS system with follow up, documented communication to suppliers, review employee t/o to assess age, area of employment, tenure and reason for leaving
	Interviews	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs
	Physical Verification	Avail and use of suggestion box	Avail and use of suggestion box	Avail and use of suggestion box	Avail and use of suggestion box	Avail and use of suggestion box,	Avail and use of suggestion box
5. Labour Compliance Areas	**Documents**	Internal and external audits and acorganizationing records (on remuneration, recruitment, training, maternity benefits, employee t/o), reports of Internal Compliance Committee on sexual harassment, management reviews	Internal and external audits and acorganizationing records (on remuneration, recruitment, training, maternity benefits, employee t/o), reports of Internal Compliance Committee on sexual harassment, management reviews	Internal and external audits and acorganizationing records (on remuneration, recruitment, training, maternity benefits, employee t/o), reports of Internal Compliance Committee on sexual harassment, management reviews	Internal and external audits and acorganizationing records (on remuneration, recruitment, training, maternity benefits, employee t/o), reports of Internal Compliance Committee on sexual harassment, management reviews	Internal and external audits and acorganizationing records (on remuneration, recruitment, training, maternity benefits, employee t/o), reports of Internal Compliance Committee on sexual harassment, management reviews	Internal and external audits and acorganizationing records (on remuneration, recruitment, training, maternity benefits, employee t/o), reports of Internal Compliance Committee on sexual harassment, management reviews
	Interviews	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs
	Physical Verification	Possible signs of non-conformances on walk-round through observation of body language and work environment	Possible signs of non-conformances on walk-round through observation of body language and work environment	Possible signs of non-conformances on walk-round through observation of body language and work environment	Possible signs of non-conformances on walk-round through observation of body language and work environment	Possible signs of non-conformances on walk-round through observation of body language and work environment	Possible signs of non-conformances on walk-round through observation of body language and work environment

		Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
6. Progress on Corrective Action	Documents	Audit reports (buyer/ supplier), CARs, progress reports, management reviews	Audit reports (buyer/ supplier), CARs, progress reports, management reviews	Audit reports (buyer/ supplier), CARs, progress reports, management reviews	Audit reports (buyer/ supplier), CARs, progress reports, management reviews	Audit reports (buyer/ supplier), CARs, progress reports, management reviews	Audit reports (buyer/ supplier), CARs, progress reports, management reviews
	Interviews	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs
	Physical Verification	Improvements on walk-round?	Improvements on walk-round?	Improvements on walk-round?	Improvements on walk-round?	Improvements on walk-round?	Improvements on walk-round?
7. External Verification Stakeholder Engagement	Documents	Audit reports, procedure for communicating with stakeholders	Audit reports, procedure for communicating with stakeholders	Audit reports, procedure for communicating with stakeholders	Audit reports, procedure for communicating with stakeholders	Audit reports, procedure for communicating with stakeholders	Audit reports, procedure for communicating with stakeholders
	Interviews	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs
	Physical Verification	Evidence of outreach (town hall meeting notices, contact numbers)	Evidence of outreach (town hall meeting notices, contact numbers)	Evidence of outreach (town hall meeting notices, contact numbers)	Evidence of outreach (town hall meeting notices, contact numbers)	Evidence of outreach (town hall meeting notices, contact numbers)	Evidence of outreach (town hall meeting notices, contact numbers)
8. Training & Capacity Building	Documents	Training materials for workers and suppliers, worker surveys to assess level of awareness on policies and procedures, records on criteria such as recruitment, pay, promotion to ensure compliance with policies, records of dismissals to ensure these are not discriminatory	Training materials for workers and suppliers, worker surveys to assess level of awareness on policies and procedures, records on criteria such as recruitment, pay, promotion to ensure compliance with policies, records of dismissals to ensure these are not discriminatory	Training materials for workers and suppliers, worker surveys to assess level of awareness on policies and procedures, records on criteria such as recruitment, pay, promotion to ensure compliance with policies, records of dismissals to ensure these are not discriminatory	Training materials for workers and suppliers, worker surveys to assess level of awareness on policies and procedures, records on criteria such as recruitment, pay, promotion to ensure compliance with policies, records of dismissals to ensure these are not discriminatory	Training materials for workers and suppliers, worker surveys to assess level of awareness on policies and procedures, records on criteria such as recruitment, pay, promotion to ensure compliance with policies, records of dismissals to ensure these are not discriminatory	Training materials for workers and suppliers, worker surveys to assess level of awareness on policies and procedures, records on criteria such as recruitment, pay, promotion to ensure compliance with policies, records of dismissals to ensure these are not discriminatory
	Interviews	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs
	Physical Verification	Check that classroom training evident, infrastructure/facilities for safety of pregnant workers, availability and access of/to crèche, availability of female guards, supervisors	Check that classroom training evident, infrastructure/facilities for safety of pregnant workers, availability and access of/to crèche, availability of female guards, supervisors	Check that classroom training evident, infrastructure/facilities for safety of pregnant workers, availability and access of/to crèche, availability of female guards, supervisors	Check that classroom training evident, infrastructure/facilities for safety of pregnant workers, availability and access of/to crèche, availability of female guards, supervisors	Check that classroom training evident, infrastructure/facilities for safety of pregnant workers, availability and access of/to crèche, availability of female guards, supervisors	Check that classroom training evident, infrastructure/facilities for safety of pregnant workers, availability and access of/to crèche, availability of female guards, supervisors

9. Management of Suppliers & Contractors	Documents	Documents evidencing mapping and monitoring of suppliers including communications on policies and gender procedures	Documents evidencing mapping and monitoring of suppliers including communications on policies and gender procedures	Documents evidencing mapping and monitoring of suppliers including communications on policies and gender procedures	Documents evidencing mapping and monitoring of suppliers including communications on policies and gender procedures	Documents evidencing mapping and monitoring of suppliers including communications on policies and gender procedures	Documents evidencing mapping and monitoring of suppliers including communications on policies and gender procedures
	Interviews	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs	Workers, managers, NGOs, TUs
	Physical Verification	Treatment of workers and services supplied	Treatment of workers and services supplied	Treatment of workers and services supplied	Treatment of workers and services supplied	Treatment of workers and services supplied	Treatment of workers and services supplied

Management Systems to Address Gender Discrimination Category:

Policies & Procedures

The policies are the rules and the procedures are the "how to" to follow the rules for eliminating gender discrimination in the workplace.

Evidence to Collect: Documents

✔	DOCUMENTS
	Copy of organization Code of Conduct on gender nondiscrimination[1]
	Written organization policies and procedures covering at a minimum the six gender nondiscrimination criteria[2]
	Copy of statement by senior management[3]
	Internal organization records such as memos, minutes, notes, reports, internal improvement plan, and sex disaggregated data collected by the organization, on issues such as hiring, pay and bonus awards, training and promotion, disciplinary action and dismissal, sexual harassment, and maternity and childcare provision[4]
	Organization job adverts[5]
	Contracts and wage records/slips of sample of workers[6]
	Employee handbooks, posters, leaflets, flyers, training material[7]
	Selected personnel files of salaried and contract workers[8]
	Documents on promotion and training[9], on disciplinary action and dismissal[10], on procedures and measures taken on sexual harassment[11], on policy and procedure towards pregnant workers and working mothers[12]

Reason/Intent for evidence

[1]Shows initial organization commitment to gender equality/equity that should be borne out in detailed policies and implementing procedures on at least the six nondiscrimination criteria as below. At this point, you are considering the management systems of one factory or facility in Tier 1, but its management systems to address gender discrimination should ideally be carried through to its direct suppliers and sub-suppliers including homeworkers.

[2]Policies and procedures should be user friendly, in workers' languages, centrally located and be up to date on national and international labour law on sex discrimination and include relevant industry regulations. A document tracking system and log should indicate how regularly the policies and procedures are updated and when the last round of changes to the Code were that includes a date.

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[3]This shows an initial commitment by senior management which is crucial to indicating support in the workplace, setting an example, and effecting sustainable change throughout the organization. An absence of such commitment may reveal a lack of support from management due to personal bias (sexism) about women and their role at work.

[4]This data helps to evidence that the organization is actually implementing its gender equity policies and documenting this for Monitoring & Evaluation purposes, improvement planning, budgeting and internal management reviews.

[5]**Recruitment and Hiring**:
- Jobs advertised should be in workers' languages, gender neutral and not stated as based on someone's marital status or their family responsibilities. These terms are often used to eliminate a female worker from applying for a job, if she needs to, for example, return home to look after a sick child. The status of having children or being married is commonly used solely against women. Check that all internal jobs are open to men and women equally and not to particular departments.
- Check that pregnant and nursing women are employed at the organization (although if there is none, this does not conclude the organization is acting discriminatorily. You will need to gather evidence from other sources to verify). Check that neither virginity nor pregnancy tests are used as part of a job application process (regardless of any reasons cited for worker protection) nor that women are forced to use contraception as a condition of employment. Also check for a pre-employment form that female workers are sometimes required to complete before employment that asks their marital status and the number and age of children that they have. This can be asked for calculating social security benefits but does not necessarily have to be asked before employment.

[6]**Equal Pay**:
PAY:
- Verify that men and women workers – both contract and salaried – are *in fact* paid the same amount for the same job – equal pay for work of equal value. You may have to do some correlation calculations as you will have to ensure, for example, that women homeworkers who are paid on a piece rate basis are being paid the same basic and overtime rate as salaried male workers. You should look for discrepancies in pay between male and female workers after training, seniority and previous experience have been factored in.
- It is also likely that you find men and women segregated physically in the workplace perhaps performing different work or tasks. While this does not always indicate discrimination, it does merit further analysis. This could be discrimination if women are prevented from applying for certain categories of work. For example, in the garment industry, women are often excluded from doing ironing work which is paid more as it is claimed to be dangerous for them. While this may be true for an expectant mother as part of a pregnancy risk assessment, women iron at home, so giving little substance to this claim. Essentially, women workers should have the same opportunity as male workers to apply for and be considered for the same jobs.
- Another form of discriminatory practice that may arise is when the work that men and women are performing may be different but is of "*equal value*", in which case women workers should be receiving the same wages and overtime pay. You therefore need to carefully investigate and evaluate job categories, related qualifications and pay scales.
PAY RISES/BONUSES:
- Check that production targets are the same for men and women and that any bonus, performance related pay or pay raise that is received for a job based on these or on promotion is awarded regardless of gender and based solely on ability. You should be alerted if a disproportionate percentage of men are receiving pay rises or bonuses.
- It would be useful to ask senior Human Resource staff the process they follow for increasing pay of a worker periodically - not the legally mandated wage, but bonuses and incentives for performing well. Pay rises may often go unrecorded as workers ask for pay increases verbally and rarely in writing. It is imperative to speak to specific workers when inconsistencies are noted in payroll records.
PENSIONS:
- Verify that men and women receive the same pension benefits in terms of years' service – in your review of workers' records you should flag any cases that do not follow this trend and investigate them further.

[7]This is evidence that organization is communicating gender discrimination policies and procedures to workers.

Management Systems to Address Gender Discrimination Category:

Policies & Procedures

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[8]This evidence is collected to ensure that all workers are treated equally - permanent and contract workers **-** many of the latter who are women and who can be sidelined in the workplace. In particular, in relation to contract workers make note of the following:

- *Forced labour/trafficking*: Check that there are no false "apprenticeship" schemes or unnecessary short term contracts being used on contract workers to avoid benefits and FOA rights. You need to check that no forced labour exists by verifying that no deposits or ID papers are held on hiring and no employment is offered on condition that workers pay for something (a disguised "loan"). Check that contracts allow workers to freely quit their job and leave the premises once a day's work is over. You should check from wage records that wages are paid to these workers on time with no retention. Amongst the contract workers, you should be alert to any signs of trafficked workers. The ILO considers trafficking a form of forced labour. Check the status of migrant and foreign workers and members of ethnic minorities who are often the most vulnerable to discrimination in terms of employment opportunities and working conditions. Immigrants and ethnic minority groups may not have equal access to legal protection which may only be available to citizens or permanent residents. Check the Tier level of the country in question from the latest TIP report to understand problems and issues related to trafficking.
- *Suppliers and sub suppliers*: You should ensure that the organization's suppliers and sub-suppliers are respecting the principle of equal treatment. You should be particularly alert to the treatment of women contract workers – homeworkers, seasonal and temporary, casual and migrant workers - that are supplied by a recruitment agency to the organization. Ensure that this relationship is bona fide and is not a means of skirting responsibility to provide benefits*.
- *Treatment*: You should ensure that the principle of equal access by all workers – salaried and contract – to training, skills development and promotional opportunities is respected. You should check that contract workers are not intimidated or disciplined more than other workers. Check the position of contract workers in relation to maternity provisions: in the case of homeworkers, because they are working from home and are more "invisible" they may well be denied equivalent maternity benefits while they are pregnant and also while they are juggling work and caring for children after giving birth. They should be treated equally or equivalently to women workers based in the factories.

[9]**Training and Promotions:**

- Check these organization records and data for percentage of men and women promoted and rejected and to which positions each year. Are more men than women promoted? Why? If difference in ability and qualifications cannot explain it, then this issue should be red-flagged - something is lacking either in the access of women to training, mentoring and other advantages, or women are not being evaluated for promotion in the same way as their male co-workers. If the majority of the workforce is women but the majority of managers and supervisors are male, you should investigate further. Does the organization have any policies that seek to promote the recruitment to and participation of women at junior and senior management? Note that a policy of positive discrimination to recruit and promote women and women from under-represented groups can be an indication that the organization is committed to gender equity in the workplace. Check local laws for information on workplace discrimination. For example, India has a Positive Discrimination programme so you need to check its details – for example, which castes and workers it is directed towards? There are also certain States that require under-represented groups be provided employment – background research is important here.
- Confirm the extent to which training has been open to both sexes equally. If not, why not? Confirm if men and women have been trained together. If not, why not? Also be aware of policies that may have indirect discriminatory effects on women – for example, training opportunities held after work that they cannot attend because of family responsibilities. It is often noticed that women are not provided access to training for fire-fighting and first aid because the organization says that women do not work overtime so it is better to train male workers who may be working after regular hours of work. However, fires can occur at any time so this could be a case of indirect sex discrimination.

[10]**Disciplinary measures and Dismissal**:

- You should check the individuals that have been disciplined and/or dismissed. Are there more women than men disciplined? If so, what is the reason? You should be alert to the fact that expectant mothers might be targeted for disciplinary action or dismissal because the organization would have to provide them with maternity leave and pay, and possibly crèche facilities on their return to work. You are looking to check that the organization has not forced workers to

Management Systems to Address Gender Discrimination Category:

Policies & Procedures

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quit when their pregnancy comes to the attention of management and that the organization is not singling out women for disciplinary treatment or dismissal.

- It is useful to ask the organization early in the audit for a list of workers that resigned or were dismissed for discipline reasons in the last 6 months. The records provided by the organization should state the name of the worker, his or her ID number, department, age/date of birth, marital status and reason why she/he left (if resigned voluntarily or dismissed because of a discipline issue) – this can be used to determine genders that were dismissed or resigned, specific departments where there may be a problem manager or supervisor, a specific age when employees leave the workplace or if the marital status effects the resignation or dismissal.
- Disciplinary policies should also meet requirements of local law. It is often required that the organziation draws up their specific disciplinary policy and has this approved by the competent authority for implementation and posting on the notice board for workers in a language that they understand. Progressive methods of discipline may also require a worker to show cause at a certain stage with a witness – auditors should determine that when a female worker is issued with a "show cause" notice there is one female witness or a female member from the human resource staff present when the worker is spoken to.

[11]**Sexual harassment** is an extreme form of discrimination and although it is illegal in many countries it can be widespread in workplaces.

- Any unwelcome advance of a sexual nature by a manager to a subordinate is a form of discrimination. The common occurrence of sexual harassment-type behaviour makes it critical that companies have clear and effective policies and procedures for reporting, investigating and disciplining offenders and that all workers are aware of them and use them. Another key part of an organization's sexual harassment policy and practices, should be the monitoring of a workplace culture that respects women workers at all levels. The organization should be offering its women workers a sexually non-threatening environment free of pornography, sexually suggestive material, sexual teasing or sexual innuendos.
- It has often been noticed in companies that have a large percentage of male workers, that there is a tendency for male workers to use abusive language and sexual innuendos while communicating with each other in the presence of female workers, even if this is in jest. This often goes unreported as supervisors are male and women tend to ignore such behavior believing nothing can be done about this since this is how most men behave.
- In addition, the organization's zero tolerance policy on sexual harassment should be extended to related facilities such as dormitories and transportation.
- A discrete effective CMS procedure should be in place for female workers. Research any local laws pertaining to sexual harassment in the workplace.

[12]**Maternity provisions**:

- The organization should be providing either the minimum internationally mandated maternity provisions (statutory maternity leave and pay) or contractual leave and pay. Check what local law requires and then check that the employment contracts of women workers – salaried and non-salaried – reflect it.
- The organization should be assessing and minimizing the job risks to new and expectant mothers.
- Be careful that the principle of nondiscrimination is not manipulated and used as a means for increasing pregnant women's workload. This tactic is used to pressure women to resign and forfeit their maternity benefits.
- Check local law requirements for mandated workplace facilities for mothers. If in India, the organization should provide under Indian law (Section 48, Factories Act 1948) in every factory where more than thirty women workers are employed, a suitable room or rooms for the use of children under the age of six years. Ensure that this room is away from production areas. It is often noticed that the room is beside a noisy power generating set that may not be in use during an audit and is not used by workers for their children because of noise pollution, so deterring new mothers from bringing children to work and making expectant mothers resign from their jobs. Such areas are sometimes also used to store finished goods so look for evidence that can prove this. You are always considering the spirit and intent of the factory's actions towards its workers. So, if mothers are not using the crèche, then it is useless.
- Also check that provision has been made for women workers returning to work, to nurse their children.
- Verify whether the organization has a policy for allowing flexible working time for women workers – either on their return to work after the birth of a child or to take time off for family responsibilities (to care for a sick child or an elderly parent).

Management Systems to Address Gender Discrimination Category:

Policies & Procedures

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By looking at organization termination records, you will be able to see if women workers have been disciplined or fired for requesting this.

- Ensure that women that do take leave are not negatively impacted in terms of job status, pay or seniority.

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Evidence to Collect: Interviews

✔	**WORKERS**
	Ask individual workers about their experiences of the policies and practices at the workplace for:
	Hiring process[13],
	Pay and benefits[14],
	Training and promotional opportunities[15],
	Disciplinary and dismissal[16],
	Sexual harassment[17] and
	Maternity rights[18]
✔	**MANAGERS**
	Ask managers (particularly those who are part of a worker-manager committee) about the Organization Code and policies and procedures.[19]
✔	**NGOs and TRADE UNIONS**
	Talk to NGOs that assist workers in the applicable sector and with relevant local trade unions chapters.

Reason/Intent for evidence

[13]How they found out about their job, how they were hired, which member of staff interviewed them, their experience at interview and the questions they were asked. Were they hired through a recruitment agency or did they apply directly to the workplace? Also consider asking them if they were required to pay a small sum of money or buy a gift for the person who told them about the vacancy in the workplace.

[14]If possible ask individual workers that are somewhat senior in the organization (between 3-5 years of service) what their pay history (raises, bonuses and pension benefits) has been with the organization. How, if at all, have they been awarded raises or bonuses and was it clearly understood on what basis? Have their co-workers doing the same work received the same pay, overtime rate, bonuses and pensions? If so, are these co-workers men or women? Ask women workers if they have been given opportunities

Management Systems to Address Gender Discrimination Category:

Policies & Procedures

The policies are the rules and the procedures are the "how to" to follow the rules for eliminating gender discrimination in the workplace.

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to work overtime like male workers. Remember to include contract workers like temporary night shift workers and homeworkers, as interviewees. You are trying to establish, from a large enough sample of workers, what the organization's pay policy is in practice and if it is applied equally to men and women.

[15]Ask workers if they have felt free to apply for or been offered training and promotional opportunities and have they been successful. You need to look for more than a passive policy of non-discrimination by employers who may be perpetuating pre-established discriminatory norms unintentionally. For example, where gender discrimination correlates with expertise and promotion, women in interviews may indicate that they do not have adequate opportunities to gain that expertise and promotion – a catch 22 situation. They themselves begin to believe that training and promotional opportunities are meant for men and not for women who have responsibilities at home.

[16]Have they ever been subject to disciplinary action or the threat of dismissal and if so, for what? If it was related to them exercising their rights under the gender non-discrimination policies, this warrants further investigation by you.

[17]Have they ever experienced any kind of sexual harassment at the workplace? Did they feel they could complain about it and did they in fact? Who can they complain to – is it a male or a female and if it's a male, is there any female in the human resource department that they can raise an issue with? What was the outcome?

[18]Interview pregnant workers or workers with children and ask them if the organization's treatment of them changed since they announced their pregnancy. Was their job assessed to evaluate workplace hazards while they were pregnant and working? Did they receive the same pay and position if their job changed? Did they receive maternity pay and leave? Did they return to the same job? Are they happy with the childcare and nursing facilities provided by the workplace?

[19]Ask how the Code on gender discrimination if there is one, was created and adopted and how the organization makes sure the Code is up to date, reviewed, updated and benchmarked with other codes. Ask how the gender discrimination policies and procedures are communicated through the workplace and who is responsible for this? How does management measure the effectiveness of this communication? Also ask management about the accessibility of the Code and policies and procedures to the workforce: where the policies, procedures and records are posted and how many languages they are in? Finally, ask management how often they conduct internal gender audits and how do they use the results from these to set goals and targets (with, if possible, examples of goals and targets that they have developed in the last year).

Management Systems to Address Gender Discrimination Category:

Policies & Procedures

The policies are the rules and the procedures are the "how to" to follow the rules for eliminating gender discrimination in the workplace.

Evidence to Collect: Physical Inspection

✔	**WORKERS**
	Check that the organization's gender non-discrimination policies and procedures are prominently displayed for all workers to see and understand, and check the working conditions and jobs that workers are performing in.[20]

Reason/Intent for evidence

[20]Notice the workplace conditions: Do women and men work in the same or different parts of the workplace? If different, compare conditions (like ventilation and light). Check whether women are segregated from men physically based on occupation. If so, does this confirm information you gathered from interviews about possible discrimination? Do women take the same rest periods? Notice the living quarters that men and women are allotted. Is it the same or different and why? Do you see any pregnant women in the workplace? If so, what kind of work are they performing? Are they lifting heavy objects or working in areas handling toxic or hazardous materials? Are any training programmes in progress when you go around? If so, observe the proportion of men and women in the classroom. From your observations, walking around, do there appear to be more male managers and line supervisors? Are there any posters or other visual material that denigrates women or could amount to being sexually offensive? Do workers that you observe seem to treat each other with respect? Check the crèches and nursing rooms – are they clean, quiet and well run? Are they overcrowded? Do the children seem content? Check the condition of the bathrooms and dormitories for women. Check the ratio of toilets for women and men and if this meets legal requirements. Check if women workers have to pass besides male toilets when accessing their toilets.

Management Systems to Address Gender Discrimination Category:

Social Performance Team

This is the multi-departmental team that meets on a regular basis to ensure that the gender non-discrimination policies are embedded throughout the organization.

Evidence to Collect: Documents

✔	DOCUMENTS
	Organization records (including: briefing documents to managers and workers, internal audit records, management review notes and minutes, sample communications with different departments, training materials, training plan and training log) evidencing meetings and actions taken by a social performance team including training of team per se[21]
	Contracts and job descriptions of team members, work-plans, and organizational chart with designated responsibilities including guidelines indicating how team members are elected and evidence that this procedure has been properly followed[22]
	Documents of other relevant workplace committees[23]

Reason/Intent for evidence

[21]Members should be management staff from a variety of functional departments (HR, sourcing and quality control), the head of the Internal Compliant Committee on Sexual Harassment to Women at Workplace, peer elected worker representatives, representatives from OSH, worker, legal committees and the team leader who directs their work and should be from top management as he/she will be communicating results to senior management. The team should not comprise more than 9-10 members and there should be a balanced presentation of male and female workers and permanent and temporary workers. Clearly while this team could consist of fewer people and be less formal in smaller locations, its mandate and implementation should be no less. The team is the cornerstone for managing the workplace's gender policies and procedures and the level of multi-departmental representation is an indicator of the integration of gender issues into the organization's day-to-day operations. The team's workload should be focused on communicating the gender policies internally and externally through worker and management awareness training and outreach to external stakeholders such as suppliers, NGOs and TUs. Meetings should be routine with regular reporting to senior management on progress. There should be clear evidence of top management support otherwise it is likely the team will not be motivated to perform. The results of the team should be communicated to the workforce to show outcome: chosen project, timeline, involvement of workers, results displayed. Best practice storyboards are effective.

[22]The job description of members should include their duties and responsibilities on the team and their level of authority, as this is an indicator of how seriously the organization takes the gender equality programme and has thought through its implementation. The team members should be properly trained themselves in the gender policies and procedures and as an incentive, their performance reviews and pay awards, should include an assessment of their contribution to the team. The objectives of the team should be linked to business and top productivity.

[23]Do research on relevant laws applying to workplace committees. In India, as well as a social performance team, a sexual harassment committee should be set up. These sexual harassment committees are required to be set up under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act. Under that law, cases of harassment have to be disposed of by these in-house committees within a period of 90 days failing which a penalty of Rs 50,000 is imposed. Repeated non-compliance leads to higher penalties and cancellation of an organization's license or registration to conduct business. A member of the social performance team should be a female worker or member of staff on the sexual harassment prevention committee. It

Management Systems to Address Gender Discrimination Category:

Social Performance Team

This is the multi-departmental team that meets on a regular basis to ensure that the gender non-discrimination policies are embedded throughout the organization.

would be useful to speak to her directly about cases of sexual harassment that were brought to the notice of the committee and the action that was taken by management.

Evidence to Collect: Interviews

✔	WORKERS, MANAGERS & NGOs
	Talk to worker and manager members of social performance team (separately). [24]
	Undertake focus group interview with a selection of workers: permanent and contract including homeworkers.[25]
	If you have not interviewed or met with relevant NGOs as part of your pre-assessment research, you should do so now.

Reason/Intent for evidence

[24]Ask them about their activities related to training workers, managers and suppliers on the organization's gender non-discrimination policies and procedures. Do they collate data on the workforce's progress and report to senior management on this? Other questions to consider are: the names and titles of responsible staff members and their specific responsibilities, how they were elected, who is the team leader and the amount of time they spend on team duties and how often they meet. Ask how the team members interact with different business units and suppliers. Check who from senior management is involved and what is the reaction of workers to this involvement?

[25]Do they know about the team? Do they know what it does and who is in it? Do they feel they can easily approach the worker representative(s) in the team with problems, questions or concerns they have?

Management Systems to Address Gender Discrimination Category:

Social Performance Team

This is the multi-departmental team that meets on a regular basis to ensure that the gender non-discrimination policies are embedded throughout the organization.

Evidence to Collect: Physical Inspection

✔	PHYSICAL INSPECTION
	If possible, sit in on a meeting of the social performance team or equivalent worker-manager committee to observe the dynamics.[26]

Reason/Intent for evidence

[26]Are all workers (both contractual and salaried) represented? Are meetings cooperative between workers and managers? Does one-group lead discussions more than the other? Does the team seem to have a viable plan of action to combat gender discrimination?

Management Systems to Address Gender Discrimination Category:

Worker Involvement & Communication

These are the formal and informal methods for management to communicate with workers on the gender non-discrimination policies.

Evidence to Collect: Documents

✔	DOCUMENTS
	Evidence such as flyers, posters, newsletters, handouts handbooks, manuals, brochures and training curriculum in workers' languages[27]
	Evidence such as suggestion boxes, CMS, interviews, surveys, minutes of meetings with workers[28]
	Improvement plans that are crafted according to comments received from suggestion boxes, surveys and other communication channels[29]
	Evidence of communication to contracted workers and recruitment agencies[30]
	Evidence of worker surveys, questionnaires, and interviews[31]

Reason/Intent for evidence

[27]This indicates the existence of channels of communication from management to workers for them to learn about the gender non-discrimination policies and procedures.

[28]This evidence indicates the number and types of channels available to workers to communicate with management. It is important that communication be two-way rather than top-down. It is also important that there is a variety so that workers can choose the channel they are most comfortable with.

[29]This evidence shows how systematically the organization uses the input from workers. Is it continual or sporadic? The more it is integrated into improvement plans, the stronger the gender non-discrimination policies and procedures will be. Also when workers see their input being valued and used, it encourages them to use the communication channels more often.

[30]Note communication should be to both permanent and contract workers. Often part-time workers and contracted labour such as homeworkers are excluded from the communication channels and programmes established for permanent workers. To have a high performance level in this category, the organization must show that it includes everybody.

[31]This evidence can indicate whether the organization conducts periodic assessment of workers' understanding of the gender non-discrimination policies and procedures. How systematically does the organization evaluate the effectiveness of its training for the workforce and how well have the workers understood the gender non-discrimination policies and procedures? Poor worker involvement in developing the policies that directly affect them will lead to a disengaged workforce and possibly a more difficult and tense atmosphere for women to work in.

Management Systems to Address Gender Discrimination Category:
Worker Involvement & Communication

These are the formal and informal methods for management to communicate with workers on the gender non-discrimination policies.

Evidence to Collect: Interviews

✔	**WORKERS**
	Ask workers how much they know about the organization's gender non-discrimination policies on all six criteria, their training experiences and what they have learnt.[32]
✔	**MANAGERS**
	Ask management about the channels they use for communicating the gender non-discrimination policies and procedures to workers such as through videos, posters, suggestion boxes and placement of these as well as on wage slips.[33]
✔	**NGOs and TRADE UNIONS**
	Talk to relevant trade union and NGO representatives and find out if they have been consulted and included in training on gender non-discrimination.

Reason/Intent for evidence

[32]How have they received information and has it made sense? Have they felt free to approach the social performance team about concerns and have they been consulted along with other workers for their views and input on working conditions in the workplace? If so, have their views been taken on board? What did they learn from anti-discrimination training?

[33]Ask in what languages materials about gender non-discrimination policies and procedures are available and the level of literacy of the workers. What happens if illiteracy is high – how is information communicated? Ask for a description of the training the supervisor or manager receives and how often workers talk to reps or supervisors. Ask about the different channels of communication available to workers and details of specific ones – for example, the open door policy and who is the designated person, the suggestion box and how often it is used (and recent submissions) and actions taken. You should check that contract workers have access to the same channels of communication as permanent workers and to verify this, ask for recent examples of input collected from them as well as actions taken. Finally, ask how managers use input from workers to improve the gender non-discrimination policies and procedures. Video presentations are often a good method for training management.

Management Systems to Address Gender Discrimination Category:

Worker Involvement & Communication

These are the formal and informal methods for management to communicate with workers on the gender non-discrimination policies.

Evidence to Collect: Physical Inspection

✔	PHYSICAL INSPECTION
	Are the organization's gender discrimination policies clearly visible? [34]

Reason/Intent for evidence

[34]Are these notices in the local language(s) of workers? If illiteracy is an issue, are the policies reflected in pictures? Are there a number of methods you observe that the policies are communicated to workers –flyers and posters, email messages, wallet inserts, reverse side of pay-slips and videos - to ensure that those workers that cannot read, can lodge a complaint on gender discrimination? Check too that the notices include those on: penal consequences of sexual harassment, on the constitutional formation and mission of the Internal Compliant Committee for Sexual Harassment of Women at Workplace.

Management Systems to Address Gender Discrimination Category:

Complaint Management & Resolution

This is the system for handling and addressing grievances from workers on gender discrimination.

Evidence to Collect: Documents

✔	DOCUMENTS
	Evidence of documented system for receiving confidential grievance/ complaints (such as step-by-step procedure, log of complaints, meeting minutes, sample of submissions to suggestion box, guidelines for resolution) [35]
	Evidence of guidelines and communications to suppliers and contractors, and records of reviewed cases [36]
	Evidence of consistent system employed for following up on complaints with effective resolution [37]

Reason/Intent for evidence

[35]Does the workplace have a system in place for receiving, investigating and resolving complaints from workers on the gender non-discrimination policies and procedures? Does the organization have someone appropriate given the specific workforce specifically assigned to handle complaints? It may be that a female supervisor or a female human resource staff to whom female workers can address their grievance or complaint is more appropriate in sectors where the majority of workers are women. The complaint system should be one that workers feel comfortable using, are in fact using, and in an atmosphere of trust without fear of reprisal. Evidence of complaints being graded, recorded and resolved is critical.

[36]This evidence shows how the organization extends the CMS to its suppliers and contractors – particularly labour contractors supplying temporary casual workers and homeworkers.

[37]A complaints system is only as useful as its follow up so make sure that there is clear documentation that workers' complaints both within the workplace and amongst suppliers are dealt with and resolved in a timely fashion. Interviews with workers will help to verify personal experience of using the system. Procedures should include how much time it takes at each level when a worker raises a concern and who will be responsible for providing the worker with a decision and resolution of the complaint.

Management Systems to Address Gender Discrimination Category:

Complaint Management & Resolution

This is the system for handling and addressing grievances from workers on gender discrimination.

Evidence to Collect: Interviews

✔	**WORKERS**
	Ask workers (permanent and contract) if a CMS exists, if it is communicated to them during induction and how well they understood what it is.[38]
✔	**MANAGERS**
	Ask them to describe the CMS, its use and usefulness.[39]
✔	**NGOs and TRADE UNIONS**
	Talk to relevant trade union and NGOs representatives about the views on the workplace's CMS.

Reason/Intent for evidence

[38]Do they know how to raise a concern and with whom, or file a complaint if they feel they are being treated unequally? Do they feel comfortable using the CMS; do they feel it is confidential with no negative repercussions? Is the CMS independent of management? If they have made a complaint, has it been dealt with to their satisfaction and in a timely manner? Note: Some workers that cannot write may leave rather than make a complaint. Was their training on the availability of the CMS provided at induction and in appropriate language?

[39]Ask management reps that you are interviewing to describe step by step the CMS for complaints related to gender discrimination in the workplace, the frequency of its use, examples of recent complaints and name and title of person in management that handles complaints. Try and gauge the willingness and openness of management to resolve issues. Ask about the investigation process, who reviews the records and how often, who that person reports to and finally, how management reports back to the workforce on complaints. Is the review process of the CMS ongoing? How does the organization structure feedback from the CMS? Could some lessons be communicated to the workforce and community in town-hall meetings? Make sure you obtain some recent examples of effective resolutions if they exist. Ask what the consequences for a supervisor against whom a complaint has been lodged, would be. You should confirm that the workplace's CMS prevents retaliation and check exactly how confidentiality is protected. Check that contract workers have access to the same CMS. Check what procedure the organization has in place for checking the CMS at suppliers and sub suppliers. Finally, check how many complaints have been received in the past year on gender discrimination and whether a disproportionate number of these have come from specific groups (women, migrant workers, contract workers).

Management Systems to Address Gender Discrimination Category:

Complaint Management & Resolution

This is the system for handling and addressing grievances from workers on gender discrimination.

Evidence to Collect: Physical Inspection

✔	PHYSICAL INSPECTION
	Do you see an effective CMS in place?[40]

Reason/Intent for evidence

[40]Is it clear (through posters, flyers and other visual methods and also confidential hotline or toll-free numbers) how the CMS works and where and to whom to lodge a complaint either through a suggestion box or a one on one meeting for a more sensitive complaint? Is the CMS posted in areas workers frequent such as the canteen, restrooms and drinking water area?

Management Systems to Address Gender Discrimination Category:

Labour Compliance Areas

These are the problems that have been flagged in internal and external audits specifically on issues relating to gender discrimination in the workplace.

Evidence to Collect: Documents

✔	DOCUMENTS
	Organization records (on remuneration, recruitment, training, provision of maternity benefits) to verify compliance to gender policies and procedures, worker complaints, annual report of the Internal Compliance Committee on Sexual Harassment, employee turnover records and records (from internal and external audits and management reviews) that indicate existence of non-conformances on gender non-discrimination criteria: equal treatment in recruitment and hiring, training and promotion, equal pay, sexual harassment, disciplinary and dismissal measures (unfair disciplinary action and/or pregnancy related dismissal) and inadequate maternity provisions.

Management Systems to Address Gender Discrimination Category:

Labour Compliance Areas

These are the problems that have been flagged in internal and external audits specifically on issues relating to gender discrimination in the workplace.

Evidence to Collect: Interviews

✔	**WORKERS**
	Have they ever made a complaint on one of the six criteria or do they know of any problems in the workplace? How was the complaint dealt with? [41]
✔	**MANAGERS**
	Ask managers about the internal and external gender audits in the workplace.[42]
✔	**NGOs and TRADE UNIONS**
	Talk to relevant trade union and NGOs representatives about problems they believe exist in the workplace and how they are being resolved.

Reason/Intent for evidence

[41]You may also have an idea from your document review of which issues are a problem in this organization, so ask workers about this. Ask the workers what they consider are the major problems related to gender discrimination in the workplace? From their knowledge, have these been the problems reflected in auditor reports or internal inspections? Have they been assisted by the Social Performance Team or Internal Compliance Committee on Sexual Harassment to make a complaint?

[42]Ask management reps to describe external and internal inspection procedures, who conducts them and how often, who pays for them and who receives the reports. Ask what the biggest problems identified on gender discrimination have been recently.

Management Systems to Address Gender Discrimination Category:

Labour Compliance Areas

These are the problems that have been flagged in internal and external audits specifically on issues relating to gender discrimination in the workplace.

Evidence to Collect: Physical Inspection

✔	PHYSICAL INSPECTION
	Do you see any non-conformances on the six gender discrimination criteria?[43]

Reason/Intent for evidence

[43]This evidence should help corroborate audit reports that you have read. As you walk around the facility, you will be able to judge how well the organization has tackled problems that have been flagged and highlighted in previous audits.

Management Systems to Address Gender Discrimination Category:

Progress On Corrective Action

These are the documented procedures and system for addressing identified gender discrimination problems in the workplace.

Evidence to Collect: Documents

✔	DOCUMENTS
	Documented records (such as minutes from internal management reviews, internal and external audits including buyers' audits, records of CARs raised in the past and follow-up, samples of root cause analysis and best practices), amendments to policies and procedures, suppliers and sub-suppliers' audit reports, customer feedback to show complaints and pictorial representation of progress[44]
	Lists of organizations and consultants, research reports[45]

Reason/Intent for evidence

[44]This evidence helps to show whether the organization has a system, including assigned staff, for monitoring and tracking progress on resolving non-conformances to gender non-discrimination policies. The system should be a centralized improvement plan with a specific timeframe and measurable performance targets – for example, increasing the number of women in training or women promoted to manager level, and one that addresses the root cause of problems - for example improving the chances that new mothers can and do return to work. This avoids the "find and fix" approach that can be a classic response to an audit driven programme. It would be good for the organization to have graphical representation of concerns and trends in improvement and evidence of management training on statistical analysis tools like 5W/ED.

[45]An organization that is truly interested in going beyond the "quick fix" of gender discrimination and identifying causes and improving systems will proactively seek out as much information as possible from multiple sources. The organization will be open to talking with workers, managers and other groups especially local women's NGOs, to learn what needs to improve and how.

Management Systems to Address Gender Discrimination Category:

Progress On Corrective Action

These are the documented procedures and system for addressing identified gender discrimination problems in the workplace.

Evidence to Collect: Interviews

✔	**MANAGERS - (Particularly from social performance team)**
	Ask them about strategies they have for addressing non-conformities that have been revealed by internal and external audits and reviews.[46]
✔	**WORKERS**
	Have they noticed any improvement in workplace conditions? Have concerns they have raised been handled and resolved to their satisfaction?
✔	**NGOs and TRADE UNIONS**
	Talk to or meet with representatives from relevant trade unions and NGOs working in this area about what improvements they have seen in the workplace.

Reason/Intent for evidence

[46]You need to identify the person(s) in charge of managing CARs on gender discrimination and ask for a description of a recent problem that arose. Check on the procedure for managing the CAR: who records it, who assigns people and decides on targets and deadlines as well as identifying underlying (root) causes. Ask whether the organization communicates with external organizations, consultants or experts as well as workers, to provide guidance. Ask management to describe best practices that they have found useful. Ask what happens if a problem on gender discrimination in the workplace has not been resolved. Finally, ask for an improvement plan on gender discrimination.

Management Systems to Address Gender Discrimination Category:

Progress On Corrective Action

These are the documented procedures and system for addressing identified gender discrimination problems in the workplace.

Evidence to Collect: Physical Inspection

✔	PHYSICAL INSPECTION
	Do you see any efforts to improve non-conformances? [47]

Reason/Intent for evidence

[47]From your reading of internal and external audits, reviews and interviews, you will have a good idea of the areas that this organization needs to work on. Is there any sign of improvement from the latest report? For example, is the CMS more obvious and more accessible? Are there more women managers than the last report suggested? Are policies displayed more prominently and inappropriate material removed? Have crèches and nursing rooms been established and are their conditions acceptable? Display notices or pictorial charts showing improvements (before and after) can help communicate progress to the workforce? Corrective actions taken and facts and figures can support this.

Management Systems to Address Gender Discrimination Category:

External Verification & Stakeholder Engagement

This is how the organization communicates with outside auditors and other external stakeholders.

Evidence to Collect: Documents

✔	DOCUMENTS
	Evidence of written formal procedures for identifying, communicating with and receiving input from external groups (such as stakeholder map, invitations, emails, minutes of meetings, distributed organization reports, sample communication, training records improvement plans, lists of NGOs) [48]
	Audit procedure and reports, audit meeting minutes[49]

Reason/Intent for evidence

[48]How systematically does the organization identify and seek input from external groups that could assist in developing and implementing gender non-discrimination policies in the workplace? Does it wait to be approached or is it proactive in researching groups that might be relevant? You may find the system is undeveloped with little or no transparency by the organization with stakeholders and even signs of resistance when approached, or with threatened retribution to workers if they do. An organization that takes a more collaborative approach tends to understand the value of working with groups and is more open to constructive criticism and change. An involved organization would also not only remain in regular contact and communication with women NGOs and other stakeholders but would actively involve them in training on gender non-discrimination policies and policies.

[49]How does the organization approach external verification or audits on gender discrimination? Does it have a procedure for allowing access for physical inspection, document review and interviews? Having a trained person to facilitate gender audits is a sign of commitment to improvement. Participation with external groups is an indication of an organization moving towards transparency and accountability.

Management Systems to Address Gender Discrimination Category:

External Verification & Stakeholder Engagement

This is how the organization communicates with outside auditors and other external stakeholders.

Evidence to Collect: Interviews

✔	**MANAGERS**
	Talk to relevant manager representative on social performance team about how s/he cooperates with external stakeholders.[50]
✔	**WORKERS**
	Interview workers to find out if they have ever been approached by auditors either internal or external.
✔	**NGOs and TRADE UNIONS**
	Ask these groups how well the organization informs and involves them in improving workplace conditions.

Reason/Intent for evidence

[50]Do they believe it is important to have a relationship with organizations that are working to improve women's workplace conditions in the applicable sector? If so, how do they do this – on a regular basis or intermittently? How do they identify these external groups? Do they have a stakeholder mapping procedure? Ask for the name and title of the person who coordinates with external stakeholders and ask for examples of some of the groups the organization has contacted and on what gender discrimination issues. What is the role of stakeholders in management reviews and in actions and decisions taken? And how forthcoming is management in allowing external stakeholders to be involved? Also is there continual and ongoing review with external stakeholders even after policies have been formulated? You are trying to gauge the degree to which the organization communicates effectively with interested parties.

Management Systems to Address Gender Discrimination Category:

External Verification & Stakeholder Engagement

This is how the organization communicates with outside auditors and other external stakeholders.

Evidence to Collect: Physical Inspection

✔	PHYSICAL INSPECTION
	Are there signs of outreach to outside organizations? [51]

Reason/Intent for evidence

[51]For example, notices of town hall meetings or workplace meetings with organizations, interested parties and TUs, display lists of contact details of stakeholders.

Management Systems to Address Gender Discrimination Category:

Training & Capacity Building

This is the regular and renewed system for training managers and workers on the gender non-discrimination policies.

Evidence to Collect: Documents

✔	DOCUMENTS
	Training materials including written and audit visual, standard and updated modules and training logs for all shifts. Also evidence of needs assessment or prioritization of training needs and evidence of training outputs being measured for its effectiveness.[52]
	Completed tests or surveys[53]
	Evidence of training provided to suppliers[54]

Reason/Intent for evidence

[52]This evidence indicates whether the workplace has a systematic plan for training workers and managers on all aspects of the gender non-discrimination policies and procedures. Consider whether training is provided just to complete records or is it genuine? A well-designed worker and manager training plan shows that the organization considers it necessary that an awareness of gender discrimination is part of a manager or worker's daily activities and a routine part of the organization's business operations. The training should be ongoing, repeated and reinforced and its timing and frequency be documented. Is training given on sensitive areas such as sexual harassment? It would be useful for the organization to have a minimum training requirement defined in order to measure progress. Is training updated? Are there worker training history sheets and evidence of training on induction and also at standing meetings (at sunrise and sunset).

[53]Does the workplace have a process in place for evaluating the effectiveness of its training programme on gender discrimination? You need to consider how successful the training is at both skill and language level. For example, if the majority of the workforce is illiterate, then visual aids like documentaries on discrimination may be most effective. Also training and materials should be in workers' local languages or mother tongues and there may be several of these. Also consider whether it is most effective to train in small groups on sensitive issues such as sexual harassment. Is there a process to update and improve training materials? Does the organization use trained people?

[54]Is training on the gender non-discrimination policies applied to all parts of the workforce and supply chain? You should verify as to how far down the supply chain training is provided or verified as to its existence. High-risk areas should be included and targeted: contract workers including homeworkers supplied by agencies and workers down the line in suppliers and sub suppliers. Has the organization gone beyond just imposing requirements, to devoting actual resources to training its suppliers and helping them meet capacity to implement the gender non-discrimination policies?

Management Systems to Address Gender Discrimination Category:

Training & Capacity Building

This is the regular and renewed system for training managers and workers on the gender non-discrimination policies.

Evidence to Collect: Interviews

✔	**WORKERS**
	Ask workers if they know about the organization's equal opportunities and equal treatment policies on all six gender issues.[55]
✔	**MANAGERS**
	Ask about the worker/manager training programme on gender discrimination.[56]
✔	**NGOs and TRADE UNIONS**
	Meet with and talk to relevant representatives from trade unions and local NGOs.

Reason/Intent for evidence

[55]Were they told about the gender non-discrimination policies at interview? Have they been trained on them and given a manual and handbook or received emails or flyers that explain them in their own language? Did they find the training effective and did they understand it?

[56]Ask about the training programme: materials, trainer and his/her qualifications, evaluation of its effectiveness, who updates the curriculum. Ask for details of the training for managers and workers: how many hours of training they receive in a year and how they cover all their workers – salaried and contract – as well as suppliers. Ask whether external organizations, union reps or worker reps are involved in the training.

Management Systems to Address Gender Discrimination Category:

Training & Capacity Building

This is the regular and renewed system for training managers and workers on the gender non-discrimination policies.

Evidence to Collect: Physical Inspection

✔	PHYSICAL INSPECTION
	Do you see signs of worker/manager training on gender non-discrimination policies? [57]

Reason/Intent for evidence

[57]Is classroom training evident on your walk-round or announcements for proposed training? Do you see handbooks or flyers actually being read by workers? Is the classroom large enough to accommodate all workers, provide adequate seating space and meet schedules for periodic training? Are there notices for training for managers on the gender non-discrimination policies and procedures? The success of the training will also be reflected in evidence that indicates compliance with the policies and procedures on gender equity – for example, infrastructure and facilities for the safety of pregnant women in the workplace, crèche facilities and the availability of female guards and supervisors.

Management Systems to Address Gender Discrimination Category:

Management Of Suppliers & Contractors

This is the documented system for evaluating, selecting, monitoring and ensuring that the organizations's suppliers are adhering to the gender non-discrimination policies.

Evidence to Collect: Documents

✔	DOCUMENTS
	Evidence of supply chain mapping including sphere of influence of the organization. Then find evidence of +compliance integrated into organization sourcing decisions (through supply chain mapping, risk assessment forms, supplier rating system, sample communication with suppliers, supplier code of conduct, supplier agreements, supplier review forms, supplier questionnaire) [58]
	Evidence of monitoring of suppliers (through audit reports, CAR tracking system, annual improvement plans, purchasing procedures, written explanation of financial incentives) [59]

Reason/Intent for evidence

[58]This evidence indicates to what extent the organization has *mapped* its supply chain and assessed the risk of problems related to gender discrimination "down the line". Companies that take social compliance seriously will look beyond their biggest or direct suppliers to check for issues that might be a problem in subcontractors. Check if there are any workers on "precarious contracts". If there are, remember that homeworkers and temporary contract workers supplied by agencies (suppliers) to the workplace or employed directly in a workplace's supplier or sub-supplier are a key risk area to address. The documentation you gather for this management system category, will show how clearly the workplace communicates its requirements through its policies and procedures on gender non-discrimination to it suppliers. This may be at a very rudimentary level with little or no awareness in the workplace about activities of suppliers and little communication with them, to some risk assessment and mapping of suppliers, to a fully effective supplier rating system which is also extended to sub-suppliers and which offers guidelines, asks suppliers for timeframes and systems-based improvements as well as an undertaking to address gender discrimination in supplier contracts. Clearly a lack of such a verification system will lead to the increased likelihood of labour abuses and violations in the supply chain.

[59]This evidence indicates the degree to which the organization has defined *monitoring* requirements for suppliers, collects information from suppliers related to gender discrimination and integrates this as part of its ongoing relationship with suppliers and contractors. Does the organization provide business incentives (preferred supplier status, bigger orders, faster payment times and free training) to high performing suppliers? Benchmarking of clusters of suppliers is also good practice.

Evidence to Collect: Interviews

✔	WORKERS
	Ask contract workers about how they were hired and by whom.[60]

Management Systems to Address Gender Discrimination Category:

Management Of Suppliers & Contractors

This is the documented system for evaluating, selecting, monitoring and ensuring that the organizations's suppliers are adhering to the gender non-discrimination policies.

✔	**MANAGERS**
	How do they communicate the organization's gender non-discrimination policies and practices to suppliers? [61]
✔	**NGOs and TRADE UNIONS**
	Meet with relevant representatives from local trade unions chapters and NGOs to ask their views on labour standards in the organization's supply chain.

Reason/Intent for evidence

[60]One of key areas of risk as regards suppliers are contract workers. Contract workers supplied by a recruitment agency to the workplace creates a supplier relationship. So you need to interview these workers to check their treatment and welfare. Ask them if they were asked to lodge deposits, ID papers or pay salary or money on recruitment or for training? Are they paid on time and how? Check that they have other options for work-related services (for housing, transport) other than accruing debt with the organization or organization-run organizations. Ask them in the interview if they are free to leave their job and jobsite and that their families are free to visit (do they appear nervous or watchful to you?) Are security guards patrolling and policing the site on a 24 hour basis? (If some workers live outside the complex, it may be an indication that workers are free to come and go - but check which ones). You should also interview the supplier companies of these workers - also known as recruitment agencies, labour contractors and manpower suppliers.

[61]Ask about the organization's relationship with suppliers: its supply chain mapping process on the gender non-discrimination policies and procedures and what percentage of suppliers have, in turn mapped their supply chains. What are the biggest areas of concern they have found in this process? Ask about the materials that they send to their suppliers (Code of Conduct on gender non-discrimination, policies and procedures) and ask how their suppliers react to such communications. Do they offer suppliers training on the gender non-discrimination policies and procedures and if so give examples of this and guidance given. Ask how they monitor their suppliers (through audits for example) and how many suppliers do they collect information from? Who in the sourcing department is responsible for investigating the suppliers and following up on them?

Management Systems to Address Gender Discrimination Category:

Management Of Suppliers & Contractors

This is the documented system for evaluating, selecting, monitoring and ensuring that the organizations's suppliers are adhering to the gender non-discrimination policies.

Evidence to Collect: Physical Inspection

✔	PHYSICAL INSPECTION
	Check the handling and treatment of services and workers provided by suppliers.[62]

Reason/Intent for evidence

[62]The main issue here as mentioned previously is the supply of workers by recruitment agencies – you will need to ensure that you visit the organization at each shift to ensure that all workers appear well-treated and are not "led" away in your presence. If possible, you will also need to visit homeworkers offsite to verify their treatment and working conditions. This may be difficult because of accessibility and also because work and home life are so integrated. You need to keep a sharp eye out for anything that might look suspicious: more workers for example that are working than appear on the payroll or workers' passports stored in a safe in the manager's office. You should also check the services that may be being provided by other suppliers: the security guards, transport and accommodation for example. Are the security guards present round the clock? Is this necessary? Are transport services and dormitories provided for the women workers safe and reliable? Speak to security guards and ask them specifically what the organization expects them to do in the workplace. Challenges in you being able to gauge information about suppliers will clearly be in the lack of influence the workplace may have with suppliers and the limited ability to choose suppliers due to cost constraints.

Annex 1

Background research

Before you start your workplace assessment, you need to do background research on gender discrimination in the relevant area which will help to "set the scene". You should read up on international conventions that the country has ratified and should be implementing, as well as other domestic legislation on gender discrimination, and local laws and practices for the applicable industry in the region. It is also useful to read the section on the country in TIP report. This information should be in the back of your mind as you are assessing the 6 gender discrimination criteria.

You will be able to access a lot of material online but your research may also require you to visit and talk to different groups and organizations. Here are suggestions of relevant areas to cover:

a) Read and know international laws and conventions relevant to gender issues in the workplace particularly the ILO Conventions 100 on equal remuneration, 111 on discrimination, 156 (on workers with family responsibilities), 177 on homework, 183 on maternity protection and 189 on domestic workers. You should also read and understand the United Nations Convention on Elimination of Discrimination Against Women.

b) Read up on the country's laws, particularly those concerning workplace conditions, sexual harassment, workplace pay, and any other law applicable to Gender Discrimination in the Workplace. Think about how provisions in these acts are relevant to the 6 gender discrimination criteria.

c) Look at local industry laws, customs and practices applicable to the relevant industry in the country and talk to local chapters of trade unions and women's organizations about the reputation of the organization you are assessing and the major problems women workers face in the industry. They will often have the most up to date information on the current situation.

d) Check SAAS Procedure 200 which includes requirements for certification body audit processes, auditor qualifications, procedures and issuance of certificates under SA8000.

e) Read up on the Gender Equity Seal (GES) Standard and GES management as produced by UN Women/SAI. http://www.sa-intl.org/index.cfm?fuseaction=Page.ViewPage&pageId=1331

Annex 2

Information gathering

Document review:

a) If the organization is new, 3 months of backdated documents for review will suffice; if the organization is older/established, you need to look back 12 months.

b) Remember, you should be asking yourself the basic question at all times: How does a subject or issue affect men and women differently? Why does it affect them differently? What is being done about it?

c) Remember to distinguish between discrimination and cultural norms. In some cases, forms of discrimination are culturally accepted. For example, female workforce dominates many garment factories. While this does not indicate discrimination, you should be aware that employers might prefer to employ women because they are seen as more "obedient". While they may get these jobs, they do not get promotions to line supervisor or management levels. These women may also be segregated occupationally from men or not be entitled to training. You need to question the validity of this difference in treatment. The meetings you have with NGOs and unions will help to clarify whether this is an issue in the relevant sector. Where discrimination is entrenched in cultural norms or in traditional forms of behavior, you should look for proactive policies and programmes aimed at distributing opportunities for advancement more equally in the organization. This would show that management is trying not to fall into a perpetuation of entrenched norms.

Interviews:

Worker interviews are fundamental to determining the level of gender discrimination at the organization as information from them helps to corroborate, supplement or invalidate information obtained through other means. The sample you interview should be representative of all fields of the workforce: men, women as well as permanent employees, temporary or casual workers and homeworkers, different religious and ethnic groups. You should interview relevant union representatives and members (both workers and managers) of workplace committees such as those established to deal with health and safety, sexual harassment etc.

a) You and your team should speak the primary language of the workers in order to establish a rapport and to ensure that information is correctly understood. Translation should be a last resort as it adds cost.

b) The interviewers should have a thorough knowledge of international, national and local gender discrimination law, as this will allow them identify and direct the interview to critical areas.

c) Familiarity with industrial production processes will save time. For example, when talking to homeworkers, you'll need to understand production quotas and piece rates.

d) You should demonstrate cultural sensitivity – it may be impolite in some locations to ask personal questions about marriage or children.

e) It would be good for the majority of your interviewers to be women if your workforce is majority women too. It may be useful to have an expert on the team who is informed about local issues affecting women workers in the industry – such as someone from one of the women's NGOs.

Annex 2

f) Interviews should be conducted off-site in dormitories without security guards' present. If interviews must be conducted onsite, select the location carefully - a cafeteria during lunch breaks, a shop floor during worker rest periods or a conference room. Make sure supervisors/managers are not in or near the space where the interviews are conducted. If interviews are conducted in the workplace ensure that worker/s are positioned in a way that does not distract them - they should not be facing their supervisor who is standing behind you or other workers or management that can make eye contact with the worker thereby reducing the reliability of information provided.

g) Limit interviews to 15-20 minutes and formulate questions prior to the meeting to make sure you address relevant gender discrimination issues. Tell workers that everything they say is confidential and that management has been warned against retaliation. You should ensure that workers understand that you are independent of the management and although the management is interested in improving working conditions for employees, that information being provided is highly confidential, and that auditors can be contacted if there is a problem after the interview (leave your card). Also mention that you will be speaking to several workers and that information obtained after speaking to a cross-section of workers will be verified for consistency and then discussed with management. State that you would not share names of any worker that gives useful information that will help working conditions and that you will address it with management on the basis of information collected from a large group.

h) Seek to put workers at their ease by asking basic questions: how long they have been at the organization or at a particular job.

i) The questions should be general at the beginning of the interview to get a sense of potential problems and then focus in on these. It may be that you focus on specific areas for certain groups – e g home workers about their pay and benefits; workers who have children about their treatment during pregnancy and maternity benefits as well as crèche provision or recently recruited women (and men) about their interview process.

j) Use open questions for information and closed for verification. (Open questions start in the following way and require amplified answers "How did you get your job?" Closed questions elicit a 'yes' 'no' response "Do you feel safe travelling to work?"). Focus on one issue at a time so that a barrage of questions does not overwhelm the worker. The key is to combine a conversational approach that puts the worker at his/her ease with questions that obtain relevant information. Avoid technical jargon. If you want to take notes, ask the worker if it is OK to do so and explain why you are doing it. Try to minimize note taking during the interview but then finish them quickly after the meeting.

k) Interviews can be conducted either with a group of workers or one on one. The dynamics of both types are different and asking common questions of each and matching the results for consistency can calibrate information. For example, group interviews are likely to encourage participation but they should be kept to no more than 10 workers and not dominated by one speaker. Encourage other workers by making eye contact and elicit responses. Where a sensitive issue is being addressed like sexual harassment the interview should be in private to safeguard the worker's security.

Annex 2

Physical inspection:

Together with document review and interviews, observations gained from a physical walkthrough provide the third part of the triangulation process that helps to verify information that you are collecting for the assessment. Ideally the best information has been documented in some form, confirmed by the auditor and has been corroborated in worker interviews. This is the "sweet spot" for evidence validation. As you walk through the organization, you should be looking for evidence of the organization's commitment to gender equity – everything from clearly displayed policies on non-harassment to the provision of childcare facilities. You should also sit in on some meetings of any worker/manager representative groups such as a gender equity committee or sexual harassment committee to see what the dynamics are like – are they dominated by workers or managers talking?

a) It is useful to use external and internal photography of the organization to provide evidence for your final report so take photographs.

b) Make a clear map in advance of the areas of the organization that you plan to visit. It can be useful to follow the flow of production from receipt of materials to shipment. Refer to previous physical walkthroughs made by other auditors.

c) Minimize the number of managers that an organization you on the walk-through.

d) Take notes and photos of all things observed that require attention and identify possible gender discrimination non-conformances. Pay special attention to areas identified as requiring attention in interviews, in document review or identified in audits as previous corrective action requests.

e) Following the walkthrough of the organization, conduct a walkthrough of dormitory facilities, crèches, canteens and washrooms. You should also go outside and check on access, security and transportation. If homeworkers make up a proportion of workers and they can be located nearby, you should include visiting their homes where possible.

Annex 3

We would like to sincerely thank the organizations and individuals below for contributing their valuable inputs to this guidance document

FLO-CERT

Det Norske Veritas (DNV)

TUV SUD

TUV Rheinland

Lloyd's Register Quality Assurance Limited (LRQA)

C.I.S.E

Insite Compliance Services

SGS India

Orion Certification

Level Works Ltd

RINA

Quality Austria Central Asia Private Ltd

Viraf Mehta- Maxwell Stamp

Indian Register Quality Systems (IRCLASS)

EuroCert Inspection Services

Bureau Veritas (BV)

Intertek

ABS Quality Evaluations

BSI

Timberland

UL-RS

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