



ANNEX: Women's Committee of the Chiquita/IUF/COLSIBA Agreement

'Working together to jointly define a strategy to ensure a safe working environment with an emphasis on the development of Chiquita's women workers'

BACKGROUND

The Women's Committee emerged as an innovative means to produce constructive solutions and responsive measures to address the issues of regular concern for female workers and their union representatives. COLSIBA had raised the specific issues of sexual harassment of female workers and limited employment opportunities for women - key issues for female banana workers across the Latin American region - and suggested looking at how to tackle these issues on a regional level within the framework of the Chiquita/IUF/COLSIBA agreement. The Women's Committee was therefore officially formed during a meeting of the Review Committee of the International Agreement in April 2011, 10 years after the original agreement was signed in 2001.

Both the IUF and COLSIBA already had well-developed structures in place for addressing the specific issues of female workers. They had the knowledge and expertise required to develop concrete multi-stakeholder proposals in line with the gender requirements of ILO Conventions: Equal Remuneration Convention, 1951 (No. 100), Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Workers with Family Responsibilities Convention, 1981 (No. 156); and the Maternity Protection Convention, 2000 (No. 183).

Chiquita already had gender requirements in its codes of practice and had been addressing these issues in some collective bargaining agreement (e.g. specific clauses dealing with sexual harassment). The company had previously adopted a mentoring system, identifying outstanding female workers and getting them to talk to groups of other female workers to support them within the workplace. However, the unions wanted a clear commitment: zero tolerance of sexual harassment, increased women's employment and specific proposals on how to implement these commitments at the plantation level.

The initial stages of this project focused on arriving at a consensus on the key demands and aspirations that each actor had for the Women's Committee. There were differences in terms of the basic approach to these issues. These issues included prioritising education and capacity building on women's rights, the use of quantitative statistics to analyse improvements

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in conditions and employment levels, the need for a platform for denunciations and for dealing with specific violations of women's rights etc. Finally, after a year of negotiation, the actors managed to combine their respective opinions and approaches and achieve a balanced outline of activities that satisfied each of the actors' expectations.

Chiquita explained that:

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One factor that contributed to the development of the Women's Committee as a structure within the international agreement was the historically weak women's participation in the Review Committee. This has changed as women have recently taken leadership roles in both COLSIBA (e.g. Iris Munguia as Coordinator) and the IUF (e.g. Sue Longley as International Coordinator for Agricultural Plantation Unions), significantly influencing the shifting of the agenda towards women's issues. It is deemed beneficial to have this strong female leadership within all three actor groups and it is expected to continue within the framework of the agreement to ensure the sustainability of the advances made by the Women's Committee in the long-term.

SUMMARY



Iris Munguia, COLSIBA

Representatives:

- Chiquita - Irene Sandoval, Sandra Campos, Karla Lopez, Marco La Touche
- IUF - Sue Longley (International Coordinator Agricultural Plantation Unions), Barbro Budin (Coordinator for Women's Activities)
- COLSIBA - Iris Munguia (Coordinator), Adela Torres (Women's Secretary), Mireya Rodriguez (COSIBA-Costa Rica)

For the purpose of this case study, interviews were carried out with Irene Sandoval, Sandra Campos, Marco La Touche, Sue Longley and Iris Munguia.



Objective

The overall objective is to promote and strengthen a safe working environment (free of harassment, exclusion and inequality) which is conducive to performance improvements and personal and professional developments for female workers.

The strategic objectives are to:

- Strengthen Chiquita's policies to further improve the working conditions of women in company farms, through the inclusion of:
 - Clauses in the annex to the Chiquita/IUF/COLSIBA agreement
 - Standard clauses in collective bargaining agreements
- Develop capacity building programs for women on specific issues through the:
 - Identification of the thematic issues/structure
 - Establishment of a pilot project site in Panama, with active participation of the local workers' union
- Develop proposals for increasing (where possible) the employment opportunities of women

Activities

The first step was to identify a team of representatives to work specifically on the activities of the Women's Committee and participate in a bi-monthly phone conference and one physical meeting per year that precedes the annual meeting of the Review Committee of the regional agreement. Once the Women's Committee was in place, the initial activity was to jointly define the key issues to be developed.

Clause on sexual harassment

The issue of sexual harassment was identified as a key priority. Therefore, the decision was made to initiate work on a specific clause to be incorporated as an annex to the international agreement and to serve as a guide for all of Chiquita's collective bargaining agreements that are to be negotiated in the future. The text of the clause was developed collaboratively between the three stakeholders, referencing IUF and ILO conventions on gender issues in agriculture, as well as a guidance on sexual harassment policy extracted from an ethical trading initiative training manual that was developed in consultation with its tripartite membership for supervisors and managers. This manual aimed to assist employers and unions in tackling sexual harassment in agriculture. The final text of the clause was agreed upon at the end of the review meeting on 27 March 2013.

The clause on sexual harassment will be printed and distributed through COLSIBA, IUF and Chiquita structures to initiate its implementation at plantation level⁵. It is necessary to work on nationalising the agreement and creating an informative campaign about the clause to make trade unions and female workers aware of the clause and how to implement it within Chiquita plantations. This work also aims to inform management at the local level of the company, who sometimes do not respect the agreements made at regional level. It is essential that each actor carry out an awareness campaign and publicises the clause.

5 <http://www.iuf.org/sites/cms.iuf.org/files/Final%20signed%20version-e.pdf>

Another key activity was sharing information to clearly establish the committee's targets. For instance, it is important to know the proportion of female workers from the region working in the Chiquita plantations, the percentage of female workers in each country, and also what positions they occupy in central offices and management are. These statistics are not yet publicly available.

This information identified Panama as having the lowest level of women's employment within the region, inspiring the decision to initiate a pilot project in collaboration with the local union SITRAIBANA to enable the committee to gain experience on dealing with this issue across the region.

The Panama Pilot Project: 'Developing training modules to promote the equality of opportunities, respect and well-being within the workplace and the community'

The first physical meeting of Chiquita, IUF, COLSIBA and the local union SITRAIBANA was held on 5 June 2013.

The project has at its core the following characteristics: replicability, inclusivity (for both men and women), realistic and specific objectives, and efficient implementation that is appropriate to the beneficiary population (language, content, style, materials) and has an appropriate budget, including support for local coordination (time, transport, subsistence).

The **first stage** is to 'get to know the local situation', including:

- Statistics on how many women are in the work centres; how many women are searching for work in neighbouring communities; what skills, experience and schooling they have; what language(s) they speak; where they live in terms of distance to the plantations; how many children they have and how they see their personal future
- An exploration of the reason for this situation with a focus on exploring the cultural particularities and how the company can facilitate the development of women's skills and how women can be offered greater employment opportunities
- An analysis of which agricultural tasks are suitable for women, from the point of view of occupational health and safety as well as productivity

The **second stage** will be the development of the project with local partners (including the government and NGOs), which will consist of:

- Presentation of the pilot project and generating an understanding of its importance
- Review of existing Chiquita tools and resources to prevent and combat inappropriate behaviour in the workplace
- Assessment of the advantages and challenges of women's participation in the workforce
- Presentation of success stories of women from the local communities
- Explore labour opportunities, capacity building, and empowering of women in the pilot community
- Provide information to deepen understanding and interest in this area

The **third stage** will be the 'application of training modules on well-being and equality'. The content is to be confirmed following consultations with all actors.

A concrete timeline for the implementation of the aforementioned pilot project activities has not yet been fixed at the time of writing this publication.



Accompanying processes within Chiquita:

- Different departments working on the accomplishment of this goal, including Human Resources, Social Corporate Responsibility, Legal Compliance, Internal Auditing, Legal, amongst others
- Conference call with the Vice President of Chiquita Compliance on:
 - Review of preventive programmes, training, mechanism for denouncing cases of sexual harassment, discrimination, etc.
 - Participants from multiple sites: Costa Rica, Panama, Honduras, Columbia, Switzerland and United States
 - Mobilization of technical resources
- New efforts including:
 - The creation of manuals
 - The establishment of policies and processes to voice any problems or doubts
 - Capacity building, inspections and monitoring
 - Strict compliance with the law
- A code of conduct that prohibits sexual harassment, discrimination and other undesirable practices
- Corporate responsibility program (of 20 years) which includes SA 8000, Rainforest Alliance, and Chiquita values (integrity, respect, opportunity and responsibility)
- Policies to prevent sexual harassment, discrimination and retaliation practices
- Anonymous helpline available 24/7 in all languages which is independently operated
- Plans to incorporate the ideas of all the members of the committee into the current programmes Chiquita conducts in respect to women

The role of the IUF

The IUF is an essential member in this process. It is a well-known global organization that is highly influential among the corporate sector. The IUF experience and understanding derived from the development of their equality programme, the Nestle agreement on women's employment and Danone's diversity agreement have also provided practical examples to bring into the discussions. The Chiquita agreement on sexual harassment therefore makes reference to these previous agreements and other IUF and ILO conventions on gender issues in agriculture. In turn, the agreement provides the IUF with concrete examples of how to make progress on gender issues, making it a mutually beneficial project with impacts in various sectors.

The IUF is an indispensable figure in this process, since it helps us to maintain balance and has a critical and reasonable vision, which is required throughout the negotiation process, especially when sensitive issues emerge that are subject to different opinions that come from agendas that in some cases can vary according to the vision of the businesses and the trade union (M. La Touche, personal communication, 2013).

Principles that have guided negotiations

- Good will
- Commitment
- Resource provision:
 - Exchange of areas of expertise
 - Time
 - Technology
- Constructive disposition
- Continuous improvement
- Inclusiveness and collaboration
- Awareness of and respect for international labour standards and particularities of each stakeholder

Challenges

There would be a number of challenges in replicating this experience at an industry level, including the following:

- There is a lack of information and analysis on women's employment within the global banana industry, as well as a lack of information on why this varies between countries, regions and companies.
- The cultural issue varies greatly between countries which can create particular challenges towards increasing women's representation within the workforce. Proposals need to be developed that tackle the paradigms of traditional roles of women and men at company and community levels and promote the active role of women in the economy. These proposals must be respectful of the beliefs, traditions and ethnicity of the workers and their communities.
- There are insufficient levels of unionisation and collective bargaining at the plantation level. Unions lack the strength, representation and formal mechanisms required to push forward the key issues for female (and male) workers across the industry.
- There is a marked gender inequality within companies, unions, supermarkets, certifiers, governments and other decision-making bodies. More women are needed in key leadership roles to guarantee the sustainability of women-focused initiatives.
- There is a lack of political will and expertise to push these issues forward at all levels and amongst all stakeholders within the industry.
- The Women's Committee is currently one of a kind, and thus, similar initiatives are needed to help support and develop this experience and create a clear framework on gender at the industry level.



CONCLUSIONS

The Women's Committee within the Chiquita/IUF/COLSIBA international agreement is relatively new and has ambitious goals. The pilot project in Panama is the first attempt at making concrete changes to conditions for female workers at the plantation level, though the work plan and time-frame for the implementation of this project is not yet certain. It is therefore difficult at this stage to extract any key recommendations for the replication of this work at industry level as the effectiveness of the programme still needs to be studied.

The clause on sexual harassment is, however, a concrete breakthrough that can be publicised and made relevant to other companies, regions and products to provide an example on how they can deal with the increasing issue of sexual harassment.

The actors involved in this project are achieving a greater understanding of issues that have received little attention within the industry, such as: the work of women in the banana plantations, the challenges and limitations they face, and how to overcome these issues at a local and regional level. The Women's Committee and its members have taken on the great responsibility of moving forward in this important area.

The aim is that all three actors have an active and balanced role in this process. The presence of a third actor like the IUF helps to facilitate and maintain this balance through their capacity to question the actions and the responsibilities of each actor, independently evaluate diverse proposals and foster mutual respect between union and company stakeholders towards joint decisions and agreements.

There is a need to look at the issue of women's employment at the industry level and ensure that the working environment is adequate for women in all countries of production. In addition to the international agreement among Chiquita, IUF and COLSIBA, multi-stakeholder structures, such as the World Banana Forum, can offer an important platform for negotiation, which can also be utilised to push forward gender issues at an industry level. These roundtable discussions should include the active involvement of all key multinational companies to discuss issues related not only to gender discrimination, but also trade union freedom and collective bargaining, as these are the key tools that both male and female workers have to improve their conditions at work and at home.

Concrete commitments are needed at the industry level to strengthen engagement with unions at the national level and make progress with respect to collective bargaining, in particular collective bargaining that involves female union leaders to ensure that gender issues are on the agenda from day one of negotiations. Unions must be supported in their work, both in organising and educating female workers, to ensure that female leaders have the skills and opportunities required to be active in these negotiations at the plantation and industry level.

ANNEX⁶: 'Appendix to the IUF/COLSIBA/CHIQUITA agreement: joint understanding on sexual harassment'

6 <http://www.iuf.org/sites/cms.iuf.org/files/Final%20signed%20version-e.pdf>