

Putting gender back on unions' agenda

In recent years the focus on women's demands in unions has taken a back seat.

Patricia Appolis highlights key issues around women-specific demands and the importance of including them in the collective bargaining process. She believes it is essential that unions do this if they are to become agents for social change.

One of the most important opportunities for direct measures to improve the working conditions and wages of women is collective bargaining. Indeed collective bargaining is the most important union activity of any trade union.

It is through collective bargaining that it is possible to secure basic provisions such as a living wage, health and safety provisions and training for all workers. It thus establishes parameters for equality such as equal pay for equal work and value and the sharing of the load such as the balancing of family and work life.

In addition, by using our collective power it is possible to advance gender equality in the rest of society and to improve the conditions for all women workers. So collective bargaining has the potential to push back the gender division of labour both in the private and public areas and to also undermine patriarchy. However, it is important to note that collective bargaining gains are temporary and merely open up opportunities to create a more equal and just society.

Collective bargaining is also

important for union organisation because there is a coordinated activity, organisational effort, mobilisation of grassroots membership and the day-to-day tasks in the workplace that this entails. Thus through bargaining gender issues, unions will attract more women to join the organisation. Women are reluctant to join and participate in union activities, but through collective negotiations they will be more inclined to join if they see unions are taking up their issues.

SITUATION OF WOMEN WORKERS

Women workers in the South African labour market still confront a gender division of labour. Men still dominate and women continue to occupy low paying positions in service, farm, domestic and vulnerable sectors. There are also higher levels of unemployment amongst women than men. This is borne out by the recent International Labour Organisation Report on Employment Trends for Women (2008) and the 2007 South African Labour Force Survey.

The South African labour market is also highly skewed in terms of race and white males still occupy

key strategic positions.

The situation of women workers has become worse over the last decade. One of the most significant trends in the labour market is the expansion of the service sector. This sector has a high concentration of women and young workers and it is also shaped by new forms of atypical work (also called non-standard, flexible or precarious work), which takes the form of temporary, contract, home-based, seasonal, casual, flexi-time and teleworking. Workers in these forms of work enjoy none of the benefits which a small core of full-time workers, usually male, have. Women find themselves more and more in jobs that are insecure, low paid and with few or no benefits.

Another constraint that women face is the double burden. Despite increasing levels of entry into the workplace, women continue to be responsible for domestic chores and childcare, which employers and the state do not take into account. The decline and, increasingly, lack of access to public services such as childcare, health and so on makes the situation of women workers even worse.

EQUITY LAWS AND BARGAINING

Since 1994, a number of laws have been passed to facilitate the process of transforming the workplace and in particular to promote gender equity. For example, the Basic Conditions of Employment Act, the Labour Relations Act, the Skills Development Act and the Employment Equity Act (EEA). These laws also seek to redress the legacy of apartheid.

The one piece of legislation that has the potential to address gender inequality and facilitate the bargaining process is undoubtedly the EEA. However, it is not used to promote equity for women on lower scales.

According to the recent Employment Equity (EE) Report, very few women have made it to the top. White women and black men tend to benefit from EE at the expense of the most disadvantaged women in particular African women. Employers tend to focus on numbers rather than changing the working conditions and environment of the workplace.

The EEA is a crucial law because it deals with barriers that prevent women from progressing in the workplace, for example, job grading, recruitment, promotions, and sexual harassment. But the labour movement has not taken full advantage of the legislation to push for gender equity in the workplace.

STATE OF GENDER BARGAINING

In the labour movement not much has been done to ensure that gender issues and women-specific issues are negotiated. Whilst in some workplaces and unions, gains have been made, and a few unions have pioneered various gender issues (especially in the last two decades), this is the exception rather than the rule.

Many unions have adopted

policies on gender collective bargaining demands. In 1989 the *Labour Bulletin* carried a prominent article assessing women workers in unions. It illustrated that Cosatu (Congress of South African Trade Unions) affiliates were putting a number of gender issues on the negotiating table, yet today very few of the collective bargaining issues and demands that were identified and were crucial to the advancement of women workers have been achieved through negotiations.

Nowadays it has become even harder to push for the negotiation of gender issues in the context of atypical work forms. More importantly, with the changes in the workplace and the economy such as mergers and takeovers, many of the agreements that unions had won have been terminated. So trade unions have to start all over again.

The soaring price of basic goods and services also impacts on the ability to negotiate gender issues as the focus centres more on immediate needs such as wages.

However, the issues and demands identified years ago still remain more than relevant together with new demands that have arisen. The key issues and demands are:

- Parental rights
- Childcare
- Combating sexual harassment
- Equal Pay for equal work/Equal pay for work of equal value
- Health and safety in particular reproductive health
- HIV/AIDS
- Equal access to promotion, training and skills development
- Job security and decent employment
- Safe transport when working late hours and shifts
- Employment equity agreements.

The list goes on and can include issues that are viewed as private

matters such as domestic violence and drug abuse. These are social issues that impact on women workers and also impact on the workplace so employers should assist workers with these problems.

In most cases, employers are reluctant to discuss or negotiate gender demands as they view them as private and personal matters. However, the real deterrent for employers are the costs involved which would eat into their profits.

WHAT CAN UNIONS DO?

There are a number of interlinked strategies that unions can use to improve the situation. These are:

- Prioritise gender demands and do not relegate it to a secondary issue. This is often the case where compromises are made in terms of which demand should be dropped in favour of, say, wages. It is not surprising to find that gender demands such as parental rights stay on the collective bargaining agenda for up to 13 years.
- Employ more women as negotiators as this is a job that is male dominated and may partly explain why gender issues are not negotiated or remain secondary.
- Increase the representation of women leadership on the negotiating teams because worker representation is male dominated.
- Representation and employment of women should be accompanied by empowerment programmes to raise consciousness, to develop confidence and to develop negotiation skills. To have more women as negotiators does not automatically mean that women will fight for gender issues to be included or negotiated because of a male culture and the

socialisation process. Sometimes women lack the necessary confidence because of lack of knowledge or experience.

- Unions also need to build gender/women structures and utilise these structures to impact on the bargaining process. The structures also provide a support base for women negotiators.
- The election of workplace or company-based gender coordinators can play a strategic role. They can ensure that gender issues are part of the collective bargaining agenda through the mandating process and that they are actually negotiated. Workplace gender coordinators also have the potential to boost the negotiating teams.
- Campaigns should not be

viewed in isolation from collective bargaining. Unions should use campaigns to popularise gender demands to impact on the bargaining process. Campaigns can also build the activism of women workers to participate in the bargaining process and in the life of the union.

- Unions should use the EEA as a tool to facilitate the speedy process of achieving a more equitable workplace.
- Regular reports should be submitted to union structures to ensure accountability and monitoring of the implementation of policies on gender demands. In this way, unions are also mainstreaming gender and thus changing organisational culture.

CONCLUSION

We still have a long way to go and in many ways are weighed down by the continuous changes taking place in the labour market that impact negatively on women.

However, if we can inculcate an outlook that women members are trade union members and therefore it is only fair that their needs and interests are taken up, we would go a long way towards improving the position of women workers. Cosatu's September Commission (1997) identified the importance of women workers' demands and called on unions to make trade unions their home. LB

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Gender equality at the heart of decent work

The International Labour Organisation is launching a one-year global campaign to highlight the central role of gender equality in its Decent Work Agenda and in the work of its constituents – governments, employers' and workers' organisations.

The campaign is built around 12 different Decent Work themes. These themes will be looked at through a gender lens to illustrate how issues in the world of work may affect women and men in different ways, particularly in accessing rights, employment, social protection and social dialogue.

The awareness-raising campaign will lead into a discussion on gender equality at the heart of decent work at the International Labour Conference in June 2009. Delegates from governments, employers' and workers' organisations of ILO member states will have the opportunity to study the issues and draft a roadmap to promote gender equality for the decade to come.

"During the next 12 months we will actively reach out to our constituents and other international partners, provide information on different themes and facilitate access to a body of material that the ILO has developed on gender equality," explains Evy Messell, director of the Bureau for Gender Equality.

The campaign will produce an information brief for each theme, accompanied by a poster and postcard. A campaign website has been developed and new materials on different themes will be uploaded regularly.

For information visit: <http://www.ilo.org/gender/Events/Campaign2008-2009/lang-en/index.htm> or contact the ILO Bureau for Gender Equality at +41 22 799 6730, gendercampaign@ilo.org