

Annex 14: How to Integrate Gender Equality in the Due Diligence Strategy

This annex guides amfori BSCI participants on how to avoid gender discrimination and enable a work environment where all workers, including women, can freely exercise their civil and labour rights. Furthermore, it provides guidelines to auditors, which complement the [amfori BSCI System Manual Part III](#).

INTRODUCTION

The [amfori BSCI Code of Conduct](#) states that “...*Business partners shall not discriminate, exclude or have a certain preference for persons on the basis of gender...Workers shall not be harassed or disciplined on any of the grounds listed above.*”

As amfori BSCI participants and their business partners abide to the amfori BSCI Code of Conduct, they are expected to play an active role in:

- Early detection of gender-based discrimination in their supply chains
- Proactively raise awareness of gender equality and provide necessary tools to create a working environment that promotes gender equality
- Promoting solutions and continuous improvement whenever gender-based discrimination has been identified in their supply chain

These efforts from the business community do not replace, but rather complement, all societal efforts, particularly legal reforms and education, needed to thrive in more equalitarian societies.

MAPPING OUT GENDER-BASED DISCRIMINATION

Discrimination may have a root cause based on prejudice(s). However, it is usually felt only when the discriminatory person uses some form of power over the person being discriminated against.

If amfori BSCI participants have identified gender equality as a distinct dimension of their sustainability strategy, they should map out their supply chain against the parameters below. This will define their priorities and allocate necessary resources toward extra vigilance on gender-based discrimination.

- **Geographic scope:** Unbalanced power dynamics and gender-based prejudice can manifest in different forms depending on the geographic region, depriving women from access to their civil and labour rights.
- **Exceptional crisis:** Migration and refugee corridors may have an impact in the regions where businesses source their goods. Over 50% of migrants worldwide are women, therefore business enterprises sourcing or based in those regions may have to address gender-based discrimination episodes on a scale previously unknown, due to the vulnerability faced by these women.

- **Production model (e.g. home workers):** Working from home, in many regions, represents a great opportunity for women to reconcile family responsibilities with income earning. At the same time, it can be used as a vehicle to perpetrate gender-based discrimination.
- **Specific sector:** Certain sectors, or production lines, have traditionally relied on women-based workforce. As a consequence, women can be pigeonholed into those roles and be discriminated against, or refused for other positions or roles within a company.

In line with amfori's mission, business enterprises can articulate these efforts as their contribution to the UN Sustainable Development Goals (SDGs):



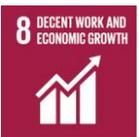
SDG 4

Quality education: Targets 4.5 on equal access to education



SDG 5

Gender equality: Notably targets 5.2, 5.4, and 5.5



SDG 8

Decent work and economic growth: Targets 8.5 on decent work and equal pay for all



SDG 10

Reduce inequalities: Targets 10.3 on equal opportunity

SPECIFIC MONITORING MEASURES

Once amfori BSCI participants have identified where in their supply chains there is a high likelihood of gender-based discrimination, they need to identify monitoring strategies to address the issue.

Below are some examples of specific extra diligence that amfori BSCI participants may incorporate in their monitoring strategies (whether with amfori BSCI audits or other means) to early detect, monitor, and remediate possible gender-based discrimination in the supply chain:

Use a Gender-Balanced Monitoring Team

In addition to the necessary skills to identify subtle or endemic gender-based discrimination, the choice of a gender-balanced team (including for amfori BSCI audits) may be more effective when it comes to conducting interviews (e.g. female workers may prefer talking to another woman about their working conditions and standards of living).

Pay Attention to Specific Areas Where Women may be Vulnerable

No matter who conducts the monitoring, a third-party auditor or internal staff, certain areas have a higher likelihood of gender-based discrimination. Here are some examples of areas where special attention is required during monitoring:

- **Occupational health and safety:** The producer should take into consideration a women's physiological needs, as well as specific gender-based health and safety risks (e.g. exposure to certain chemicals).
- **Recruitment practices:** Many recruiting practices can be a vehicle for gender-based discrimination. These practices can go from a completely draconian clause in labour contracts (e.g. compulsory virginity or pregnancy tests) to subtler discriminatory practices (e.g. lack of access to social security). Particular attention is required for indirect recruitment, as gender-based discrimination may be done by brokers or recruiting agencies.
- **Infrastructure:** The way a business provides housing, toilets, showers, or even appropriate diet in the canteen, may prevent women from receiving adequate protection and from being able to exercise their rights. Particular attention is to be given to workers' engagement and grievance mechanism access as a channel for women to articulate their demands and contribute to continuous improvement of the workplace.

Interconnect Performance Areas to Women's Working Conditions

In the case of amfori BSCI audits, auditors will use the holistic approach to interconnect all performance areas that may directly or indirectly have an impact on women's working conditions and access to their rights. Notably, when assessing possible gender-based discrimination, amfori BSCI auditors will not only look at Performance Area 4: No Discrimination. They will assess other interlinked performance areas such as (but not limited to):

- Performance Area 3: The Rights of Freedom of Association and Collective Bargaining
- Performance Area 5: Fair Remuneration
- Performance Area 10: No Precarious Employment

SPECIFIC REMEDY MEASURES

Remedy is the expected reaction from business enterprises if they have identified situations in their premises or supply chains that go against labour and/or human rights.

The most common channels for capturing gender-based discrimination include:

- **amfori BSCI monitoring activities:** Auditors may identify procedures and practices that represent a gender-based discrimination and/or prevent women from exercising their rights. These findings, which relate to the evaluation against the amfori BSCI Code of Conduct, will trigger the need for a Remediation Plan. In these cases, the producer will lead the remediation process (starting by a root cause analysis) and the amfori BSCI linked participants (or at least the RSP holder) will support and monitor the improvement process.
- **Zero Tolerance Protocol:** Human rights flagrant violations and business behaviour that may endanger the independence of the audit are to be reported following this protocol. In all five zero tolerance alert grounds (see [Annex 5: amfori BSCI Zero Tolerance Protocol](#)), any possible particularity related to gender-based discrimination should be described by the auditor (e.g. Sumangali scheme qualifies as forced labour with a gender component).
- **Grievance mechanisms:** Operational grievance mechanisms or workers' surveys can reveal gender-based discrimination in the supply chain of amfori BSCI participants. As grievance mechanisms only capture allegations from one side, this will require independent investigation and possible mediation towards remedy.

Once the issue(s) have been identified, the amfori BSCI system offers its participants two remedy approaches:

- **Individual remediation:** In this case the amfori BSCI participant (usually the RSP holder) will request that the concerned producer take the necessary remedial actions in an agreed time period. The amfori BSCI participant may assign through the [amfori Academy](#) specific capacity-building courses aimed at supporting the producer in its remediation efforts. Eventually, these efforts are verified in an amfori BSCI follow-up audit.
- **Collective remediation:** In this case the amfori BSCI linked participants join forces to support the concerned producer remediation path. This collective remediation can be facilitated by the amfori Secretariat (see [Annex 5: amfori BSCI Zero Tolerance Protocol](#)) or it can be organised among the concerned linked participants without amfori Secretariat participation.

In both cases, the use of a generic or tailor-made training may make a significant difference in the success of the remedy as a shift in the mind-set to enable working practices that stimulate gender equality.

SPECIFIC CAPACITY BUILDING

Here are some examples of capacity-building training to avoid gender-based discrimination in the workplace:

Capacity-Building Training Content	Target Audience
Determine if gender-based discrimination is an issue in the supply chain	Management, human resources, supervisors
Draft and put in practice procedures to avoid gender-based discrimination	Human resources, supervisors
Create a human resources management role with a focus on gender equality	Human resources, top management

SUCCESS INDICATORS AND REPORTING

amfori BSCI participants may set specific targets and success indicators to promote gender equality in their supply chains.

By defining specific targets and related success indicators, amfori BSCI participants are in a better position to:

- Communicate their gender equality agenda among their staff and business partners
- Allocate necessary budget and human resources to reach their targets
- Communicate their commitment and progress to both internal and external stakeholders

Furthermore, amfori BSCI participants can leverage and monitor their progress using the amfori BSCI Commitment Formula (see [Annex 11: How to understand the commitment formula](#)).