

Protecting the Rights of Garment Factory Workers: A Train-the-Trainer Resource



Prepared by BSR for the Levi Strauss Foundation



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INTRODUCTION

INTRODUCTION

A LETTER FROM THE EXECUTIVE DIRECTOR OF THE LEVI STRAUSS FOUNDATION | DANIEL JAE-WON LEE

In this document, you will find lessons and advice from pioneering factory trainers and organizations that the Levi Strauss Foundation is honored to support, in pursuit of protecting the rights of apparel factory workers. We invite you to grapple with and test this resource—and by offering your feedback and advice, join us on this journey toward improving the lives of factory workers around the world.

As you read through this document, we ask you to bear in mind that it is:

1. **A resource for trainers, not workers.** The best practices, case studies, and sample lesson plans are intended to inform your own training curriculum, and to provide new ideas for approaching common challenges. This is not intended to be viewed as an authoritative, “off the shelf” training curriculum but instead a compendium of practical examples and tips that you can adapt and apply in response to identified needs on the local factory floor.
2. **Based on a holistic approach.** Holistic, systemic, and long-term engagement is needed to create any kind of real change in a factory. It is important to recognize that conducting worker and management training is only one component of a “full-circle” approach. Indeed, sustaining fair working conditions and worker empowerment is contingent upon ongoing, genuine support and system based investments from factory managers, line supervisors, and apparel brands. Needless to say, this type of change requires sustained investment of time and resources.
3. **Aimed at stepping up impact measurement.** It has historically been challenging for trainers to collect data to measure the impact of training interventions, with high turnover, scant resources, and limited factory access posing the greatest challenges. At the same time, trainers face immense pressure to measure and demonstrate the business case to factory managers and their buyers (even though methodology to demonstrate hard causal links remains elusive). There is substantial room to improve impact measurement, and refocus it on the vision we’re trying to achieve—tangible improvements in workers’ lives, health, incomes, and confidence.
4. **A work-in-progress.** We are humbled by this collection of best practices from around the world, but are keenly aware the field of workers’ rights training remains in its early stages. In this vein, this document is a first step toward the development and dissemination of more comprehensive, field-tested, and country-specific curricula. While trainers around the globe face similar challenges, a myriad of regional, cultural, and political factors require tailored tactics.

It is our hope that this marks the beginning of a dynamic, iterative process that will involve many more of our peers, factory partners, and worker right’s trainers. We look forward to working together to develop the next generation of sustainable supply chain practices and advancing the rights of factory workers. Please reach out to me directly at DLee4@LEVI.com with feedback and insights from road-testing these materials.

Sincerely,



Daniel Jae-Won Lee | Executive Director, Levi Strauss Foundation

SETTING THE CONTEXT

The Levi Strauss Foundation (LSF) has a rich history of supporting worker rights’ organizations and is committed to deepening the impact and scale of this work. In recognizing that the field of workers’ rights remains severely underfunded and that under-resourced organizations in this arena have difficulty advancing in scale beyond in-factory pilots, LSF commissioned BSR to help bring together its workers’ rights grantees to share lessons learned and build on one another’s innovations.

In the course of building its worker rights program, the Levi Strauss Foundation has learned:

- NGOs are invaluable local partners in meeting the critical needs of apparel workers—both at the factory and community levels. Building the capacity of this sector to deliver at greater scale and impact is an important priority.
- An informed workforce of workers and managers, aware of labor rights and responsibilities, is a crucial lynchpin to a “new generation” of social sustainability practices that are owned and managed at the factory level. As such, it is a top priority of this grant program.
- For reasons outlined in this report, collaboration between brands, NGOs, and contractors on the factory floor remains incredibly challenging. Cultivating track records of trust and mutual benefit in this space requires time and sustained commitment.
- If our goal is greater scale and sustainability, it is simply not enough to support factory-level training programs because “it is the right thing to do.” It is essential to take a rigorous and honest look at how the success of these programs is uniquely defined among workers, trainers, supervisors, factory owners, and buyers.

In light of these important lessons and as a contribution to further developing the field of workers’ rights, this train-the-trainers resource has been created. Meant to be a living document, it provides best practices for training design, implementation, and evaluation, and is based on contributions from the following organizations:

Organization Name	Country
APHEDA	Vietnam
The Asia Foundation	China
Better Work	Global/Vietnam
CARE	Cambodia
Life Centre	Vietnam
Nazneen Huq (Independent trainer)	Bangladesh
Verite	China

This material builds on the best practices and challenges shared during a workers' rights roundtable in Vietnam and published in the "Moving the Needle: Protecting the Rights of Garment Factory Workers"¹ report in 2009. The content is also drawn from a second workers' rights roundtable in Singapore, phone interviews and the collection, translation, and culling of best practices from materials submitted by LSF's worker rights focused grantees listed in the table above.

A few lessons learned along the way:

- **There is limited collaboration but an appetite to connect and share training techniques.** Many training delivery ideas are created, tested, and implemented without the trainers formally documenting successes. This report is a first-of-its-kind attempt to collect these ideas into one central repository. LSF hopes to create a "living, breathing community" of workers' rights organization and invites other multinational companies, foundations and NGOs to participate in building this field together.
- **Despite geographic differences, the most pervasive labor rights issues are strikingly similar.** While recognizing the unique complexities of each operating environment, the most persistent labor rights challenges within global supply chains are similar. These include obstructions to freedom of association, abuse or lack of valid contracts that protect workers, inadequate payment of wages and excessive working hours, poor grievance handling and ineffective worker-management communication, and ongoing harassment and discrimination. We have therefore focused our case studies and examples around these topics.
- **Securing buy-in with management, supervisors, and workers is essential.** This report provides ideas on how to deepen engagement and build the case for training with factory management, line supervisors, and workers. All three of these audiences are integral to the success of any in-factory training, yet their motivations are different, and training programs need to be tailored in a way that's relevant to each of these audiences.
- **Impact measurement remains weak.** Most training indicators are focused on outputs (e.g., number of worker training sessions) as opposed to outcomes (such as changes in workers' lives). It remains hard to establish causal business case linkages to training interventions. Moreover, there is little work in the realm of measuring social impact (such as tying training outcomes to the UN's Millennium Development Goals). These materials are a first step in building more robust metrics with a group of grantees collaborating to design an effective baseline measurement tool. The next phase of this work will continue to build out measurement metrics, particularly in the realm of social impact.

¹To access the "Moving the Needle" report, see http://www.bsr.org/reports/BSR_LeviStraussFoundation2009.pdf

This report is intended for workers' rights training organizations around the world that focus on in-factory trainings. LSF and BSR remain committed to fostering collaboration between workers' rights training organizations and we hope that this initial set of materials is used and improved upon by workers' rights organizations worldwide in their important but difficult work to preserve the rights of vulnerable workers in global supply chains.

Sincerely,



Ayesha Barenblat
Director, Advisory Services, BSR



Grantees discussing freedom of association at the 2011 Singapore roundtable

PART 1:

TRAINING FRAMEWORK



BUILDING BUY-IN THROUGHOUT THE FACTORY

“When I visit factories, they are proud to say how much energy (and money) they’re saving. However, very seldom will I hear a factory tell me about a program they have that benefits workers.”
- Bril Lacno, Levi Strauss & Co.

Selling workers’ rights training to a factory is no easy task—even when the cost of training itself is free for the factory. After buyers help open factory doors to training organizations, trainers then begin the uphill battle of building a relationship with factory management, learning about the factory’s needs and constraints, and designing and implementing a program that will both meet workers’ needs and gain the support of factory management.

Throughout the training process, trainers cite some of their greatest continual challenges as:

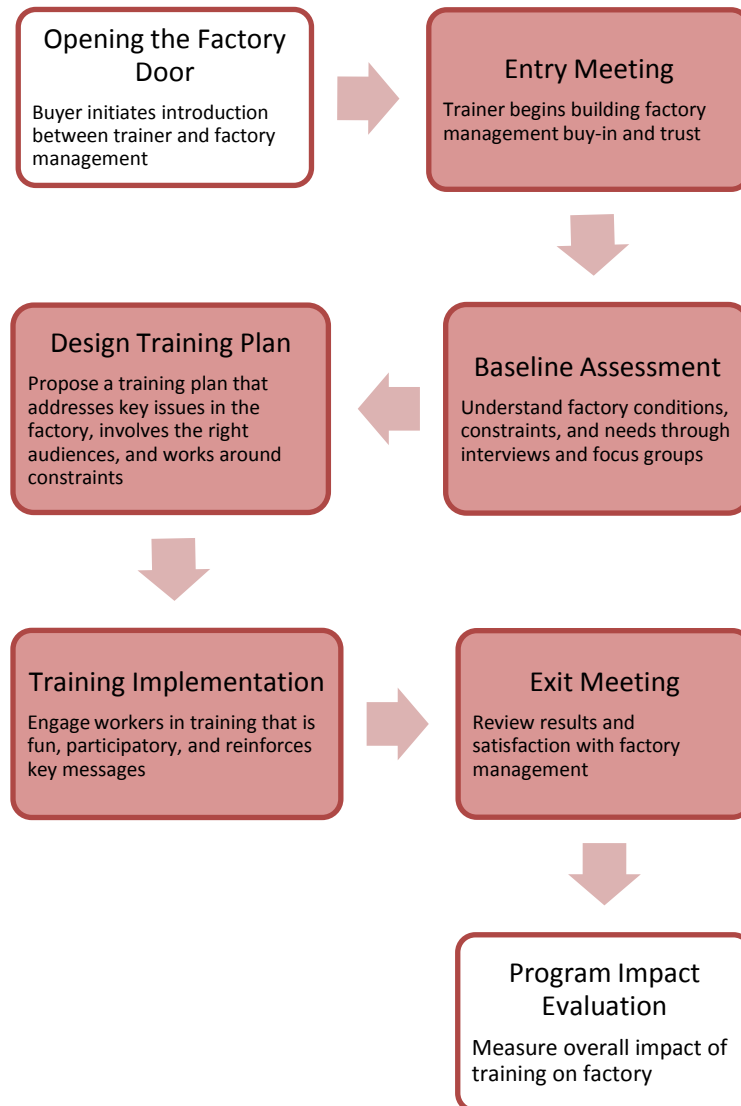
Building trust and ownership with factory management. During the intervention period, a positive working relationship is necessary to secure resources and access to workers. For an intervention to reach the level of sustainability and impact that trainers aim for, management must take ownership over some of the more systemic changes that need to occur—such as developing strong worker-management communication systems, grievance mechanisms, and robust management and administrative systems—and to ultimately see the value of investing in their workforce.

Engaging exhausted workers. When presenting labor topics, which are often complicated, to workers who are tired, disinterested, and have low literacy levels, trainers need to be creative to design and deliver training that gets workers engaged.

Scheduling training around busy production schedules. Factories face considerable pressure to meet production mandates that leave extremely limited time for workers, line supervisors, and factory management to participate in training—which means that trainers need to be flexible and resourceful in using the time they do have.

Scaling training for lasting impact. Because training programs almost never reach the entire workforce, and factories have high rates of turnover, trainers struggle with keeping information prominent and readily available to all workers within a factory.

Focusing on securing buy-in, designing the training, and planning its delivery, this section provides tips and examples for addressing the above challenges throughout the training process—from factory entry to exit as illustrated below:



SECURING BUY-IN THROUGHOUT THE FACTORY

Each of the four main audiences discussed in this section—factory management, line supervisors, workers, and buyers—plays an important and distinct role in influencing factory conditions and in determining the immediate and longer-term success of workers’ rights training programs. Workers’ rights—and particularly promoting and enhancing awareness of them—affects each audience in a different way.

In light of the different priorities, pressures, and needs of each audience, trainers need to tailor their approach, focus, interaction, and language to gain the support of each group. This section summarizes and highlights some of the main challenges noted by trainers in engaging each group, with tips for overcoming them.

AUDIENCE 1: FACTORY MANAGERS

Ensuring that senior-level factory management supports a program early on is critical to building factory management’s sense of ownership of the training program and to improving labor practices and conditions. While buyers’ CSR departments currently help trainers get into the factory, both buyers and trainers want factory management to see the tangible and intangible benefits of training—and to view their workers as an asset to invest in, rather than as a mere cost center. From entry to exit meetings, trainers must emphasize the business value of their work, and to articulate and demonstrate bottom-line benefits.

Factory management buy-in is critical to securing resources—such as access to workers and facilities—that are necessary to execute a training program. Factory management’s involvement is also needed to facilitate and approve changes to factory policies and systems that may be needed to support workers’ rights—for example, ensuring that written contracts and effective worker grievance mechanisms are in place. Lastly, demonstrating management support of a training program can also help workers and line supervisors feel more comfortable in participating.

Expert trainers highlighted the following challenges in getting factory management on board, and offered tips for addressing them:

Challenge 1: Lack of Trust

Factory managers may view trainers as auditors or activists, and may be reluctant to provide access to workers and/or information about the factory. They may also not be ready, willing, or able to admit that there are any problems in the factory.

Tips	Actions and Examples
Keep factory managers closely involved and informed throughout the training. This allows them to feel less threatened, provide input, and ideally	<ul style="list-style-type: none">• Arrange an entry meeting with management as your first contact with the factory.• Create a consultative committee or project team that includes factory management—

to develop ownership.	which should at least be consulted, and ideally actively involved in program design.
Use peer company examples. To reassure factory managers that they have not been singled out and to illustrate the potential benefits of providing workers' rights training, discuss programs and interventions from other factories and clients.	<ul style="list-style-type: none"> • Use local or in-country examples. Otherwise, factory managers may be quick to assert that conditions and practices in their country are different. • Refer to local trends, such as high incidence of strikes. This can reinforce that no factory is immune.
Create opportunities to learn from peers. Hearing directly from peers lends credibility and allows factory managers to feel that they are not alone in facing problems.	<ul style="list-style-type: none"> • Offer to put factory management in touch (on an informal, individual basis) with other factories that have undertaken similar initiatives. • Enlist buyers to bring a group of their suppliers together to discuss labor challenges across their facilities.
Bring in external experts. Trainers can rely on external experts to help establish credibility and supplement their own expertise as needed.	<p>Examples of external experts that trainers often use are:</p> <ul style="list-style-type: none"> • Lawyers to advise on contracts • Doctors to discuss health conditions • Ministry of Labor representatives to establish neutrality • Psychologists to advise on employee well-being and mental health programs
Use management-friendly language. The term "workers' rights" may cause factory managers to become defensive or unreceptive.	<ul style="list-style-type: none"> • Frame training sessions as "labor services programs" rather than "workers' rights trainings". • Use neutral language, such as "working conditions" or other culturally appropriate options.

Challenge 2: Mindset

Factory managers typically view workers as a cost rather than an asset, and often fear that educating workers on their rights may lead to increased demands—and conflict if those demands are not met. Factory managers need to be convinced that improving the well-being of their workers can actually benefit the factory.

Tips	Actions/Examples
Highlight the business case. It is important to link the	<ul style="list-style-type: none"> • Collect indicators (absenteeism, tardiness, turnover, etc.)

<p>training to a projected positive impact on business performance.</p>	<p>at the beginning and end of training. Most factories will have these readily available.</p> <ul style="list-style-type: none"> • Identify factory-specific challenges and constraints—e.g., whether workers routinely do not return to work after the lunch break or take leave without notice. • Link recommendations to bottom-line, intangible benefits and risk avoidance—reductions in absenteeism, turnover, and strikes; avoidance of legal fines; and improvements in productivity.
<p>Focus on risk. Highlight the link between workers’ rights training and the mitigation of labor, regulatory, social, and reputational risk to the factory.</p>	<ul style="list-style-type: none"> • Understand the external and internal risks to the factory through internal interviews and building knowledge of key stakeholders and trends in the region (e.g., high incidence of labor strikes, labor shortages, etc.). • Talk to managers about potential risks to their business, such as regional labor shortages; strikes; arbitration costs, fines and legal fees; and reputational risk. • Quantify/monetize the cost of the most pertinent risks—for example, how much would a strike cost a factory per day? What is the reputational risk associated? How much would legal/arbitration fees cost?² • Pose proactive solutions that focus on identifying early warning signs and establishing systems to address and diffuse situations before they escalate. Effective grievance mechanisms and management-worker committees are examples. • Emphasize that no factory is immune to such risks, but every factory has the opportunity to gain a competitive advantage over its peers by taking a leadership approach.
<p>Work with existing systems. Because management may be resistant to new initiatives, look for opportunities to use the systems and policies already in place to meet both training and factory management goals.</p>	<ul style="list-style-type: none"> • Look for opportunities to update, improve, and/or train on existing factory policies. For example, contracts may need to be reviewed and updated to include necessary information before training workers on their contents. <p>Example from Bangladesh:</p> <ul style="list-style-type: none"> • When factory management initially resisted worker training on legal rights, independent trainer Nazneen Huq asked to review a copy of the company’s personnel

² See BSR/CTI Case Study on page 60 for a more detailed example.

policy. As suspected, the personnel policy included almost all of the local laws that would have been covered in the training—so Huq proposed that she conduct training on the factory’s personnel policy. This allowed her to cover the important topics in a way that was less threatening to managers, and even won management approval for her respect of their opinions and wishes.

Challenge 3: Production Pressure and Priorities

Factory managers are constantly under pressure from buyers to meet product delivery deadlines, minimize costs, and accommodate last-minute changes. Taking workers off the line to attend training disrupts production and could jeopardize the ability to achieve production targets. While trainers aim to involve factory managers to build ownership and trust, factory managers typically have extremely limited time to participate in training initiatives.

Understand the factory context. Invest the time to understand the factory’s capacity or resource constraints.

- Use the entry meeting (with factory management) and the baseline assessment to gather information about the factory’s challenges, systems, and strengths.
- Ask questions—let factory managers tell you about their problems, rather than the other way around.
- Identify opportunities to link training initiatives to alleviation of existing problems. For example, high rates of absenteeism may indicate that workers are not aware of the factory’s leave policy and procedures. A training session on working hours would address this topic.

Be flexible. In light of the factory context, propose training options (varying the schedule and topic) that will be least disruptive.³

- Understand production schedules and peak times, and design training around those constraints. Propose training options that range from more to less time-intensive.
- Try to identify any down time, when workers are not able to work—such as when their machines are undergoing routine maintenance, orders are slow, etc. Propose options that take advantage of these times to provide in-depth training or refreshers, depending on the amount of time available.

³ See Schedule, Scale, and Scope section (starting on page 28) for more tips on how to design training to be least disruptive

AUDIENCE 2: LINE SUPERVISORS

Line supervisors are closest to workers and therefore play an important role in surfacing and responding to their concerns. Depending on how they approach their role and how empowered they are, line supervisors can serve as either a barrier or a resource in allowing workers' concerns to be heard and resolved. If trained in parallel with workers, they can be ongoing assets, reinforcing key messages with workers and contributing to the longer-term impact of the training.

Caught between factory management and workers, line supervisors face high demands for meeting production goals, enforcing factory policies and procedures, and for addressing workers' complaints, especially those that may threaten productivity. Often promoted from the production floor themselves, line supervisors frequently enter their new positions without the supervisory and communication skills that their roles demand. Line supervisors' participation in workers' rights training should be positioned as a way to make their jobs easier, and supervisory skill training should be framed as an investment in them to ensure greater appetite and engagement.

Trainers highlighted the following challenges in engaging line supervisors, with tips for addressing them:

Challenge 1: Line Supervisors are Overlooked and Not Empowered

Acting as intermediaries between workers and management, line supervisors are in the tricky position of being closest to workers' complaints and responsible for enforcing factory policies. Yet they are often overlooked as a priority for training and professional development, and many lack supervisory and communication skills needed to do their jobs effectively.

Tips	Actions/Examples
Train line supervisors in parallel with workers. Line supervisors should have access to the same information that workers do, so that, at a minimum, they do not undermine or contradict what workers learn. At best, they can serve as a resource. Inclusion in training allows line supervisors to feel as though they are a part of the solution.	<ul style="list-style-type: none">• Identify the role that line supervisors play regarding certain issues to determine how much the training should involve them. For example, line supervisors may be the most important audience for training on harassment (if they are a primary source of this behavior).• Propose a training plan that includes training line supervisors.• Include line supervisors in consultative committees or project teams so that they are able to participate actively in the design and implementation of the training program.
Understand their needs and role within the factory. Take the time to learn about the specific challenges and expectations that line supervisors face to determine how best to involve them.	<ul style="list-style-type: none">• Include line supervisors in the baseline/needs assessment to understand their needs, challenges, and expectations. Conduct interviews with them.• Learn what networks they are part of (e.g.,

committees) and where/how they have influence.	
Frame training as an investment in their professional development. Line supervisors typically do not have opportunities or resources for improving their communication and supervisory styles.	<ul style="list-style-type: none"> In addition to including line supervisors in training on core topics, provide additional training on communication and supervisory skills.

Challenge 2: Production Pressures and Priorities

Held to strict production targets and expectations, line supervisors are also reluctant to let workers leave their stations to attend training. Training needs to be positioned as a short-term investment in making their jobs and relationships with workers easier to manage.

Tips	Actions/Examples
Emphasize that engaging workers will make supervisors' jobs easier. Workers can help supervisors understand what is happening on the production floor and identify opportunities for process/efficiency improvement.	<p>Example from Vietnam</p> <ul style="list-style-type: none"> Life Centre ran a Workers' Initiative Program, a contest in which workers submitted ideas for improving factory processes. Management reviewed submissions, awarded prizes, and implemented winning ideas. One idea combined two steps of a pocket-stitching process into one (which resulted in higher productivity), and another resulted in energy savings.
Focus on ways to strengthen communication and cooperation between workers and supervisors. Developing productive, positive communication between workers and supervisors is one way to make everyone's job easier.	<ul style="list-style-type: none"> Organize a social event or activity at which workers and supervisors can interact and connect on a personal level. This can be an unstructured social event at which work-related conversation is not allowed, or a structured exercise focused on building common ground and establishing mutual interests. Conduct worker-supervisor communication exercises and games⁴.
Be flexible. Consider production goals and line supervisor requirements as you design your training schedule.	<p>Propose training options that will be minimally disruptive to line supervisors. For example, sending an entire production line to a two-hour training may be less disruptive overall than taking a few workers from each line.</p>

⁴ See Grievances and Worker Communication section (page 95) for examples.

AUDIENCE 3: FACTORY WORKERS

Too often, trainers assume that garment workers are excited and want to participate in training to learn about their rights. Before workers are trained on what their rights are, they need to be convinced that understanding their rights and responsibilities is important and relevant to them. Working long hours and often exhausted, workers can be uninterested and disengaged from training. Compounding these challenges is the fact that training sessions are typically an unpaid activity and take up workers' free time. Furthermore, low levels of literacy among factory workers can make the more complicated topics (e.g., wage calculation and contracts) challenging to teach.

It is therefore important for training to be fun, interactive, and engaging. Trainers should strive to tailor materials to this low-literacy audience in a way that is relevant, easily digestible, readily applicable, and interesting.

Trainers offer the following tips for keeping workers engaged and learning:

Challenge 1: Getting Workers Interested	
Workers are tired and not immediately interested in learning about their rights. If training is unpaid, workers may prefer to continue working and earning money.	
Tips	Actions/Examples
Understand workers' needs and interests. Learning about what concerns are top-of-mind for workers will help inform the training design, focus, and delivery.	<ul style="list-style-type: none">• Use the baseline assessment (with worker interviews) as a way to gain firsthand insight into workers' needs, interests, and challenges.• Conduct community-based surveys to understand the local context, prevalent social issues, and resources available.
Make training fun, inclusive, participatory, and interactive. Use energizing activities to keep workers involved and entertained.	<ul style="list-style-type: none">• Use an "edutainment" approach—e.g., "quiz shows," role plays, games, etc. This can help turn otherwise dry content into a competitive, fun activity.• Offer small prizes to encourage and reward participation, and/or snacks during the training.
Create and sustain opportunities to recognize workers. Find ways to recognize workers' contributions in the workplace, and make workers feel that training is an investment in them. Worker appreciation events and contests can motivate workers, in addition to providing content-focused training.	<p>Example from the International Labour Organisation's Better Factories Cambodia project:</p> <ul style="list-style-type: none">• Better Factories Cambodia launched an "I Am Precious" campaign, in which more than 500 garment workers submitted dress and T-shirt designs to be judged in a competition. The campaign aimed to promote garment workers' awareness of the value of their work and contributions, showcase their creativity and talent, and help them develop rewarding careers in the industry—while having fun

	at the same time.
<p>Start with safe and useful topics. Workers may be more receptive to and interested in topics that focus on their day-to-day concerns. (Such training should not be a substitute for workers' rights topics.)</p>	<ul style="list-style-type: none"> Propose training on topics that enable workers to develop life skills, such as financial planning. These topics can be informed by the baseline assessment.

Challenge 2: Getting the Message to Stick

Low literacy levels and holding training at the end of a long work day can impede workers' ability to absorb and retain training content.

Tips	Actions/Examples
<p>Focus on simply key messages. Where possible, identify and emphasize simple messages that are easy to remember and put into practice.</p>	<ul style="list-style-type: none"> Example: Better Work comics and videos highlight messages such as, "Don't let small problems grow into big ones."⁵ Key messages should be easy to remember and readily applicable to real-life situations.
<p>Be creative. Find ways to grab workers' attention in whatever time you have.</p>	<ul style="list-style-type: none"> Use videos and other multimedia tools. Better Work has developed a series of videos (soap operas) that can be shown during lunch. Celebrity actors and a culturally appropriate storyline help make these videos popular among workers. Select a topic and training method suitable for the time you have. For example, avoid teaching a complicated topic like wage calculation if you only have an hour over lunch. Use mobile technology and other communication channels to reinforce key messages.
<p>Leave materials behind. Workers will not be able to remember everything—bring materials that reinforce key messages and provide helpful resources.</p>	<ul style="list-style-type: none"> Summarize and disseminate the more detailed information in printed materials that workers can refer to after the training. Materials (brochures, booklets, etc.) should be simple, easy to understand, and visually appealing. Trainers note that bound comic books, calendars, and brochures are less likely to be thrown away than pieces of paper.

⁵ This example is from Episode 1 of Better Work Vietnam's comic book series, "At the Factory Gates."

Challenge 3: Trust, Comfort, and Confidence

Workers may feel hesitant and uneasy about participating actively and voicing their opinions in training sessions. Many workers have never been asked for their opinions, or may fear that voicing concerns or complaints will jeopardize their employment status. The following tips and examples are designed to help increase the comfort level of participants, so that they feel safe and confident when voicing their opinions.

Tips	Actions/Examples
Demonstrate factory management/line manager support. This will help set the context that training is an opportunity supported by management, and not a punishment or test.	<ul style="list-style-type: none">• Ask managers and line supervisors to introduce and endorse the training so that workers feel comfortable participating in it. Managers should highlight the training as an investment in the workers.
Bring in experts. Workers are unlikely to be familiar with NGOs. Inviting guest speakers helps establish credibility, as well as connect workers to external resources.	<ul style="list-style-type: none">• Invite guest speakers to training sessions. Examples include: lawyers to talk about workers' legal rights, financial advisors to provide financial literacy training, and health-care workers to speak about health-related matters.
Provide opportunities for workers to seek individual advice. Workers may not feel comfortable voicing their concerns/problems in an open training setting.	<ul style="list-style-type: none">• Set up an information booth. This allows workers to seek information at their convenience and comfort level.• Use a peer educator model. Workers may feel more comfortable speaking to their peers. It is important that peer educators are adequately trained and have a regular forum to express concerns.• Spend time after a formal training so that shy workers can come up to share concerns and ideas.• Provide opportunities for workers to seek information when they are more relaxed. For example, Verite's mobile vans in China visit factory dorms, bringing topic experts and materials to workers living on-site. Offering food and snacks as a way to attract workers, the mobile vans let workers seek information and advice in a more comfortable setting.⁶
Create opportunities for different forms of participation. Workers will have different	<ul style="list-style-type: none">• Use a Visualization in Participatory Program (VIPP) approach, in which participants write responses to a

⁶ For more information on Verite's Mobile Van program, see "Moving the Needle: Protecting the Rights of Garment Factor Workers." http://www.bsr.org/reports/BSR_LeviStraussFoundation2009.pdf

levels of comfort speaking up during training, and it is important to create alternative, non-vocal ways for workers to participate.

common question on pieces of paper, which are then placed on a wall and grouped/discussed by the facilitator. Each participant submits exactly one response, thereby enabling equal participation of all participants.

- Use drawing exercises as a way to get workers to participate in a less intimidating manner. For example, independent trainer Nazneen Huq uses an exercise in which participants draw their ideal workplace. All drawings are then placed on a wall for everyone to see, and the trainer provides commentary and facilitates a discussion⁷.

AUDIENCE 4: BUYERS

International buyers play an important role in prompting factory management to endorse/approve a training program. Traditionally, however, the buyer's involvement has been limited to opening the door for the training and receiving a report at the end. Because of the buyer's ongoing role in influencing production needs and factory conditions, the relationship with training interventions needs to be much more consistent, engaged, and integrated into the overall relationship with the factory.

Buyer companies' behavior—through purchasing practices and forecasting in particular—has a direct impact on the ability of a factory to sustain compliance and achieve improvement. By playing a more active role, and by using training interventions as an opportunity to understand and take ownership of their role in enabling or impeding responsible labor practices, buyers can both support and benefit from the work of training organizations. Trainers can play an important role in conducting in-depth root-cause analysis of factory issues, presenting findings, and facilitating a dialogue between factories and buyers on the relationship between purchasing practices and factory working conditions.

Trainers are in a good position to facilitate this conversation between the factory and buyer, because suppliers are often too timid to mention the influence of brand behavior—such as last minute orders or changes—for fear of offending the buyer and jeopardizing future orders. Trainers, however, are also in a position of relying on buyers for funding, and may not feel comfortable initiating a conversation about how brand behavior impacts labor practices and working conditions. Buyers sponsoring training can proactively invite this feedback from trainers by encouraging and even requiring that trainers address the role of buyer behavior as part of the training program and project close.

⁷ This exercise is described in detail on in the Harassment & Discrimination lesson plan.

Challenge: Maximize Buyer's Role to Support Training Objectives and Outcomes

The following tips represent ways in which trainers can engage buyers to continue to support and encourage factory participation in training initiatives, and to improve their behaviors and practices that undermine training and compliance efforts.

Tips	Actions/Examples
Leverage brand influence and resources. Buyers can offer incentives for factories to take ownership of training programs, and provide background information about the factory.	<ul style="list-style-type: none">• Encourage brands to recognize/incentivize supplier efforts. Buyers can reinforce participation in training programs as a differentiation opportunity for suppliers, and provide awards and venues for recognition.• Request social compliance audit reports from the brands. This information can serve to augment the baseline assessment, since trainers typically lack the time and expertise to complete a comprehensive assessment of factory conditions and management systems. Audit reports can provide trainers with an initial understanding of factory context and issues, and allow them to better focus their baseline assessments to dig deeper into known issues.
Provide feedback on buyer behavior/impact. Assess how buyer behavior influences factory conditions. Identify ways in which the root-cause of issues is related to buyer behavior (e.g., overtime as a result of order changes or poor forecasting).	<ul style="list-style-type: none">• Include questions on buyer pressure and behavior in the baseline assessment, in conversations with factory management, and throughout root-cause analysis.
Create a more active role for buyers in the training—from start to finish. Draw on findings from factory interviews and root-cause analysis to discuss the impact of buyer behavior with buyer and factory representatives.	Include buyer representatives (from CSR and sourcing) in the kickoff and exit meeting with the factory. In the exit meeting, discuss findings of root-cause analysis with them, and identify where the buyer may be impeding the factory's ability to uphold labor requirements.

BUY-IN: FOCUS ON FACTORY MANAGER

Case Study 1

Life Centre, Vietnam

Making Workers' Labor Rights Activities "More Friendly" to Factory Management

SYNOPSIS

The Centre for Promotion of Quality of Life (Life Centre) worked with two garment factories in Ho Chi Minh City, Vietnam, with more than 5,000 workers in a project designed to support workers' rights. A fundamental challenge was gaining the permission of factory management to allow the activities and training sessions in which workers were taught about labor laws and specific legal rights. As is often the case, factory managers initially viewed the proposed training as threatening because they assumed that some of the messages could easily be misinterpreted

by workers if communicated in a large group setting.

WHAT'S NEW

To create buy-in at the ownership and factory management level, an approach was adopted that involved them throughout the design of the training and the development of the content. This close cooperation ensured that management was aware of what was going to be communicated to the workers, which lessened opposition to the training.

Case Study 1			
Approach	Challenges	Questions to Ask	New Approach
The facilitator identified issues in conjunction with factory management and framed solutions in terms of benefits to workers and the business.	<ul style="list-style-type: none"> - The factory did not have any critical labor issues that needed to be addressed in the training or activities. - Workers might not feel comfortable sharing issues or concerns. 	<ul style="list-style-type: none"> - What are the most common labor issues identified by workers? - What policies need to be reinforced to enhance workers' job satisfaction? 	Trainers sought input from a wide variety of stakeholders, including management, trade union leaders, different factory departments, and the project team that represent the voice of workers.
The facilitator engaged with managers to assure them that their interests were respected along with those of the workers.	Factory management was hesitant to discuss some sensitive issues, such as wages and grievances, in joint activities with workers.	<ul style="list-style-type: none"> - Are labor challenges similar in other factories? - What approach will minimize discomfort for factory management? 	<ul style="list-style-type: none"> - Managers from different factories participated in a workshop, where they discussed labor challenges with their peers. This interaction among peers allowed them to see that they were not alone in facing such challenges, and to feel more comfortable discussing such issues. - Management was allowed

to comment on the selection of labor topics.

- The facilitator approached issues from an industry perspective and not just factory concerns.

KEY TIPS

- **Get management buy-in.** Communicating with the factory management and other relevant departments about the labor challenges and how they should be managed is important to avoiding resistance to activities related to workers' rights.
- **Select neutral facilitators.** Inviting a facilitator or guest speaker who is trusted by both workers and management creates less tension and an environment in which both parties feel comfortable discussing challenging issues.
- **Make it fun.** Labor laws, labor codes, and workers' rights are not necessarily interesting or easily understandable for factory workers. Rather than conducting such training in a didactic classroom setting, Life Centre uses a variety of fun, interactive, and inclusive communication methods, including mock counseling, Q&A sessions, "quiz shows," and inviting a dynamic labor lawyer as a guest trainer.
- **Peer learning and discussion creates a safe space for factory managers.** Discussing labor challenges with managers in other factories creates awareness of common problems and reduced resistance to open engagement with workers.

BUILDING FACTORY OWNERSHIP

BSR's China Training Initiative (CTI), China

SYNOPSIS

BSR worked with a factory targeted in a series of NGO reports because workers had become sick and a significant number had been hospitalized. The reports were covered in the press, identifying the brands that were customers, thus jeopardizing the factory's business. Following the incident, the factory improved its environmental, health, and safety management and enhanced its relationship with workers. These efforts supported the development of a tailored approach to improving the factory's worker relations -- one that management supported and that aligned with its core business.

WHAT'S NEW

- **Driving "supplier ownership" of the issues:** Protecting workers was certainly a final outcome of the program, but interlinked with this

were several outcomes that resonated more loudly with factory management, including the repair of troubled client relations. By setting up the program in this way, trainers were able to secure the full support of the most senior factory managers.

- **Sequencing:** The program was sequenced so that the factory had to take control of developing worker engagement programs while at the same time becoming fully aware of the challenges that it faced at the workshop, management, and customer levels. The program was very "top heavy"—significant attention was spent at the project onset to help factory management understand what might be needed for the type of holistic change it desired.

Case Study 1

PHASE 1: INITIAL ASSESSMENT AND STRATEGY

BSR helped the company develop an overarching approach to worker protection, which included health and safety, worker communication, and buyer engagement. This was done based on extensive interviews and discussion with factory management and workers. The sequencing of Phase 1 follows.

Initial Assessments

- **Opening Meeting (one hour):** BSR reviewed the two-day assessment process with factory management and key staff.
- **Participatory Rapid Appraisal Meetings (five hours):** Using a participatory rapid appraisal (PRA) methodology, a highly interactive meeting and information-gathering format, a series of sessions was held with factory line workers to discuss the current workplace, existing factory processes, key concerns, and desired changes.
- **Management Meeting (two hours):** Recapping of PRA meetings and discussion of the workplace and desired future objectives regarding worker protection, workers' rights, and worker responsibilities.
- **EHS and Labor Relations Meetings (two days):** Two simultaneous full-day assessments focused on environmental, health, and safety issues (EHS), and worker engagement and labor relations.
 - The EHS assessment covered existing management systems, processes, and outcomes,

and reviewed the EHS team, maintenance shop, chemicals storage, and employee health services, among other areas. An experienced EHS professional worked alongside BSR to conduct the assessment.

- The Worker Engagement and Labor Relations assessment uncovered the key challenges related to management systems, processes, and outcomes and reviewed topics such as grievance systems, documentation, and communications processes. An experienced HR professional with legal training and more than 10 years of experience helped BSR conduct the assessment.

Management Reviews

A series of four weekly planning meetings commenced two weeks later. The meetings were designed to review the findings of the assessment and align the company's internal teams to create comprehensive strategies for EHS program improvement—and worker engagement programs. Meeting topics were designed to go from “big picture” to a more technical, detail-specific nature.

- **Meeting 1: Understanding the Current State—Presentation of Assessment Findings.** BSR reviewed and confirmed the assessment findings with the factory's internal management team.
- **Meeting 2: Strategy and Objectives—Vision, Objectives, Strategy, and Measurement.** This session helped the factory develop a vision and initial strategy based on internal management discussions. Between meetings 2 and 3, factory managers were tasked with developing agendas and approaches to implementing their EHS and worker engagement programs.
- **Meeting 3: Measuring Progress.** Bringing in other experts, BSR worked on refining the program plans developed by the factory and agreed on clear, transparent ways to measure the progress of EHS and worker engagement programs.
- **Meeting 4: Evaluation and Communication.** Held several weeks after programs began, this meeting was used to review program progress against previously agreed-upon indicators. Based on this, BSR helped the factory design a simple format and process that conveyed this same progress to its external customers.

PHASE 2: CUSTOMER RESEARCH AND OUTREACH

During this step, BSR conducted research and outreach with the factory's key customers to ensure that the factory's approach to worker protection met or exceeded their expectations.

PHASE 3: CUSTOMER DIALOGUE

After a program to promote workers' rights and responsibilities had been established, BSR facilitated a meeting between the factory and its key customers. The meeting opened up discussions regarding worker protection while also improving client relations.

KEY TIPS

- **Crisis situations often provide a good opportunity to get the factory to change practices; the key is to develop a long-term solution instead of a mere rapid response.** BSR was brought in during a major crisis in the factory's client relations. However, instead of working to develop a quick fix to the situation, BSR spent significant amounts of time with management reviewing the situation—and possible approaches to fixing it—before taking action. Focusing on a long-term solution helps put the factory in the driver's seat, instead of having a trainer or consultant come in as a “service provider” designed to fix one specific issue.

- **Link worker engagement and client relations.** A constant focus on bridging dialogue between the factory and its key clients ensures that the topic of worker engagement is not seen as “nice to have,” but rather as a center of focus for doing business.

SCHEDULE, SCALE, AND SCOPE—Design

Schedule, scale, and scope are three significant challenges for workers' rights training. Trainers frequently face limitations on the amount of training time, the degree of worker access, and the selection of germane topics. This section discusses innovative approaches and tips for designing training programs to scale and sustain impact in spite of these common constraints.

CHALLENGE 1: SCHEDULE

At any time of the year, but especially during periods of peak production, it can be a challenge to schedule training sessions. Trainers emphasize that it can be extremely difficult to schedule sessions that allow enough time to build understanding of a topic and that occur at a time of day when workers are not too tired to concentrate. Minimizing disruption to production is important to maintain a positive relationship with factory management. All training needs to be carefully planned with the factory to ensure minimal interruption to production.

The following tips will maximize the time available for training.

Tips for Meeting SCHEDULE Challenges

- **Identify production and worker down time.** Some workers may not be needed during a certain batch time or a period of lower orders, and understanding this dynamic will help in scheduling training.
- **Consider impact on supervisors.** One approach might be to train an entire line of workers at one time, rather than pulling a few from each line, which would cause the impact to be felt by every line and supervisor. By training an entire line at one time, it is easier to track the fact that workers were not working, and this assists the factory when assessing a line supervisor's production performance.
- **Determine what content level and depth is suitable for the time you have.** For example, avoid trying to convey a complex technical topic (such as wage calculation or contracts) in an hour over lunch.
- **Offer high- and low-intensity options.** During peak times, organization of training (considered a high-intensity activity), is often difficult. As an alternative, less time-intensive options should be utilized: sending messages via the project bulletin board, distributing education materials, and organizing events with both educational and entertainment purposes, such as an evening game show with training topics interspersed throughout.
- **Identify times that can be used to reinforce messages.** Before workers begin, or as they close for the day, line supervisors can help build reminders into the daily routine. Make use of other communications tools to reinforce messages such as putting cards by workers' stations or on bulletin boards in rest rooms, and by using the public address system.

CHALLENGE 2: SCALE

Making training "stick" can be even more difficult due to limited access to workers and frequent turnover within factories. Emphasis should be placed on utilizing peer networks and continuous communication channels, and increasing management support to reinforce messages. Trainers had the following recommendations for how to reach the maximum number of workers possible within a factory.

Tips for Meeting SCALE Challenges	
Technique	Description
Peer educator model	Train workers to serve as peer educators and provide them with incentives/recognition for their role (such as T-shirts and bags). Try to find workers who are already part of existing networks, such as worker committee members. To ensure consistency and integrity, co-lead the initial training, provide observation and feedback, and conduct monthly refreshers and debriefs.
Peer-run training system	Peer trainers design the training as well as orientation and monitoring. Activities should be reported on a regular basis.
Handouts	Develop simple fact sheets for workers with trainers' contact information.
Video	Develop videos that the factory can show continually and at any time to workers. Videos are inexpensive to make and can be shown repeatedly in multiple factories. Consult with factory and/or brand management, as well as media experts and other stakeholders, to determine culturally appropriate content and delivery.
Community involvement	Reach out to the union, local government, local community, and NGOs so that they are aware of your efforts. At the same time, consider conducting community-based training as a way to capture a greater number of workers and to utilize a venue that is more likely to support worker involvement.

CHALLENGE 3: SCOPE

The question of scope revolves around the issue of whether training targets the right audience at the right time to achieve the desired outcome. It is also important to assure that training programs focus not only on the outcomes (e.g., harassment, no labor contracts) but also address the systemic or underlying causes of the outcomes. We approached the question from two main angles:

- **In-factory:** Training the appropriate audience(s) on the appropriate topics, especially when factory management is resistant
- **Beyond factory:** Exploring when and how it may be most effective to conduct an intervention before workers enter contracts/employment situations that may undermine their rights

In-factory

Trainers report that it is often easier to gain management support when they begin with safe topics, such as health and safety. On the opposite end of the spectrum, dealing with such issues as discrimination and harassment may elicit resistance from factory management, and managers and workers may be unwilling or unable to discuss these topics.

Tips for Meeting SCOPE Challenges	
<ul style="list-style-type: none"> • Conduct an in-depth analysis of workplace conditions. Take the time to talk to managers, supervisors, and workers to understand the nature of a problem and the effect it may be having on the workplace. This will allow a focus on the key issues and on those within the workplace who can best address them. • Wording is critical. For example, avoid directly asking questions that may put someone on 	

guard, such as “Have you ever been harassed?” Instead, begin by providing examples of such behaviors and ask whether training participants have ever seen someone else subjected to them. (Case studies and factory-specific scenarios are helpful.)

- **Look for different entry points.** If you anticipate resistance to talking about a particular issue, try to lead with one that is less controversial. For example, instead of directly discussing harassment, it might be more effective to focus on gender as the lead topic.
- **Start with a policy.** A basic, simple step would be to first find out whether the factory has a policy that covers the issue in question. That can be used to discuss whether and how the policy is being implemented.
- **Determine your priority audience.** Through the situation analysis, you should gain an understanding of the root causes of the problem, and who needs to be involved in the training to resolve the problem.

Beyond Factory

At times it makes sense to target workers for training prior to their taking a job at a factory—not after they have already signed a contract.

Tips for Meeting SCOPE Challenges

- **Understand how workers are recruited and hired into factories.** Conduct research into how workers are recruited and how they physically get to factories, then identify opportunities to deliver information to them prior to the start of employment. Depending on how workers are arriving at factories, trainers can work with agencies and local government programs to provide information. For example, the Asia Foundation produced an animation video intended to be played on buses carrying migrant workers, instructing young female migrant workers about the dangers of city life and how to maintain safety. This kind of delivery can be extremely effective because it provides workers with practical information in a timely manner.
- **Focus on contracts.** Pre-employment training should focus on negotiation skills, potential dangers of recruitment agencies, what to do if workers sign a contract that undermines their legal rights, and why signing a contract is important.
- **Work with other stakeholders.** Trainers can work with community organizations, government agencies, television networks, NGOs, and trade unions to launch community education programs. For example, Better Work’s soap operas were aired on national TV by the Cambodian government to reach a wider audience.

CASE STUDY: SCHEDULE, SCALE, AND SCOPE

Case Study 2

Nazneen Huq, Independent Trainer, Bangladesh

SYNOPSIS

The project was to conduct rights and responsibilities training for a garment factory in Bangladesh with more than 1,000 workers. The factory was experiencing frequent unrest regarding a number of labor issues, from leave allowances and other benefits to wage deductions. The training, conducted over several months, aimed to help the factory workers better understand their rights and responsibilities under the local labor laws.

WHAT'S NEW

Training schedule. Training workers in the morning (at the beginning of production hours) resulted in less disruption to production and better retention of information since the workers were able to concentrate better than they would later in the day. In addition, training an entire production line instead of workers from several lines helped to minimize the negative impact on productivity.

Case Study 1		
Approach	Challenges	New Approach
Trainers accommodated factory managers by adjusting the initial target of 30 workers each day.	Management rejected such a significant time commitment. Sacrificing small groups of workers for 30 minutes at a time would have been disruptive over multiple days.	To minimize disruption, training was conducted with full production lines (about 100 workers) simultaneously with three trainers. This stopped production of one line for 90 minutes, but allowed more accurate documentation for time spent on training. Other lines remained undisturbed, so that production targets were unaffected.
Trainers wanted to use the local labor laws for educating the workers.	Management would not agree to training workers on labor law, and kept delaying the process.	The factory's personnel policy covered the local labor laws, so it was suggested that the training focus on the written personnel policy as opposed to labor law per se. This met with management's approval and supported a robust training process.

KEY TIPS

- Identify and gather the information you'll need to demonstrate and reinforce the business case to management.
- Understand the mindset of management, and present your objectives in a manner that is compatible with their objectives/opinions, and sensitive to their needs.
- Be creative and utilize different methods to implement your program.

TRAINING DELIVERY INNOVATIONS

Trainers use a variety of techniques to make lessons “stick” with their audience. Because garment factory workers are generally tired, distracted, and have low levels of literacy and confidence, trainers are pushed to use creative methods to present material and key messages in a way that accommodates the workers’ learning styles and keeps them energized and engaged.

TRAINING DELIVERY TIPS

Trainers offer the following tips and best practices for training garment factory workers:

Tip	Actions/Examples
Establish an environment that is comfortable, open, and that encourages participation.	<ul style="list-style-type: none">• Set ground rules—e.g., reminding participants that all ideas are good ideas (and not to be judged) during brainstorming.• Use exercises that provide different options for participation.• Provide participants feedback that is supportive and constructive.• Never interrupt participants when they are speaking.
Recognize each individual, and be sensitive and empathetic to her or her needs.	<ul style="list-style-type: none">• Recognize that every participant is different and brings a unique perspective and life experience—and that diversity is why we need everyone’s participation.• Encourage engagement of all workers, but avoid pushing all participants to the same level of participation.
Be flexible.	<ul style="list-style-type: none">• Remember that the trainer’s role as a facilitator is to create a situation conducive to learning, rather than to simply transfer knowledge. Be prepared and ready to respond to the dynamic of your trainees.
Encourage mutual learning.	<ul style="list-style-type: none">• This is important for gaining an understanding of the learners’ existing knowledge of the topic to be addressed. It allows the facilitator to structure the key content of the session accordingly, and ensure that she is not simply telling learners things they already know. An effective way of doing this is to open a session with a brainstorm.
Ask questions.	<ul style="list-style-type: none">• Frame questions to be open or narrow, depending on how and how much you want to direct the conversation.• Ask questions to test for subject understanding throughout the session.• Encourage the learner, not the answer—positively reinforce the effort to participate, even if the response is not correct.

Synthesize and conclude sessions.	<ul style="list-style-type: none"> • This is arguably the most important role of the facilitator and often the role most effectively implemented. Upon the completion of activities used to illustrate or demonstrate the key messages of a session, it is important that the facilitator summarizes what has been discussed. The facilitator may do this by comparing or commenting on group findings, or linking findings back to presentation materials. If this is not done, learners may wonder why they were asked to read and discuss a case study or listen to a presentation. The facilitator should also check in with the learners to see whether they have any questions.
Appeal to different learning styles and interests.	<ul style="list-style-type: none"> • Use a variety of visual aids, multimedia tools, verbal exercises, and other activities. People remember what they see, say, hear, write, and do to varying degrees. • Gauge and respond to different learning styles to capture participants' interest. Learners typically fall into the following four categories; they want to: <ul style="list-style-type: none"> ○ Know <i>why</i> they should pay attention—e.g., why the subject is important and what they will gain ○ Know <i>what</i> they will learn before they start ○ Try things out for themselves—learn by doing, with coaching from the facilitator ○ Teach themselves through problem-solving, with feedback from peers and the facilitator
Keep it participatory and interactive.	<ul style="list-style-type: none"> • Avoid lecturing at length and using text-heavy materials. <ul style="list-style-type: none"> ○ Use games and exercises that get participants on their feet and interacting with each other.

TRAINING METHODS

Depending on the topic and time allotted, trainers use combinations and variations of the techniques below to convey information and encourage workers and supervisors to learn through their own participation. While this table provides a summary of generic exercise “types,” more detailed, topic-specific examples can be found in the next section.

Technique	Description	Tips
Brainstorming	This method aims to collect as many ideas as possible about a topic—it is a typical way to elicit information from learners to introduce a subject. After the facilitator poses a question to the group, participants are asked to share existing knowledge and ideas in response. All ideas should be recorded, ideally on flip-chart paper, where they can be seen.	<ul style="list-style-type: none">• All learners are invited to participate and to be creative with their ideas.• The more ideas expressed, the better.• Learners should only offer one idea per turn.• All ideas are allowed—no idea should be blocked or rejected.• All ideas are respected, not evaluated or criticized.• Do not repeat ideas already mentioned, but use them to jump or to link to other suggestions.• Keep ideas brief; do not tell stories or elaborate.
Case studies	Workers are presented with problems to discuss. Each case study describes a situation that they might encounter in the workplace (sometimes based on real examples). The facilitator asks participants questions that develop and reinforce their understanding of how issues related to labor topics can affect workers’ lives.	Use examples that will be most relevant to workers and as specific as possible in the context of the factory and country.
Communication/energizer exercises	These exercises typically ask participants to transmit information or complete a task when given limited information. The aim is to reinforce how important having information, especially in a factory setting, is to working well together.	

	<p>An example is “Telephone,” in which the first person tries to memorize a relatively complex message and relay it verbally to the next person, who relays it to the next person, and so forth. By the end of the chain, the original message becomes so altered that participants can see how easy it is for information to get mixed up.</p>	
Guided group discussion/World Café	<p>Participants discuss a specific topic in large or small groups. A variation that keeps participants active is “World Café,” in which participants divide into small groups that move through discussion “cafés.” Each café station asks participants to discuss a particular topic, and then they move to the next.</p>	<p>Record ideas surfaced through discussion. Determine appropriate questions beforehand. If line supervisors and workers participate, this type of activity can improve communication and build bridges.</p>
Games and quiz shows	<p>Games are designed to be fun and competitive in some way. Workers can participate individually or in teams.</p> <p>Q&As to test knowledge retention or as a way to introduce topics can easily be turned into a quiz show, where participants may be divided into teams (or participate individually), and win prizes for answering correctly.</p>	<p>Provide small prizes for winners.</p>
Fishbowls	<p>This technique is a variation on a group discussion, in which workers form an inner group and outer circle. A discussion takes place in the inner circle, and those in the outer circle must join the discussion to get into the inner circle.</p>	
Presentations	<p>Good presentations can bring the driest subjects to life and turn passive listeners into active participants. Start by allowing the group to get settled. In a multilingual environment, the facilitator may want to hand out copies of any PowerPoint slides in advance so that the learners can refer to them in their native language. A story, an anecdote, quote, startling statistic, etc., is a good way to get the audience’s attention. Tell the audience what you plan to cover, how long it will take and how you plan to proceed. When you finish the presentation, make sure you summarize what you have discussed. Using a summary slide is often an effective way to do this. No presentation or lecture on a single topic should last</p>	<p>Make your voice interesting and use humor and visual aids to keep workers engaged.</p> <p>Use simple, clear language, and stay away from jargon.</p> <p>Avoid heavy reliance on slides and long lectures. This only works well if it’s short, visual, and includes Q&A with an interesting speaker.</p>

	more than 30 minutes, and in this format, a 15-20 minute presentation is usually the most effective. Learners should be encouraged to ask questions during the presentation.	
Role plays	Participants act out situations according to instructions provided by the trainer. This allows actors to learn by thinking through a situation. Role plays can be structured with a script to demonstrate a situation, or less structured to encourage participants to think on their feet.	Provide a checklist for observers, or ask them questions after the role play.
Visualization in Participatory Program (VIPP)	This technique combines visualization with methods for interactive learning. Each participant expresses one idea (in response to a common question) on colored pieces of paper. These are then placed on a board/wall for the trainer to group into common themes and discuss. This method allows everyone to take part in the process of arriving at a consensus, and more- and less-talkative workers all have an equal voice. The grouping of issues/ideas can help a worker feel less alone.	<p>Emphasize that each participant is a resource and brings an individual wealth of knowledge and experience to this collective process.</p> <p>Discuss how each individual is different and how this is reflected in work relationships—respecting each other generates a positive working environment.</p>



PART 2:

CORE LABOR TOPICS



FREEDOM OF ASSOCIATION

Together, freedom of association and collective bargaining form one of the pillars of the United Nations' International Labour Organisation (ILO) *Fundamental Principles and Rights at Work*—the other three being the elimination of forced labor, child labor, and discrimination. According to the ILO freedom of association is the most significant right, from which all other workplace rights ultimately flow.

Within the factory context, freedom of association refers to the ability of workers to form or join organizations of their choosing. The right to collective bargaining is a corollary of freedom of association, and must allow worker organizations to enter voluntary negotiation with employers over the terms and conditions of employment. If workers are technically allowed to associate, but bargaining or other forms of engagement are severely restricted or not allowed in practice, then the right to associate does not have substantial meaning—both rights must coexist *in practice* for workers to benefit from them.

Although many countries have officially ratified international conventions that provide for independent trade unions and collective bargaining⁸ and incorporated them into national law and practice, how these freedoms translate on the ground varies greatly across countries and regions and is often limited in implementation.

The Challenge. The right to freedom of association and collective bargaining is contentious and challenging due to a number of reasons including:

- Unions are seen as a threat to management authority, and employers are often hostile to the formation and operation of independent unions. Because unions can similarly be seen as a threat to political authority, governments may also be less inclined to support independent unions or collective bargaining rights, or may impose strict regulations.
- Unions may not always have the well-being of workers as their main objective. As highly political entities with connections to a wide variety of interest groups and stakeholders, union representatives navigate power, influential actors, and workers' wishes. This has led to instances in which unions themselves have become instruments of repression, creating suspicion among some workers of the value of employee representation.

⁸ At the international level, the statutory foundation for the establishment of independent trade unions and collective bargaining is conventions 87 and 98 of the ILO.

- Unions may lack effective, productive communication skills for interacting with factory management. Targeted union capacity building to develop communication, negotiation, management, and accountability mechanisms can help unions become more effective with management and responsive to the needs of workers.

In light of these challenges, many worker rights trainers find it difficult to address the topic of freedom of association, and cite a need to distance themselves from unions in order to maintain trust with factory management and assure access to the factory. Furthermore, freedom of association is rarely taken up as a training topic on the factory floor, as training is most often conducted within communities or union structures. There remains, however, a need for worker rights trainers to better understand the presence, role and context of unions within each factory and community where operate.

The Opportunity. Worker training on freedom of association and collective bargaining must, if it is to be successful, take into account the legal, business, and social challenges noted above without losing sight of the essence of these rights. There is ample evidence confirming the benefits of providing workers with a voice in the terms and conditions of their employment and how their workplace is managed--and these rewards are not limited to the workers alone. Factory management benefits when improved workplace communication and positive labor relations lead to higher productivity, improved product quality, and lower absenteeism. The results will, of course, vary by factory and country, but the idea that freedom of association and collective bargaining can be vehicles to drive improved workplace performance is well-accepted.

FREEDOM OF ASSOCIATION

Synthesis of Tips, Best Practices, Key Messages, Common Challenges

Key Topics

- Clear explanation of the right to freely associate —the term is often misused
- Understanding local law and factory policies on freedom of association and collective bargaining
- Ways that factory management and labor unions can engage constructively

Key Messages—Workers

- Freedom of association and collective bargaining are rights for most of the world’s workers that are protected by law
- Freedom of association allows workers to join and establish organizations to promote their interests.
- This right can help promote fair, safe and healthy working conditions. Good, honest dialogue between management and workers is important; don’t let small problems become big ones.

Key Messages—Factory Managers

- Freedom of association and collective bargaining are rights for most of the worlds’ workers that are protected by law.
- Freedom of association is the ability of workers *and* employers to join and establish organizations to promote their interests.
- Worker-management committees are a good way to improve workplace relationships but should not be used to undermine or replace freedom of association.
- There are ways to work constructively with labor unions.

Challenges

- This is a politically sensitive issue to discuss with management and workers.
- Workers and management may lack interest in or understanding of the topic
- Workers may be intimidated and reluctant to discuss union participation, fearing that this may put their jobs in jeopardy
- There maybe a lack of enforcement from government and little interest among buyers to uphold this right.

Best Practice

Worker rights trainers should engage—or, if that is not possible at least converse—with union groups to better understand their priorities and challenges and incorporate relevant perspectives in training design.

Given the limited engagement between LSF grantees and unions to date there were few best practices to draw upon—this remains relatively uncharted territory. Most worker rights training organizations focused on improving worker/management communication without directly engaging unions that may exist.

FREEDOM OF ASSOCIATION

Sample Materials

(Better Work, International Labour Organisation)

TRAINING CURRICULUM

Agenda

Time	Freedom of Association
10 minutes	Part 1: Introduction to freedom of association (FoA) and its relevance to collective bargaining agreements (CBAs)
10 minutes	Part 2: Slide presentation on Introduction to FoA
10 minutes	Part 3: Slide presentation on CBAs
25 minutes	Part 4: Case study—FoA and CBAs
25 minutes	Part 5: Quiz activity for lower-level learners—questions that address FoA issues in the workplace
10 minutes	Part 6: Conclusion

1. Introducing the Topic and Session Plan

- As the session opens, the trainers and the subjects to be covered are introduced.
- The facilitator emphasizes that active participation of all attendees is critical to maximizing the exchange of information and learning during the session.
- The facilitator conducts an all-group brainstorming session on what is meant by freedom of association. This allows her to gain some understanding of the groups' knowledge of the topic and to address any preliminary questions from the learners.

The facilitator confirms the group's understanding of FoA

2. Methods/Materials

- **Case studies** should be believable and challenging. Typically they challenge learners to analyze a situation and find solutions. Working alone or, more commonly, in groups, learners are asked to address one or more questions, from simple to complex. These are usually presented in written form. Because learners may have limited literacy skills, the situation should be explained simply and succinctly; half of a page of material is usually enough information. The facilitator may read out the case study (or ask another participant to do so), to help ensure that everyone understands it.

- **Group work** allows better participation. Groups of four to six people are small enough to let everyone offer an opinion. Some activities can be implemented in pairs when time is of concern. Pair activities are often best-suited for short discussions or for generating preliminary ideas that can be fleshed out in larger-group activities. Groups should be provided clear instructions about the task. Once the groups begin work, the facilitator should quickly go to each team to ensure that everyone understands the topic to be discussed and how their findings will be presented.
- **Synthesizing group findings** is vital. Upon completion of the activity, the facilitator summarizes the group findings and checks that the activity objectives have been addressed.
- **Games** are very good activities for low-literacy learners. They are more informal ways to pass on key messages and often create a lively and enthusiastic atmosphere. They can also help to energize participants and kindle their interest. As with other methods, they should be introduced, the key objectives should be explained, and upon completion the facilitator should check that everyone has understood the intended messages.

3. Small-Group Discussion—Case Study

The Sunshine Garment Factory has been in operation for 10 years, with a stable labor force of more than 1,000 workers. There is little labor turnover compared to other factories in the area, and Sunshine has a reputation in the community as a good place to work. It has strong relationships with five international buyers and almost always has a lot of demand from these companies.

While there has never been a strike at the factory, recently many workers have been complaining about the rising production targets. Over the past year, management has increased these targets by 25 percent, and workers now want an increase in pay to reflect the higher targets.

The factory has recently set up an enterprise-level union, and its executive committee has just assumed its responsibilities.

In your group, discuss the following scenarios. Write down three action points for each scenario:

1. You are a new member of the union's executive committee. What are some ways to find out workers' concerns?
2. You are a worker who is a member of the union. What is an effective way for you to get your concerns to management?
3. You are a worker who is not a member of the union because you don't think the union represents your viewpoint. What steps can you take?
4. You are a leader of a union at a nearby factory and want to talk to workers at Sunshine about ways they can organize to talk to the management. What are some ways you could do this?
5. You are part of the management and know that it is important to your buyers that, in addition to meeting the production targets, you also show compliance on freedom of association. What are some steps you could take to accomplish both goals simultaneously?

4. Game Show—“Name that Noncompliance”

The facilitator will read questions to the group, and the first team to raise its hands gets to answer first. A correct answer must include whether there is evidence of noncompliance, and the contestant must explain her answer. The first team to score five points wins the game.

Question 1: A union shop steward at Sunshine Garments has told you that the factory does not allow the union to speak with workers inside the factory, citing security reasons, but the union is able to meet with workers just outside the factory gate during their lunch hour.

Is there evidence of noncompliance?

Yes. Trade union access includes time inside the factory, at a time in which production will not be interrupted.

Question 2: The factory manager at All Super Enterprise tells you he complies fully with the labor law on collective bargaining requirements. There is no union representing more than 50 percent of the workforce, so management resolves issues with individual groups of workers. There is a union with 100 members, but the factory doesn't recognize it.

Is there evidence of noncompliance?

Yes. ILO standards⁹ state that a union that has members at a worksite should be able to negotiate with management on behalf of its members.

Question 3: In a conversation with a union shop steward at the Star Factory, you are told: “There aren't any major problems at this factory. We've made a lot of progress with management in the past couple of years. Management recognizes the contribution of union members as professionals. I even got a promotion this year.”

Is there evidence of noncompliance?

Not necessarily, but it may be a warning sign when a union leader has been promoted, a tactic employers use to co-opt the union to serve management's interests. The union leader's claims about the factory's actions should be cross-referenced to determine whether he is telling the truth.

Question 4: A mid-level manager tells you: “We don't have any problems with the workforce here. We take care of our workers. We had a couple of union members who applied for positions, but we don't need anyone stirring up trouble, it's bad for business.”

Is there evidence of noncompliance?

Yes. Employers are not allowed to use blacklists to prevent union members or union officials from gaining employment.

Question 5: A mid-level manager at Lucky Shirts Factory tells you: “We don't have anything against workers forming a union, but we had a couple of union activists who were slowing down the production line, so we transferred them to the packing room, where there are fewer workers they can bother and distract from doing their work.”

⁹ ILO Convention 98

Is there evidence of noncompliance?

Yes. Deliberate transfers of union activists is a tactic employers use to undermine union organizing campaigns.

Question 6: A worker at Forever Factory tells you: “Management really respects us as workers. All the union at the factory wants to do is push for higher wages, so management has come and spoken to a number of us about improving the working conditions of the sewing unit. We’ve had really good meetings, where they really listen to us, and I think we might even get a pay increase.”

Is there evidence of noncompliance?

Yes. Management efforts to undermine the union in a factory by negotiating directly with workers violate ILO standards¹⁰.

Question 7: A factory manager at VFW Factory tells you: “We had no choice but to lay off 20 workers last week. The orders are not coming as quickly as we thought they would this year. We informed the union one month in advance.”

Is there evidence of noncompliance?

Yes. Most national labor laws require employers to consult with trade union representatives in cases of retrenchment of workers. Informing the union is insufficient.

Question 8: A mid-level manager tells you, “We ended up laying off 20 workers last week because they participated in an illegal strike. We don’t have a union at our factory, but we can’t have workers carrying out this type of wildcat strike to push us to recognize their union. It’s just not good for business.”

Is there evidence of noncompliance?

Yes. Workers who go on strike according to ILO standards¹¹ cannot be fired for it.

Question 9: A union shop steward tells you, “We have a union, but the human resources department insists on sending a representative to all of our union meetings. They claim they want to help to encourage social dialogue.”

Is there evidence of noncompliance?

Yes. Regular management attendance at union meetings constitutes interference in union activities.

Question 10: The manager at Best Garments tells you, “We have excellent collective bargaining negotiations with the union at our factory. We negotiate in good faith on wage increases and occupational safety and health measures. The union wants us to bargain over grievance procedures as well, but there isn’t any need for that in our judgment.”

Is there evidence of noncompliance?

Yes. Employers choosing to limit the scope of bargaining to a particular set of issues is a violation of ILO standards¹².

¹⁰ ILO Convention 98

¹¹ As stated by ILO Convention 87

¹² ILO Convention 98

5. Conclusion

The facilitator asks the learners whether they have any remaining questions about freedom of association. The facilitator may ask some of the other participants to answer these questions, to test overall understanding of the topics.

Key Messages/Takeaways

- Freedom of association and collective bargaining are an international labor standard and a legal right for most of the worlds' workers.
- FoA is the ability of workers and employers to join and establish organizations to promote their interests.
- Worker-management committees are a good way to improve workplace relationships but should not be used to undermine or replace freedom of association.



LABOR CONTRACTS

In many countries, it is mandatory that workers in industrial settings be employed under a formal labor contract. This often includes even those classified as part-time and temporary workers, and those in apprenticeship programs. Labor contracts typically provide detail on the terms and conditions of work and matters such as grievance procedures and termination. Given a contract's centrality to the employment relationship, it is critical that workers receive and understand one, and a great deal of work needs to be done to ensure that this occurs.

Therefore, much of workers' rights training on labor contracts centers on reinforcing the importance of having a contract in place and understanding its terms and conditions. A typical training session might focus on: providing an overview of the labor law related to employment, minimum wage, working hours, and overtime; educating workers on a sample contract and the advantages of having a contract in place; understanding the laws related to the termination of a contract, including severance pay; or actually calculating the wage and working time provisions in sample contracts to ensure that workers fully comprehend these important terms.

A survey done by the Asia Foundation in 2009 demonstrated a significant need to build the ability of workers' rights trainers to educate workers about the terms of their employment. Major findings include:

Labor contracts: Seventy-five percent of surveyed factories had signed labor contracts with workers. Among them, 9 percent of workers had signed blank contracts, and 42 percent had not received a copy from management.

Wages: Seven percent of the wages in contracts were under the minimum wage standard, and 70 percent of factories paid overtime at a rate lower than that required by law.

Attendance-checking system: Thirteen percent of the factories used different attendance-checking systems for normal working hours and overtime work. When disputes regarding overtime pay arose, the factories would only provide the records for normal working hours, so workers could not get evidence of overtime work.

Factory rules and regulations: Sixty-five percent of the factory rules had clauses that violate the law.

Termination of labor contract: Sixty-four percent of the factories had illegally terminated contracts with workers, and among the factories that did pay severance, only a few did so in accordance with the law.

LABOR CONTRACTS

Case Study 1

The Asia Foundation, China

SYNOPSIS

Factory management and workers had a poor understanding of the necessity and importance of having contracts in place—from both a business and compliance perspective—and how they can prevent or resolve misunderstandings between the human resources department and workers that result from poor communication.

WHAT'S NEW

- **Close collaboration with Human Resources.** This included designing a contract template jointly with HR and designating a permanent point person from HR to address ongoing worker questions on contracts.
- **Real-life case study to illustrate risk.** Management buy-in was secured by providing an actual lawsuit as an example that illustrated the legal liabilities attached to inaction.

Case Study 1—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Initial assessment: The project team spent a full day engaging workers across the factory and assuring buy-in. This included the use of participatory methods to get input from the management group, line supervisors, and workers to gain a clear picture of the working conditions and urgent concerns of each group.	- The assessment revealed myriad concerns that would require continuous improvement efforts over time. - There was a lack of systems in place to assure sustained improvement.	- What systems (policies, procedures, communication methods, accountability measures) are now in place for workers and managers? - How are these systems functioning? - What new systems are needed? And who needs to own them?	Engaging management from the onset: HR managers are generally charged with addressing worker-management issues. However, to assure the adoption of company-wide policy and system changes, top managers need to guarantee support throughout the process.
Inventory of challenges: The risks and legal liabilities for both the factory and the workers for not signing a labor contract were compiled.	Neither factory management nor workers were aware of the risks and liabilities of not having a contract in place.	An effort was made to place a monetary value on each of the risks identified, but this proved difficult. Still, this should be a focus of the trainers because of the direct relevance to factory operations and management performance.	Concrete examples to illustrate risks: An actual lawsuit was used to demonstrate the legal liabilities and potential risks associated with not signing labor contracts. This paved the way toward making necessary changes to meet legal requirements.

Case Study 1—Process

APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Developed Policy/Contract	Factory HR staff needed technical support in developing a contract.	What are existing resources and systems that can build the capacity of HR managers on the labor contract issues?	Providing a template: Trainers worked closely with HR to develop a contract template according to the law.
Training: Facilitators conducted training with company supervisors and workers to discuss labor contracts.	Providing one-time training to workers on the contract terms was not enough. HR managers needed to regularly reintroduce the contract terms for workers to understand the new policies.	<ul style="list-style-type: none"> - What other training efforts can be utilized—and where could the material be integrated into existing training approaches? - What formal and informal leadership positions exist within the worker base that could be used to disseminate learning? - What existing communication mechanisms can be used to reach workers? 	<p>Peer education: Factory HR explained contract terms to select team leaders and workers, with the goal of them disseminating this information to others.</p> <p>Continuous communication: Factory HR also publicized the new policies through radio and bulletin boards in the factory.</p>
Institutionalization: Factory HR designated a staff member to act as the contact person for contract matters, and to explain and answer workers' questions related to their contracts.	Some workers (particularly those with a limited educational background) had difficulty understanding the contract terms.	Do current staff and systems have the capacity to ensure that contract-related needs will be met?	This permanent position made information on labor contracts more transparent—and more easily accessible.

KEY TIPS

- Avoid using overly technical/legal language. For example, when explaining what constitutes an invalid labor contract to workers, a technical phrase such as “the employer disclaims itself legal liabilities and/or denies the worker his/her rights” could instead be explained through real-life examples.
- Explain issues to workers in detail, such as the calculation of severance pay and damages.
- Encourage participants to exercise what they learn during the workshop (e.g., to do their own calculations on how much they can receive if they get fired illegally).
- Offer a channel for workers to anonymously submit their questions after the training, so that workers who did not have the chance or were too shy to ask questions can get their questions addressed. Provide this option after the training is completed to maintain the energy of direct interaction during the session.
- Learn about the company's internal rules beforehand to explain, for example, what is considered serious misconduct in the company.

- Talk with the human resources manager beforehand to learn whether the factory has signed labor contracts with every worker.
- For in-factory training, HR managers sometimes send clerical staff instead of ordinary workers during heavy production seasons or when they think the training topic is too sensitive for workers. Trainers should try to coordinate with HR managers beforehand to include more line workers in the training.
- Emphasize that during the session, active participation by all attendees is critical to maximize the exchange of information and sharing of lessons learned.
- Engage top management from the start with a strong business case. Involve top managers early in the process and get their support in institutionalizing new policies. Demonstrate and reinforce the business case to management throughout the project.
- Provide tangible best-practice examples. In this case, it was the sharing of a real-life lawsuit that helped to galvanize management's willingness to implement changes.
- Understand the nature of supporting systems in the factory, such as those for tracking hours and wage payments. If systems do not exist, then management should make creating them a priority.
- Utilize various training channels to reinforce messages. Training workers once was not sufficient, because the material was complicated and there was confusion. Ideally, messages should be reinforced through several channels, including worker committees, informal peer trainer networks, refresher training by HR staff, and through materials left behind.

LABOR CONTRACTS

Synthesis of Tips, Best Practices, Key Messages, Common Challenges

Key Topics

- Legal rights to, and importance of having, a contract
- What is a labor contract and what are the different types?
- Key items that should be included in a contract (e.g., name, date, compensation, hours, termination policies)
- Where to go/whom to approach for information
- Advantages and disadvantages of having/not having a working contract

Key Messages—Workers

- Labor contracts:
 - Provide rights in the workplace
 - Provide wages, leave, working hours, and termination procedures
 - Provide protection against abuse and exploitation
- In plain terms, a labor contract is: written terms of employment, valid in court, clear on benefits, binding, transparent, a two-way street (contains both obligations and rights), proof of a relationship between employee and employer, negotiable, and negotiable by collective bargaining.
- Local legal aid services can be a good resource for contract-related issues and disputes

Key Messages—Factory Managers

- Know the risk of not having contracts with workers. It is a legal compliance issue.
- Having contracts in place can save money and time in the future. Contracts can help prevent lawsuits and strikes.
- Use contract templates.
- Be knowledgeable about contracts to be able to respond to queries from workers.
- The contract is a way to prevent and resolve misunderstandings between workers and management.

Challenges

- **Limited influence:** Rights training focuses on factories, where workers are already employed, often without a contract in place. There remains a need for broader community-based outreach/engagement so that workers are aware of the need for a contract before entering employment.
- **Difficult to make the business case:** Most suppliers need to be educated on the advantages of effective contract negotiation as a way to bolster communication, enhance productivity, and reduce strikes. Articulating a clear business case for factory management on the monetary cost associated with inaction remains a major road-block.
- **Contracts may not be readily available:** The factory may lack written procedures, or

may be reluctant to provide copies of contracts. Make sure you understand the current contract system (or lack thereof) before training begins and obtain copies of contracts.

- **Lack of trust:** Workers may not trust that your example is a real contract. Referring to external sources and citations helps to reassure accuracy and legitimacy, as does bringing in external experts, such as lawyers.
- **Training content is abstract and difficult to digest:** Topics focusing on contract terms, termination laws, benefits, and wage calculation tend to be complicated. Current materials are lecture/slide heavy with a clear need for more innovative and creative training methods. At a minimum, translate legalese into simple language. To counteract information overload, explore opportunities for follow up—e.g., set up an information booth, hotlines, or legal centers so that workers can obtain or refresh information as needed.
- **Many loopholes exist,** and factories take advantage of these loopholes. Workers also may not want to have contracts in place because they see them as binding, and they may think they can earn more without a contract.

Best Practices

- **Make it creative, not wordy:** Use comics, symbols, and video.
- **Use case study scenarios:** Use examples of potential real-life situations to demonstrate when and how contracts can protect workers.

LABOR CONTRACTS

Sample Materials

Prepared by The Asia Foundation

This lesson plan is based on training that The Asia Foundation has conducted in China, and uses China-specific examples. While the laws (and therefore training content) and cultural context will change across countries, the same topics and similar exercises can be adapted to other local contexts.

TRAINING CURRICULUM

Agenda

Time	CONTRACTS
5 minutes	Part 1: Introducing the Topic and Session Plan
10 minutes	Part 2: What are Labor Contracts and Why are They Important?
15 minutes	Part 3: Contents and Types of Labor Contracts
20 minutes	Part 4: Terminating Labor Contracts, Severance Pay and Damages

1. Introducing the Topic and Session Plan

Introduction—Contracts

- The facilitator welcomes the workers.
- Opening the session, the facilitator explains that workers have a legitimate legal right to have labor contracts with their employers.
- The facilitator gives an overview of labor laws and regulations that mandate or otherwise relate to labor contracts.

2. What are Labor Contracts and Why are They Important?

Section 1: Methods/Materials

- Brainstorming
- Presentation
- Small-group discussion

Brainstorming

- Part 2 opens with a brainstorming session that responds to the following questions:
 - *What is a contract?*
 - *Have you previously entered into a contract with another person in your daily life?*

- *Did you sign a contract with your company?*

Presentation

After the brainstorming session, the facilitator presents the following key messages related to labor contracts. Use of PowerPoint or other presentation tools is recommended.

- What is a labor contract?
 - It is a document signed to establish a relationship between the employer and employees.
- Legal liabilities for employers that do not sign valid labor contracts with workers:
 - If an employer formalizes a written labor contract with a worker between one month and one year from the date on which employment started (meaning that the employee has worked over one month without a contract), the employer shall pay the worker twice his or her wage.
 - If an employer fails to formalize a written labor contract with a worker within one year of the date on which employment begins, the employer and the worker shall be deemed to have established an open-ended labor contract.
- Potential consequences for workers who do not establish valid labor contracts with their employers:
 - The employer can terminate the relationship without written notice.
 - Employers do not need to pay severance.
 - Workers will not be able to get support from the arbitration tribunal or court when their labor rights are violated, including not getting paid on time, being affected with occupational disease, or getting injured at work.
- What to do if it is not possible to enter into a valid employment contract:
 - Workers should collect and keep evidence of their existing labor relationship with the employer, such as employee ID cards, wage slips, attendance records, or testimony of witnesses (e.g., colleagues).

Small-Group Discussion

- The facilitator presents a case study on a worker who cannot get compensated for a work-related injury because of not having a contract with the factory or evidence of a *de facto*¹³ labor relationship.
- Workers break into small groups to discuss the case.
- Questions for the session:
 - *What is preventing this worker from getting compensated?*
 - *What should the worker have done to get compensated?*
 - *If the company did not sign a labor contract with you, what evidence should/can you collect for proof of a *de facto* labor relationship?*

¹³ A *de facto* labor relationship refers to one that exists in practice, but may not necessarily be established by contract. A pay stub or records of working hours may be sufficient to demonstrate that such an employment relationship exists.

- The trainer should go to each group to facilitate the conversation among participants in case the workers are too shy to speak.
- Each group designates someone to present its results. The presenter should be awarded with a small gift to encourage participants to volunteer to present.
- After each group presents its discussion results, the trainer summarizes the lesson material.

Section 2: Key Messages/Takeaways

- Labor contracts should be in written form.
- There are legal liabilities for not having valid labor contracts in place for both parties.
- Workers are entitled to keep copies of their written labor contracts.
- Emphasize the conditions in which a labor contract becomes invalid and the legal consequences of labor contract violations. Workers should collect evidence that can prove the existing labor relationship if not entering a labor contract with the factory. For in-factory training, the trainer will need to know beforehand whether every worker has signed labor contract with the company.

Section 3: Handouts

- PowerPoint presentation with key messages
- Copy of case study

3. Contents and Types of Labor Contracts

Section 1: Methods/Materials

- Presentation
- Sample contract(s): Prior to the session, the trainer should learn from the HR manager what types of contracts are used in the company. During the session, provide sample/generic company contract(s) and explain specific clauses in detail.
- Guest speaker
- Small quiz

Presentation

Present the key points under this subtopic, using PowerPoint or other presentation materials, and explain them:

- Contents of a labor contract:
 - The name, address, and legal representative or main person in charge of the employing company
 - The name, address, and number of the resident ID card or other valid identity document of the worker

- The term of the employment contract
- The job description and the place of work
- Working hours, rest and leave, wages, social insurance
- Labor protection, working conditions, and protection against occupational hazards
- Other matters that statutes require in employment contracts, such as probation period, training, confidentiality, supplementary insurance and benefits, etc.
- Invalid labor contract: For example, according to the Chinese Labor Contract Law (Article 26), a labor contract shall be invalid or partially invalid if:
 - The employer or worker uses deception or coercion or other means to establish a labor contract that is against the true intent of the other party
 - The employer denies its legal liabilities and/or the worker's rights
 - The clauses of the contract violate mandatory provisions of relevant laws or regulations
- Types of labor contracts:
 - Fixed-term labor contract
 - A fixed-term labor contract is one whose ending date is agreed upon by the employer and the worker.
 - Normally, a fixed-term contract will terminate or expire on the date specified in the contract.
 - If the employer fails to give any notice, the contract is extended.
 - Open-ended labor contract
 - An open-ended labor contract is one in which the employer and the worker have agreed not to stipulate a definite ending date.
 - After signing two consecutive fixed-term labor contracts with the factory or having worked in the factory for more than 10 years, workers should have an open-ended labor contract with the factory (according to Chinese Labor Contract Law).
 - Normally, an open-ended labor contract will exist until the worker reaches retirement age, unless the worker commits serious misconduct or in the event of force majeure (a common contract clause that frees both parties from liability in the event of an unforeseen, extraordinary event beyond control, such as a war, riot, flood, etc.).
 - Assignment contract
 - In an assignment contract, the employer and the worker agree that the completion of a certain assignment is the term of the contract.
 - An assignment contract will terminate or expire upon completion of a certain assignment.

Guest Speaker

- For in-factory training, invite one HR/administrative manager of the company to be the guest speaker to explain the company contract directly to the workers and answer questions they may have. The HR/administrative manager should be more knowledgeable of the company's rules and regulations, etc., than external guest speakers. Before being invited as

guest speaker, the representative's knowledge about labor contracts and relevant laws should be surveyed.

- If training is conducted outside the factory, labor officials and/or law professors can also be considered as guest speakers, because they can provide authoritative information regarding the legal terms involved in different types of labor contracts.

Small Quiz

- After explaining the different types of labor contracts, the trainer asks:
 - *What are the differences between a fixed-term labor contract and an open-ended labor contract?*
 - *Under what conditions can a fixed-term labor contract be converted into an open-ended labor contract?*
- The first two workers with correct answers receive small prizes, which will encourage workers to participate more actively in the training activities.
- If time permits, the trainer can also prepare a small written quiz to test all participants on what they have learned.

Section 2: Key Messages/Takeaways

- A labor contract should include: term, job description and duty station, working hours, rest and leave, payment, social insurance, labor protection, labor conditions, occupational hazard prevention
- Differences between fixed-term contracts, open-ended contracts, and assignment contracts
- The possibility that a fixed-term contract can be converted into an open-ended labor contract, and the conditions required to make that change

Section 3: Handouts

- Printed PowerPoint presentation with key messages
- A sample contract

4. Terminating Labor Contracts, Severance Pay and Damages

Section 1: Methods/Materials

- Presentation
- Role play
- Small quiz

Presentation

Using PowerPoint or other presentation aids, the trainer delivers the following key points:

- Conditions under which an employer can legally terminate a labor contract with written notice

- Legal liabilities (including severance) if the employer legally discharges an employee, including how to calculate severance-related compensation
- What constitutes illegal termination of labor contracts
- Legal liabilities in cases of illegal termination of a labor contract, including how to calculate severance-related compensation that is due to an employee

Role Play

- Participants break into two groups: an employees' group and an employers' group.
- The employees' group must share three scenarios that constitute worker misconduct, and the employers' group shares three scenarios that constitute illegal termination of a labor contract.
- The two groups role-play their three scenarios. The trainer encourages the members of the other group to comment and discuss.

Small Quiz

- After explaining the calculation of severance pay and damages, the trainer gives an example of a contract that was legally terminated and an example of a contract that was illegally terminated (scenarios from the last session can be used), and asks the workers to calculate the respective severance pay and damages.
- The first four workers with the correct answers (two for each example) receive small prizes.

Section 2: Key Messages/Takeaways

- The notice period that should be given by both parties before terminating a labor contract
- Circumstances that are deemed illegal termination of a labor contract
- Circumstances that constitute employee misconduct
- If the employer terminates the contract without any valid reasons, the employee is entitled to damages
- If the contract is terminated by the employer, the employee is entitled to severance pay (unless the termination is due to the employee's serious misconduct)
- Prerequisites and calculation equations of severance pay and damages

Section 3: Handouts

- PowerPoint presentation with key messages



WAGES AND WORKING HOURS

Wages and working hours are two of the most important areas for workers from the perspectives of job satisfaction and work-life balance. The level of compensation and the time spent working are inextricably linked and have a direct impact on many aspects of workers' lives and those of their families. They are also critical determinants of how successful a factory is, and thus have a direct bearing on the fortunes of management personnel and their competitive and operational strategies .

Despite the importance of wages and working hours for both workers and factory management, the relevant laws and procedures are among the most heavily violated of all workplace regulations. There are a variety of direct and indirect contributing factors, including the quality of factory management and production planning, workers' lack of awareness of their rights and empowerment to act, and inadequate government enforcement. Although no organization alone can address the myriad causes partially noted above, workers' rights training can help ensure that wage and working hour laws and procedures are adhered to. Such efforts might involve developing programs that inform workers of their rights and protections under the law and help factory managers understand production efficiencies that could reduce the need for excessive overtime.

For workers, there are baseline programs around awareness that focus on providing an understanding of wage and working hour protections afforded to them by law, including minimum wages and restrictions on working time. Beyond this, programs focused on topics such as financial planning and career advancement can help workers take a more ambitious view of what is possible in their careers.

For factory managers, addressing this issue requires workers' rights organizations to provide advice on both labor rights and production management strategies. The former includes reinforcing the need to abide by the law and thinking creatively about structuring pay systems to reward improved efficiency. The latter might involve introducing factory managers to ideas and tools that can reduce the need for overtime through efficiency improvements and better planning of production orders and inventory management. In addition, trainers can help factory management understand buyer scorecards and provide tips on engaging with international buyers to reduce the often negative impact of changing production schedules and quick-turnaround orders.

WAGE AND WORKING HOURS

Case Study 1

BSR's China Training Initiative (CTI), China

SYNOPSIS

BSR's China Training Initiative was brought into a factory that had experienced a large strike due to wage disputes. Many workers did not understand how their wages were calculated, and felt that they were being paid unfairly.

The aim of this training initiative was to help the factory workers better understand the company's wage system and to convince factory management that creating a more transparent and fair system would improve overall labor relations and benefit management.

WHAT'S NEW

- **Using risk to speak to the bottom line.** Bringing factory management onboard was a significant challenge; a particularly effective strategy was

identifying key risks of continuing current practices. Management responded well to the language of risk and was moved to take action.

- **Repeat, repeat, repeat.** To address transparent wage calculation, the factory adopted a new HR management system. To ensure that workers understood the new system addressing wages and working hours, key messages had to be reinforced through multiple channels.
- **Consulting Design.** While the aim of this initiative was to ensure fair wage payment and an understanding of wage structures by workers, factory management was treated as the primary customer. This was crucial to the success of the training.

Case Study 1—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
A wide and deep initial assessment: The team spent two days in the factory using participatory methods with several departments and many workers to understand the business and labor challenges.	Building trust with factory management was difficult. Constant reinforcement that the aim of this work was to help improve factory practices and develop constructive, mutually agreeable solutions was key to success.	What systems are currently in place? What is unclear about current wage structures? How does confusion about wages impact the bottom line?	A business lens: A workers' rights lens was combined with a focus on the business impacts of poor wage structure.
Inventory of Factory Challenges: Key challenges were identified along with the risks (money, time, reputation) associated with leaving them unsolved.	It was difficult to quantify the monetary risk of not having good HR systems in place.	How do you estimate the monetary value of the major risks facing the factory (e.g., a strike)? The cost of a strike	Monetizing Risk: To ensure that the factory trusted the risk estimates, the project team relied on the expertise of the factory's seasoned managers. The figures

Case Study 1—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
		was estimated to include sales foregone due to lost management time.	and calculations mostly came from them.
Analysis of noncompliance: Initial research uncovered that the factory wasn't paying the legal minimum and that overtime wages were being underpaid.	Management pushed back and noted its unwillingness to raise wages.	Getting managers to change their minds took several steps: itemizing potential risks, discussing possible benefits, and having an HR expert calculate the cost of compliance.	Placing a monetary value on the cost of compliance versus noncompliance.
Training: Training on wage structures and new policies was rolled out to workers, line supervisors, and management.	<p>There remained a need for reinforcement. Many workers (given their limited educations) had difficulty understanding the new HR policies.</p> <p>As one HR manager complained, <i>"We cannot just tell them once—we have to tell them over and over and over, and yet it is still unclear to some workers. Many still end up in my office when they receive their pay, asking questions about their pay slips."</i></p>	<p>Which current systems can be used to reinforce training messages?</p> <p>Where can this information be integrated into existing systems?</p>	<p>The HR department was asked to run additional training courses to reinforce the initial training messages.</p> <p>The worker committee selected workers from different departments to be informal "peer educators" who would show other workers how wages are calculated.</p>
Peer Training: The HR department selected workers to become "certified" peer trainers. Workers could turn to them for advice on the wage policy.	Training once was not enough. HR managers and line supervisors needed to constantly re-introduce the wage policies to workers.	What formal and informal networks can be tapped to disseminate learning?	Certifying workers as "go-to" people for quick questions about wages and overtime made wage information easily accessible and transparent. Workers felt much more comfortable and trusted information from their peers.

KEY TIPS

- **Develop, share, and reinforce the business case to management.** Some risk data gathered included: time required by HR to discuss and arbitrate with employees, risks and cost of worker protests, risks related to losing orders, risks related to lost production, and the probability of fines from the government. Some of the business benefits data included worker satisfaction, productivity, and loyalty. Unfortunately, not all issues could be quantified, but what *was* quantified helped paint a business-focused picture of challenges and opportunities at hand. Focusing on and quantifying both risk and business benefits resonates well with management. **Assess current systems.** At this factory, the strike was, in part, caused by a lack of transparency around its wage structure. Working with HR to clarify wage policies and developing an understanding of current HR systems is necessary before training workers.
- **Reinforce messages through different channels.** Training workers once, given the complexity of the information, was simply not enough. Factories should be prepared to repeat the message through several channels: HR *training* sessions, its workers' committee, and informal peer trainers.

WAGE AND WORKING HOURS

Case Study 2
BSR/CTI, China

SYNOPSIS

An initial worker survey found limited knowledge and a high interest among factory workers regarding money management and basic financial literacy. Finding there to be few workers' rights trainers focused on this space in China, BSR collaborated with a financial advisory firm to design a training module. The training ultimately targeted 1,000 workers, and the results suggest that both factory managers and workers benefited.

WHAT'S NEW

Training Content. Financial literacy and money management topics were new and required facilitators to work with financial advisors willing to tailor their consultation and training to an audience with limited educational background and little money to invest.

Case Study 2—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Persuading the factory manager: This training module was introduced alongside other life skills development courses (managing personal relationships, cooking). The first step was to convince factory managers of the program's value.	Managers initially saw limited return from this training for the factory. They did not see any correlation between investing in the life skills of workers and a more efficient factory.	How do you make a concrete business case for this work to management? This included outlining this training as a way to showcase management's investment in worker well-being and positioning the training as a way to improve loyalty and employee retention.	Facilitators expanded the typical workers' rights curriculum to include life skills, making the case to management that such training is an effective tool for bolstering employee loyalty.
Worker Survey: This training was not arbitrarily offered, but identified as a top issue of concern in a worker questionnaire.	A survey had to be designed to effectively and easily capture workers' interest.	The questions had to clearly elicit both the level of interest in a topic, and the reasons workers valued the topic.	A simple questionnaire asking workers to select specific answers before providing open-ended responses assured better data collection.
Materials Development: A training curriculum on financial literacy was not readily available in the marketplace and therefore had to be created.	Financial advisors are not accustomed to working with factory workers. BSR and the factory's HR managers worked closely with the financial advisors to tailor modules.	Consider ways to make relatively dry topics around financial management fun, interactive, and relevant to workers.	The newly developed training module put information regarding savings, earning, and investing into a context that made sense to workers.

KEY TIPS

- **Life skills are a strategic entry point.** Training in life skills is a way to educate workers on how to calculate wages while not setting off alarm bells with factory management.
- **Interact, don't lecture.** As one might expect, financial education can be a relatively dry topic with an abundance of technical information. To help the audience better understand financial topics, role plays, case discussions, and games can be used to augment the lecture style of training.

WAGE AND WORKING HOURS

Synthesis of Tips, Best Practices, Key Messages, Common Challenges

Key Topics

- Basic salary and overtime pay requirements and calculation
- Working hours, rest and overtime, paid annual leave
- Severance pay (and how to calculate it)

Key Messages—Workers

- Importance of receiving pay on time
- Disadvantages and hazards of excessive working hours, using real-life examples
- Right to maternity leave
- Right to breastfeed during work time
- Understanding factory policy
- Understanding local laws
- Overtime is voluntary
- Breaks and work-life balance are important to maintaining health and productivity as an employee
- Building financial literacy

Key Messages—Factory Managers

- Non-compliance is costly from a legal and financial standpoint (e.g., fines, strikes).
- Training can reduce tardiness and absenteeism.
- Financial literacy training can boost loyalty and retention.
- Rest time is important to maintaining productivity and accuracy, and avoiding injury and fatigue.
- Requiring less overtime will cost the factory less (because overtime is paid at a premium rate).
- Productivity tends to decline and the re-work rate increases with the number of hours worked. Try to find more efficient, cost-effective ways to meet production targets without using excessive overtime.
- Reducing reliance on excessive overtime is an opportunity to improve scheduling and production planning—and an opportunity to engage buyers.

Challenges

- Low levels of education can impede understanding of topics such as wage calculation.
- Training materials and content require more memorization.
- Management might fail to understand the benefits of greater transparency around wage structures and training workers to calculate wages.

Best Practices

- **Identify and utilize various training channels to reinforce messages.** Training workers once on complex issues is insufficient. There is a need to repeat the message through

several channels, such as workers' committees, informal peer trainers, and 'refresher' training sessions by HR.

- **When training workers, keep the information easy and straightforward.** Wage calculation exercises help workers become familiar with what to look for on their pay stubs and how to calculate basic and overtime wages. Give workers a form to perform the calculation and practice it.
- **Be prepared to demonstrate and reinforce the business case to management.** Management may be resistant to paying minimum wage and/or training workers on how to calculate their wages. Data that can be collected and used to build the business case include: time required by HR to discuss and arbitrate with employees, risks and cost of worker protests, risks related to losing orders, risks related to lost production, the possibility of fines from the government.
- **Understand whether supporting systems are in place.** Determine whether the wage structure is transparent and in compliance with legal requirements.
- **Bring dry material to life with an "edutainment" approach.** Develop training sessions that incorporate education and entertainment (e.g., quizzes, Q&A, game shows, etc.).
- **Pitch increased financial literacy training as life skills development to be less threatening to management.** Worker capacity-building courses are usually viewed as attractive (and less threatening) to both management and worker audiences.

WAGE AND WORKING HOURS

Sample Materials

Prepared by Life Centre, Vietnam

This lesson plan is based on training that Life Centre has conducted in Vietnam, and cites Vietnam-specific examples and laws. While the laws (and therefore training content) and cultural context will change across countries, the same topics and similar exercises can be adapted to other local contexts.

TRAINING CURRICULUM

Agenda

Time	WORKING HOURS AND WAGES
15 minutes	Part 1: Welcoming Participants—Icebreaker
2 minutes	Part 2: Introduction to Working Hours
10 minutes	Part 3: Work Time
15 minutes	Part 4: Rest Periods
15 minutes	Part 5: Rest Periods for Female Employees
2 minutes	Part 6: Introduction to Wages
15 minutes	Part 7: Wages and Minimum Wages
20 minutes	Part 8: Overtime and Calculating Overtime Pay
10 minutes	Part 9: Methods of Wage Payment
15 minutes	Part 10: Types of Insurance
10 minutes	Part 11: Questions and Wrap-up

1. Welcome and Icebreaker

- The facilitator welcomes all participants (25-30 persons) to the training course.
- The facilitator starts with an icebreaker, asking everyone to introduce themselves, focusing on three things:
 - Name; department/unit; favorite hobby

2. Introduction to Working Hours

- Suggested introduction:
 - *Have you ever wondered what are legal working hours, how much rest time we are entitled to as employees, and what types of leave we can take while still enjoying full pay?*
 - *We are here today to discuss all of that. Some of us might know more about these subjects than others. So, please do share your knowledge with your colleagues.*
 - *It is very important that you all participate actively in the training, contributing ideas and exchanging information with one another. There will be no right or wrong answers. We are here to share what we know and what we do not know. After this training, I expect that each of us will know these topics very well.*

3. Work Time

Section 1: Trainer Facilitation Tips

- In this session, prior to the training, research and understand the current leave policy in the factory.
- Note that workers may become upset if they realize that they are not being allowed to take leave, or have taken leave without receiving full pay, as they are entitled to.
- To prepare for group discussion, develop three situations common in garment/footwear factories.

Section 2: Activity/Exercise

Quiz Competition

- The facilitator explains the activity:
 - All participants are divided into four or five teams for competition. One team referees and the other four teams compete.
 - After each question, each team has one minute to discuss ideas and then members must raise their hands once the team is ready to answer.
 - The team that raises its hands first gets to answer first.
 - The referee team will decide whether an answer is correct / satisfactory. If the referees are unsure, they can invite the remaining teams to provide answers.
 - Scoring will be as follows:
 - 3 points for correct and complete answers
 - 2 points for correct but not-quite-complete answers
 - 1 point for an answer that contains some correct information but is not complete at all
 - 0 for no answer
- Divide the attendees into five groups. Team 5 will be the “Judge Team.”

- After the facilitator reads each question, the teams formulate their answers, which the judges review and score. The questions:
 - *How are working hours defined in the national labor code?*
 - *How is the night shift defined in the national labor code?*
 - *How is overtime defined in the national labor code?*
- The facilitator, after the judges score the teams' answers, provides the correct and complete answer (via PowerPoint slides or other prepared materials).

Section 3: Key Messages/Takeaways

Under Vietnam Labor Law:

Working time:

The normal working hours shall not exceed eight hours per day or 48 hours per week.

Night shift:

- Night-shift hours are from 10 p.m. to 6 a.m. or from 9 p.m. to 5 a.m., depending on climatic regions as determined by the government.

Maximum overtime work:

- Overtime work can be negotiated between employer and employees, but it must be no longer than four hours per day and 200 hours per year. Exceptions: some special cases stipulated by the government after consultation with the Vietnam General Confederation of Labour and the representatives of the employers, but even then, a maximum of 300 hours per year.

Section 4: Handouts

Summary of working hours, as specified by law.

4. Rest Periods

Section 1: Trainer Facilitation Tips

- Prior to the training session, research and understand the current leave policy in the factory.
- Please note that the session might upset workers if they realize that they have not been allowed to take leave, or to receive full pay during leave, as the law permits.
- For the team competition, let the judges say whatever they want. For each of the questions, provide correct and complete answers only when no one has anything to add.

Section 2: Activity/Exercise

Quiz Competition

- The facilitator explains the activity, which is as follows:
 - All participants are divided into five teams for competition. One team referees and the other four teams compete.

- After each question, each team has two minutes to discuss and write down answers on a colored card (bigger than A4 or letter size).
- The facilitator will be timekeeper. Once the facilitator says that time is up, all teams have to show their cards to the judges.
- The judges will discuss among themselves and decide which team's answer is correct and complete.
- Criteria for scoring:
 - 3 points for correct and complete answers
 - 2 points for correct but not quite complete answers
 - 1 point for an answer that contains some correct information but is not complete at all
 - 0 for no answer
- The facilitator reads the following questions, each of which is followed by the answering, judging, and scoring periods.
 - *How many annual leave days are employees entitled to take per year?*
 - *10 days, 12 days, 14 days, or 16 days?*
 - *List the public holidays on which employees are entitled to take fully paid leave.*
 - *What are other fully paid leave days?*
 - *Is an employee entitled to paid leave on his or her wedding day?*
 - *Compassionate leave (spouse, parents, and children): How many paid days?*
 - *While taking care of children under 12 months of age, female workers are entitled to take paid leave of 60 minutes per working day. True or false?*
- After the judging team scores the answers, the facilitator provides the correct and complete answers (using PowerPoint slides or other prepared materials).

Section 3: Key Messages/Takeaways

Under Vietnam Labor Law:

Workers are entitled to the following holidays and leave with full pay:

Public holidays: Nine days

Annual leave:

a) 12 working days for employees working in normal working conditions

b) 14 working days for employees working in heavy, toxic, or dangerous jobs, or employees working in areas with harsh living conditions, and for persons under 18 years of age

c) 16 working days for employees working in extremely heavy, toxic, or dangerous job and persons engaged in heavy, toxic, or dangerous jobs in areas with harsh living conditions

An employer shall have the right to determine a timetable of annual leave after consultation with the Executive Committee of the trade union of the enterprise and must notify in advance all personnel in the enterprise.

Leave for personal purposes:

- Employee's marriage: three days
- Marriage of employee's child: one day
- Death of parents and parents-in-law, death of husband/wife, son or daughter: three days.

Section 4: Handouts

Public holidays, annual leave, and personal leave

5. Rest Periods for Female Employees

Section 1: Activity/Exercise

Group Work/Case Studies

- The facilitator divides the class into three groups for group discussion.
- The facilitator explains the group work:
 - There are three situations, labeled 1, 2, and 3. Each group receives a situation with questions for discussion.
 - **Situation 1:** Ms. A is seven months pregnant. As per the Vietnam Labor Law, she has one hour paid leave every day—i.e., she works seven hours per day. However, Ms. A asks to work the full eight hours and also to work overtime to earn more income. Company B accepts her request due to increased labor needs during high production season.
 - **Does Company B's decision comply with the law?**
 - **Situation 2:** Ms. A works for Company B and is seven months pregnant. In line with high production needs, Ms. A registers to work two hours overtime per day to earn more income. Company B pays Ms. A at the same rates as other workers—eight official hours and two overtime hours.
 - **Does Company B's action comply with the law?**
 - **Situation 3:** Ms. A has been working with Company B for five years. She is heavily pregnant with triplets and about to request her maternity leave. The Human Resources staff informs her that she will have four months' maternity leave in total, both prenatal and postnatal.
 - **Does this decision comply with the law?**
 - Each group has five minutes to discuss its situation and then two minutes to present its answer to the whole class.
 - For the discussion, each group assigns a note taker and a presenter. Discussion notes should be written down on a flip chart, large enough for all to read.
- The facilitator invites a representative of each group to present its discussion results. Other groups may comment and/or raise questions.
- The facilitator concludes the lesson with a summary of the complete information.

Section 2: Key Messages/Takeaways

Under Vietnam Labor Law:

Time to rest particularly defined for female employees:

- A female employee in her menstruation period shall be entitled to 30 minutes off in every working day with full pay.
- A female employee performing heavy work, on reaching her seventh month of pregnancy, shall be transferred to lighter work, or have her daily working time reduced by one hour while still receiving her full wage.
- A female employee nursing a child under 12 months of age shall be entitled to 60 minutes off in every working day with full pay.
- A female employee shall be entitled to prenatal and postnatal leaves, which are from four to six months in total as regulated by the government according to working conditions and the hard/harmful nature of the work or its remote location.
- During pregnancy, maternity leave, or while nursing a child under 12 months of age, the female employee shall be temporarily exempt from unilateral termination of her labor contract and shall enjoy the postponement of the period within which labor disciplinary measures shall be applied, except in the event that the enterprise ceases its activities.

Section 3: Handouts

- Special provisions regarding rest time for female employees
- Situations 1, 2, and 3

6. Introduction to Wages

- The facilitator opens the session by saying:
 - *Now let's discuss wages and how we calculate basic and overtime wages.*
 - *After that, we will review the types of insurance that we, as workers, are entitled to under the Vietnam Labor Law.*
 - *There are no right or wrong answers. We are here to share what we know and learn what we are unsure about. Please participate actively in the training, contributing ideas and exchanging information with one another.*

7. Wages and Minimum Wage

Section 1: Trainer Facilitation Tips

- Respond to questions if possible. Do not to give answers that you are not sure about. Tell the participant(s) when you will get back to them with a response. You might need time to consult the Labor Law or a legal expert. Note the name, contact number, and the question of that participant and remember to respond.

Section 2: Activity/Exercise

Group Discussion

- The facilitator asks: *What do we know about wages?*
- Participants are encouraged to give their opinions, which the facilitator writes on the white board (or flip chart), not yet offering comments or asking questions.
- After consolidating all the participants' opinions, the facilitator adds information related to wages that had not yet been raised.
- The facilitator asks: *What does minimum wage mean?*
- Participants engage in free discussion. The facilitator notes on the flip chart each idea they raise.
- The facilitator summarizes the full concept of wages and minimum wages per Vietnam Labor Law, using slides or other presentation aids.
- In closing, the facilitator invites further questions on the topic.

Section 3: Key Messages/Takeaways

Under Vietnam Labor Law:

The wage of an employee shall be agreed upon between the parties in the labor contract and paid according to the productivity, quality, and efficiency of the work performed. The wage of an employee must not be lower than the minimum wage rates stipulated by the government.

The minimum wage is defined on the basis of the cost of living to ensure that an employee performing the most elementary work in normal working conditions is compensated for the basic cost of labor and is able to save enough to sustain and enhance the employee's ability to continue working.

Section 4: Handouts

Overview of wage requirements

8. Overtime and Calculating Overtime Pay

Section 1: Activity/Exercise

Group Work/Case Studies

- The facilitator divides the class into four groups for discussion.
- The facilitator explains the group work:
 - There are two situations. Groups 1 and 3 work on Situation 4, and groups 2 and 4 work on Situation 5.
 - **Situation 4:** Due to high production orders, Company A requires that all employees work on a national holiday; workers can take compensation

leave on another day over the coming month. Everyone gets paid at a normal rate for working on that holiday.

- **Does Company A's decision comply with the law?**

- **Situation 5:** Company A encourages all employees' hard work by offering bonuses for those who exceed production targets. Those who cannot meet the targets within their eight-hour shift must work overtime. That overtime work is paid at a normal rate.

- **Does such a decision comply with the law?**

- Each group will have five minutes to discuss the situation and then two minutes to present its answer to the whole class.
- For the group discussion, each group will assign a note taker and a presenter. Discussion notes should be written down on a large flip chart for all to see.
- The facilitator invites each group's presenter to share the discussion results. Other groups may comment and/or raise questions.
- The facilitator concludes the lesson with a summary of the complete information.

Section 2: Key Messages/Takeaways

Under Vietnam Labor Law:

- Employees working overtime on normal work days will be paid at least 150 percent of their current daily wage rate.
- Employees working on weekends will be paid at least 200 percent of their current daily wage rate.
- Employees working on public holidays and holidays with payment will be paid at least 300 percent of their current daily wage rate.
- Employees performing night work will be paid at least 130 percent of their current daily wage rate.

Section 3: Handouts

Overtime payment

9. Methods of Wage Payment

Section 1: Trainer Facilitation Tips

Before this session, the facilitator should learn about the payment methods currently used by the factory.

Section 2: Activity/Exercise

Group Discussion

- The facilitator asks the group: *How many methods of payment are commonly used in Vietnam?*

- The facilitator notes responses on the flip chart, adding methods if any are missed.
- If all three common methods of payment are already listed on the flip chart, the facilitator might summarize from the flip chart, or use prepared slides to sum up the content.

Section 3: Key Messages/Takeaways

There are three methods of payment:

- On a time basis (hourly, daily, weekly, or monthly)
- On a piece-work basis
- By the job

Section 4: Handouts

- Methods of wage payment

10. Types of Insurance

Section 1: Trainer Facilitation Tips

Before this session, the facilitator should learn about the insurance options currently provided by the factory.

Section 2: Activity/Exercise

Small-Group Discussion

- The facilitator raises this question for the whole group: *In Vietnam, what type of insurance are employees currently covered under?*
- The facilitator writes participants' responses on the flip chart. If participants do not know all of the common insurance types for employees in Vietnam, probe: *Have you ever heard of [name of insurance] insurance?*
- The facilitator summarizes the three common types of insurance that employees currently enjoy: social insurance, health insurance, and unemployment insurance.
- Participants are divided into three groups for further discussion on the three types of insurance, assigned as follows:
 - Group 1: *What are the benefits to employees of social insurance? What is the ratio (in percentage) contributed by employer and employee to cover social insurance?*
 - Group 2: *What are the benefits that employees can enjoy through health insurance? What is the ratio (in percentage) contributed by employer and employee to cover health insurance?*
 - Group 3: *What are the benefits to workers of unemployment insurance? What is the ratio (in percentage) contributed by employer and employee for covering unemployment insurance?*
- Each group has five minutes to discuss. It then assigns one group member to present the group discussion (two minutes per group). The facilitator notes discussion results on the flip chart, large enough for all to read. Participants in other groups may comment and/or raise questions.

- The facilitator summarizes the lesson, reviewing key points with slides, flip charts or other materials.

Section 3: Key Messages/Takeaways

Under Vietnam Labor Law:

If participating in social insurance, employees shall be entitled to: social security benefits in the event of sickness, work accidents and occupational diseases, maternity, retirement, and death.

Types of insurance	Employer pays	Employee pays
Social insurance: 22 percent*	16 percent	6 percent
Health insurance: 4.5 percent*	3 percent	1.5 percent
Unemployment insurance: 2 percent*	1 percent	1 percent
Total contribution:	20 percent	8.5 percent

** The employee's actual wage will be used to calculate the above insurance rates, but the total insurance payment cannot exceed nine times the employee's minimum wage.*

Section 4: Handouts

Bring handouts that summarize the types of insurance that employees are entitled to and contributions paid by employer and employee.

11. Questions and Wrap-Up

- The facilitator asks participants whether they have any questions regarding each of the topics discussed.
- The facilitator responds to questions if possible. When unsure of an answer, the facilitator tells the participant(s) a date by which a response to the question will be provided (it may be necessary to consult the Labor Law or a legal expert). The facilitator notes the name, contact number, and the question of that participant in order to provide a response.



HARASSMENT AND DISCRIMINATION

Harassment and discrimination are often “invisible” challenges that create a very visible impact on corporate culture, morale, and workers’ ability to assert their rights. From a worker’s perspective, harassment creates an unwelcome work environment, negatively impacts physical and emotional health, and can contribute to low self-esteem and motivation. From an employer’s perspective, harassment can lead to increased employee turnover, absenteeism, low morale, lawsuits, and negative publicity.

Harassment and discrimination can be difficult issues to address because they are closely interwoven with social norms and legal frameworks, and touch on sensitive personal issues. In addition, factory management may not see the value of providing training on the topic. Trainers have a critical role to play not only in developing culturally appropriate techniques to enhance awareness, but also in demonstrating the link between harassment/discrimination and business performance.

Leading approaches to addressing harassment and discrimination in the workplace aim to promote a respectful, positive, and productive workplace through enhancing supervisory techniques. . Innovative training methods recognize and seek to address several underlying factors, including:

Basic Awareness. Many trainers recognize that both management and workers need to have a clearer understanding of what constitutes harassment and discrimination.

Unclear or missing policies. When policies that determine how workers should be treated in the workplace are not transparent, explicit, or enforced, it can result in situations in which workers feel discriminated against and treated unfairly.

Complexities of migrant workers. With limited work experience and little experience living in crowded urban settings, migrant workers are particularly vulnerable to harassment and discrimination. Some workers’ rights training programs address this by tailoring materials for migrant workers and providing tips to help migrants adapt to their new surroundings.

Inexperienced management staff. Some line managers have limited experience managing staff and are often under pressure to meet difficult production and delivery targets. Responding to this pressure, some resort to emotional and physical mistreatment. Several workers’

rights groups are running programs that equip new managers with the skills they need to communicate and motivate staff in a constructive, non-threatening manner.

Lack of effective grievance systems. Harassment is often accompanied by a lack of functioning grievance mechanisms, which are necessary to give workers a channel through which they can raise workplace concerns and settle disputes. Without any means of redress, grievances related to harassment and discrimination can fester and magnify.

HARASSMENT AND DISCRIMINATION

Case Study 1

Nazneen Huq, Bangladesh

SYNOPSIS

During a two-year project aiming to use dialogue training to improve social compliance standards at a large garment factory in Dhaka, the training team came to realize that the factory's management style reflected a "master-slave" attitude. Two training interventions proved insufficient, with workers continuing to report unfair treatment. In the meantime, the factory experienced a serious negative campaign led by an international NGO. This proved to be a tipping point: management requested assistance from the training team and began take the training program seriously.

WHAT'S NEW

- A training program was designed under the umbrella of "Positive Management Techniques" and including harassment and abuse as subtopics. This change in framing prevented resistance from line supervisors.
- A training program was designed to touch all levels of management.
- Frequent and continuous interventions over a period of six months helped build trust and bolster support.
- Frequent interaction with all managers helped build ownership and created the space for them to discuss their problems in an uninhibited manner.

Case Study 1—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Securing buy-in/introducing the topic: During a two-year project period, there were 13 interventions, including workshops for both managers and workers.	The training team detected abusive behavior and lack of gender sensitivity on the part of management and low morale from workers as impediments to training interventions. Across all levels of management, denial and a lack of awareness were deeply entrenched.	What are the signs of low worker morale? Do any of those signs affect business performance, including productivity?	The factory had a serious problem regarding high absenteeism and short tenure. Instead of focusing on harassment, trainers worked to link turnover and absenteeism with factors contributing to worker morale; this provided a safe, constructive, business-oriented way to talk with management about workplace harassment.
Initial Assessment: A survey was conducted to capture the causes of absenteeism and turnover.	Conversations often led to a discussion of rampant harassment and abuse. A list of undesirable behavior emerged through observation and interviews with line	How do harassment and discrimination affect the bottom line? How do you link the two clearly for management to take the issues seriously?	Survey results on causes of absenteeism and turnover moved management to give this training the backing and support that was needed.

Case Study 1—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
	managers and workers.		
Policy Assessment and Development: Trainers collected all policies related to harassment and abuse.	<p>The factory lacked a strong harassment and abuse policy.</p> <p>The grievance policy was complicated and neither consistently used nor communicated.</p> <p>There was a lack of a proper and effective structure for implementing policies and streamlining grievance resolution.</p>	<p>Are policies complete and uniformly, frequently communicated?</p> <p>Is there a functioning grievance mechanism?</p> <p>Are there systems to support internal accountability and communication?</p> <p>Who is responsible for ensuring that these systems are functioning?</p> <p>Are their roles and responsibilities well-defined?</p>	<p>Policy and system upgrade: The harassment policy was upgraded, and grievance mechanisms and communication systems were updated.</p> <p>HR responsibilities were also clearly defined and communicated.</p>
Training Proposal: The first training proposal focused on 30 percent of workers.	Factory management was resistant—especially to sending 30 percent of workers to the training.	<p>Who are the critical trainees?</p> <p>What are alternative ways to reach the same number (or more) of workers?</p>	<p>The proposed training program was amended to include:</p> <ul style="list-style-type: none"> - Management coverage - 15 percent of workers selected from different production areas to reduce disruption and cost, and ensure broader coverage - Peer Educator Training: through capacity building, peer educators can increase coverage of workers - Refresher training for peer educators to update information and reinforce awareness

KEY TIPS

- **Propose to use harassment training as way to improve overall management techniques.** Focus on creating a positive environment with management, framing training as a way to enhance management skills.
- **Tie harassment to business performance.** It may be difficult to convince management to address harassment, but it's important to emphasize how it negatively impacts the overall workplace environment and underpins the success of other training. For example, the results of a training on worker communication may be limited if workers are still being harassed and intimidated by others.
- **Identify and focus on the root of the problem.** At this factory, the mindset and attitude of line managers was the problem. Training all levels of managers was critical to achieving a positive impact—much more important than training peer educators and workers.

- **Use a peer education model to reinforce messages.** Training workers once is not enough. Recruiting more welfare officers and developing them as trainers was a means to sustain the process. Peer educators can provide refresher trainings via worker committees and be more easily accessible for workers.

HARASSMENT AND DISCRIMINATION

Case Study 2

BSR/CTI, China

SYNOPSIS

One possible source of abusive behavior is high levels of stress, and therefore programs intended to analyze and manage workers' stress can improve the work environment. The program described below was part of overall labor compliance training. One of the outcomes was a clearer picture of harassment and discrimination.

The two keys to making this training successful were creating a safe space in which workers felt they could share; and spending significant time prior to training to really understand the needs of the attendees.

WHAT'S NEW

- **Open atmosphere.** Trainers set up a very open atmosphere and safe space for workers to discuss sensitive issues.
- **Pre-training interviews.** Speaking to workers extensively beforehand allowed trainers to get a much better understanding of the audience and tailor lectures, exercises, and games to attendees' needs.

Case Study 2—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
<p>Phone Interviews: Prior to the training, time was spent speaking to workers on the phone. The aims of the conversations were:</p> <p>(1) Basic information: Learn about age, wages, working conditions, education, etc.</p> <p>(2) Specific challenges: Get workers to talk about stresses they are facing and how they address them.</p> <p>(3) Set expectations for the training: Explain how workers would participate; establish training as a safe space.</p> <p>(4) Build trust: Use tone and rapport to begin to build trust with workers.</p> <p>(5) Revise training. Based on learning, adjust the approach for training.</p>	<p>Many workers were reticent to share their experiences. When workers did open up, the trainer noted that many of the workers had bottled up a lot of their concerns; one small grievance or anxiety easily piled on another.</p>	<p>Keep emphasizing that the training is a safe space to discuss challenges.</p> <p>Set the expectation that the training won't solve all problems, but instead that it will give workers good approaches for managing stress more effectively.</p>	<p>Pre-training phone interviews were time-consuming, but they provided workers with a good space to talk about their challenges—and gave the trainer a great opportunity to understand the issues in the factory.</p>

Case Study 2—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
<p>Several approaches were used to encourage participation.</p> <p>Simple explanations: The trainer explained some of the basic concepts behind stress and stress management.</p> <p>Case discussions: Workers were asked to analyze how they would address specific cases of stress; many of these cases mirrored issues uncovered during the pre-training phone calls.</p> <p>Games: Games were frequently used to get workers to call out concerns and complaints in a more relaxed, lighthearted way.</p> <p>Coaching: Workers were invited to share their stress during training; the trainer would then provide coaching and advice.</p>	<p>Building trust took time. Many workers feared ridicule and retribution and remained reluctant to share.</p> <p>With a limited level of education, some workers found the concepts relating to stress and stress management too technical to fully understand.</p>	<p>Building trust with workers despite being an outsider is difficult.</p>	<p>Phone interviews to collect data beforehand were critical to designing relevant training.</p> <p>Using cases that really hit home and constantly referring back to issues directly raised by workers was tremendously helpful.</p> <p>Trainers uncovered the root causes of harassment and discrimination in the workplace.</p>

KEY TIPS

- **Devote significant time before training to understand the workers.** The time spent on the phone before the training begins helps the trainer understand the challenges facing the workers, informing her facilitation approach. It also sets workers' expectations of what they might learn in the training. The trust that begins to build during these conversations is vital for setting up an open training environment.
- **Build trust and rapport with workers.** The nature of the training makes it an imperative to develop and sustain a high level of respect between the workers and factory management. Abusive and harassing behavior has many causes and multiple impacts on the victims, and discussing these issues is extremely difficult—even in the best of circumstances.
- **Understand support systems.** Having a clear view of a factory's systems for dealing with abusive behavior is very important, and this goes for the mechanisms and processes themselves as well as their effectiveness. This information can be gleaned through worker and manager interviews and reviews of policies and procedures.

HARASSMENT AND DISCRIMINATION

Synthesis of Tips, Best Practices, Key Messages, Common Challenges

Key Topics to Cover

- Awareness of forms of harassment and discrimination
- Workers' right to not be harassed or discriminated against
- Redress measures both internal and external—factory policy and local law

Key Messages—Workers

- Respond to, record, and report harassment and discrimination.
- Someone is harassing you if he or she is doing or saying things to make you feel uncomfortable or is putting you at risk in some way.
- Harassment can take place in many forms—we can only protect ourselves if we know how to identify them.
- A positive work environment can only be achieved if we behave responsibly and treat each other with respect.
- Some behaviors that are appropriate outside the factory are not acceptable inside the factory.
- Every culture values safety—no culture condones violence or harassment.

Key Messages/Objectives—Factory Managers

- Awareness of different forms of harassment and discrimination
- Workers' right to not be harassed or discriminated against
- Liabilities and types of discipline in case of harassment and discrimination
- Understanding that everyone should be treated with respect
- Rewards and incentives should be based on capability
- Knowledge of factory policy and local laws
- Harassment often arises as a result of stress and poor management

Challenges

- **Lack of awareness.** Workers thinking harassment is normal and to be accepted.
- **Sensitive topic.** Workers are often unsure about what types and extents of behaviors or actions can be considered harassment.
- **Mindset and role of management.** Lack of knowledge may lead many managers to think harassment is normal.

Best Practices

- **Trainers must be careful and sensitive when raising the topic of harassment.** Using workplace examples helps workers relate to their own situation.
- **Address the root of the problem—usually management.** It may be necessary (and recommended) to train all managers, sometimes at the cost of seeing fewer workers.
- **Emphasize the impact of a positive (or negative) workplace environment on productivity.**
- **Spend time building trust with workers and understanding the problem through focus**

groups and surveys.

- **Take a holistic, systematic approach.** Review the policy and determine whether the factory has a commitment to preventing harassment; understand and assess whether reporting/grievance mechanisms (hotlines, unions, self-help groups) exist and are functioning well; then focus on the attitude change needed to prevent further instances of misconduct.
- **Explore safe, neutral entry points to the topic, such as gender or protection of one's body and health.**
- **Use case studies to illustrate examples of harassing behavior.**

Harassment and Abuse

Sample Materials

Nazneen Huq, Bangladesh

TRAINING CURRICULUM

Agenda

Time	Topics
10 minutes	Section 1: Introduction of Harassment and Abuse Topic
50 minutes	Section 2: Identifying Harassment and Abuse
30 minutes	Section 3: Understanding Harassment and Abuse
30 minutes	Section 4: Effects of Harassment and Abuse
30 minutes	Section 5: Dealing with Harassment and Abuse

1. Introduction of the Topic and Training Methodology

Objectives

The broad objective of the session is to enable the participants to understand the concepts of harassment and abuse. The purpose is to sensitize the participants on the biases relating to management and worker relationships in Bangladesh, and to build awareness among the participants on dealing with harassment and abuse in the workplace. The specific objectives are:

- To enable the participants to understand different forms of harassment and abuse in factories, including sexual harassment
- To examine the causes of harassment and its impact on workers' physical, mental, psychological, and social well-being
- To understand the factory's policy and the local laws relating to all types of harassment and abuse in the workplace

Introduction to the Topic

In factories, the pressure of meeting production deadlines and quality requirements often results in harassment and abuse of workers by management. The harassment of workers is often accompanied by ineffective grievance procedures, improperly implemented disciplinary procedures, and other weaknesses in management systems. The training aims to promote a respectful and positive workplace through rights-based supervisory approaches.

This training is based on global and local standards of compliance, which prohibit harassment and abuse on the basis of sex, race, age, religion, disability, and sexual orientation. The goal of the training is to adhere to internationally accepted social compliance standards, particularly in mitigating harassment and abuse of workers and to evolve the company's own management policies and procedures.

Methodology

- The training uses participatory techniques and emphasizes that active participation of all attendees maximizes the exchange of information and lessons learned during the session.
- Methodology used in the workshop includes the Visualization in Participatory Program (VIPP), a people-centered approach to training. VIPP focuses on the individual strengths of the participants, enhances participation, and democratizes interaction among people with an aim to break down hierarchical relationships. Based on a philosophy of trusting in the capacities and creativity of human beings, it combines techniques of visualization with methods for interactive learning.
- At the core of VIPP is the use of a large number of multicolored paper cards of different shapes and sizes, on which participants express their main ideas in large enough letters or diagrams to be seen by the whole group. This method lets everyone take part in the process of arriving at a consensus. Less-talkative persons find a means of expression, and those who might normally dominate a group yield control, allowing others to have their say. No one is required to write their names on the cards, which helps elicit views that might otherwise not be voiced.
- Each participant is seen as a resource, with an individual wealth of knowledge and experiences that can be released in group processes to contribute to collective knowledge and consensus.
- The program talks about workplaces in general and relationships in the work environment. It discusses how every individual is different and how this is reflected in the relationships of people working together, which ultimately affects the working environment. Respecting each other generates a culture in which that attitude is reflected in all interactions, especially between managers and workers. It is important to take initiative, to recognize and overcome denial to build a respectful and positive workplace, free of any form of harassment or abuse.
- The facilitator talks about people, how people of the same kind group together, and the relationships between those who are working together for eight to ten hours each day, focusing attendees' attention on how they interact in the workplace. The importance of having a respectful workplace is emphasized.
- This focus is an important base for the next step in the training. The facilitator has to keep in mind that the success of the next steps is heavily dependent on this preliminary discussion.

Key Messages

- Every individual is different, and respecting each other creates a harmonious working environment.

- The relationships between people working together are extremely important, because they influence behavior patterns.

Trainer's Guide/Handout

Handout on Diversity

Note: Since the education level of participants varies by region, it is up to the trainer to decide how much written information will be given to the workers as handouts.

2. Identifying Harassment and Abuse

Objectives

- To know more about the desired environment of a workplace
- To understand the situation of workers, particularly women, in the factory

Methodology

Exercise 1: My Dream Workplace

Individual/Group Illustration

1. The facilitator initiates a discussion about the working environment and interaction with colleagues. Then she talks about how we all love to dream about many things and asks participants to imagine their desired workplace.
2. Participants are asked to close their eyes and think of their dream workplace for five minutes.
3. They are asked to illustrate their dream workplaces on flip-chart paper with crayons.
4. Participants may be asked to show what they have drawn to the group.

Tips for Facilitators

- The facilitator has to take utmost care in discussing this extremely sensitive issue. There is every possibility that workers will not talk about harassment and abuse in a training session held in the factory. The facilitator will talk about relationships within a family and how certain gestures/behaviors of a family member may be accepted, but the same thing might be considered harassment if done by someone in the workplace. This is where relationships and context come in.
- Before going into the “dreaming” session, it is important that the facilitator brings the focus of participants to the interaction and communication among different people working together, so that they are able to think of a working environment that reflects respect for each other.
- It is important to emphasize the idea of a respectful workplace so that the thoughts of the participants are focused on different kinds of interactions among the people in their workplace before the next exercise.
- Depending on the number of participants, this may be done either individually or in groups.

Exercise 2: Coming Back to Reality

Whole Group

1. The participants are asked how their dream workplaces differ from the real workplace, in terms of relationships, attitudes, and the behavior of managers, supervisors, and coworkers.
2. Each participant makes a statement that is followed by group discussion.
3. The facilitator records the answers as bullet points on the flip chart. A list of undesirable/inappropriate behaviors will emerge that may be linked with harassment and abuse.

Tips for Facilitators

- If anything is missing, guide the conversation to bring out the issues as described in their dreams as desirable situations.

Key Messages

- A positive workplace can be established if we all behave in a responsible manner and respect each other.
- There is harassment and abuse in our workplace; we need to be able to deal with it.

Handouts

Not required

Materials

Flip paper, crayons or markers, VIPP board, push pins

3. Understanding Harassment and Abuse

Objectives

This session is to enable the participants to understand the extent of behaviors that are considered harassment and abuse, the different ways of harassing and why people resort to such practices. Specific objectives are:

- To familiarize participants with the definition of harassment and abuse
- To have a better understanding about undesirable behavior and attitudes of people working together
- To know about the different types of harassment and abuse
- To analyze the causes contributing to harassment and abuse of workers

Methodology

Exercise 1: Bringing It All Out

Identifying Harassment and Abuse through Card Writing

1. Ask the participants whether any of the behavior listed in the previous session can be identified as harassment or abuse. Write the behaviors they mention on VIPP cards. Ask whether they want to add to the list. Give them additional VIPP cards.
2. Present the formal definition of harassment and abuse on the flip chart, highlighting the keywords.
3. Go back to the board, read the cards again and ask the participants to help you cluster similar cards with their consensus. If anything is missing, guide the conversation to bring out additional types of harassment and abuse.
4. More cards maybe added by encouraging the participants. On clustering similar cards, different types of harassment and abuse will emerge.
5. Write cluster headings and read them out to check whether all participants agree.
6. Present a visualized lecture on types of harassment, with the keywords written on VIPP cards.

Tips for Facilitators

- Encourage participation until all types of harassment come up. Link with the previous session's output so that it is easier for participants to relate. Guide the discussion so that issues of harassment and abuse emerge.
- Prepare a visualized lecture before the training so that no preparatory activity needs to be done during the session.
- In the visualized lecture, the presenter illustrates the main points with VIPP cards in a step-by-step manner. With this technique, the trainer can hold the attention of the audience and share information that can be kept for everyone to study and refer to throughout the training.

Note: Below is an alternative activity to demonstrate types of harassment.

Alternative Exercise: Types of Harassment and Abuse

Exercise 1

Role Play

1. Ask for six to eight volunteers. One of them (male) is to act as the supervisor and the others (male and female) as workers.
2. **The Situation:** After the lunch break, the supervisor receives an instruction from the production manager requiring workers to stay for three hours of overtime that had not been announced beforehand. He knows it is difficult to make each worker agree to stay when such decisions are communicated later in the day. He decides to use any measure necessary to make the workers stay. However, the workers may have prior plans, such

as taking a child to a doctor, attending a family ceremony, or some other urgent matter. The lack of notice makes it difficult to stay late.

3. Take the supervisor aside and instruct him that he has to make all the workers stay for the additional three hours. First he will try to convince them, then he will try to make them agree by showing that he cares for them. He will show affection to the ones who are not agreeing to stay, stroking their heads. If they do not agree, then he will get angry and shout at them.
4. Similarly, take all the workers and instruct them that they should act as they would on a day when it was impossible for some to stay. Even if some agree, one or two workers will be firm in their decision to leave after their regular shift.
5. After the role play, the participants make their observations and a discussion follows.
6. Questions for the facilitator to guide the conversation:
 - *Why did some workers refuse to stay?*
 - *How did the supervisor convince them to stay?*
 - *Are these ways considered appropriate in our culture?*
 - *This kind of attitude/behavior has a name; what is it?*

Exercise 2: Why, Why, Why?

Small-Group Exercise on Causes of Harassment and Abuse

1. The participants are divided into small groups of five or six persons, and each group is given one type of harassment or abuse and asked to discuss its causes.
2. The following question maybe used for the discussion:
 - *Why do you think harassment and abuse occur in the factories? What are the causes?*
3. After discussion, each group writes its answers as bullet points on flip charts. One representative should present the results to the full group.

Tips for Facilitators

-
- Explain that the exercise is not to test their knowledge or intelligence and that they should express their opinions freely and frankly. Clarify that there are no right or wrong answers.
 - Provide opportunities to ask questions after each group presentation.
 - Sum up the session by comparing the presentations, drawing out similarities and differences.

Key Messages

-
- Harassment and abuse can be of many types.
 - We can only protect ourselves if we understand properly what harassment and abuse are and what causes them.

Trainer's Guide/Handout

Handout on understanding harassment and abuse

Note: *Since the education level of participants varies from region to region, it is up to the trainer to decide how much written information will be given out to the workers as handouts.*

Materials

VIPP cards, markers, flip paper, push pins

4 Effects of Harassment and Abuse

Objectives

This session will enable the participants to understand that harassment and abuse in the workplace have a negative impact on the work environment. Specific goals:

- To understand that harassment causes stress and anxiety that affect victims' mental as well as physical health, and this, in turn, hampers productivity
- To understand the value of a proper complaint/grievance procedure

Methodology

Exercise: As I See It

Small-Group Discussion

1. The participants will be divided into small groups of five or six persons, and each group will be given one particular question for discussion.
2. Probable questions for the group work (one question per group):
 - *How do you feel when you are harassed or abused verbally by your boss?*
 - *What are the effects of harassment, immediate and long-term?*
 - *What is your immediate reaction? Do you usually express yourself, or keep your emotions inside?*
 - *What do you do when you understand that you are being harassed?*
3. Instructions for the group:
 - *Select a moderator in your group.*
 - *One by one, share your thoughts; the moderator writes them on a flip chart.*
 - *Select a participant from your group to present the output to the larger group.*
4. A discussion follows the presentations, with any new points added on a separate page of flip paper.

Tips for Facilitators

- Give adequate time for the participants to raise issues, ask questions, and come to a consensus.
- Small-group discussions offer a stimulating change that intensifies the exchange among participants. Divide the participants into a number of groups equivalent to the number of questions to be posed, which allows several issues to be dealt with at the same time.
- Groups should not be composed of more than eight people, so that everybody gets involved, and should be larger than three so there is a greater exchange of ideas.
- Groups may be formed through games that may act as energizers to stimulate participants.

Key Messages

- Participants will know that some of the effects of workplace harassment are obvious and visible (immediate), while others are invisible or less obvious (long term).

Trainer's Guide/Handouts

Effects of Harassment

Note: *Since the education level of participants varies from region to region, it is up to the trainer to decide how much written information will be given out to workers as handouts.*

Materials

Flip chart paper and markers

5. Dealing with Harassment and Abuse

Objectives

This session aims to build awareness among the participants about dealing with harassment and abuse, with particular focus on sexual harassment in the workplace. Specific goals:

- To familiarize the participants regarding the procedures adopted in the factory for dealing with harassment issues
- To know about the factory's written policy on harassment and abuse and that it should be communicated to all workers for proper implementation
- To discuss the relevant provisions of local labor laws
- To teach participants the roles and responsibilities of management and workers.

Methodology

Exercise 1: Knowing Your Way Out

Whole-group discussion for participant feedback on what procedures they follow in case of any kind of harassment and abuse.

1. The facilitator will ask the following questions for discussion:
 - *What happens after an incident of harassment or abuse occurs?*
 - *Is there any formal procedure in your factory that gives you the necessary support to deal with it? What is the procedure?*
 - *Are you confident that this is enough? How can this be improved?*
2. The facilitator will record the answers as bullet points on the flip chart. An overall picture of the mechanism of dealing with harassment and abuse will emerge.

Tips for Facilitators

- Write each question on a flip chart prior to the session to record the feedback from the full group. A participant may help with the writing, if necessary.

Exercise 2: Getting the Right Picture

Presentation for Whole Group

1. Presentation by an expert (the factory's HR manager or compliance manager) on formal grievance procedures, local law, the written anti-harassment policy of the factory and the roles and responsibilities of management and workers
2. Q&A session moderated by the facilitator

Tips for Facilitators

- Obtain the existing harassment policy and grievance/complaint procedures of the factory before the training.

Key Messages

- There are laws to protect workers from harassment and abuse.
- The factory must have a written harassment and abuse policy, along with formal and effective grievance procedures.

Trainer's Guide/Handouts

Handout on how to deal with harassment and abuse

Note: *Since the education level of participants varies from region to region, it is up to the trainer to decide how much written information will be given as handouts.*

Materials

Flip paper and markers



GRIEVANCES & WORKER COMMUNICATION

Given the nature and demands of the modern workplace, whether an apparel factory or a bank office, it is almost inevitable that disputes will occur among workers and between workers and management. Planning for and dealing with such disputes is the responsibility of management and, where they exist, workers' organizations. Without such efforts, an accumulation of small issues can easily escalate into major problems that could, in a factory context, result in strikes, low morale, or high turnover. This is exacerbated by the fact that many mid-level managers at factories may have the technical knowledge required to push production forward, but lack the "soft skills" necessary to effectively manage workers.

Among the variety of mechanisms for handling workplace grievances are clear rules and procedures for reporting and adjudicating disputes, and the establishment of channels supporting open communication and providing workers with a space to address their concerns. Improving communication among workers and with management is now considered an effective means of reducing the level of grievances and mitigating the impact of those that do occur.

To address these needs, workers' rights groups are increasingly running training on topics such as management skills, effective communication, and conflict resolution.

GRIEVANCES & WORKER COMMUNICATION

Case Study 1

BSR/CTI, China

SYNOPSIS

A factory in Southern China needed to refresh and improve use of its worker hotline. Previous efforts to set up a worker mailbox and other means of grievance management were received poorly for several reasons, including that workers did not know about the systems in place and that there was no understanding of what would happen after a grievance had been filed.

The factory established a committee composed of workers and management to develop the new grievance system. The group was thereafter used as a *de facto* platform for regular management-worker dialogue.

WHAT'S NEW

- **Worker-manager committee formed to address grievance.** The grievance system at this plant gave the committee a specific set of functions that required regular communication between workers and management.
- **Grievance process mapping.** The worker-management committee set up to develop a new grievance procedure worked together to map every step in the grievance process. This ensured that the process made sense to both workers and management and that a select group of workers could help reinforce with their peers how the grievance process worked.

Case Study 1—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Initial Review: The lead trainer spent time at the factory to understand what did and didn't work about the current hotline from the point of view of workers and management.	Previous hotline efforts had proven ineffective. Measures were needed to help the company assess whether the new system was a success and could be sustained over time.	How do you measure the effectiveness of the hotline?	Two approaches were taken: (1) surveyed staff to assess workers' knowledge of existing systems; (2) worked with management to build consensus on initial targets for number of complaints per month, percentage addressed, and response time.
Worker-Management Committee: A group of workers and managers (25 total) were selected to work together to analyze challenges in current systems—and to map out how to develop a new system that might be effective.	There was a clash in perspectives, with workers not fully understanding the view of managers, and vice versa. Getting each group to think through the issues facing the other was initially a major hurdle.	Potentially conflicting perspectives need to be addressed before any progress can be made.	Trainers facilitated small-group discussions in which workers and managers wrote their critiques of current systems and possible improvements. Each group then repeated the exercise from the other's perspective. Finally, a humorous role-play exercise mixed the groups as they enacted a grievance adjudication process.

Case Study 1—Process

APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Grievance Mapping: After small-group exercises helped to bring committee members together, they were asked to create a diagram mapping the life of a complaint: how to get workers to file a grievance, what happens to a grievance when received, who addresses the grievance, and what happens to address it.	The process of grievance management was complicated—when asked to map out the life of a complaint, several unexpected details unfolded and needed to be addressed.	At every step of a grievance, walk through the 5W+H (who, what, when, where, why, and how).	The larger steps involved in the grievance process were first agreed upon by the group. Then, for each step, staff were asked to think through all details of how that step should be managed. One innovation in the process: It was decided that a permanent worker-management committee would be established so there could be a regular review of how grievances were addressed. Worker representatives would be elected.
Policy Rollout	The fear again was that workers would not know about or use the new grievance system—and like the last one, it would be underutilized and ineffective.	How do you get information to more workers? How do you encourage them to participate in the process?	When the new grievance policy was rolled out, it was noted that the workers who had helped to design it were additional sources of information regarding the grievance processes—and that an election would be set up to select worker grievance committee members.
Regular Meetings of the Grievance Committee	There was a need to ensure that workers felt that the issues being raised through the new grievance system were being taken seriously. At the same time, the confidentiality of workers who filed complaints needed to be respected.	How do you make the process transparent and responsive while also maintaining worker confidentiality?	Elected members of the Grievance Committee met regularly with HR managers responsible for the grievance process. Without disclosing names, they used the opportunity to report back on total number of complaints and average response time. In addition, where relevant, HR took the opportunity to clarify company policies related to complaints that had been lodged.

GRIEVANCES & WORKER COMMUNICATION

Case Study 2

BSR/CTI, China

SYNOPSIS

Differences in culture, dialect, education level, and experience made it difficult for management to empathize with workers. Due to different communication styles, messages were often misconstrued and workers were offended by what they found to be abrasive management communication techniques. This project worked with the factory to create a course for managers to improve their communications skill and abilities as supervisors.

WHAT'S NEW

- **Self-evaluation modules.** To help managers understand that communication styles differ greatly among people, the trainer conducted

self-evaluation exercises with 50 of the factory's managers. People reported their findings—illustrating the diversity of ways that supervisors in the group conveyed and shared information.

- **Instruction tests/games.** To help supervisors see how well—or poorly—they conveyed and listened to instructions, supervisors were split into groups and asked to instruct others on a paper craft. The wildly different results showed the supervisors that communication skills require much more clarity and attention to detail than perhaps previously anticipated.

Case Study 2 – Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Initial Review: The lead trainer conducted an assessment of the challenges related to management communications at the factory, speaking to both workers and management.	Even after conducting a day of interviews with factory workers and managers, the lead trainer did not have a good understanding of all the factory's communications challenges.	Although it was not possible to uncover all communications difficulties, it was important to be aware of specific cases in which miscommunication had caused problems. These cases were analyzed and discussed by supervisors during training.	Instead of trying to understand all communications challenges, the trainer sought to uncover specific stories that demonstrate key challenges. These specific problems were then integrated into the training in the form of discussion questions for small groups to address.
Supervisory Skills Training: A group of 50 managers were selected for supervisory and communication skills training.	Factory management only permitted one full day of training for supervisors. Making training effective and engaging in such a short time span was difficult. To enliven the	How do you make the training design as relevant and interesting to attendees as possible?	The training personally involved the trainers—and through self-evaluations called out their own strengths and weaknesses in communication. Role plays and other

	programs, the training integrated role playing, self-assessments, real cases at the factory, and communication tips for speaking to different audiences.		exercises put their communication skills to the test, and only after attendees became invested in improving those skills did the training proceed to provide tips for communicating in the workplace.
Regular Meetings of the Grievance Committee	There was a need to ensure that workers felt that the issues being raised through the new grievance system were being taken seriously. At the same time, the confidentiality of workers who filed complaints needed to be respected.	How do you make the process transparent and responsive while also maintaining worker confidentiality?	Members of the Grievance Committee met regularly with HR managers responsible for the grievance process. In addition, where relevant, HR would take the opportunity to clarify company policies that related to complaints that had been lodged.

GRIEVANCES & WORKER COMMUNICATION

Case Study 3

The Asia Foundation, China

SYNOPSIS

This project involved improving a garment factory's working conditions and labor relations through a communication committee composed of workers and managers, and a third-party hotline. The hotline operator reports grievances received from the factory every month. In one particular month, most of the grievances received were about workers not being able to resign from the factory when they wanted to. The labor law provides that a worker may terminate his or her labor contract upon 30 days' prior written notice. However, the company did not want to lose these workers because of

a heavy production schedule and wanted workers to stay until the end of the year.

WHAT'S NEW

- **Engage worker representatives to discuss workers' grievances.** A communication committee meeting was held to discuss grievances and seek workers' advice on how to solve the mounting problems within the factory.
- **Think beyond the issue itself.** The issue is not only about allowing workers to resign freely, but also how the company should adopt measures to retain workers.

Case Study 3—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Initial Assessment: To understand the situation, the project team worked with the HR manager to ask resigning workers exactly why they wished to leave.	Information collected illustrated that workers resign for very trivial reasons. Many also indicated an ability to find better jobs elsewhere.	Whether to approve workers' resignations at this time is not the primary issue. Rather, it is how to prevent future resignations.	Interviews with resigning workers: The HR manager interviewed each resigning worker to understand his or her reasons and to create a record so that this data can be used to design policies to retain workers.
Formulation and evaluation of different options. The project team worked with the HR manager to identify possible solutions to reduce turnover.	Factory HR staff does not want to break the law by not approving resignations; however, they still want the workers to stay. It is not easy to find a win-win solution.	What are existing resources and systems that can help HR managers develop a strategy for retaining workers?	Engage workers representatives: The project team advised Human Resources to engage the workers' representatives to jointly solve the problem. This led to the following solutions: 1) different actions should be taken for different resigning reasons, and workers' resignations should be approved; 2) when workers want to leave for personal reasons, the company should grant leave so that they can return after handling their issues.

Case Study 3—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
New Policies and Incentives		<p>What are existing policies or measures that can help retain workers?</p> <p>What types of benefits might attract workers to stay?</p>	Seniority and performance bonus system: Worker representatives noted that workers often resign because they do not see the benefits of staying. The project team advised that it is important to have a seniority/performance bonus system to keep the skilled workers, in addition to improving working conditions as a whole. The HR manager agreed and determined the benefits/costs of such a system with technical help from the project team.
Dissemination/Publicity	Workers lacked a clear understanding of the company's wage structure and bonus systems.	What are the existing channels to reach workers?	Worker representatives are a device of dissemination: In addition to other ways to notify workers, such as the factory radio, bulletin board, and posters, the company also used worker representatives to disseminate new measures and policies regarding wages and bonuses.
Policy Implementation		How can the existing wage slip be improved to reflect the bonus clearly?	Separate payment of wages and bonuses: Bonuses are paid separately so that workers clearly understand the seniority and performance bonus system.

KEY TIPS

- **Engage workers in discussions of company policy.** This will help factory management make more informed decisions and help the workers feel a greater attachment to the workplace.
- **Identify and utilize various dissemination channels to reinforce messages.** In addition to typical communication channels, the company also uses worker representatives to disseminate the improvement measures and policies.
- **Engage top management from the start.** This is critical to institutionalize new policies.
- **Provide best practices.** This enables the company to learn and adopt good practices.

GRIEVANCES & WORKER COMMUNICATION

Case Study 4

Life Centre, Vietnam

SYNOPSIS

A factory of 2,000 workers faced difficulties in implementing its leave/resignation and grievance policies and procedures. Workers did not know whom to ask or where to go for information when they had questions or wanted to make an appeal. Workers' supervisors and HR staff were also ill-informed and often unable to respond to workers' questions related to these procedures.

WHAT'S NEW

The project team worked with both factory management and workers to identify

factors that prevented them from using the procedures effectively. An effort was made to convince factory management to make the leave/resignation application and the grievance procedures more user-friendly, enabling quick reading, convenient referral, and effective monitoring. These procedures were then communicated to all employees through a number of channels and reinforced after their launched. After one year of implementation, complaints about delays or lack of response to workers' queries or grievance saw significant reductions .

Case Study 4—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Problem Analysis: To identify the reasons for the ineffective implementation of the leave/resignation application and the grievance procedures, the project implementation team conducted group discussions with workers, some supervisors, and the HR staff responsible for labor-relations issues.	The challenges faced by factory managers were: <ul style="list-style-type: none"> - To ensure that all employees understand and comply with the leave/resignation application and the grievance procedures - To minimize workers' complaints while implementing the policies and procedures 	<ul style="list-style-type: none"> - What are workers' difficulties in understanding the leave/resignation application and grievance procedures? - What are the issues usually raised by workers related to these procedures? - What specific difficulties are faced by supervisors and the labor officer in responding to complaints related to these procedures? 	Adopted a participatory and consensus approach to solving the problem by involving workers and managers. Causes identified: Most policies were written in narrative form and were too long. As a result, many workers with limited education could not understand them. In addition, a large number of supervisors could not remember or did not have the time to read the policies thoroughly.
Conversion: Putting the policies and procedures into a user-friendly format for easy reading and comprehension	<ul style="list-style-type: none"> - The factory did not have the time and human resources to communicate these procedures to every worker. 	How to communicate such policies and procedures to both supervisors and workers in an effective and easy manner?	Discussions with workers and supervisors also brought about a decision to produce a booklet that itemized the contents of the policies, presented them in sections

Case Study 4—Process

APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
	<ul style="list-style-type: none"> - Management did not have the skills to communicate these procedures effectively to their supervisors. 		and in bullet points; and illustrated the procedures through diagrams in a step-by-step format for easy comprehension.
Communication: Disseminating policies and procedures through different channels	<ul style="list-style-type: none"> - The policies and procedures should be accessible and well-understood by all employees. - Supervisors and particularly the HR staff should master the material so that they can explain it and respond to workers' queries satisfactorily. 	<ul style="list-style-type: none"> - How to bring such policies and procedures to employee's attention - How to make these policies and procedures accessible and useful to all employees 	Four channels were used to communicate the re-formatted policies and procedures: <ul style="list-style-type: none"> - Training to all supervisors, co-facilitated by HR staff, ensured ownership. - The procedures were printed on large paper and placed in areas visible to workers (e.g., lunch area, parking lot, bulletin boards). - The team produced and distributed booklets on the policies and procedures. - Supervisors organized brief sessions with workers to introduce the booklets.
Feedback: Seeking reactions from workers and reinforcing the information		<ul style="list-style-type: none"> - How did the new approach actually work? - Did workers and supervisors find the new policies and procedures easy to understand? - How effective was the implementation of these policies and procedures? 	<ul style="list-style-type: none"> - Follow-up was done through factory visits, conversations with workers, and meetings with HR staff. - The comprehension of the new material was also reinforced through a competition organized for workers across production lines. - This included games: unscrambling the grievance procedure, naming the factory unit that handles leave applications, determining how long it takes to respond to a resignation case, identifying who is in charge of handling delays in response to grievance, etc.

KEY TIPS

- Identify difficulties faced by employees (both supervisors and workers) in complying with the policy/procedure.
- Work closely with management and workers on developing solutions.

- Ensure that supervisors and workers are aware of and understand the policies and procedures by communicating them through different channels.
- Follow up on how the new policies and procedures are received by employees. This can be done in a creative way, rather than via a traditional survey.

GRIEVANCES & WORKER COMMUNICATION

Case Study 5

Verite, China

SYNOPSIS

The trainer was engaged to work with a Korean-owned factory in China with an employee base of 1,200 Chinese workers. In previous years, the facility had suffered several strikes due to poor internal communication and ineffective grievance systems.

The last strike occurred because management had changed the wage system from hourly to piece rate without consulting workers. In the first two months after the reform, many workers' wages fell, and this led to a strike.

The project's objectives were to improve internal communication and to develop an effective worker grievance mechanism.

WHAT'S NEW

- Communication and grievance status survey on factory manager and workers
- Participatory communication workshop between factory management and workers
- Root cause analysis and group decision on an effective grievance mechanism

Case Study 5—Process			
Approach	Challenges	Issues to Consider	New Approach
Initial Assessment: Two-day assessment of factory communication and grievance status. Methods adopted: <ul style="list-style-type: none"> • Survey • Focus group • Management interview • Review of communication-related documents 	<ul style="list-style-type: none"> • Workers had little awareness of the negative impact of strikes on operations. They saw a strike as the most effective way to communicate with management, since previously this had resulted in their demands being met. • Foreign management cited cultural factors for the breakdown in communication. • The workers' union didn't play an effective role in facilitating dialogue between management and workers. 	<ul style="list-style-type: none"> • What cultural and language barriers might impede dialogue between Korean management and the Chinese workers? • What are worker perspectives on factory communication and grievance status? 	<ul style="list-style-type: none"> • Factory workers and managers were alerted that another strike would hurt business. • A focus group of union members, workers, and line supervisors was interviewed. • Trainers conducted a survey of workers to understand how well communication and grievance systems were working in the factory..

Case Study 5—Process			
Approach	Challenges	Issues to Consider	New Approach
Communication Workshop for Management and Workers: Participants were grouped by line workers, production management, top managers, HR staff, and union members.	<ul style="list-style-type: none"> • Worker representatives hesitated to share their opinions in front of factory managers. • Managers and workers couldn't communicate directly due to language differences. • Management was not open enough to issues brought up by workers. • Some concepts and methods were not understood by the workers. 	<ul style="list-style-type: none"> • What is the result of bad internal communication? • What issues are of most direct concern? • What are the major problems of current communication and grievance systems? • What are the solutions to the prioritized issue? • What is the win-win model for factory management and workers? 	<ul style="list-style-type: none"> • A communication workshop was held between different levels of factory management, union leaders, and representatives of front-line workers. • A participatory method was adopted to facilitate discussions between workers and management.
Training: Trainers worked with HR staff on developing an effective grievance mechanism.	<ul style="list-style-type: none"> • Management was not convinced the grievance system would effectively improve internal communication. • There was a lack of worker grievance policies and procedures. • Workers had no trust in the factory grievance system. Production management had no time to join the training. 	<ul style="list-style-type: none"> • What is the benefit of an effective factory grievance system? • What are the characteristics of an effective grievance system? • What are the key problems in the existing grievance system? • What are the solutions to these problems? 	<ul style="list-style-type: none"> • Developing a clear structure for handling worker grievances, including specific responsibilities • Analysis of the current grievance system and identifying solutions to the weaknesses • Setting up a management-worker committee to monitor worker grievances

KEY TIPS

- Convince management of the business benefit/value of effective internal communication.
- Identify perspectives of factory management and workers on internal communication and grievance status.
- Raise awareness among workers and management of the win-win model of communication.
- Unions, other relevant worker organizations, or worker representatives should be involved in the development and ongoing implementation of a worker grievance program.
- A clear grievance mechanism should be developed, paying particular attention to implementation structure.
- Whenever possible, a survey should be conducted (on a periodic basis) to monitor the improvement of internal communication and its impact on the business.

GRIEVANCES & WORKER COMMUNICATION

Case Study 6

Union Aid Abroad – APHEDA, Vietnam

SYNOPSIS

Union Aid Abroad – APHEDA worked with Better Work and the Vietnamese General Confederation of Labour (VGCL) to strengthen the capacity of trade union representatives in the apparel sector to engage with factory management.

The project was designed to improve in-factory bilateral communication by providing both a structure for cooperation (known as a Performance Improvement Consultative Committee), and skills training to let trade union representatives participate effectively. Working with the VGCL, APHEDA provided training to staff members of the provincial Federations of Labour (who in turn train union leaders), and to union leaders and trade union activists who are worker representatives.

WHAT'S NEW

Improving factory compliance and communication through Performance Improvement Consultative Committees (PICCs). The PICC is a new concept in Vietnam. It is a bipartite consultative

committee set up in a factory that joins the Better Work program to advise on how to improve compliance with the Vietnam Labor Law and core International Labour Organisation standards.

Using union relationships and mechanisms to deliver communication skills training. Union leaders and worker representatives often find themselves in situations that require good communication skills—however, this is rarely a focus of factory training.

Focusing on skill development as a way to improve communication and cooperation in the workplace. Setting up the PICC was not enough to ensure its success. Through training, the union representatives were able to improve their participation in the PICC process. In addition to communication and problem-solving, other key components of the training aimed to clarify the respective roles of union and employer representatives, as well as to reiterate that the PICC held an *advisory* role, while formal negotiations and agreements were still the responsibility of the union leaders and management.

Case Study 6—Process			
APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Developing the training curriculum: The training curriculum was developed with the Federations of Labour; Better Work Vietnam was consulted to help align the program with PICC requirements.	Better Work is new to Vietnam, and the PICCs are a new concept to employers, trade unions, and workers within Vietnam. A significant amount of education and communication was needed to build trust	Ensuring that the curriculum-development process was collaborative and that enough time was allocated to its joint development and revision. Guidelines for the	APHEDA introduced the issues, concept and training course of PICC through a pilot phase to allow time for it to be questioned, revised and eventually supported by all levels of the union. With hesitant union

Case Study 6—Process

APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
	<p>and buy-in.</p> <p>The curriculum had to reflect the needs of the trade union within the context of Better Work Vietnam.</p> <p>There is a risk that some employers may try to use PICC to replace negotiation processes involving the union leadership.</p>	<p>operation and limitations of a PICC need to be very clearly defined and understood.</p> <p>Line workers on piece rates may not be paid for attending training.</p>	<p>members, APHEDA emphasized the potential of this new consultative committee to achieve improvements in labor standards and help them gain skills that could be used more broadly in communication, negotiation, and dispute resolution.</p> <p>In the PICC guidelines, APHEDA included clear parameters for the role of PICCs as strictly advisory bodies, and an explicit agreement that no workers would forfeit their pay or positions due to their role as union representatives participating in the PICC.</p>
<p>Gaining management support:</p> <p>In the initial phase of the project, employers registered with this project separately from Better Work, and for the PICC training to occur, each employer had to be persuaded of the importance of facilitating the PICC training.</p>	<p>Getting factories to see the value of this training and to allocate time for workers to attend the training as paid work.</p>	<p>Time constraints due to peak work times in the industry.</p> <p>At times, some union representatives were unable to attend training due to work scheduling and factory labor issues.</p> <p>There are high levels of informal strike action occurring in the apparel sector.</p>	<p>To make the business case to factories, APHEDA emphasized the potential for improved labor standards and genuine consultation processes to reduce disputes and improve productivity and staff retention.</p> <p>Scheduling challenges were addressed by: scheduling training dates one year in advance and avoiding training during the peak production months.</p> <p>APHEDA also collaborated with Better Work Vietnam to integrate the negotiation with management training into the overall Better Work Program package.</p>

Case Study 6—Process

APPROACH	CHALLENGES	ISSUES TO CONSIDER	NEW APPROACH
Facilitating collaborative material development: APHEDA led the joint development of the curriculum and a guidebook for all union PICC members to assist them in these new roles.	Maintaining realistic expectations about the information and skills that can be taught in a one-day course. Obtaining final content approval of <i>all</i> parties involved in the curriculum development. Creating materials that were well-suited for trainees with a range of skill levels.	Having a mix of experienced and inexperienced union representatives. Conducting the training at an appropriate time in the PICC establishment process. Determining the ideal course participants: individual factory training versus combined training for multiple factories.	Focus on confidence building, problem solving, communication skills and flexibility within each course to address different learning needs. A range of interactive learning activities were included that catered to participants with different levels of experience. APHEDA set up a process for clarification and follow-up with PICC union representatives after the training, so that participants were able to seek further information and assistance as needed.

KEY TIPS

- Where possible, develop a relationship with the local trade union that represents the workers in the enterprise. This can help promote and maintain workers' rights and responsibilities and provide collective support for workers.
- Remain flexible regarding the time constraints of factory management while upholding the core objectives of this initiative.
- Ensure that the training is directly relevant to the project objectives and has immediate impact so that the employer sees the effect of the training and hence its value.
- Work closely with other relevant organizations so that they can offer support and improve coordination and sustainability.
- Even if your organization is not working on freedom of association, it can be beneficial to reach out to the local trade union. This contact may be simply to understand how they work and what they are doing, or it may be possible to identify opportunities to collaborate on training and capacity building, especially on communication.

GRIEVANCES & WORKER COMMUNICATION

Synthesis of Tips, Best Practices, Key Messages, Common Challenges

Key Topics

- Understanding of the grievance system
- How to effectively express grievances through in-factory systems
- How to address grievances outside of factory systems
- Steps in the grievance procedure (who files a grievance, who responds, etc.)
- Workers have a role in disseminating this information to other workers
- Factory policy
- Local laws

Key Messages—Workers

- Understand and use the proper grievance procedure/worker communication system.
- Don't let small problems become big ones—say something.
- Give management a chance to fix the problem.

Key Messages—Factory Managers

- Importance and benefits of an effective communication/grievance system
- How to communicate effectively with workers
- Different types of grievance mechanisms

Challenges

- Lack of trust in in-factory communication/grievance mechanisms
- Power imbalance between workers and managers, which prohibits participatory communication
- Need to work with factory management to ensure that the system is functioning prior to the training
- Lack of results from worker grievance systems may lead to workers not being interested
- Unwillingness to utilize external/independent mechanisms (e.g., hotlines)
- Lack of commitment

Best Practices

- Highlight existing communication problems in the factory
- Use real-life examples of effective communication mechanisms
- Emphasize potential liabilities and benefits
- Refer to existing communication problems in the factory
- Case study discussion
- Use games to demonstrate the importance of communication, and what happens when communication breaks down
- Group brainstorming
- Role plays, which provide more time for audiences/workers to “feel and digest”

GRIEVANCES & WORKER COMMUNICATION

Sample Materials

Verite, China

TRAINING CURRICULUM

1. Agenda

Time	Worker Communication and Grievances
10 minutes	Opening and Course Objectives Introduction
	Part 1: Worker Communication (155 Minutes)
20 minutes	Section 1: Importance of Effective Communication
95 minutes	Section 2: Organizational Communication Status
(20 min.)	Subtopic A: Content of Communication
(20 min.)	Subtopic B: Channels of Communication
(35 min.)	Subtopic C: Capacity of Communication
(20 min.)	Subtopic D: Effectiveness of Communication Programs
40 minutes	Section 3: Worker Feedback and Participation
	Part 2: Worker Grievances (135 minutes)
15 minutes	Section 1: Functions of a Worker Grievance Mechanism
30 minutes	Section 2: Channels for Reporting Grievances
40 minutes	Section 3: Analysis of Common Problems in the Grievance Mechanism
20 minutes	Section 4: Features of an Effective Worker Grievance Mechanism
15 minutes	Section 5: Rights and Obligations of Factory and Workers
15 minutes	Ending the course and evaluation

Opening and Introduction

- Introduce the training organization and trainers.
- Introduce the two main topics, grievances and worker communication, and their significance to workers.
- Introduce the course objectives, the key points that participants should remember afterward.
- Emphasize that the training includes many activities, through which every participant will be involved. Prizes will be distributed for participation.
- If there are fewer than 20 participants, the trainer may invite them to introduce themselves (name, department, number of years of service in the factory).

Part 1: Worker Communication

Section 1—Importance of Effective Communication

Game: Drawing by Direction

1. Materials

- Two pictures for participants to draw, of roughly the same difficulty.
- Flip chart pad (the artist will draw in front of the whole group)
- Markers

2. Method

- This game demonstrates the importance of clear communication. The trainer shows one participant a picture and instructs him or her to describe the image to another player, who must draw the image based only on the oral description. No one else may speak, and the person drawing cannot ask questions.
- In the second round, the process is repeated, but this time observers can speak, and the artist may ask questions.
- When the group compares the two results, it may be observed that the second picture came closer to the mark, underscoring the importance of clear communication and two-way dialogue.
- A key point: What you think you are expressing is not always what the listener comprehends.
- Apply these principles to production operations and emphasize that effective communication benefits factory operation, management, and workers.

3. Key Messages/Takeaways

- What you want to express might not be the same as others understand, therefore, bilateral communication is more effective than unilateral communication.

- Effective communication can minimize problems, misunderstandings, and waste. It can also reduce conflicts effectively.

4. Handouts

Printouts of any presentation materials (PowerPoint slides, etc.)

Section 2—Organizational Communication Status

- Ask the participants, “How do you assess a factory’s communication status?”
- Summarize the answers and tell the participants that they may check a factory’s communication status through coverage of necessary and relevant information (content), existence and use of various channels, communication skills, and whether communication methods are productive in helping the factory achieve its goals.

Subtopic A: Content of communication

Group Discussion—Paper Cards Activity

1. Materials

- Colored paper cards
- Magnets/tape (to affix cards to whiteboard, blackboard, wall, etc.)
- Markers

2. Method

- Divide the participants into four or five groups (six to eight members each). Group discussion: *“What are the main types of information that a factory should communicate with workers?”*
- Each group writes its thoughts on the colored paper cards (one card per discussion point).
- Each group then posts the cards for all to see.
- The facilitator summarizes the contents on the cards and then summarizes the main information that a factory should communicate with workers.

3. Key Messages/Takeaways

- The factory should inform workers of the relevant policies, requirements, laws and regulations.

4. Handouts

Printouts of presentation materials

Subtopic B: Channels of Communication

Activity: Onsite Survey

1. Materials

- The trainer prepares in advance the following survey (adjusted to suit the particular site), on flip chart or poster board large enough for the entire room to read:

	5	4	3	2	1
Communication channel					
Employee Handbook					
Bulletin Board, Notice					
Broadcasting					
Pre-work Meeting					
Hotline					
Suggestion Box					

- Markers

2. Methods

- Begin by asking the participants, “What are the communication channels that your factory uses?” Provide examples if needed. Praise the good practices that a factory uses in communication.
- Conduct an on-site survey of the participants’ opinions regarding the effectiveness of the factory’s existing communication channels, using the above survey form. Either the trainer or participants themselves mark their opinions; a 5 means “very effective,” 1 means “not effective, or useless.”
- If there are too many participants, save time by choosing only some of the participants for the survey.
- After the survey, present the results and conduct analysis and discussion.
- Conclude that no matter what communication channels the factory uses, the key point is to communicate the information clearly and ensure that the employees can understand.

3. Key Messages/Takeaways

- The factory should use multiple channels to communicate with employees.

- No matter what communication channels the factory uses, the key point is to communicate the information clearly and ensure that the employees understand.

4. Handouts

Printouts of PowerPoint slides or other presentation materials

Subtopic C: Capacity of Communication

Activity 1: Group Discussion—Analyzing Communication Failures

1. Materials

-
- Colored paper cards
 - Markers
 - Tape/magnets

2. Method

-
- Divide the participants into four or five groups. Discuss “the three most common reasons for communication failure.”
 - Write the answers down on the colored paper cards.
 - Stick the paper cards on the blackboard.
 - Summarize the answers and offers any missing reasons. Further explanation is given of those reasons that might be difficult for the participants to understand, such as “cultural differences,” and “inappropriate media.”

3. Key Messages/Takeaways

-
- There can be many reasons for communication failure. Understanding what some of the most common reasons are in the factory and knowing how to spot and respond to them will help improve communication.

Activity 2: Role Play

1. Materials

-
- Prepared script for role play (four copies)
 - Names of each role written on a separate piece of paper for participants to draw to select roles (other methods of selection may be used)

2. Method

-
- The trainer invites four participants to role-play. The scripts, which provide guidance but not exact dialogue, are shown only to the actors. The other participants are asked to observe carefully.

- Invite the participants to draw lots to determine who will play each of the four roles—Worker A, Worker B, Group Leader C, and Group Leader D.
- Distribute the scenario scripts to the actors and give them three minutes to get ready.
- **Scenario 1:** Worker A comes to the group leader’s office to ask for leave

Script for Worker A: Worker A goes to the group leader to ask for a leave, citing a family emergency. He has asked for leave several times before, but the group leader always refused his requests on the grounds of a manpower shortage. This time, Worker A is quite positive that the group leader will approve his request.

Script for Group Leader C: Group Leader C is cold and dismissive. He is assigning work and making phone calls during Worker A makes his request. He does not listen to Worker A’s reasons for asking for leave. During the conversation, he interrupts Worker A several times, and at the end of the conversation, he speaks harshly to Worker A, refusing to grant leave because there’s too much work to do.

- **Scenario 2:** Group leader D corrects Worker B’s infractions during an onsite inspection.

Script for Worker B: B is a new worker who has worked at the factory for only a few days. She has been busy with work and has been provided with little training. She is not quite aware of the operation procedures and the factory’s regulations.

Script for Group Leader D: Professional in tone and attitude. Group Leader D asks Worker B whether she is aware of the relevant regulations and whether she has accepted any related training, then listens to B’s explanation. Group Leader D tells Worker B the possible consequences of violating the proper operation procedures and the factory’s relevant regulations.

- After the role plays, ask workers A and B to share their feelings, and then ask the observers to share theirs. Ask participants about the body language they observed, and analyze the effects that different body language produced. Direct the discussion to “the three key points of effective communication”: the message, body language, and attitude or tone. Make connection between each point and the scenario in the role play or the factory’s actual situation. Invite workers to share their own experiences.
- Close by emphasizing that effective communication is to finish the communication task without any harm to the relationship.

3. Key Messages/Takeaways

-
- The major reasons for communication failure: inappropriate methods and skills; multiple communication layers; inappropriate time, location, and styles.
 - The effects of communicating the same message with different attitudes and tone are totally different. Sometimes how you say it is more important than what you say.
 - The communication “triangle”: active listening, confining the discussion to the matter at issue, and paying attention.
 - Good communication achieves the communication goals without harming the relationship.

4. Handouts

Printouts of any presentation materials

Subtopic D: Effectiveness of Communication Programs

Game: Passing Notice

1. Materials

- Names of each role written on a separate piece of paper to be drawn to assign roles (other method may be used)
- A short, production-related notice, prepared in advance and including some numbers

2. Method

- Open by asking the question, *“If the members of the organization have good communication skills, is it enough to guarantee the effectiveness of communication?”* Allow the participants to ponder, and then ask them to observe a game.
- Invite five members to play the “Passing Notice” game. They draw lots to assign the roles—general manager, production manager, workshop director, group leader, and worker.
- Show the notice to the general manager, who orally communicates the content to the production manager, who passes it on to the workshop director, and so on.
- Ask the worker to tell the whole group what the notice is.
- Read the original notice and compare it with the worker’s version.
- Guide the participants to reflect on the reasons for the differences, and how to improve communication. Studies show that most information will be misrepresented or distorted in the process of organizational communication, which affects the effectiveness of organizational communication. All successful communication relies on “continuous feedback.”

3. Key Messages/Takeaways

- Most information in a factory’s communication is misrepresented or misunderstood. Therefore, workers’ participation and feedback is important to ensure the effectiveness of communication.
- The factory should seek workers’ feedback and make continuous improvements.

4. Handouts

Printouts of any presentation materials

Section 3—Worker Feedback and Participation

Activity: Group Discussion—The Factory’s Communication Problems and Solutions

1. Materials

- Presentation materials (PowerPoint slides, prepared flip-chart pages, etc.)
- Flip chart
- Markers

2. Method

- Initiate a group discussion to identify the factory’s communication problems and find solutions based on the workers’ participation styles.
- Explain that including workers in the communication loop would help the factory to improve operational effectiveness and improve labor relations.
- Introduce the four levels of worker participation: Information sharing, opinion seeking and feedback solicitation, consultation in decision making, and joint decision making. Use practical examples of the factory to illustrate each level. If the factory has already had worker participation, ask the participants to analyze its benefits.
- Create small groups and ask them to discuss and answer questions. Write the answers on the flip chart. Remind the participants to consider workers’ different participation levels.
 - *What are the factory’s main problems in worker communication?*
 - *Which problems may be resolved through worker participation?*
- If time allows, trainer may choose one or two groups to share their discussion results.

3. Key Messages/Takeaways

- There are four levels of worker participation and factories should utilize all of them :
 - Information sharing
 - Opinion seeking and feedback solicitation
 - Consultation in decision making
 - Joint decision making

4. Handouts

Printouts of any presentation materials

Part 2: Worker Grievances

Section 1—Functions of a Worker Grievance Mechanism

Game: Blowing Up the Balloon

1. Materials

- Balloons (at least one per participant)
- Flip chart
- Markers

2. Method

- Participants are invited to play the game Blowing Up the Balloon, which guides them in thinking about the effects of pressure in an environment.
- Give everyone a colored balloon.
- Ask everyone to blow up the balloons, without stopping (until the balloons burst).
- Discuss grievance mechanisms and their ability to reduce pressure in the work environment.

3. Key Messages/Takeaways

- Just as a balloon bursts from too much pressure, workers and the factory environment need mechanisms to release mounting pressures.
- Worker grievance mechanisms provide a “bottom-up” means of communication to allow workers to report problems and seek resolution.
- Effective grievance mechanism can reveal and relieve underlying tensions to raise workers’ satisfaction and help to keep communication between management and workers productive and smooth.

4. Handouts

Printouts of any presentation materials

Part 2: Section 2—Channels for Reporting Grievances

Game: Jigsaw Puzzle/Instant Survey

1. Materials

- One six-piece puzzle per group
- Flip chart
- Markers/colored pens (enough for each group)
- Tape
- Pie chart, pre-drawn on flip-chart paper, showing the factory’s existing grievance channels
- Colored stickers/Post-It notes

2. Method

Jigsaw Puzzle:

- Trainees are divided in groups to do jigsaw puzzles to find the main areas in the factories most easily arousing dissatisfaction.
- Each group is asked to discuss: *“What practices in the factories cause workers’ dissatisfaction?”*
- Find six major practices and write each on a puzzle piece.
- Put the puzzle pieces together on the flip chart.
- Collect and summarize the ideas put forward by participants.
- Ask: *“What channels can be used to report a worker’s discontent with something in the factory?”* Summarize participants’ answers, and give credit to those good grievance channels provided by factories.

Instant Survey:

- Use an instant survey to let trainees evaluate the effectiveness of the grievance channels widely used in factories by showing the pre-drawn pie chart of their factory’s grievance channels.
- Invite trainees to place colored stickers on the channels they believe to be most often used and most effective. (The chart may be turned away from the group so that each participant can “vote” privately.)
- After everyone has “voted,” summarize and reflect on the most effective channels identified.

3. Key Messages/Takeaways

- Worker grievance channels that most commonly exist in factories.
- Discuss the channels existing at this particular site.

4. Handouts

Printouts of any presentation materials

Part 2: Section 3—Analysis of Common Problems in Grievance Mechanisms

Case Study: Problems in Factory A’s Grievance Mechanism

1. Materials

- Handouts (case study, see below)
- Flip chart
- Markers/colored pens

2. Methods

- Distribute the case study handout and ask participants to read and discuss it in groups.
- **The case:** Factory A pays piece-rate wages. Workers in the third line of the sewing workshop feel that the leader is unfair in assigning work, allocating work that is easy to do and with a high unit price to his relatives and fellow villagers. He also punishes slow workers or those who make mistakes in sweeping the floor, and even imposes fines. Anyone can be employed as long as they pay him some money. One worker who was fined put a letter of complaint in the suggestion box, but did not sign his name out of fear. The letter produced no action. He later happened to learn that the factory never acts on anonymous complaints. Some older workers who had made complaints through the suggestion box said that these submissions often failed to achieve results. In some cases, complaints were transferred to the direct supervisor, so workers are now afraid to complain for fear of retaliation. Even workers who have been working in this factory for several years do not know which department is in charge of worker complaints or specific grievance procedures. Because of all this, workers are unwilling to make complaints, and morale is low.
- The main problems in the case are: lack of grievance policy, no specific department/staff assigned to be in charge of implementation, insufficient worker training, lack of policy and channel for anonymously reporting violations, no follow-up on grievances, an unreasonable grievance handling procedure, and lack of protections for privacy and against retaliation.
- Discussion in groups:
 - *What are the main problems in the factory's grievance mechanism?*
 - *What features do you think a good grievance mechanism should have? (Or what grievance mechanism can make workers willing to give advice and feedback?)*
- Invite one or two groups to share their discussion results.
- Based on the discussion, summarize the principal features of a good grievance mechanism.

3. Key Messages/Takeaways

- Features of an effective worker grievance mechanism:
 - Simple and convenient to use
 - Grievances are handled in a timely manner
 - Authoritative
 - Protections for privacy and against retaliation

4. Handouts

Printouts of any presentation materials

Part 2: Section 4—Features of an Effective Worker Grievance Mechanism

Contest: Five Elements of a Good Worker Grievance Mechanism

1. Materials

- Colored paper
- Markers/pens (enough for everyone)
- Tape
- Prizes

2. Method

- Divide trainees into five groups. Ask them to think about the features of a good grievance mechanism, assigning one group to each of these subtopics:
 - Policy
 - Procedure
 - Implementation
 - Communication and training
 - Recording and documentation
- Each group has five minutes to write responses on colored paper, one sheet of paper per response. Explain that each valid response will count as one point, and the group with the most points will win a small prize.
- Collect the responses and group them on the wall, white board, or flip chart.
- Analyze the main answers and calculate points.
- The group that gives the most valid answers wins and receives small prizes.
- Combining these results with the case study, the trainer may stress the value of an anonymous grievance mechanism. The factory should maintain a telephone hotline or web-based reporting system that allows employees to anonymously report violations. Employees should use it appropriately, and it should not be abused.

3. Key Messages/Takeaways

- A good worker grievance mechanism includes: a clearly written policy, a responsible person and department, adequate communication on the relevant content, effective implementation, and statistics and documentation of incidents.

4. Handouts

Printouts of any presentation materials

Part 2: Section 5—Rights and Obligations of Factory and Workers

Brief Presentation: Rights and Obligations of Management and Workers

1. Materials

- Presentation materials (PowerPoint slides, prepared flip-chart pages, handouts, etc.)

2. Presentation

- Share a challenge in implementing a grievance mechanism that has been brought up by many factory supervisors: *“Workers overstress their rights but ignore their obligations.”* Ask the participants, *“What are the rights and obligations of the factory and its workers?”*
- Sort out the answers and summarize as follows: *“The factory’s rights are its workers’ obligations, and the workers’ rights are the factory’s obligations.”* The factory has the right to punish workers for not fulfilling their duties, and workers have rights to complain if the factory neglects its obligations.
- Since the long-term and fundamental interests of the both sides are the same, how can they achieve a win-win result? Summarize trainees’ answers in a sentence: *“Each side should put itself into the other’s shoes, as well as adhere to the basic principles deriving from laws and regulations, brands’ requirements, and factory rules agreed upon by both sides beforehand.”*

3. Key Messages/Takeaways

- The factory’s rights are its workers’ obligations, and the workers’ rights are the factory’s obligations. The factory has rights to punish workers for not fulfilling their duties, and workers have rights to complain if the factory neglects its obligations.

4. Handouts

Printouts of any presentation materials

Ending and Evaluation

- Before the end of the training session, review the main points. Questions may be asked, and if a fellow participant can provide the answer, he or she is awarded a prize.
- At the end of the training, trainees are invited to fill in evaluation sheets.

PART 3:
EVALUATING THE IMPACT OF WORKERS'
RIGHTS PROGRAMS



MEASURING IMPACT

At the 2009 Levi Strauss Foundation grantee convening, the group concluded that *“a clear business case for workers’ rights and responsibilities will make a program easier to introduce, implement, and sustain for any factory. And a clear emphasis on program impact will ensure that programs are sharply focused on improving the lives of workers.”*

With the same conviction, the Foundation’s grantee convening in 2011 continued to discuss the importance, current methods, and limitations of impact measurement. This section provides a snapshot of the current state of impact measurement—and how far it still has to go.

WHY IS MEASURING IMPACT SO DIFFICULT?

Measuring the impact of a training program is challenging for the following reasons:

- **Change takes time.** Training sessions usually take place over six to 12 months, and it can be difficult to measure change in such a short period. Trainers typically conduct a baseline survey at the start of an intervention and another survey at its close. This short-term focus allows trainers to measure training output (e.g., number of workers trained) but not outcome (e.g., change in worker knowledge or supervisor attitude). To measure actual impact, trainers need to capture change over a longer time period, but lack buyer engagement, resources, and factory willingness to do so.
- **The workforce is not stable.** High turnover rates and limited worker participation in training sessions mean that it is difficult to sustain any impact achieved, let alone measure it. To keep training information alive and available within a factory, trainers often utilize peer education models. Trainers report that even if the factory allowed them to return every six months to conduct an impact assessment, it is unlikely that the workers who had been originally trained would still be there.
- **Management systems may not capture the information you need.** Factory management systems may not be sophisticated enough to capture the information needed to measure impact. It is common for records of work hours and payroll to be manually kept, lacking the level of detail or consistency needed to track the impact of training interventions on business performance.
- **Limited expertise.** Worker rights trainers are not researchers and often don’t have the expertise to conduct robust impact

measurement. Moreover, given the reluctance of factory management to disclose “too much” information, trainers need to prioritize their time and emphasis to focus on training as opposed to data collection.

- **Direct causation can be difficult to prove.** While there are studies that show positive correlations between improving working conditions and productivity, absenteeism, and turnover, demonstrating direct, conclusive causation remains extremely difficult due to the complexity of factors influencing these indicators.
- **Outcome measures are difficult to capture.** Most of what passes for evaluation data focuses on process indicators (e.g., number of attendees at a session). While this information can be used as an input to the evaluation process, it does not by itself provide a useful measure of impact. But outcome measures that are informative are difficult to identify and measure, and this is in part because they are often behavioral in nature and not susceptible to easy categorization and/or measurement.

WHAT *EXACTLY* ARE WE TRYING TO MEASURE?

Worker rights training aims to achieve the following outcomes:

- **Workers** know their rights and responsibilities, they are protected, have safe and fair working conditions, are confident and good communicators.
- **Line supervisors** uphold workers’ rights, have good management and communication skills, are responsive.
- **Factory managers** see value in providing training to workers on issues that promote their overall well-being and professional/personal development. Management sees workers as an asset and key to the success of their business operations.
- **Business** performance improves due to a more satisfied and functional workforce.

This vision of success is important to keep in mind as we reflect on current and aspirational indicators for impact measurement and methods.

Currently, buyers and factory management place a significant emphasis on establishing the “business case” for workers’ rights training. This results in additional pressure on under-resourced training organizations (that are already struggling to rally reluctant factory managers and tired workers), and places a disproportionate focus on a narrow piece of the larger impact that trainers are trying to achieve. It is therefore important to recognize and measure the social impact of workers’ rights training in addition to establishing (to the extent possible) a business case.

In fact, some training topics—e.g., wages and contracts—may help create better working conditions but might not have any direct bottom-line benefits to factories. This does not make this work any less relevant.

CURRENT APPROACHES TO MEASUREMENT

The table below represents the assessment/evaluation tools that trainers who attended the January 2011 convening currently use to measure impact.

Phase	Tools	Objective
Pre-training	<ul style="list-style-type: none"> • Baseline assessment • Trainee knowledge test • Simple statistics from factory: absenteeism and turnover 	<ul style="list-style-type: none"> • Understand factory context, challenges, and priorities • Understand workers' baseline knowledge of topics and interests/needs
During training	<ul style="list-style-type: none"> • Participant evaluation • Trainee knowledge test 	<ul style="list-style-type: none"> • Get feedback on training delivery • Test understanding of topics
Post-training/Project close	<ul style="list-style-type: none"> • Evaluation survey • Self-assessment questionnaires • Ad-hoc interviews/visits • Simple statistics from factory: absenteeism and turnover 	<ul style="list-style-type: none"> • Evaluate factory satisfaction • Test short-term knowledge retention • Measure impact on simple statistics such as turnover and absenteeism

Leading Efforts

Better Work is a unique partnership between the International Labour Organization (ILO) and the International Finance Corporation (IFC) dedicated to reducing poverty and providing a fair framework for globalization in developing countries. Better Work engages international buyers, labor unions, factory managers, and workers, and includes a comprehensive process for assessment, remediation, and in-factory training tools to improve factory performance against international labor standards.

Better Work believes that credibly measuring impact requires special effort and particular tools, and is collaborating with a multidisciplinary team of researchers based at Tufts University who have developed a rigorous methodology to measure the impact of Better Work. The baseline survey and computer-based survey instruments were developed by Tufts researchers and are being implemented by local partners.

For each factory, baseline data include computer-based surveys with four members of the management staff (such as the general manager, chief financial officer, production manager, factory manager, human resources manager, and the industrial engineer) and surveys of 30 workers randomly selected from the factory's roster of production employees. Baseline data collection began in 2010 (in Vietnam and Jordan.)

In Vietnam, Nicaragua, and Indonesia, Better Work has an unprecedented opportunity to measure impact through a controlled experiment. Taking advantage of the phased program rollout process, the study will compare indicators across factories that have and have not undergone intervention. Rigorous analysis of indicators from both groups, collected through worker surveys, enterprise surveys, and buyer surveys, will aim to demonstrate relationships between Better Work interventions (after they take place) and economic, social, and human development outcomes.

TYPES OF INDICATORS

Today's metrics center on training inputs (e.g., number of worker training sessions and topics covered) as opposed to measuring training outcomes (such as changes in workers' lives and management's attitudes). A detailed set of currently measured indicators form the basis of a baseline assessment tool¹⁴ that can be adapted for use.

Measurement indicators fall into the following categories:

- **Training Inputs/Activities.** These are a set of basic indicators that measure the input, design, and direct output of the training itself. Most workers' rights training currently focuses its measurement on these types of process indicators:

Training Inputs/Activity Indicator Examples

- **Number of training sessions conducted**
- **Number of workers trained**
- **Topics covered**
- **Hours/money spent**

- **Business Case.** These indicators attempt to quantify the business benefits of implementing a workers' rights training program—as well as identify and measure potential risks associated with not addressing particular topics. While many trainers aspire to articulate the business case to factory management, collecting robust metrics can be limited by factory systems, trainer capacity (in terms of both time and expertise), and duration/scope of a training program. Examples of indicators include:

¹⁴ The baseline assessment tool can be found on page 127. The Asia Foundation, Better Work, Apheda, and Nazneen Huq contributed to this document.

Business Case Indicators		
Frequently Used <i>Commonly used indicators – most factories are able to readily provide these</i>	Risk Related <i>Less frequently captured indicators that can demonstrate or monetize avoided risk</i>	Aspirational <i>Can be difficult to capture due to complexity and longer time-frame needed</i>
<ul style="list-style-type: none"> • Turnover rate • Absenteeism • Tardiness • Accident/injury rate • Product reject rate • Rework rate 	<ul style="list-style-type: none"> • Estimated cost of a strike • Legal fees and fines of labor violations 	<ul style="list-style-type: none"> • Productivity • Customer sales/relations • License to operate

- **Social Impact.** In pursuit of the vision outlined earlier, indicators that capture social impact are the least developed and most central to what we aim to achieve. These outcome-based indicators focus on behavior change and the impact on workers' lives, society as a whole, and the overall development agenda, and are currently an aspiration and difficult to quantify.

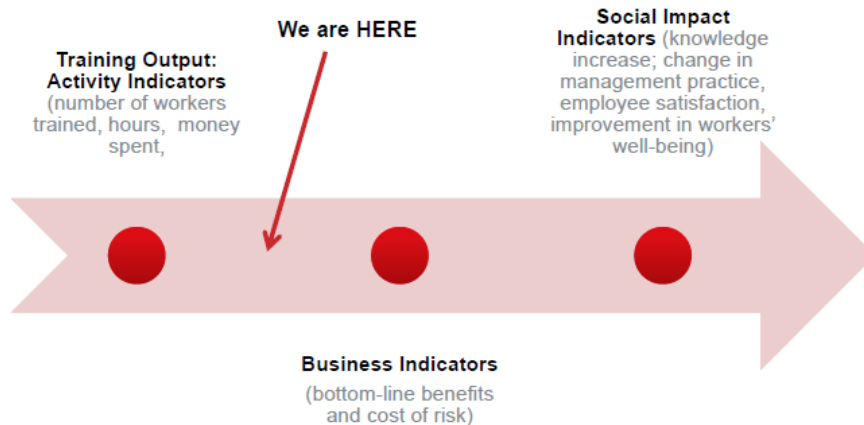
Social Impact Indicators		
Current Process <i>Indicators that measure activities that may produce or indicate a desired outcome</i>	Current Outcome <i>Outcomes that are currently measured—they have limited ability to adequately measure the overall impact on the worker's health, happiness, and well-being</i>	Aspirational <i>Indicators that would tie training interventions to longer-term individual and community development goals</i>
<ul style="list-style-type: none"> • Wage increases • Worker-manager committee meetings 	<ul style="list-style-type: none"> • Number of grievances raised and addressed • Changes in worker, supervisor, and management satisfaction (survey) • Internal promotion rate • Understanding of rights and responsibilities • Worker health (e.g., average weight, number of sick days) 	<ul style="list-style-type: none"> • Financial mobility and literacy of workers • Indicators aligned with UN Millennium Development Goals¹⁵

In addition to the types of impacts represented by the indicators above, some impacts do not lend themselves to quantitative measurement. For example, workers' gaining confidence and feeling more empowered can be readily observed through their participation during trainings and through their own testimony. Improvement in workers' living conditions can be seen through photos and videos better than it can be reflected through a checklist that measures emergency exits and number of toilets per worker.

¹⁵ UN Millennium Goals are: End Poverty and Hunger, Universal Education, Gender Equality, Child Health, Maternal Health, Combat HIV/AIDS, Environmental Sustainability, and Global Partnership.

There is room to improve current methods and metrics for measurement as well as to explore ways to use multimedia and other delivery mechanisms to deepen impact.

Measurement Evolution



CALL FOR COLLABORATION

There is a strong need to develop a more targeted and effective approach to measure impact—in particular, understanding best practices on a number of fronts: what impacts/indicators should be measured, how they should be measured, who should measure them, and what purpose they are intended to serve.

While workers' rights training organizations lack expertise in this area, they continually face the challenge of not only delivering the training, but also being called on to measure and demonstrating its value to factory managers and the international brands that fund them. As these international companies fund in-factory training programs, there is a clear need and opportunity to direct resources and collaborate to understand and improve the impact of those investments and the lives of the workers who benefit from them.

BASELINE ASSESSMENT TOOL

Part 1: Worker Baseline Assessment

SECTION A: BASIC PERSONAL INFORMATION

1. Name:
2. Gender:
3. Birthdate (year, month) or age:
4. Level of education/literacy
 - i. Ability to read/write (illiterate/low/proficient)
 - ii. Primary school (partial or completed)
 - iii. Junior secondary school (partial or completed)
 - iv. Senior secondary school, (partial or completed)
 - v. Secondary technical school (partial or completed)
 - vi. Junior college and higher (partial or completed)
5. Residence
 - i. Where/how far from the factory do you live?
 - ii. What type of housing do you live in?
 1. Factory dormitory
 2. Apartment
 3. Other
 - iii. What province or country are you from?
6. Family
 - i. Marital status
 1. Single
 2. Married
 3. Divorced
 4. Widowed
 - ii. Do you have children?
 1. If yes, how many?
 2. Where do they live?
7. Work history
 - i. When did you begin working at this factory? (Year, month)
 - ii. How did you find employment this factory?
 - iii. How many other factories have you worked in previously?
 - iv. For how many years have you been working in total?
8. Position/role in factory
 - i. Production worker
 - ii. Office/clerical
 - iii. Low-rank managerial staff (e.g., supervisor, line chief)
 - iv. Other—please specify (e.g. cutting, quality control, packing, etc.)

SECTION B: WORKING CONDITIONS

Contracts

9. Have you signed a written contract with this factory?
 - i. Yes
 - ii. No
 - iii. Don't know
10. If you signed a contract,
 - i. Do you have a copy?
 - ii. Do you know what is covered in the contract?
 - iii. What type of contract is it?
 1. Fixed term (fixed-duration contract)
 2. Indefinite term (undetermined-duration contract)

Wages, Benefits, and Working Hours

11. How is your wage calculated?
 - i. Piece-rate
 - ii. Daily
 - iii. Hourly
 - iv. Monthly
 - v. Other
 - vi. Don't know
12. What was your average monthly wage during the past six to 12 months?
13. Do you know whether your wage meets the legal minimum?
 - i. Do you know what the legal minimum wage is?
14. What social safety nets/benefits are you enrolled in?
 - i. Industrial injury/disability
 - ii. Medical care
 - iii. Old age/retirement
 - iv. Unemployment
15. How frequently and by what method are you paid?
 - i. Do you receive a pay stub/slip that includes your wage and hours worked (both regular and overtime) during the payment period?
16. Working hours
 - i. How many total hours do you typically work in one week?
 1. Do you keep track of your hours worked (regular and overtime)?
How?
 - ii. Do you receive a higher wage for working overtime and night shifts?
 - iii. Is overtime voluntary?
 1. Yes

- 2. No (If no, please explain what was said or done that made you think you did not have a choice about working overtime.)
- 3. Don't know
- iv. Do you think that the breaks (for drinking water, rest, toilet, lunch, etc.) during working days are:
 - 1. Very insufficient
 - 2. Insufficient
 - 3. Sufficient
 - 4. Very sufficient
- v. How frequently do you take rest days?

17. Leave

- i. Do you know how much leave (and what types) you are entitled to?
 - 1. Are you entitled to maternity leave? If yes, what is the policy (in terms of duration, pay, etc.)?
- ii. Are you aware of the procedure for requesting and taking leave?

Trade Unions/Worker Organizations

18. Do you belong to a trade union?

19. If you are a union member, for what reasons did you join?

- i. Social/sporting activities
- ii. Trade union protection
- iii. Trade union supported issues
- iv. Other workers/friends joined
- v. Assistance in times of difficulty (financial)
- vi. Improvement of working conditions (please specify)
- vii. Everyone in enterprise is required to be a member
- viii. Other (please specify)

20. If you are not a union member, for what reasons did you not join?

- i. Can't afford fees
- ii. Union is ineffective
- iii. Don't think union represents members
- iv. Had a bad experience with union previously
- v. Don't believe in unions
- vi. Union doesn't involve members in decisions (lack of transparency)
- vii. Did not know it was an option
- viii. There is no union in my factory
- ix. Discouraged by management
- x. Other (please specify)

21. If you are not a union member, are you a member of another organization/worker committee (please specify)?
22. If you are part of a union and/or another worker organization, how often do you meet as a group and with management?
 - i. Does the factory provide time and space for you to participate in these meetings?
23. Do you know whether there is a labor collective-bargaining agreement in this enterprise?
24. What is your perception of the role of the trade union?
 - i. What do trade unions do for the workers?
 - ii. What *should* they be doing?

Harassment, Discipline, and Discrimination

25. If workers do not meet employment expectations (such as arriving to work on time), are there established (and escalating) disciplinary procedures?
26. Are the process and criteria for decisions about wage increases, bonuses, promotions, special permissions, etc., established and understood?
27. In the last year, have you or anyone you know been subject to any of the following types of unwelcome treatment or attention from a peer, line supervisor, or manager while in this factory?

Behavior Examples	Yes	No
Verbal abuse (shouting, swearing, rudeness)		
Physical abuse (hitting, slapping, pushing)		
Unwelcome sexual/gender comments		
Sexual touching (including bra-snapping, body touching, etc.)		
Other (please specify)		

If respondent answers YES to any of the above, ask whether he/she feels comfortable explaining what occurred. Please try to obtain the following:

1. Was the incident reported? On what date?
2. Date(s) the incident occurred:
3. The exact nature of the complaint:

4. The employee's name or line and the name of the line supervisor, clinic staff, or responsible person:
5. Date and nature of any discipline imposed:

Working Environment

28. Health and safety

- i. Do you think that working conditions are safe?
 1. Please describe why or why not, and what could be done to make working conditions safer.
- ii. Do you think working conditions are comfortable?
 1. Please describe why or why not, and what could be done to make working conditions more comfortable.
- iii. Have you ever been injured or become ill while at the factory?
 1. How/where did you seek medical assistance?

29. Emergency preparedness

- i. Do you know what to do in case of a fire or other emergency?
- ii. Have you been trained on what to do in case of an emergency?

Grievances and Worker Communication

30. Are there mechanisms for worker-management communication? (Interviewees should comment on which types of communication mechanisms exist, and which they would prefer to use.)

Types of Mechanism	Yes	No	Prefer
Express grievance directly to team leader/line supervisor			
Express grievance directly to middle managers			
Express grievance directly to top managers			
Express grievance anonymously (letter, hotline, etc.)			
Employee welfare officer (factory-employed)			
Trade union			
Trade union-management committee			
Worker-management committee			
Communication team			
Human Resources representative			

Suggestion box			
Employee hotline			
Other			

31. Have you used any of these mechanisms? Why or why not?
32. If you have a problem or concern, do you feel that you can voice it to someone who will respond?
33. Do you think that the following managers are responsive to (care about) your concerns (in comparison to other factories)?

	Very unresponsive	Relatively unresponsive	In the middle	Relatively responsive	Very responsive
Team leader/line supervisor					
Middle managers					
Top managers					
Employee welfare officer					

34. How would you rate your relationship/interactions with the following managers in the factory?

	Very poor	Relatively poor	In the middle	Relatively good	Very good
Team leader/line supervisor					
Middle managers					
Top managers					
Employee welfare officer					

35. How would you rate relations between the workers (in general) and the following managers in the factory?

	Very poor	Relatively poor	In the middle	Relatively good	Very good
Team leader/line supervisor					
Middle managers					
Top managers					

SECTION C: JOB SATISFACTION AND PRODUCTIVITY

1. Overall, how satisfied are you with the working conditions in this factory?
2. How satisfied are you with specific working conditions?

Working Conditions	Ranking (1-5; 1=lowest, 5=highest)
Length of working hours	
Wages	
Contract	
Health and safety training	
Breaks during day	
Workplace safety	
Workplace comfort	
Respectful environment (lack of abuse/harassment)	
Social insurance	
Relationship with coworkers	
Relationship with direct supervisor	
Relationship with middle management	
Relationship with top management	
Food	
Housing	
Professional development opportunity	
Personal development opportunity	

3. Do you have any major problems related to working conditions in this factory?
 - i. Please list your three most serious problems.
4. Under current working conditions, do you intend to stay in this job for a period longer than six months (barring unforeseen circumstances)?

- i. Very unwilling
- ii. Probably not
- iii. Not sure
- iv. Probably
- v. Very willing

5. What currently motivates you to stay in your position at this factory (as opposed to looking for a job elsewhere)?
6. Are there specific changes/improvements that the factory could make that would make you want to stay longer?
- i. If yes, what would they be?

SECTION D: TRAINING

36. Have you attended training provided by this factory on the following?

Training Topic	Yes	No
Labor law (wages, working hours, leave, etc.)		
Workplace cooperation		
Occupational health and safety		
Social safety		
HIV/AIDS		
Reproductive health		
Professional development		
Problem-solving skills		
Communication skills		
Negotiation skills		
Life skills (e.g., financial literacy, hygiene)		
Technical skills (e.g., productivity and quality enhancement)		
Other		

37. If you have participated in training on any of the topics above,
- i. How have these training sessions affected your satisfaction with the factory and your willingness to stay?
 - ii. How have they impacted worker-management relations?
38. If you have not participated in training on any of the topics above, would you be willing to attend a free training on any of them?
- i. Why or why not?

Part 2: Line Supervisor Baseline Assessment

SECTION A: BASIC PERSONAL INFORMATION

1. Name:
2. Gender:
3. Birthdate (year, month) or age:
4. Level of education/literacy
 - i. Ability to read/write (illiterate/low/proficient)
 - ii. Primary school (partial or completed)
 - iii. Junior secondary school (partial or completed)
 - iv. Senior secondary school, (partial or completed)
 - v. Secondary technical school (partial or completed)
 - vi. Junior college and higher (partial or completed)
5. Residence
 - i. Where/how far from the factory do you live?
 - ii. What type of housing do you live in?
 1. Factory dormitory
 2. Apartment
 3. Other
 - iii. What province or country are you from?
6. Family
 - i. Marital status
 1. Single
 2. Married
 3. Divorced
 4. Widowed
 - ii. Do you have children?
 5. If yes, how many?
 6. Where do they live?
7. Work history
 - i. When did you begin working at this factory? (Year, month)
 - ii. How long have you been in your current position?
 - iii. How did you find employment this factory?
 - iv. How many other factories have you worked in previously?
 - v. For how many years have you been working in total?

SECTION B: WORKING CONDITIONS

Worker Issues

1. Have you had problems, complaints, or questions from workers related to the following issues? Please comment on which are the most common issues, and how you have approached them.
 - i. Wages and benefits
 - ii. Working hours

- iii. Rest days and breaks during the workday
 - iv. Leave
 - v. Discrimination/fair treatment
 - vi. Harassment
 - vii. Unions
 - viii. Safety or comfort of working conditions
 - ix. Other (Please specify)
2. If workers do not meet employment expectations (such as arriving to work on time), are there established (and escalating) disciplinary procedures for how to handle these situations? What is your typical approach?
 3. Are the process and criteria for decisions about wage increases, bonuses, promotions, special permissions, etc., established and understood?
 - i. How are these processes and criteria communicated to the workers?
 4. In the last year, have you or anyone you know been subject to any of the following unwelcome forms of treatment or attention while in this factory?

Behavior Examples	Yes	No
Verbal abuse (shouting, swearing, rudeness)		
Physical abuse (hitting, slapping, pushing)		
Unwelcome sexual/gender comments		
Sexual touching (including bra-snapping, body touching, etc.)		
Other (please specify)		

If respondent answers YES to any of the above, ask whether he/she feels comfortable explaining what occurred. Please try to obtain the following:

1. Was the incident reported? On what date?
2. Date(s) the incident occurred:
3. The exact nature of the complaint:
4. The employee's name or line and the name of the line supervisor, clinic staff, or responsible person:
5. Date and nature of any discipline imposed:

Grievances and Communication

5. Have you received any formal training on communication skills and mechanism?

6. Are there mechanisms for worker-management communication? (Interviewees should comment on which types of communication mechanisms exist, and which they think are most effective.)

Types of Mechanism	Yes	No	Prefer
Express grievance directly to team leader/line supervisor			
Express grievance directly to middle managers			
Express grievance directly to top managers			
Express grievance anonymously (letter, hotline, etc.)			
Employee welfare officer (factory-employed)			
Trade union			
Trade union-management committee			
Worker-management committee			
Communication team			
Human Resources representative			
Suggestion box			
Employee hotline			
Other			

7. Do workers use any of these mechanisms? Why or why not?
8. For existing mechanisms, are communications, grievances, regular meetings, and resolutions documented?
9. How would you rate your relationship/interactions with following colleagues in the factory:

	Very poor	Relatively poor	In the middle	Relatively good	Very good
Workers					
Middle managers					
Top managers					

SECTION C: JOB SATISFACTION AND PRODUCTIVITY

1. Overall, how satisfied are you with the working conditions in this factory?
2. How satisfied are you with specific working conditions?

Working Conditions	Ranking (1-5; 1=lowest, 5=highest)
Length of working hours	
Wages	
Contract	
Health and safety training	
Breaks during day	
Workplace safety	
Workplace comfort	
Respectful environment (lack of abuse/harassment)	
Social insurance	
Relationship with co-workers	
Relationship with direct supervisor	
Relationship with middle management	
Relationship with top management	
Food	
Housing	
Professional development opportunity	
Personal development opportunity	

3. What are the top three challenges you face in your job?
4. What is the best way to motivate workers?
5. What is your management style?

6. What would help you to do your job better?
7. What motivates you to stay in your position at this factory?

Part 3: Factory Management and Basic Factory Information

BASIC FACTORY INFORMATION

1. Number of workers
 - i. Permanent
 - ii. Temporary
2. Worker profile
 - i. Percentage female/male
 - ii. Provinces of origin
3. Average tenure
 - i. Workers
 - ii. Line supervisors
 - iii. Middle management

MANAGEMENT SYSTEMS

1. Describe policies and procedures around:
 - i. Wages, benefits, and working hours
 - ii. Contracts
 - iii. Freedom of association
 - iv. Harassment and discrimination
 - v. Grievances
 - vi. Occupational health and safety
2. Describe how policies and procedures are document and communicated:
 - a. Are they posted or distributed to workers in their own language?
 - b. When and how are workers informed of them?
3. Describe the induction process and training period when a new worker is hired.
4. What are the primary forms of communication with workers? (Bulletin boards, PA system announcements, regular meetings, etc.)

COMMUNICATION AND DISPUTE RESOLUTION

1. How would you rate:
 - i. Communication between or among compliance dept/person and/or units of the factory
 - ii. Communication between line leaders/supervisors/management and workers
 - iii. Handling of conflicts in a timely, adequate manner so that they do not worsen or escalate
2. Has the factory experienced conflict situations between workers and line leaders/supervisors/management?
 - i. If yes, what was the cause?
 - ii. How were they resolved?

WORKFORCE MORALE AND PRODUCTIVITY

1. Please provide rates for the following, and identify areas that are priorities for improvement:
 - a. Absenteeism
 - b. Tardiness
 - c. Product reject rate
 - d. Rework rate
 - e. Overtime hours
 - f. Work-related accidents
 - g. Work-related injuries
 - h. What other indicators do you track on a regular basis?
2. Client relations
 - a. Has the factory been required/asked to complete social audits?
 - b. How has the factory performed?
3. Buyer impact on factory conditions
 - a. Do you feel that lead time is adequate?
 - b. Do you have the opportunity to speak or work with buyers on production planning?
 - c. How does buyer behavior (lead time, changes, etc.) affect:
 - i. Conditions in the factory (overtime, regular maintenance, etc.)
 - ii. Cost (operational, material, labor, etc.)