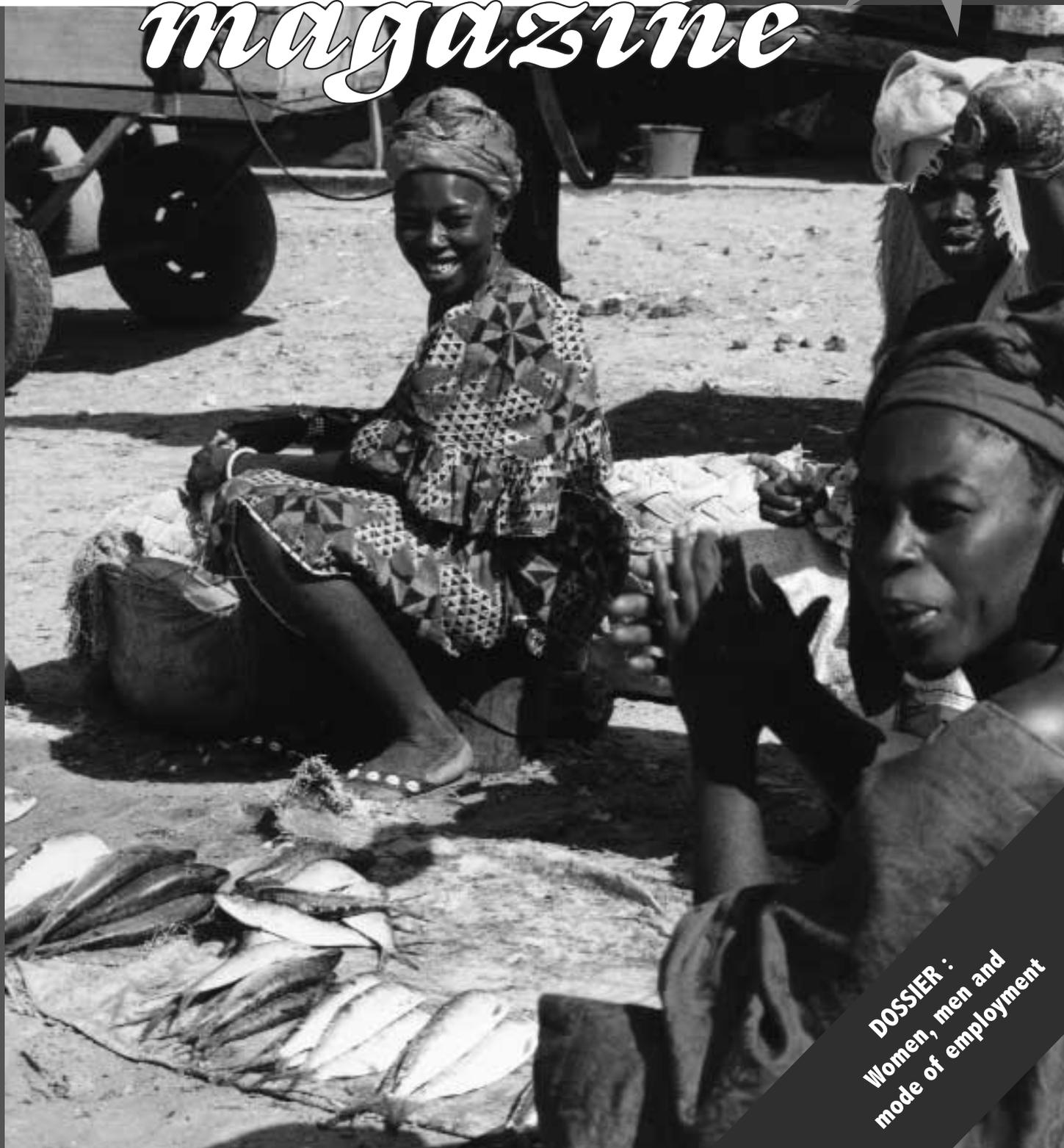


LABOR

magazine



DOSSIER :
**Women, men and
mode of employment**

78th year, number 2000/4

Responsible editor : Willy Thys

Three-monthly review
of the World Confederation of Labour
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Picture :

*In Joal (Senegal) the
women are in the fore-
front of the organisa-
tion.*

PORTRAIT

*"One does not forget
the first day one
takes the cage (the
elevator), as is said in the French-
speaking mining district, to des-
cend to the bottom. First of all, I
was very proud of going to work in
the mine, whereas it was the saddest
day for my father. For a miner, who
had been 49 years in the mine, what
he wanted to avoid above all, was
that his children should work in the
mine. On the other hand, I had the
blues in descending into this mine,
which I then learnt to love."*



*It is in the mine Manuel Simon
obtained his diploma*

Director of the Department of Activities for Workers (ACTRAV) of the ILO, Manuel Simon has manifestly remained close to his origins. Son of Spanish immigrants who fled the civil war and settled in the Borinage, in Belgium, he never went beyond primary school and he is proud of this. When he is asked the question "Higher education?" he replies, "the mine", because, he says, "that quite an exceptional professional, human and awareness creation experience, among Polish, Italian, Belgian friends, etc..."

TO THE QUESTION, "MANUEL SIMON, WHO ARE YOU?" HE REPLIES: "I AM A EUROPEAN OF SPANISH ORIGIN", MAKING THE IMPASSE ON THE ASPECT OF "EXILE". HOWEVER, THIS SON OF A MIGRANT SPANISH MINER IN BELGIUM, WHO HAS BECOME DIRECTOR OF THE WORKERS' BUREAU AT THE ILO, DID NOT CEASE MOVING.

Manuel Simon

How did someone who was "at the bottom" at fifteen years end up in a beautiful office on the 10th floor of the international Labour Organisation in Geneva?

It is manifestly a long story of commitment. Among Spanish immigrants and miners, he recalls, working life and trade union commitment go hand in hand. In Belgium first of all, and then in Germany, and finally in France, Manuel Simon remained affiliated to the UGT, the Spanish trade union forbidden by the Franco dictatorship. European, internationalist, he does not forget that he is incontestably of Spanish origin. Furthermore, "in so far as on likes one's roots and the country or village one comes from, one is more likely to like other countries and people, and to understand them", he explains.

FROM PORTUGAL TO GENEVA, VIA BUENOS AIRES

His personal history is also that of trade union freedom. In 1974, he was in Portugal to collaborate in the reconstruction of democratic trade unionism. In 1975, "I settled in Madrid and clandestinely, we prepared the UGT Congress. It was

to be held in Brussels as farewell to exile; to express thanks for all the international solidarity received. But, the decision was taken to hold this Congress in Madrid to thus mark the presence, a representation and even a challenge to the government in place, the first after the death of Franco".

From 1976 to 1986, Manuel Simon was the Confederal secretary in charge of international relations of the UGT. Then, for 13 years, he headed the correspondence bureau of the ILO in Madrid, before going to Latin America, still for the ILO, in order to "give a little of this immense solidarity given buy the international trade union movement when we, in Spain, were in darkness/the shadow".

His mandate was for three years, but in 1999, the Director General of ILO called him to Geneva, where, he said, "I was often a bit too surprised to recall to my collaborators where we came from, what opportunity or fate had brought us, and that we must therefore be capable of using this really exceptional labour environment to benefit the rest of the workers in the world."

He concludes that what makes him live, is "the desire, the hope that what we are doing here at ACTRAV, is useful, at least to improve the living conditions of male and female workers in Africa, Asia, Latin America, in other countries in transition, who are still at levels of social injustice, exploitation, and unbearable poverty".

A.L.

THE OIL IS FOR EVERYONE

Everywhere, from Togo to Great Britain, the rise in oil price is devastating for the very poor. It deals a serious blow to the purchasing power of people and families.

During this time, in several countries, heads of transport companies are asking that taxes on fuel be reduced, which they say, risks reducing them to bankruptcy. Governments resist or give in, as the case may be.

In the short term, it is true that, jobs in road transport companies are threatened, especially in the smaller companies, and solutions must be found. But, stopping there is not enough. In the medium term, there is no way out of the use of road transport. On the contrary, given the scarcity of oil, it is perhaps only now that industrialised countries are paying the right price for it, after the big oil companies have pumped massively the reserves of producer countries for decades and imposed low prices.

No doubt, certain governments, such as that of Venezuela, have found in it a source of important financial revenue, but it is not likely that their populations will benefit from the windfall of this manna. Not to mention the attacks on human rights perpetuated, as in Nigeria, to facilitate the work of these firms. * And, it is these same oil companies, which today reap enormous profits, when some have to forgo heating, light and transport.

Those whose purchasing power is affected are today suffering from the foreseeable deadlock of an untenable system. Their adversaries are not primarily, the States, but the oil companies whose sole objective is to increase the income of their shareholders, and also, those who for decades have maintained the illusion of (poor) unlimited development, which wastes non-renewable energy. Such a gap between the profits of some and the impoverishment of the majority is obscene. The resources of the world belong to everybody.

* See *Le pétrole en Afrique : la violence faite aux peuples*, GRESEA, Brussels, April 2000.



Willy Thys
General Secretary



Just a word...

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GLOBALISATION

Health, it is political

THE WORLD HEALTH ORGANISATION HAS ANALYSED THE HEALTH SYSTEMS OF SEVERAL COUNTRIES. IT HAS NOTICED THAT THE WEALTH OF A COUNTRY FACILITATES GOOD HEALTH DELIVERY, BUT NOT NECESSARILY EQUALITY IN ACCESS BY ALL TO THESE STRUCTURES. THE ROLE OF THE PUBLIC SECTOR IN HEALTH IS EMPHASISED.

All the analyses tally: work places are delicate environments for the health of workers. Subject to pollution by materials used or to stress from an organisation increasingly pressed by work, the body and spirit put up with it (see pages 19 - 21 as well). Teachers under pressure, workers who are victims of job accidents, farmers in contact with toxic products, "voluntary" officials working several hours overtime.....: no category can escape it.

In this regard, prevention is the first measure. Failure to do so, the health system must offer to all, worker and non worker, the adequate solutions to the problems encountered. But, this is far from being the case everywhere and the less wealthy countries are not always lagging behind when their health performance is compared.

The World Health Organisation (WHO) has just published its first Report on health in the world, along the lines of the UNDP human development

reports. It is an instructive document, to remind us that health policies are not neutral, but depend on choice values.

LEADERS : GOVERNMENTS

Right from the beginning of introducing the WHO report, Madam Gro Harlem Bruntland, Director General of the organisation, has emphasised that *"though the health systems work well in some countries, it is not the same in others. This is not due simply to differences in income or expenditure..."*

According to the WHO, setting the objectives for health systems, as the attainment of an average level of health and reactivity to problems, is not enough; *"one must also reduce the inequalities in order to improve the condition of the most deprived"*.

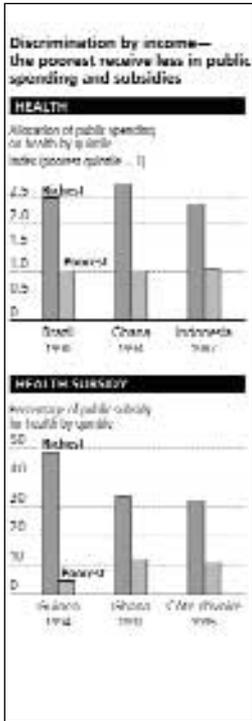
The WHO clearly affirms that henceforth the health of the people still constitutes a national priority, and in contrast to the tendency towards privatisation, yet still towards the work of the World Trade Organisation, it emphasises that *"the responsibility of the performance of the health system of a country depends on the government in the final analysis"*.

In support of its arguments, the WHO provides a lot of figures some of which enable one to make significant comparisons. For example, the level of health expenditure per inhabitant. Five countries spend more than 10% of their GDP on health: Germany, United States, Lebanon, Switzerland and Uruguay. But, if one only take into account public expenditure, the order is: Germany, Cuba, Croatia, Lithuania and Switzerland. This proves that it is a political choice, independent of the total amount of this GDP.

Another example: a similar table gives the degree of reactivity of health systems (in all, the level of quality reached in the event of a problem), and the distribution of this reactivity, that is to say, the level of equality of access to this quality by inhabitants. The United Arab Emirates, which is only 30th in the first criterion, is at the top for the second. On the other hand, Cyprus is 11th and 44th respectively.



The hospital of St Laurent du Maroni, French-Guyana



Source: UNDP Report 2000

The report also classifies countries according to "the equity in financial contribution to these health systems". This indicator is based on a principle: "a satisfactory health service is essentially that which treats the rich and the poor alike, without penalising poverty nor favouring wealth". Health care is financed in an equitable manner, if the relation between total health expenditure of a person or a household and the total food expenditure is the same for all¹.

to the WHO, "The high risk of expenditure on catastrophe depends to a large extent on the mode of funding the health system and not only on the total amount of expenditure or income of the country".

This conclusion is fully confirmed by the 2000 World Report on Human Development, published again this year by the UNDP. One notices once again that the richest country according to the average income per inhabitant is not necessarily where welfare is best distributed between all.

THE ARMY OR HEALTH?

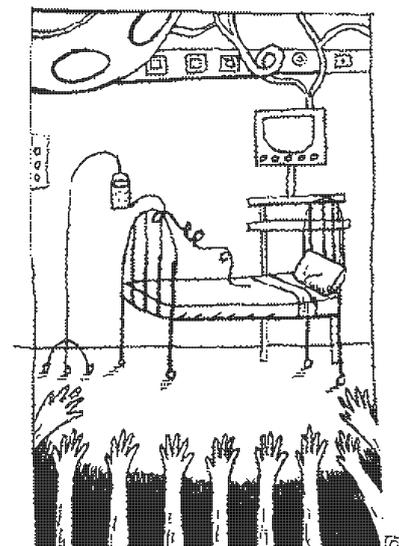
The health indicators maintained by the UNDP also indicate the importance of choice of policy, more than the amount of money given to this sector. Thus, Finland has clearly more male and female nurses per inhabitant (2.1/100), but less doctors, which truly indicates less specialised but more largely accessible care. Countries of the former USSR are also in this category, despite less total wealth than that of the Western industrialised countries.

Another revealing figure: some mainly Asian countries, spend a larger part of their GNP on military expenditure rather than on public health.

This is the case for example, of Israel, Brunei, Kuwait, Malaysia, Thailand and Colombia.

The central theme of this 2000 UNDP Report is: *Human Rights and Human Development*. Without bringing anything revolutionary, this document confirms that social rights form part of human rights and that human development cannot be achieved without respecting them. Economic criteria alone are not enough. The report repeats the Sen (India) Nobel Prize thesis, according to which development means creating opportunities for people and societies. This implies the "liberty to engage in decent work without being exploited".

André Linard



COLOMBIA AND DJIBOUTI AT THE TOP

Translated into figures, the criterion of equity corresponds to an indicator between 0 (extreme inequality) and 1 (perfect equality) according to which it is possible to classify countries. And the winner is ...Colombia, followed by Luxembourg. Coming next in equality is Denmark, Belgium and ... Djibouti. Most of the industrialised countries are in the first category of the classification, but Libya precedes Sweden and Canada; the United Arab Emirates and Micronesia come before France and Spain; Jordan and Bangladesh precede the United States, where privatisation of health is encouraged.

The report emphasises that the systems where health expenditure is prepaid (through taxes, social insurance or voluntary insurance) are more equitable than those where payment is made afterwards, after receiving care. All the more so since the indicator measures the actual expenditure made; whereas, the poorest are at times deprived of care though necessary, due to lack of money, which further increases inequality.

One can therefore conclude from this, that if there is a correlation between the level of wealth of countries and performance attained in health, there is not necessarily that correlation between this wealth and equality in access by all to these structures. According

¹ No doubt, this criterion could be discussed: in a perspective of redistribution of income, one could affirm that the richer should contribute more than proportionally.

In all letters



Trade preferences

GENERALISED PREFERENCES

The "system of generalised preferences" is one of the means of assisting developing country A by allowing its products to enter an industrialised country B without paying customs duties. These goods which are less expensive, have therefore more chances of being bought by consumers than their competitors. In this system, A is not obliged to offer the same advantage to products that it buys from B.

Country B, which decides to grant these generalised preferences, can do this for good or bad reasons. It could simply be to encourage an ally political regime, or to obtain trade, military or other advantage. It can also be to guarantee the respect of human rights. In 1994, for example, the European Union fixed as a condition for countries desiring to benefit from generalised preferences, the ratification of international conventions which ban forced or child labour.

A SOCIAL LAW UPSIDE DOWN?

The idea of sanctioning countries, which do not respect international labour laws by refusing to buy their products, is often perceived as protectionism and punishment for the development of these countries. Thence the reverse proposal: encourage countries, which respect this right by granting them preferences.

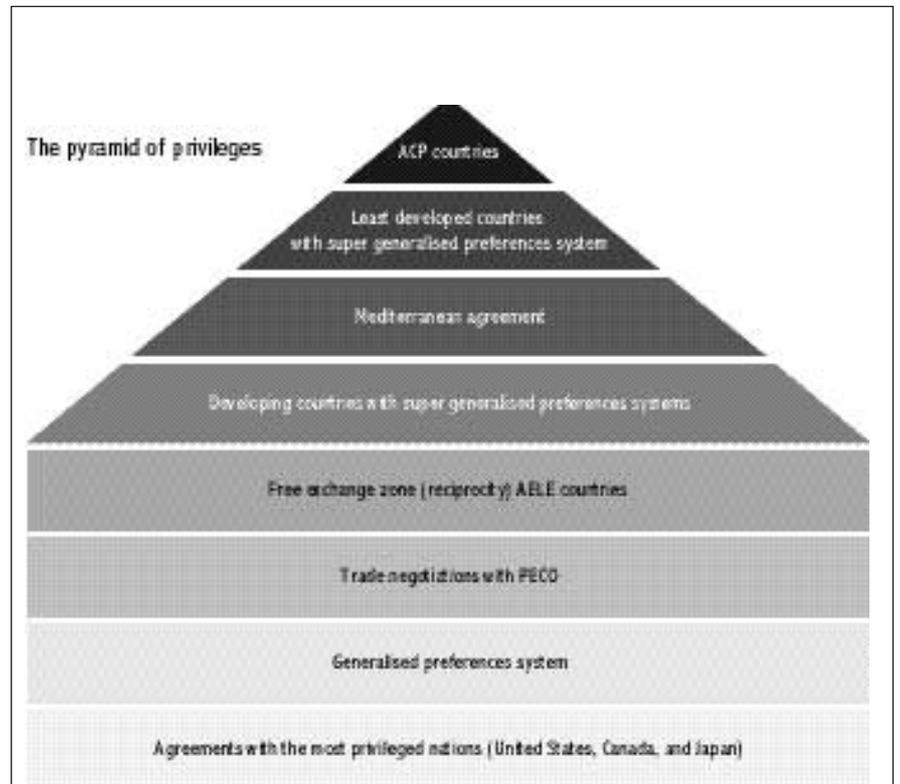
It is a form of positive social law, which however faces a difficulty: how does one further encourage, countries, which have already received all the existing preferences?

Traditionally, the sovereignty of a country allows it to monitor and tax products, which enter and leave its territory. The advantages are revenue for the State, but also the possibility to refuse certain products dangerous to the health (meat with hormones etc...), culture (for example pornographic magazines) or national industry (competitive products). And on the positive side, the right to encourage goods from one country or another that one wishes to support. In 1975, this was one of the objectives of the Lomé Convention (*Labor-Magazine* 2000-03, page 6).

Various forms of preferential trade exist (see list on those granted by the European

Union). The most simple are individual (from one country to another) and specific (product). Others can involve groups of countries (Mediterranean, ACP countries etc), with or without reciprocity.

With the advent of "free trade", States lost the right to fix differential customs barriers. The most encouraging law of the nation, promoted by GATT (predecessor of the WTO), obliged a country to extend to all other GATT members the advantages that it accorded a particular country. One way of short circuiting the preferences, so that henceforth all benefit from it.



Source: Christophe Stevens in *La Convention de Lomé*, GEMDEV, p. 120



Mauritius

Terrorists, trade unions ?

Mauritius, a small quiet island off the coast of Africa, risks finding itself in an unstable position with regard to the international law on human rights. In question is the potential implementation of the *Public Security Act*, a law meant to fight against terrorism, hooliganism and criminal acts, but whose field of application is so broad that it could be used against trade union freedom and the right to strike.

The Mauritius Assembly approved this text on 18th December 1999, and then it was approved by the President of the Republic. What remains now is for the latter to "gazette" it for it to become applicable.

Meanwhile, according to Claude Akpokavie, director of the Human Rights and Labour Standards Department of the WCL, "*Currently in Mauritius, any organisation or movement can carry out a peaceful demonstration as is the case in several countries throughout the world. Let one or two people disturb this activity and then all of a sudden the organising movement is declared "proscribed" by the PSA*".

Mauritius is not the only country to adopt such a law. No doubt, though it created the risk of restriction to freedom, it is not automatically translated into reality. C. Akpokavie observes that "*in countries with such laws, there can be a drift, even if this is not automatically the case. The most dangerous is the risk of high-handedness of the authorities*".

The Mauritius *Public Security Act* in any case violates the Universal Declaration of Human Rights and the International Agreement on Civil and Political Rights. In the first place, by allowing a permanent state of emergency, without official declaration; and then providing disproportionate penalties for offences; allowing the arrest of persons suspected to have the intention of committing an offence; and especially by considerably broadening the conditions which allows the banning of an organisation, especially a trade union organisation, by a simple police decision.

Recently, the Mauritius government changed, and there is a possibility that the PSA draft will be abandoned.



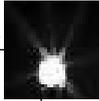
In the free trade zone of Mauritius...

In the Export Free Zone of Mauritius, certain specific laws can be applied, such as that which allows employers to demand the performance of 10 hours of overtime work (paid) per week. But on the whole, workers in this zone benefit from the same legal protection as others. More than 330 trade union organisations exist on the Island, representing more than 125,000 workers, that is 25% of the labour force. In the EFZ, this percentage falls to 12.5%. The trade unions explain that this is due to the pressures and intimidation of employers on workers. The right to go on strike is recognised, but subject to 21 days notice. Participating in an illegal strike is a reason for dismissal.

Source: Country Report, US State Department, December 1999.

Country

Population: 1.2 million inhabitants; area: 1,865 square kilometres; urban population: 42%; GDP/inhabitant (in parity to the purchasing power): US\$8,312; HDI: 0.761 (class.: 71st - Madagascar: 0.483); human poverty index: 11.6%; adult literacy: 83.8%; rate of female economic activity: 37.4%. About 92,000 people work in the Free Zone.



The Convention of NAPFE (USA) took place in Los Angeles. Nécie Lucero represented the WCL.



A few participants in the European WCL seminar on information policy and media relations, Belgium, September 2000.

● Bolivia : the highest interest rate in the world

Bolivian farmers who want to enter Argentina must show the immigration services that they possess at least the equivalent of US\$1,500. This gives ideas to loan sharks. Transport companies lend the required amount to the immigrants, for the time of crossing

the border, in other words, for about an hour. The interest rate given is 10%.

According to *Travail* (ILO Magazine) No. 34, April/May 2000.

● Mexico : ... at 180 degrees for the CMW

"Our position will henceforth be entirely guided by the interests of workers". Normal, for a trade union? Not in Mexico, where the Confederation of Mexican Workers (CMW), pledged to the dominant PRI party, has for a long time served as just a cog in the government machine to the detriment of workers. Only this: the PRI lost the presidential election, after 70 years of uninterrupted power. One can imagine the anguish for the CMW, deprived of their chaperon and

confronted by independent trade unions. First sign of the opposition of these caciques to the new regime: the CMW will demand that the minimum salary be in line with actual inflation, and no longer based on the index fixed by the government. Better late than never.....

(Source: *CLATSCHRIFT*, Netherlands, No. 7, July 2000)

● World Bank : brain drain

After the departure of Joseph Stiglitz, chief economist, Ravi Kanbur, who was in charge of the World Report on Development 2000/01, dedicated to poverty, resigned from the World Bank. He did not agree to the rewriting of certain chapters of the Report, in the sections devoted to globalisation, meant to reduce the analysis of the negative impact of globalisation on the poorest populations. The Bank is positioning itself more and more as a bank of know-

ledge in economic development; the positions expressed in the Report will certainly influence the issue of international aid. Such a deviation is therefore dangerous. The report must be finalised for the annual assemblies of the Bank and the IMF in September.

(Source: www.brettonwoodsproject.org)

● UNCTAD for growth in Africa. But how?

"Doubling aid to African countries to transmit a decisive impulse to their economy today could free them from their dependence on aid in one decade." Such is in any case the perspective proposed by UNCTAD. Today, affirms the organisation, external aid, which should support economic growth is too limited to have effect.

The intention is noble, but why would this plan succeed, when aid has been around for 40 years? Because, believes UNCTAD, we find ourselves facing a series of favourable factors: the existence of entrepreneurs ready

to invest locally, democratisation which allows control on management of funds, depoliticisation of the economy etc.

Supposing that this is accurate, what remains to be done is to convince donor countries (by showing them that an increased effort during ten years would reduce the need for aid then, UNCTAD hopes), and by correcting the rules of international trade that are unfavourable to African countries. We are far from that.

● Spain : deregulate trade

The Spanish government wants to extend the opening hours of shops to 90 hours per week and eliminate Sunday rest. Common in the most neo-liberal countries, this situation would bring about the disappea-

rance of small enterprises and millions of job losses, according to *Union Sindical Obrera* (USO) which called for a strike on October 10.



*Nice, but odd: "What place do I get in your organisation?"
(in an agro-industrial company in Costa Rica)*

Trade union organisations defend the rights of workers, the rights of women and those of men. However, the peculiar characteristics of the female sex are often neglected, and according to some, the trade union organisations are not in the forefront of this struggle, despite their speeches.

Women are under-represented in the trade union hierarchy. But who is better placed than the women themselves to know and

respond to their peculiar needs? What remains to be unravelled are the causes of this low female presence.

When the labour world began to organise itself, it was essentially masculine. It was therefore normal that the trade union movement at the time comprised men. But it is just a question of numbers. Women came onto the labour market in large numbers, without their participation in the

trade union movement reflecting this reality.

The issue was cultural resistance, which probably concealed the strongest issues of power (hypothesis) in the trade union world than elsewhere, and which risks turning against the trade unions, men and women included. But whatever it is, change will occur, even if painfully.

SUMMARY

Women, men, mode of employment

OVERALL VIEW

An irreversible trend

DEFINITION

Gender? Yet still...

DISCUSSION

**Maternity :
between sex and "gender"**

OPENING

Victory or defeat for the ILO?

To know more ...



OVERVIEW

An irreversible evolution

ARE WOMEN MARGINALISED OR SIMPLY LAGGING BEHIND IN PARTICIPATION IN TRADE UNION ORGANIZATIONS? SHOULD AGGRESSIVE MEASURES BE TAKEN TO CORRECT THIS SITUATION OR SHOULD IT BE LEFT TO TIME? WHY IS IT STILL DIFFICULT TO TALK ABOUT IT IN THE TRADE UNIONS?

There was tension in the air, that day. The Confederal Board spent time studying this delicate subject, after taking a stand on principles: the place taken or given to women in trade union organisations. However, the Confederal Board is almost entirely masculine, and some even think this discussion is useless. But it has taken place, and a notable fact is that it has gone well beyond mere words or complacency.

Enrique Gomàriz, Spanish researcher based in Costa Rica, and expert in gender issues, immediately stressed the irreversible nature of the increasing presence of women in the public sphere. "For about 40 years, explains the Spanish researcher, a new sharing of roles among men and women has taken place in private life. This has occurred at a different pace depending on the countries and continents, but it is irreversible. The men can accept it and everyone

finds a part in it, or they can reject it. In this case, change will occur all the same, but in confrontation". Henceforth, the issue at stake, has shifted from the private to the public sphere (political, business, social life ...) where women are demanding a change of identity similar to that of the private sphere. And they will obtain it, stressed the researcher.

RESISTANCE LEADS TO CRISES

"There are two hypotheses, stressed Enrique Gomariz again. "One, pessimistic, which is, change occurs despite resistance from men, but in this case, in confrontation and mistrust between the sexes. And the other, optimistic: men and women collaborate so that societal change is easy for everybody and we end up with what I call a gender democracy"

He also insists on the fact that in the first case, everybody is a loser, because the situation will become more difficult for men also. A bit like the family situation where it is not the demands for identity of women that bring about crises, because "we are from a historical tradition of discrimination against the woman", but the resistance of men which makes the situation difficult for every one. Whereas the latter can very well assume joint-responsibility in the private sphere so that the women assume same in the public sphere to the benefit of each other.

Several participants in the debate have stressed that in the trade union world, such resistance can be

fatal to the organisations themselves to the extent where entire sections of the labour world are becoming feminised, for example, in tourism, or in some industries. If women do not have a proportional place in trade union organisations, that means, objectively that the trade unions are not representative and, subjectively that the women will be disinterested in them, in the absence of being represented.

Is this analysis too radical? Though it seems to be shared by the majority, it is not unanimous. Being used to expect changes in society according to globalization or the post-modernity phenomena, which directly influences social and working conditions, trade union leaders probably overlook other changes, especially in the cultural field.

DIVIDE TO WEAKEN

Asked about the reasons for greater resistance in the labour world than in other sectors, Enrique Gomàriz offers two hypotheses. First, the trade union organisations are very much afraid of being weakened by internal tensions, between male and female members, whilst they are already destroyed by an external adversary, neo-liberalism. They then have the tendency to focus on the main issue which gives them a purpose as trade unions (worker-employer relationship), by refusing to allow themselves to be "distracted" by issues considered irrelevant. As the reaction of a leader of a national organisation, testifies and states



Enrique Gomàriz for the WCL: for gender democracy



Drawings by Clarice, in *Gender and Informal Sector*, WCL, 1999

"the trade union movement must avoid distractions concerning gender. We are confronting a threat of instrumentalisation by neo-liberals who are trying to divide us". Or this other reaction: "They go after the trade unions because they are disturbing".

Then, sharing even trade union power among men and women, of necessity reducing the power of some to the benefit of others. Meanwhile, when one does not already have much power, one holds on to it. In concrete terms, who, among the male members of the Confederal Board would not be re-elected once it is a question of giving more places to women?

The issue of power giving access to trade union positions of responsibility is thus not concealed. We must still move from the theory to practice. "We use new words to hid our inability to turn words into actions", exclaimed one of the women present to the WCL Confederal Board.

The discussion in any case, allowed several types its reservations to be brought out. The first is linked to aggressive measures, or on the contrary, to "leave it to time". The idea of quotas fixing a minimum of positions of responsibilities reserved for women, presented by some as a temporary measure aimed at easing the situation, was far from

being accepted unanimously. The main opposing argument was that women, like men, should go through training then appointment to different levels, before naturally attaining higher positions. Without this, there is the risk of ending up with incompetent leaders. To which we must answer that women do not start on an equal basis, because they immediately encounter a series of obstacles, sometimes imposed by men.

DIVINE DISCRIMINATION

Another obstacle is the respect for local cultures. If no one has cited male chauvinism, religious factors have been advanced: "The difference in creation between man and woman shows a natural and divine discrimination", explained an African trade union official.

And again, sociological realities: "In our country", stressed another official, "the law of the home, frequent pregnancies, fear of the husband, allow only older women or those without children to be involved in the trade union movement". And he recounted the example of a young woman unionist sent to a training seminar abroad. Upon her return, her husband forbade her from continuing with such activities. His conclusion was "for our organisation, it is a wasted investment. Next time, we will send a man".

Far from rejecting these arguments with a brush of the hand, Enrique Gomáriz admitted that they do exist, and are therefore part of the reality that has to be acknowledged in order to deal with it effectively.

A change is therefore needed. A cultural evolution of mentalities as well as measures aimed at structurally correcting the marginalisation of women in trade union organisations, which are much more difficult to do since the leaders are men and old. Because it is just a question of a more or less higher percentage of women. It is, in the words of Enrique Gomáriz, "a new social contract". Or, as one participant put it in conclusion: "It is not only a question of power or technical problems, but also we need to know which values we want to defend, despite the difficulties".

André Linard



DÉFINITIONS

Gender ? Yet again ...

"TRAINING IN THE GENDER CONCEPT IS ABSOLUTELY NECESSARY FOR MEN AS WELL AS WOMEN. IT SHOULD BE PART OF THE BASIC TRAINING OF A TRADE UNIONIST", AFFIRMS ENRIQUE GOMARIZ, SPANISH EXPERT ON THIS SUBJECT (SEE P. 10-11). BUT WHAT IS GENDER?

"In the so-called "developed" world, women formed 52% of the economically active population in 1990, 38% in 1970, observes the Peruvian professor, Isabel Yopez del Castillo. In South-East Asia, 42% and in Eastern Asia, 45%. In the whole of the developing countries, the official proportion was 39%". "Official" which means excluding illegal or informal work.

However, despite the differences between continents, countries and sectors, women on the average, are under represented in trade union movements and even more so in their leadership positions. Female presence is quite developed in trade unions of the industrialised States, where women participate mainly as affiliates, sometimes as members. But it is very rare, be it in the South or North, for women to occupy decision-making positions. As the International Labour Office (ILO)¹ pointed out, *"Although women currently comprise a significant proportion of trade union members, - 30 to 50% in certain sectors (agriculture, teaching, child care) - their active participation is limited"*. The low level of occupation of women in higher hierarchical positions can be explained in different ways. One explanation refers to a basic reality: inequality of the gender relationship. Gender: an all-purpose word, sometimes wrongly used, which however has to be dealt with.

SEX IS GIVEN, GENDER IS CONSTRUCTED

The gender concept appeared in Anglo-Saxon countries nearly twenty years ago. Different publications² define this notion as a social concept: *"This word aims at stressing the fact that feminine and masculine roles are not only defined by sex and biological natures, but they evolve differently according to the social, cultural and economic situation. These roles are defined by the society, which determines the activities, status, psychological characteristics that differentiate men from women. Gender is therefore what distinguishes men from women in their social and cultural relationships"*.

In the " Guide for impact evaluation according to gender" of the European Union, emphasis is pla-

ced on the fact that differences existing between men and women are of a biological and social nature.: " Sex refers to the biological differences existing between men and women, which are universal. Gender refers to social differences between men and women, which are acquired, changing as time goes by and records major variations within and among cultures". Though biology determines that only women can give birth, it does not determine who will educate the child. Likewise a baby is born without stereotypes nor prejudices on the way it must act, dress, live or think as a women or man. To talk of gender rather than sex, is to define women and men by insisting on cultural characteristics.

In summary: if sex is given at birth and is intangible, gender is



The secretariat in Abidjan (Côte d'Ivoire): gender is a cultural construction, so it can be converted

constructed socially and culturally. It can therefore be "deconstructed" and rebuilt differently.

The WCL in a document published in 1999³, stresses the fact that the difference between men and women according to gender is the basis of discrimination "because it shows that the characteristics assigned to women generally make them appear "inferior" to men". According to this document, men seem to be given a PRODUCTIVE role, positively valued (a foriori in the current society), the women, a REPRODUCTIVE role, which is looked down upon, and "with it, the people who take on that responsibility, namely women".

However, gender relations are not fixed and can change, even if it appears rather difficult to get away from it completely. Since it is a question of mentality, it is undoubtedly a slow process, and the change will not come about by decree.

First and foremost, in the sectors which function traditionally, such as the trade union organisations. "The latter operates a model which dates from the years of heavy indus-

try", stated Kattia Parades, officer-in-charge of the Women and Work department of the WCL. They are toiling to adapt to changes, even in sectors where the word worker refers to the female.

ISSUES HERE AND THERE

The ILO, in its document on gender, highlights four factors which can hinder the integration of women. First, family responsibilities; "A woman trade union activist generally carries a triple load: her family responsibilities, her job and the trade union". Next, lack of confidence, "many women think they are less qualified than men in certain domains linked to trade union activities". Social illiteracy: "they do not know the rules of the game and they are not offered any opportunity to learn". Male dominated trade union environment: "this idea that working in a trade union constitutes a 24 hour occupation, which often involves the use of sexist language and shows little interest in the problems of women". The latter therefore sometimes prefer to turn to NGOs, which seem to perhaps operate more democratically. For Kattia Paredes, "don't the NGOs have more facili-

ties to listen to women and consider their problems?"

The last of these factors cited by the ILO stems from the responsibility of the trade union. According to Isabel Yepez, it is declining, according to different characteristics: "In trade unionism, the style of command is typically masculine. The structures and means of attaining power roles favour the men. Stereotypes about the low capabilities of women compared to those of men. Agendas, that are often in accordance with issues of interest to men. And finally, meeting places and timetables, that do not encourage the presence of women".

Two attitudes therefore emerge: wait for the society to change, and trade unions will automatically follow; or, through a conscious and deliberate policy of the trade union movement, to take the lead and thereby encourage change in domains other than the trade unions. This initiative could be manifested through the priority given to trade union formation and the training of women workers, by considering their peculiar concerns, or yet still by taking deliberate measures aimed at reserving a number of functions for them.

Measures to be undertaken are known. Their in-depth implementation still requires frank discussions and an effort in creating awareness.

Audrey Meunier
(Trainee)

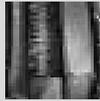


Lima (Peru): when women do "men's" jobs...

¹ ILO : "Genre"-partenaires et égaux, 2000.

² Alternatives Sud: "Rapports de genre et de mondialisation des marchés", cahiers trimestriels, vol.V,1998, L'Harmattan, Paris.

³ Gender and Informal Sector, WCL, 1999.



DISCUSSION

Maternity : between sex and "gender"

TRADE UNIONISM TRADITIONALLY, RELIES ON THE CONCEPT OF THE UNIVERSAL DEFENSE OF THE "WORKER". THIS UNIVERSAL APPROACH IS A SOURCE OF DISCRIMINATION WHEN, BY OMIS- SION, WE DO NOT CONSI- DER THE DIFFERENCES BETWEEN MEN AND WOMEN.

"T here is discrimina- tion when different policies are applied to those who are equal but there is also discrimination when the same policies are applied to those who are different".¹ The management of working hours and health are examples of topics that interest the worker in general, but have to be broached in a specific manner in what concerns women.

The latter in effect, play a repro- ductive role, in accordance with their biological sex. "Reproductive" health is therefore an important point for them. Protecting maternity responds to this concern, which is to avoid having to give up being a mother or to put their health and that of the child in danger in order to continue earning income from a job. The answer lies in maternity leave, currently of different duration depending on legislation, accompanied by replacement income and prohibiting dismissal during this leave.

Last June, the International Labour Organisation reviewed its Convention 103 of 1952 on this subject, and adopted a new one, Convention 183. The initiative came from employers who did not want to strengthen the convention but on the contrary, to obtain greater flexibility of standards. Their main argument was that only 37 countries had ratified the

Convention. Certain States consi- dered the Convention too restric- tive, there was a very wide gap be- tween the latter and their own legislation. Others simply ignore the subject.

Another argument for reviewing the Convention is the need to modernise the Convention follo- wing the massive influx of women on the job market since the 1950s. Since then, family structures too have changed. Change was inevi- table.

From the trade union point of view, there was a two-fold objec- tive: to try as much as possible for member States to ratify the new convention whilst putting in place sufficiently ambitious standards to enable women achieve real pro- gress. In the final analysis, the result is progress in some sectors tampered with some setbacks, some serious, others slight.

WE ARE MAKING PROGRESS ...

With regard to the scope of appli- cation, trade unions and workers have achieved limited progress. Convention 183 stipulates that *"the word "woman" applies to all persons of the female sex, without discrimination whatsoever, and the word "child" to every child, without any discrimination whatsoever"*. This article is of considerable importance, with regard to cultu- ral and religious traditions and customs of some countries and

discrimination among women, married or not, that some would wish to introduce.

One of the most significant pro- gress is the extension of paid maternity leave, from 12 to 14 weeks (and even 18 in the recom- mendation). The convention also provides for women to return to their previous job or its equivalent without loss of salaries after mater- nity leave. Previously, maternity was the preferred time used by employers to change the post of the pregnant women under the pretext that it was not suitable for her. The nursing mother had no guarantee of an equivalent salary or returning to her initial post. Another positive point is the pro- hibition of requesting job appli- cants to go through pregnancy tests, a current practice in many Asian and Latin American compa- nies. This procedure is very com- mon in the free zones. Finally, mothers will be able to arrange for breaks in their schedule or reduce their working hours to nurse their children. These periods are consi- dered as actual working periods. The woman does not lose any benefit linked to service time (end of year bonus, promotion linked to time...).

...BUT SOMETIMES BY REGRESSING

Most of the setbacks are minor except those on protection against dismissals of pregnant women and the amount to be paid during their

maternity leave. The old convention provided for absolute protection against dismissal of women during their maternity leave. The new convention extended this period, before and after maternity leave, but there is no protection against dismissal: a woman can be dismissed for reasons not related to her pregnancy. Even though the responsibility to provide proof rests on the employer, it is still open to breach.

The other regression concerns compensatory allowances. The new convention provides a status

quo to the extent where women continue to receive two thirds of previous allowances, during their maternity leave. But an adjoining article states that for countries with less developed economies, it suffices if pregnancy allowances are equivalent to those of temporary illness or incapacity. "*Two different rules are therefore fixed depending on the countries*", states an irritated Kattia Paredes, Head of the *Women and Work* department of the WCL. "*And at the same time, the request for a minimum wage for women in less industrialised countries, is rejected*".



Wife, mother, worker: how do you combine this?

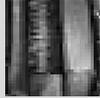
PROTECTION THAT DISCRIMINATES?

Does a greater protection of women not run the risk of ending up favouring male employment? In Great Britain, the Labour government has planned to increase maternity leave to eight weeks. The result, according to Richard Reeves, former counsellor at the Ministry of Labour, in a report for the *Industrial Society* is "*It will become completely reasonable for employers to recruit men instead of women*".

Are the latter therefore condemned to choose between motherhood and employment? Or risk losing the opportunity to climb to a higher level in the hierarchy, at each birth? Richard Reeves finds a way out through the "progressive" proposal: increase paternity leave also. But it is doubtful that this solution, if it is eventually able to convince an industrialised country, has any chance of being applied where the social security is less developed. In short, gender has a lot on its plate, the first step, in the meantime is to get the new convention ratified.

A. M. and A. L.

¹ *Gender and Informal Sector*, WCL, 1999.



OPENING

Victory or defeat for ILO?

Employers, requesting more flexible standards in maternity, did not succeed in reducing significantly the content of Convention 103. And this, despite the general climate which tends to reduce the restrictive nature of ILO standards (see *Labor Magazine* 2000/03, pp.4-5). It is therefore a victory.

However, all the demands made by the WCL Commission on Women are far from being found in the new text, giving the impression that the workers group at the ILO easily accepted a mitigated solution.

This dilemma illustrates once more to the ILO, the ambiguities of such a negotiation and the difficult situation for workers. We are glad to be able to avoid a widespread step backwards, even though there is a threat of such danger. Those more sensitive to the strategy see in it a victory, whilst those who have worked thoroughly on the dossier notice the grey areas in the outcome. Is resisting regression really the only realistic objective? To what extent does the willingness to reach an agreement influence the radical nature of the demands? What would be the cost of a disagreement on some points to workers? These are open questions...

A.L.

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Enrique Gomáriz: *Postfeminismo, conflicto de sexos o democracia de género: la encrucijada del siglo XXI*, Working document, Gender and Society Foundation, Costa Rica, p.11

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Le Monde selon les Femmes: *Genre et mouvements sociaux*, Brussels, 1999.

South Alternatives: *"Rapports de genre et de mondialisation des marchés"*, chiers trimestriels, vol. V, 1998, L'Harmattan, Paris.

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ILO-ICFTU. *The role of trade unions in promoting Gender Equality and protecting Vulnerable Women Workers*. First report of an ILO-ICFTU survey, Geneva, BIT, May 1999.

ABOUT MATERNITY...

BIT. *La protection de la maternité au travail, Révision de la convention (no 95) sur la protection de la maternité*, 1952.
Report V (1). Geneva, BIT, 1997.

BIT. *La protection de la maternité au travail, Révision de la convention (no 95) sur la protection de la maternité*, 1952.
Report V (2). Geneva, BIT, 1997.

INTERNATIONAL STANDARDS PARTICULARLY IMPORTANT FOR WORKERS.

Equality of opportunities and treatment

- ILO Convention 100 on equality of remuneration, 1951
- ILO Convention 110 on discrimination (in employment and occupation), 1958
- ILO Convention 156 on workers with family responsibilities, 1981

Protection of maternity

- ILO Convention 183 on the protection of maternity, 2000
- ILO Convention 110 on plantations, 1958

Human rights

- Universal Declaration of human rights, 1948
- International agreement on civil rights and politics
- International agreement of economic, social and cultural rights
- Convention on the elimination of all forms of discriminations against women
- Declaration and program of action of the World Summit on Social Development, Copenhagen, 1995.
- Declarations and program of action of the IV Conference on women, Beijing 1995.





TRANSNATIONALS

To the sources of corruption

The World Health Organisation has for years tried to convince smokers to give up tobacco, through campaigns of all kinds. This year, it changed strategy and henceforth it will attack producers. Of what use in fact is it to try to convince smokers, if at the same time, tobacco manufacturers contradict its action through speeches to the contrary? In Africa for example, it appeals to the youth by sponsoring sporting and musical activities, presenting cigarette as criterion of modernity, and getting young women to distribute samples, etc.

Last July, the WHO published a long report entitled *Strategy of tobacco industries to undermine the World Health's monitoring activities of nicotine poisoning*. The document is edifying: it shows the mechanisms, which must be clearly labelled as bribery, used by tobacco multinationals. Job offers for WHO or United Nations advisers or consultants, offers to fund health programmes, involving experts in the activities of these firms, it contains everything.

PAID BY THE WORKERS

The move by the WHO responds to a recent trend in corruption: demand accountability not only from heads not only for those who have allowed themselves to be bought - often State agents or officials - but also from bribers, generally from the private sector.

In fact, in recent years, official speeches on good *governance* have placed the emphasis on the elimination of corruption in developing countries (even though no continent is spared by this phenomenon. One NGO, *Transparency International*, even regularly publishes a report on the level of corruption in the world. This year, Nigeria replaced Cameroon as the most corrupt State on a list of 90 countries (where Finland is at the other extreme). Some spectacular cases were the object of trials in some countries.

But, these private actors at the root of corruption are rarely worried, both for a practical reason (they resort to intermediaries) and an ideological motive: corrup-

tion appears to be accepted as the normal practice in the business world. Some countries have for a long time allowed fiscal deduction of amounts to be used to practice it.

However, the private sector can also be victim of it. Officials of automobile manufacturers for example, are paid by suppliers to sign purchase contracts ¹. At first sight, the workers do not seem to be concerned. On the contrary, since a business, even when obtained at a bribe price, provides employment for a company. But it deprives another of it.

At a closer look at it, however, workers who are also citizens and pay tax are generally part of the less wealthy section of the population, also pay the price for corruption. This, in fact in several cases, serves to give business to a company, which is not the most competitive. In the 1970s, the Westinghouse Electric Corp.

THE ROLE OF TRANSNATIONAL COMPANIES IN CORRUPTION IS GRADUALLY BEING UPDATED. AN INTERNATIONAL CONVENTION IS TACKLING THIS PLAGUE, WHILE THE PERMANENT PEOPLES' TRIBUNAL IS REQUESTING A FIRMER INTERNATIONAL LAW FOR PRIVATE STAKEHOLDERS.



Big companies, big corruption?



supplied a nuclear plant to the Philippines at a price three times higher than that paid by Korea for the same product, after having bribed ex-dictator Marcos. The citizens of the Philippines have already paid 1.2 billion US dollars for the repayment of the debt thus created (2).

Conclusion of the British parliamentarian Hugh Bayley, to the House of Commons: "*The cost of bribes falls primarily on the poor. (...) Bribery is a direct transfer of money from the poor to the rich.*"

AN EFFECT OF PRIVATISATION

The World bank has for a long time affirmed that corruption can only be fought by deregulation and privatisation of the economy, considered to ensure transparency: "*Policies that reduce controls on foreign trade, remove entry barriers to private industry, and privatise state firms in the way that ensure competition will all support the fight.*" (*Report on World Development, 1997*). But, Joseph Stiglitz, former chief economist of the World Bank, was of the opposite view: "*It has proved difficult to prevent corruption and other problems in privatising monopolies.*" Meanwhile, Jean-Michel Severino, head of the Asia-Pacific Department, acknowledges that privatisation of infrastructure in these regions has been transformed into a "*horror story*" in which "*there was a high level of corruption.*" The experience of Russia show that privatisation weakens the State, depriving it of the necessary monito-

ring tools. All the more so when it questions the very big companies, with turnover at times much higher than the budget of some States. It also opens the door to the play of private interests which could be translated into Mafia practices.

In December 1997, 29 member countries of the OEDC (plus Argentina, Brazil, Bulgaria, Chile and Slovenia) signed an international convention on the fight against corruption among civil servants in international trade transactions. Limited to officials in the public sector, this text is however innovating in that it obliges the signatories to penalise active corruption under their legislation, carried out in their territory with a foreign civil servant. This also implies ending it with the taxation of money used to bribe and to arrange the extradition for corruption.

However, what remains is the way to proceed. First of all because a number of corrupt activities are carried out by intermediaries who conceal the company that takes the initiative; and then because of the limited degree of knowledge of the convention by those concerned. A survey carried out among 230 heads of private companies in 14 countries from all the continents shows that 45% of them have never heard about the convention. But does a journey of a thousand miles not begin with the first step?

A.L.

ARE MULTINATIONALS RESPONSIBLE?

There are codes of conduct, which are not compulsory. There are international conventions, but it is governments, which must ensure they are respected. There are also national laws, to which companies must be subject to (1). But, in the context of globalisation where they are at times more powerful than the States, are private companies legally responsible in the eyes of international law?

According to the International Permanent Peoples' Tribunal (2) (TPP), with the law as it is, transnationals are not obliged to respect fundamental human rights and peoples' rights in dealings with foreign States. And the State where such a company is "national" is not responsible for its actions outside its territory. It must be observed that since it is quite easy for a company to escape the courts in one country, the TPP suggests therefore the establishment of an international penal court which can decide on the responsibilities of private stakeholders, including transnational companies.

¹See in particular UNCTAD: *The Social Responsibility of Transnational Corporations*, 1999.

²Permanent Peoples' Tribunal: *Global Corporations and Human Wrongs*, Warwick University, 22 - 25 March 2000, page 26.

¹See the very good file *Corruption, Privatisation and Multinationals*, the Corner House (London), Briefing 19, June 2000 (<http://iccap.org/cornerhouse>).

²The Guardian, 7th September 1999.



Moral harassment : words which kill

A seemingly insignificant comment passed. Then reproaches... which pile up. Hours spent filing dossiers in the dark. Responsibilities, which fall one on one. Then silence. Scorn. Voices which stop abruptly... Repetitive attacks which champion the cause of error. This goes on for weeks, months, even years. Until doubt, insidiously sets in. "If it is me they are always after, there must certainly be reasons...". But, it is already too late. At times, after some vain attempts to revolt, the exhausted and isolated victim can no longer take it. Not knowing whom to turn to, at best, he leaves his job. At worst, he sinks into despair, which can lead to psychiatric confinement, or attempted suicide.

Physical violence at work exists, but that is not all. It can also be mental or psychological. Moral harassment also known as *mobbing*, from 'to mob' (tyrannising), is a form of modern torture widespread in the world, which plays increasingly on individualism, even in competition between colleagues. From this fact, soli-

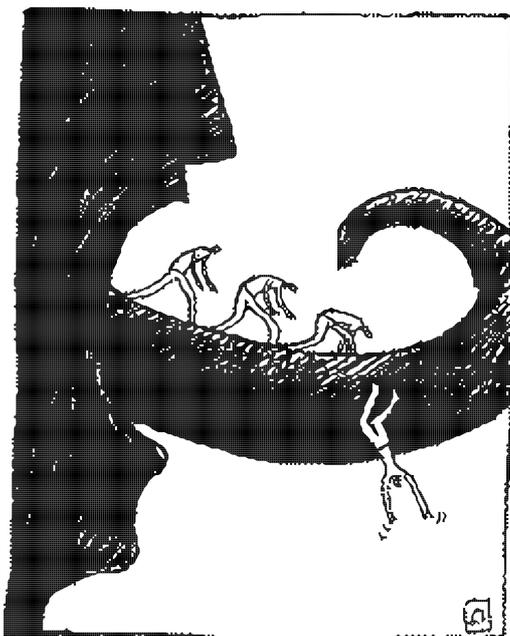
darity tends to disappear and bring in its wake the loss of certain defence mechanisms unique to groups.

Several elements promote a conducive atmosphere for moral harassment. One will understand, that harassment can take place, for different objectives and at all levels.

PROFIT, INTEREST, VENGEANCE, CRUELTY ...

Harassing an employee is an effective way of dismissing him at least cost. Very often, the victim, who is exhausted, will offer to resign himself. According to Claude Akpokavie, director of the Department of Labour Norms and Rights of the WCL, "moral harassment can be practised to punish the person, to avenge." Refusing advances can bring about moral pressures. "Moral harassment is therefore related to sexual harassment." It also affects trade unionists, at times considered as wet blankets by some bosses. The unionists can be subjected to pressures to prevent all forms of zeal, even to facilitate their eviction. As stressed by Eduardo Estevez, Confederal Secretary of the WCL, "it is not rare to find that interdiction to join a trade union is part of the labour contract, or is used as a threat."

NOT WELL KNOWN, NOT WELL RECOGNISED, MORAL HARASSMENT CAUSES HAVOC EVERYWHERE. IT LEADS THOUSANDS OF WORKERS TO DEPRESSION, EVEN SUICIDE. REACTIONS ARE GRADUALLY BEING CONSIDERED.



Harassment is also practised with a purely trivial aim. In the search for perverse and mean pleasure, coupled with the "privilege" to amuse others, those, who very often are on the side of the tormentor. Moral harassment, is therefore not a preserve of leaders who wield despotic power. It can be found at all levels. At the descending level, from the employer to workers; ascending, from workers to the employer, horizontally, from colleague to colleague. The aggressor is



defined as a person without apparent symptoms, apart from a lack of compassion in the face of certain situations, an ability to handle derision, sarcasm and scorn.¹ And the victim?

NOT THE ONE THAT WE THINK.

A study undertaken by Heinz Leymann² shows that really, each and everyone is exposed to finding himself one day in the web of moral harassment. Marie-France Hirigoyen³ points out that it is generally people full of life and health, brilliant, strong, conscientious, who work too much, and do not let go, who will see the trap of moral harassment tightening up on them.



Desperate due to psychological violence

However, they generally have a flaw on which the aggressor will prey: a lack of confidence in them due to their background which pushes them to question themselves and to easily doubt themselves in the face of external attacks.

The victims are often people who are trusting of others and thus considered as "naïve" or credulous.

Victims and aggressors can be found everywhere. In any company, sector and country, certainly in different degrees, but, everywhere. As Claude Akpokavie emphasises, "*Moral harassment has become a global reality. This affects labourers as well as officials. It can*

be strong or weak, according to the sectors." He also specifies that "*it is in countries where the legislation is strongest and where trade unions are big that this method of 'free dismissal' is used.*" In some areas such as the informal sector, the free zones where workers are less protected, employers do not necessarily resort to this system to push the person to resign. Very often, the undesirable person is just thrown out of the door. This does not mean that moral harassment does not exist, on the contrary. As we have seen, it can be used for other purposes...

However, in some countries called "developed", where *mobbing* is very present and used to this end (dismissal at least cost), it still goes on very unnoticed. "*Certain aspects of moral harassment have not yet been tackled as such*", confirms Eduardo Estevez. Generally, States are still not sensitised on this problem.

However, moral harassment is not without consequences: not only for the victim, but also for the company. "*In the United States, the direct cost of moral harassment in terms of job loss, absenteeism, etc., was assessed at 1 to 4 billion dollars in 1992 for companies. The indirect cost, low productivity, deterioration of the social climate, low quality, etc., comes to about half.*" (Source: European Foundation for the Improvement of Living and Working Conditions, 1997).

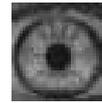
Nevertheless, things are beginning to improve, especially at the European level, with Sweden as the pioneer (see framed). "*Since 1977, an outline law has been used in judging cases of moral harassment at work, with Sécu taking responsibility. In 1993, mobbing became an offence.*" (*Libération*, September 13, 1999). Other initiatives are seeing the light of day in France, Belgium etc.... Each time an initiative is taken, each time an action is proposed, each time it is talked about, it is a step further to breaking a taboo. Which has only taken too long.

*Audrey Meunier
Trainee.*

¹ National Trade Union of Employees: *Moral harassment in companies*, Brussels, April 2000

² Heinz Leymann, *Mobbing, persecution at work*, Ed. Seuil, 1996

³ Marie-France Hirigoyen, *Moral harassment, daily perverse violence*, Ed. Syros, 1999

**WHAT IS THERE TO DO?**

Breaking the silence, denouncing, explaining is one thing, acting is another. However, it is possible to do it. National, regional and community initiatives no matter what, are first steps to be taken. In other countries, the gap remains to be bridged. No ready solutions to employment, no miracle recipes, but ideas.

AT THE LEVEL OF SOCIETY:**1. Inform:**

In order that victims of moral harassment no longer suffer in silence, it is imperative to sensitise the public (the whole society) on this problem.

2. Legislate:

Take legislative measures, or establish guidelines and agreements. In 1977, Sweden adopted the first avant-garde law, which was specified again in 1993. (Reference article). "To my knowledge, no one has ever been indicted for moral harassment in Sweden", emphasised a legal expert at the Department of Labour Protection, "Although imperfect, this law has the merit of recognising the problem. This is not a taboo. It is talked about. That perhaps explains why few matters end up at the courts." (*Libération*, September 1999).

It will take several years for a guideline to be made on the subject of moral harassment at international level. Should it take so long again?

3. Give support to victims by:

* Setting up an organisation such as "Words for the hurt" for example, a French organisation that assists victims. This organisation and a group of parliamentarians worked together on a proposal for a law submitted in December 1999, which aims at defining and sanctioning moral harassment at work, in France. (*L'express*, 30/03/2000).

* **Provide a toll free number.** This is what the Tokyo Union of Officials has done for tyrannised employees. During 2 short periods in June and October 1996, more than 1,700 calls were received. The callers complained of being stressed and a lot of them asked for emergency psychological help. (Source: ILO Magazine, No. 26, September/October 1998).

* **Broadening of the legal concept of arbitrary dismissal.**

IN THE COMPANY (AT THE COLLECTIVE LEVEL) :

1. Prevent harassment through provision of information meant for all stakeholders in the company (workers, officials, trade unionists, etc)

Introduce this concept in the labour law.

2. Establish a structure to listen and to assist within the company (office doctors, psychologists, lawyers or reference person (s))

AT THE INDIVIDUAL LEVEL:

1. Try to resist psychologically: remain in control of yourself, do not react to provocation, and always remain on your guard. Be careful (close your office, drawers etc) without becoming paranoid.

2. Talk: right from the beginning, to the head of human resource (if there is one), to the head of department, head of personnel, office doctor. Do not lock yourself up in your misery.

3. Collect proofs: make a note of insults, keep the words, notes, and messages, make photocopies etc.

4. Ask for assistance from the trade union, as soon as possible.

5. Negotiate: the ideal is not to resign on your own, but if it is impossible to act otherwise, negotiate for compensation.

6. Institute legal/court action, supporting proofs: if all other legal and trade union resources are exhausted. French magistrates are beginning to recognise harassment at the legal level, by establishing that some victims (who committed suicide or attempted to do so) "had been subjected to persecution from the hierarchy, to whom they attributed the responsibility of this fatal act. These legal decisions confirm the existence of moral harassment", a journalist wrote in *L'Express* (30/03/2000). For example, on February 28, 2000, a French court considered that an attempted suicide in August 1996 by a woman in her work place in a school, was an accident at work. The victim, who is today paraplegic, was victim of psychological harassment, which could have led to the tragedy. (*Le Monde*, 14/03/2000).

Source: *Moral harassment in enterprise*, CNE document, Brussels, April 2000.





PRESS REVIEW



Towards a utopian society

"Trade unionism must undergo profound renovation (from bottom to top), simultaneously in its logos (its message), its praxis and its structures. (...)

The most significant aspect of this loss of direction is, no doubt, not to have known or not to have wanted to converge, in the 1960s and 1970s, the fights of the trade union movement of the non-aligned for a more equitable economic order and the actions, in industrial countries, of one part of the trade union movement to resist the integration into the consumer society, to fight against "fragmented labour" and to contest the authoritarian power company managers and the growing weight of multinationals. (...)

Implementing some basic social rights cannot reduce resistance and alternatives. (...) Trade unionism should be genuinely involved in intense public debates these last years on the aims of economy and technology, the capitalist methods of development, political incompetence. (...)

Render credible and gradually invent a long-term social project, comprising social utopian ideas, carrying hope and even dreams. >>

G rard Fonteneau, Gent, 18 - 20 May 2000, at the Conference on "Past and Future of International Trade Unionism".

• COFFEE OR CHEESE COLOUR?

The management of a big Marseilles hypermarket expressed his "official regret" about a female employee with black skin, who was moved from her job as saleswoman at the cheese stand because she "did not suite the image of the department". She was offered compensations.

Le Monde (France), 29 June 2000

• ANARCHY AT WORK

Measures aimed at encouraging breaks are receiving increasing success in British enterprises. Getting away from your office does not only allow you to fight stress and other emotional problems, which cost companies (...) but also increases productivity. (...) In the United States, companies have set up jogging tracks around the premises (...).

At Microsoft Great Britain, it is possible to have a massage if one still needs to be tended, even after a visit to the hall of "anarchy", one which allows one to let off steam.

The Independent (GB) in *Courrier International*, 6-12 July 2000

• BRAZIL : FREE SLAVES

Officials of the Ministry of Labour have freed 133 slave labourers at seven large properties in the State of Para. Recruited with false promises, these workers lived on the properties and had to provide for themselves in their boss's shops. Their expenditure was five times higher than their salary. Perpetually in debt, they were also under the threat of armed men.

El Pa s (Spain), 29 June 2000

BOOKS AND DEBATES



President Clinton supported ILO efforts in the fight against child labour. The United States ratified Convention 182, but this Human Rights Watch report indicates that there is a way ahead before it is applied in this very country. Hundreds of thousands of children work there in agriculture. They are victims of wage exploitation and accidents, exposed to pesticides... And, they are legally less protected than in less hazardous occupations. The United States is henceforth breaching the international child labour regulations.

On its release, this report was contested with the argument that it is generally to do with working in a family, not a wages relation. This does not in any way remove any of the dangers encountered by the children.

Fingers to the Bone, Human Rights Watch, 2000, 104 p. (<http://www.hrw.org>)

NEGATIVE

Stop on picture



In 2000, this photograph has received the World Press Photo award. Title: Camp for Displaced People, Luanda, Angola. The picture was taken by Chris Steel-Perkins, UK, Magnum Photos Agency, for Der Spiegel.

The WORLD PRESS PHOTO Foundation offers annual awards to the best photographs appearing in the world press. This selection confers an award on photographers whose works capture current events in the world with vividness and emotion.

Obviously this picture reflects the life of several hundreds of millions of people in Africa, Asia and Latin America, who live in such precarious conditions.

On one hand, we can see in it everything we still have to do about infrastructure, education, accommodation..... and especially dignity and work. Because what can bring dignity to men and women in these conditions, is decent work, in respect of workers' rights.

But this picture also moves me because certain regions of Spain, Portugal, Greece and Turkey were in the same situation not too long ago.

And when we look at what has happened to Spain, when we see Portugal presiding over Europe, it warms my heart because it shows that, considering the circumstances in which these Mediterranean countries have been able to develop, this has been

possible and therefore should be possible elsewhere. But to achieve this, we have to stress on something that can not be ignored, by men and women workers, solidarity, without which, nothing is possible.

Picture selected and commented on by Manuel Simon, Director of ACTRAV (Office of activities for workers; BIT)

trade unions actions

TRADE UNION FREEDOM

Transparency at all cost



No conditional state without trade union freedom

Let us imagine an international organisation for the defence of human rights. Its Board of directors comprises personalities, including company heads, which does not prevent the organisation from carrying out studies and distributing the very critical reports on the non-respect of trade union freedom, which is a fundamental human right.

Then one day, there is a catastrophe, when a large internationally renowned daily publishes a report which proves that one of the administrators of the organisation, owns a company in a Central American country, where trade unions are banned. All the credibility of the organisation risks being reduced to nought due to this flagrant contradiction between "saying" and "doing".

HOW DOES ONE REACT?

What ensues is quite common. In the first place, the organisation decides to send a fact-finding mission to the country concerned, to verify if the newspaper accusations are true. Investigations carried out in the field confirmed it. The problem becomes more compounded as other media houses begin to take an interest in the affair.

Whiles, public relations officials of the organisation wanted to keep the story as quiet as possible, the *Information* Department chose a completely different attitude and a surprising one at that: it acknowledges that the affirmations of the newspaper are correct, and publishes its field study report confirming them.

Result: on one hand, the peculiar case of this Latin American company had become public, the management was forced to make sacrifices and to authorise trade unions there. On the other hand, the credibility of the organisation was strengthened, since the values it defends (respect for human rights) took precedence over institutional interests (to defend itself as an organisation).

Where public relations measures could have led to digging in their heels in the face of external criticisms, the release of information brought about total transparency, which in the long run, builds up confidence that one could have in the denunciations of the organisation.

Moral: *"if you communicate what you are doing well in a wrong way, it will be thought that you are not doing it well; but if you present well what you are doing wrong, you will only be wrong once."*