



Greener Business, Better Workplace

Module 4

Relations, Rights and Equality at the Workplace



International
Labour
Organization



ILO/Japan
Multi-bilateral
Programme

Module 4: Relations, Rights and Equality at the Workplace

Main topics

1. Industrial relations: some key concepts
2. Fundamental principles and rights at work
3. Promoting equality and eliminating discrimination at the workplace

Industrial relations at the enterprise level: some key concepts

What are industrial relations?

Interactions between workers and employers and their organizations

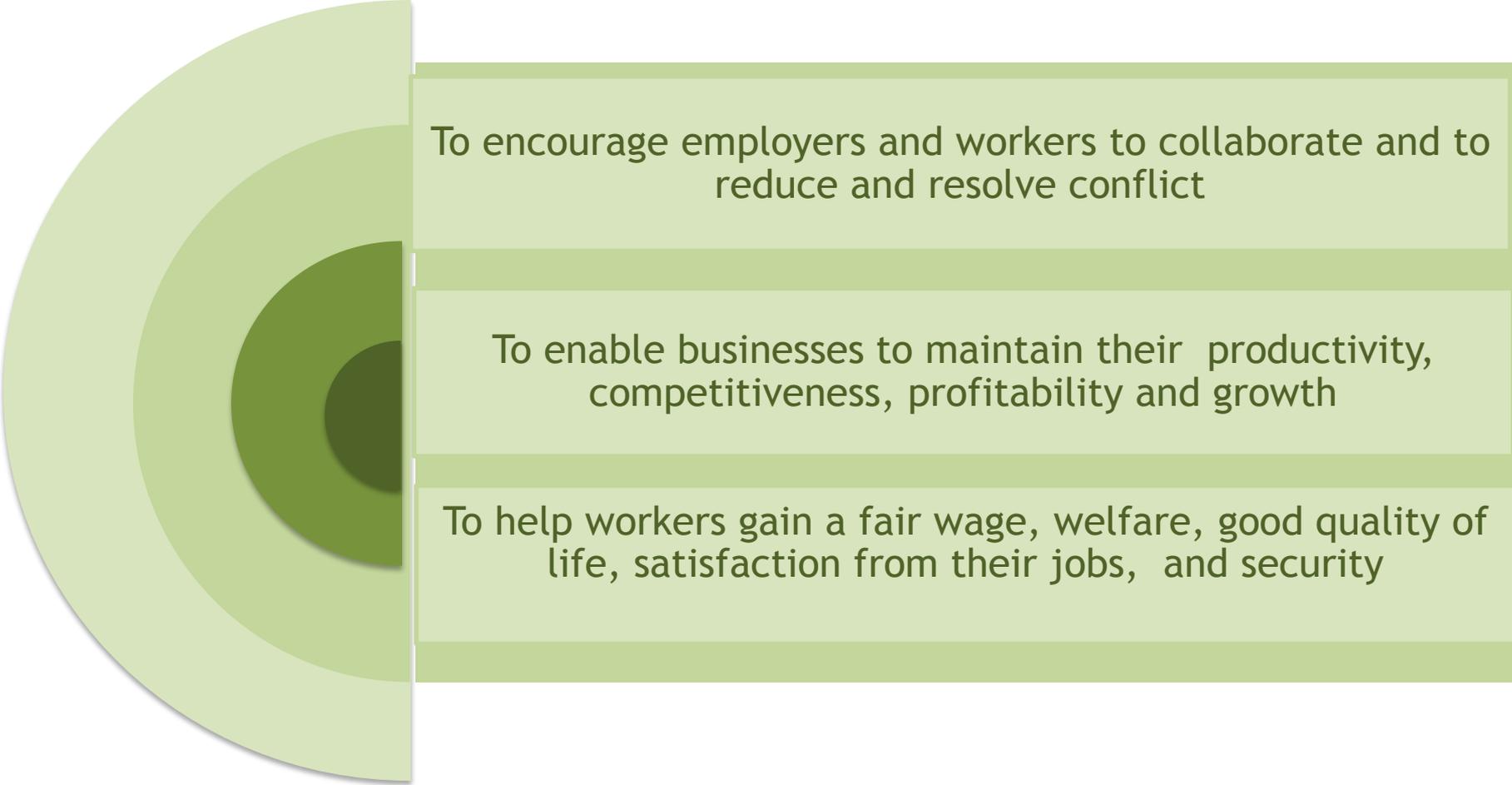
As influenced by the government

At work or arising out of the work situation

Industrial relations at the enterprise level

Interactions between workers and employers and their representatives within the enterprise

Goals of industrial relations at enterprise level



To encourage employers and workers to collaborate and to reduce and resolve conflict

To enable businesses to maintain their productivity, competitiveness, profitability and growth

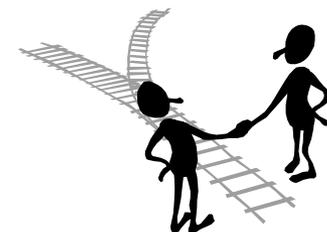
To help workers gain a fair wage, welfare, good quality of life, satisfaction from their jobs, and security

Common and conflicting interests at the workplace

Workers and employers have conflicting interests. It's normal and accepted



Workers and employers also have common interests



Social dialogue helps to minimize and resolve conflicts and to pursue common interests

Question



What are examples of interests and priorities of

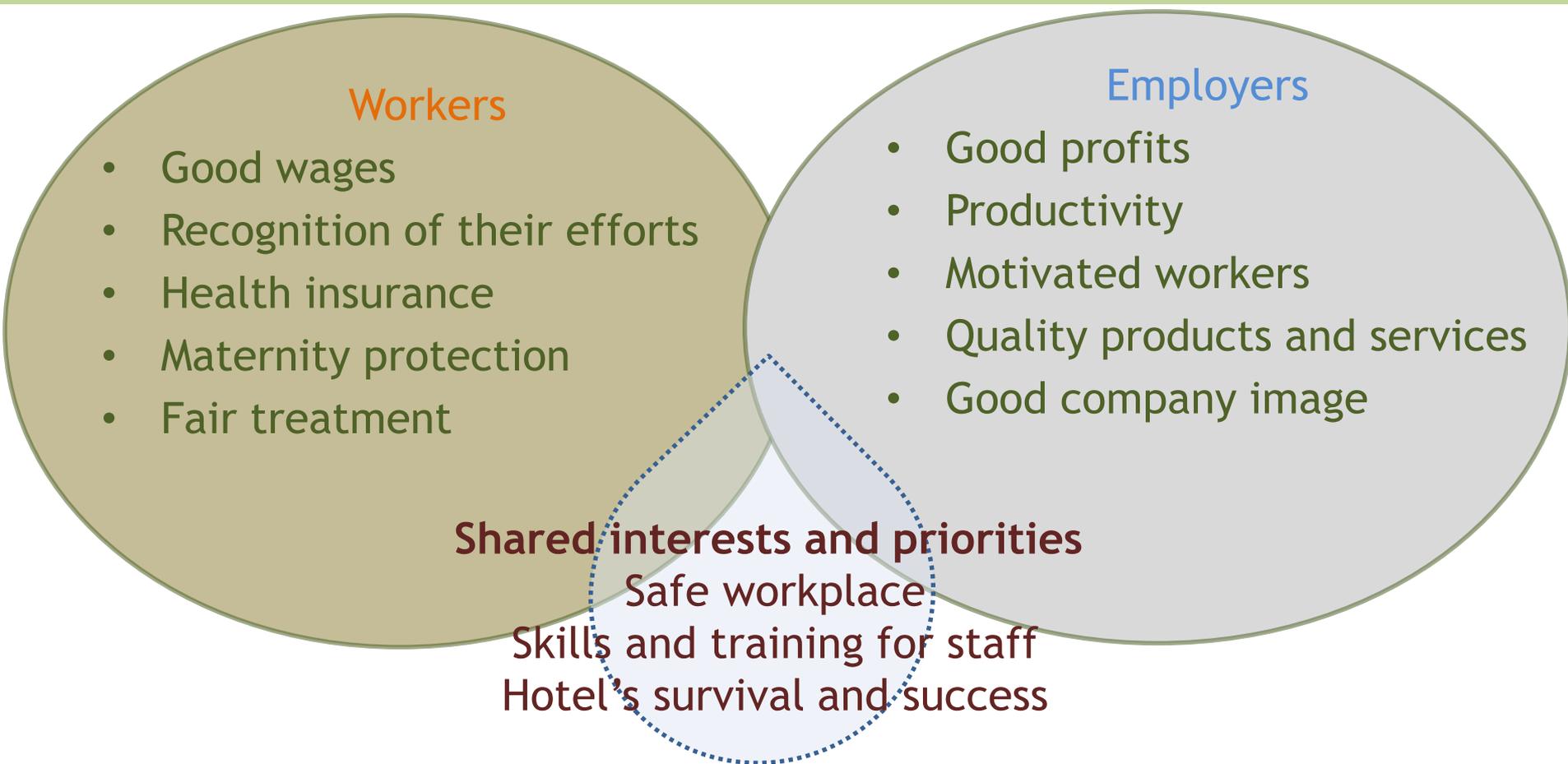
- Workers
- Employers



What are examples of interests and priorities shared by both



Examples of interests and priorities of workers and employers



What is social dialogue?

All forms of negotiation, consultation and exchange of information between or among representatives of workers and employers (sometimes involving also the government)

Forms of social dialogue at enterprise-level:

- Grievance procedures and processes for dispute resolution
 - Information-sharing
 - Consultations
 - Joint decision-making
 - Negotiation and collective bargaining
- See Module 3 on workplace cooperation

Enterprise informal grievance procedure

What is it?

- *A systematic process for workers to raise issues/concerns*
- *Mechanism to solve small problems before they become major labour disputes*

Goals:

- Addressing complaints quickly and systematically
- Preventing minor issues from becoming major ones
- Minimizing disruptions to service delivery
- Resolving problems within the enterprise without government intervention
- Building trust and confidence between workers and managers



Enterprise informal grievance procedure - principles

Grievance procedures should be:

- ✓ Written
- ✓ Voluntary
- ✓ Agreed by all parties
- ✓ Understandable and accessible by all parties
- ✓ Based on good faith
- ✓ Based on workers' rights
- ✓ Time bound for each step of the procedure

Grievance procedure - rights and obligations

- Management agrees **not to retaliate** against any worker who makes a complaint
- Workers are **entitled to have a representative** to assist them with any complaint
- Workers are **allowed to have time off during working hours** to use the procedure
- Workers will **not suffer a loss of remuneration** for their involvement in the procedure
- Workers agree **not to make frivolous complaints**
- Both parties agree to respect the **time limits** set under the procedure
- **Both parties agree to do their utmost to resolve the issue** within the enterprise
- Both parties accept that the **procedure does not eliminate their rights under the law**

Enterprise informal grievance procedure - Stages

1. Worker(s)-immediate supervisor
2. Worker(s)-senior manager
3. Worker(s)-joint committee (& mediator if required)
4. External options, third-party assistance

Look in the toolkit for more information on setting up an effective grievance procedure

Collective bargaining

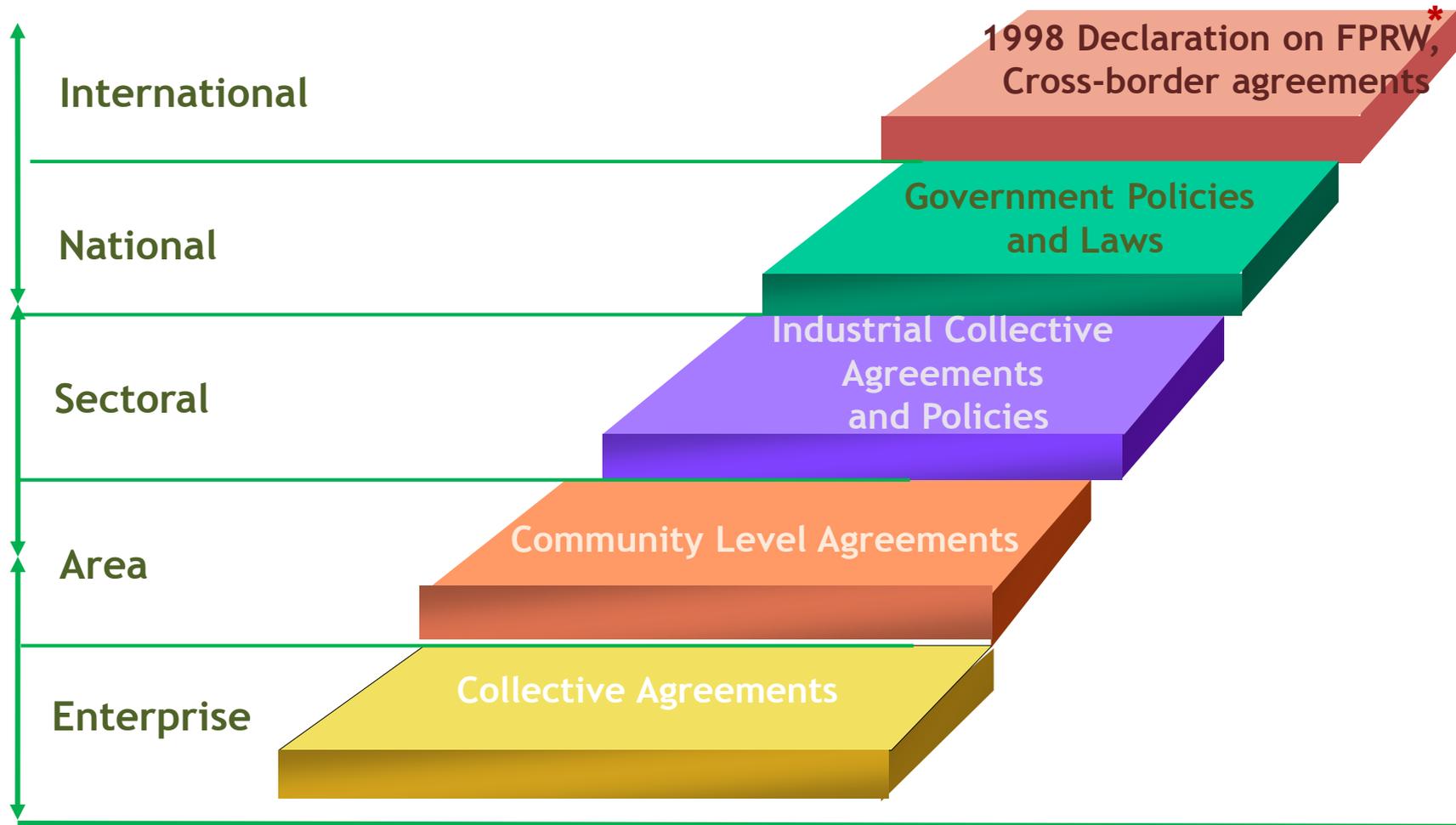
What is it?

A high form of **social dialogue** between a **group of workers and an employer** (or group of employers) on matters like wages, working conditions, procedures, and relations between workers and employers that leads to a **legally-binding agreement** reached by consensus

Principles and characteristics

- It is voluntary
- Both parties are free to raise any serious issue of concern
- Decisions are made by consensus without interference of an outside party
- Agreements can exceed existing legal standards and rights but cannot be contrary to the provisions laws and regulations
- Bargaining is done in good faith

Different Levels of Industrial Relations and their frameworks



*FPRW: Fundamental principles and Rights at work

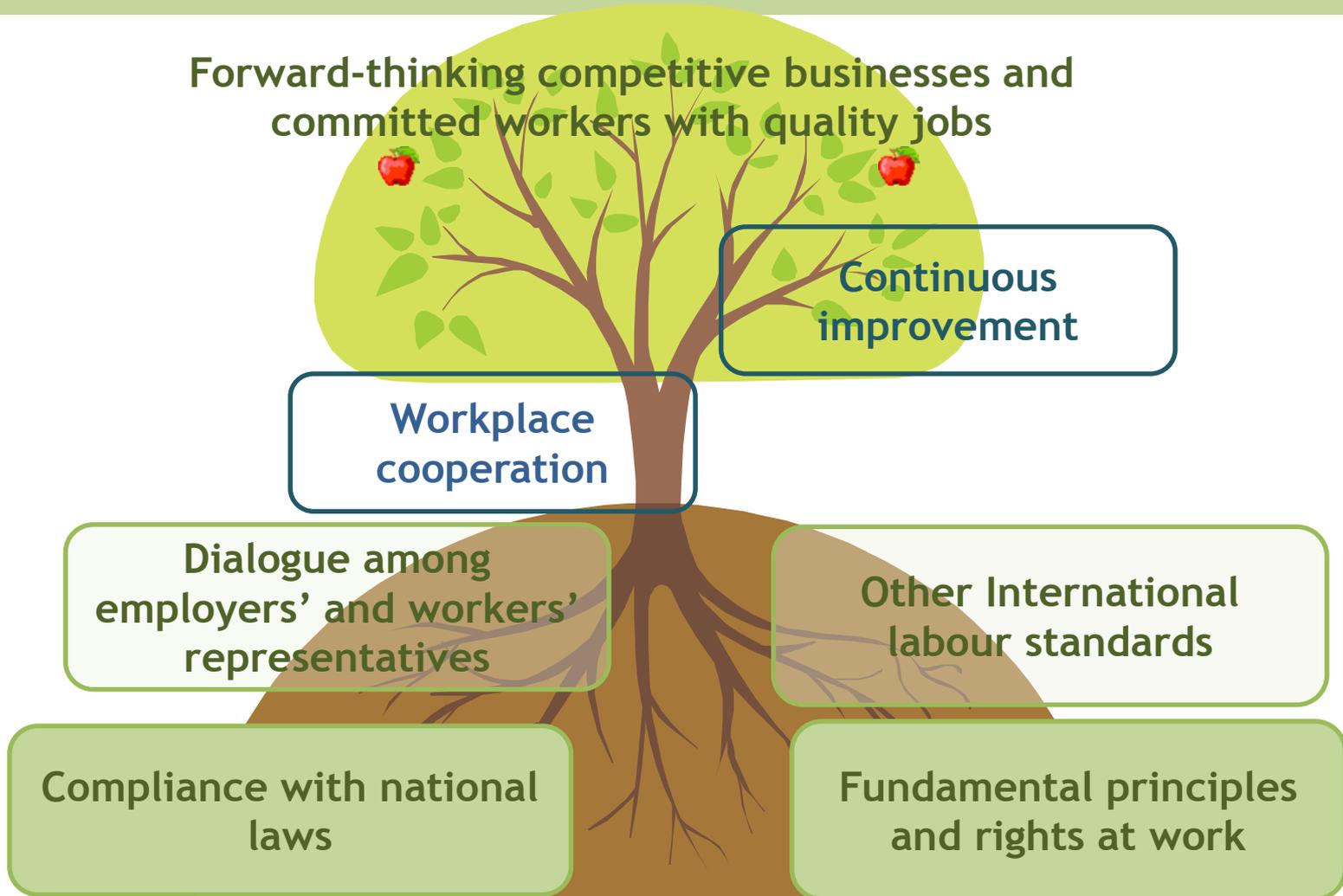
Fundamental principles and rights at work: key conditions for responsible and sustainable enterprises

Fundamental principles and rights at work - ILO conventions

4 main issues in 8 conventions:

1. Freedom of association & the right to collective bargaining: C87, C98
2. Abolition of all forms of forced labour: C29, C105
3. Elimination of child labour: C138, C182
4. Elimination of employment and occupation inequality: C100, C111

Reminder: the roots of workplace cooperation & enterprise improvement



Freedom of association and right to collective bargaining

Refers to the right to organize and form workers' and employers' organizations, which are free from mutual interference and interference from other agents.



Workers enjoy adequate protection against anti-union discrimination

Workers' organizations are able to negotiate collectively with employers, typically on terms and conditions of employment

Safeguarding freedom of association and the right to collective bargaining at your workplace

How?

By ensuring

- Workers can join or form a union of their choice that is free from interference
- Trade union representatives can have access to workers
- Union membership and involvement in trade union activities is never a factor to discriminate against workers during hiring, contract renewal, promotion
- The workplace is free of intimidation, harassment and punitive behaviour against workers who are union member/engaged in union activities
- Collective agreements and their provisions are implemented and accessible to everyone
- Trade unions are consulted as required

Elimination of forced labour

This means eliminating all forms of forced or compulsory labour, defined as

"all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily".

Penalties include physical and other forms of violence, but can also amount to the withholding of identity/travel documents / wages, threats of deportation, or the imposition of loans/advances that are difficult to repay



Abolition of child labour

Means abolishing work that:

- is mentally, physically, socially or morally **dangerous and harmful to children**; and
- **interferes with their schooling** by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.



Whether or not particular forms of employment are “child labour” that needs to be eliminated depends on the child’s age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries.

Workers must have achieved the minimum legal age for employment. National law should indicate the minimum working age. Under international standards, the minimum age is 15 years, or the age at which compulsory schooling is completed, whichever is higher.

The worst forms of child labour

- All forms of **slavery or practices similar to slavery**, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour;
- The use, procuring or offering of a **child for prostitution**, for the production of **pornography** or for pornographic performances;
- The use, procuring or offering of a child for **illicit activities**, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- Work which, by its nature or the circumstances in which it is carried out, is likely to **harm the health, safety or morals** of children.



Labour that jeopardises the physical, mental or moral well-being of a child, either because of its nature or because of the conditions in which it is carried out, is known as “hazardous work”.

The ILO Convention on the Worst Forms of Child labour defines a child as any person under the age of 18 years.

Question



Can you think of a case of child labour in a tourism-related situation?

Eliminating the worst forms of child labour: protecting children from child sex tourism

Your hotel can help!

How?

- put in place a policy and procedures to prevent commercial sexual exploitation of children on your premises
- raise awareness among clients and business partners and communicate the hotel's zero tolerance stand on children sexual exploitation
- train staff to identify suspicious activity and alert authorities when necessary

You may also wish to join an industry initiative such as the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (www.TheCode.org)

Elimination of discrimination in employment and occupation

Means eliminating

“...any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation....” Convention, 1958 (No.111)

And on the basis of any other grounds forbidden at the national level



Promoting equality and eliminating
discrimination at the workplace

Mechanisms leading to discrimination



Biases, stereotypes, opinions, prejudices about abilities and attitude of certain groups related to grounds like sex, ethnicity, health status, others

Example: prejudice 'Women cannot cope with stress, so it's better if they don't have management/supervisory roles'



Distinction in treatment, exclusion from opportunity, preference given, harassment

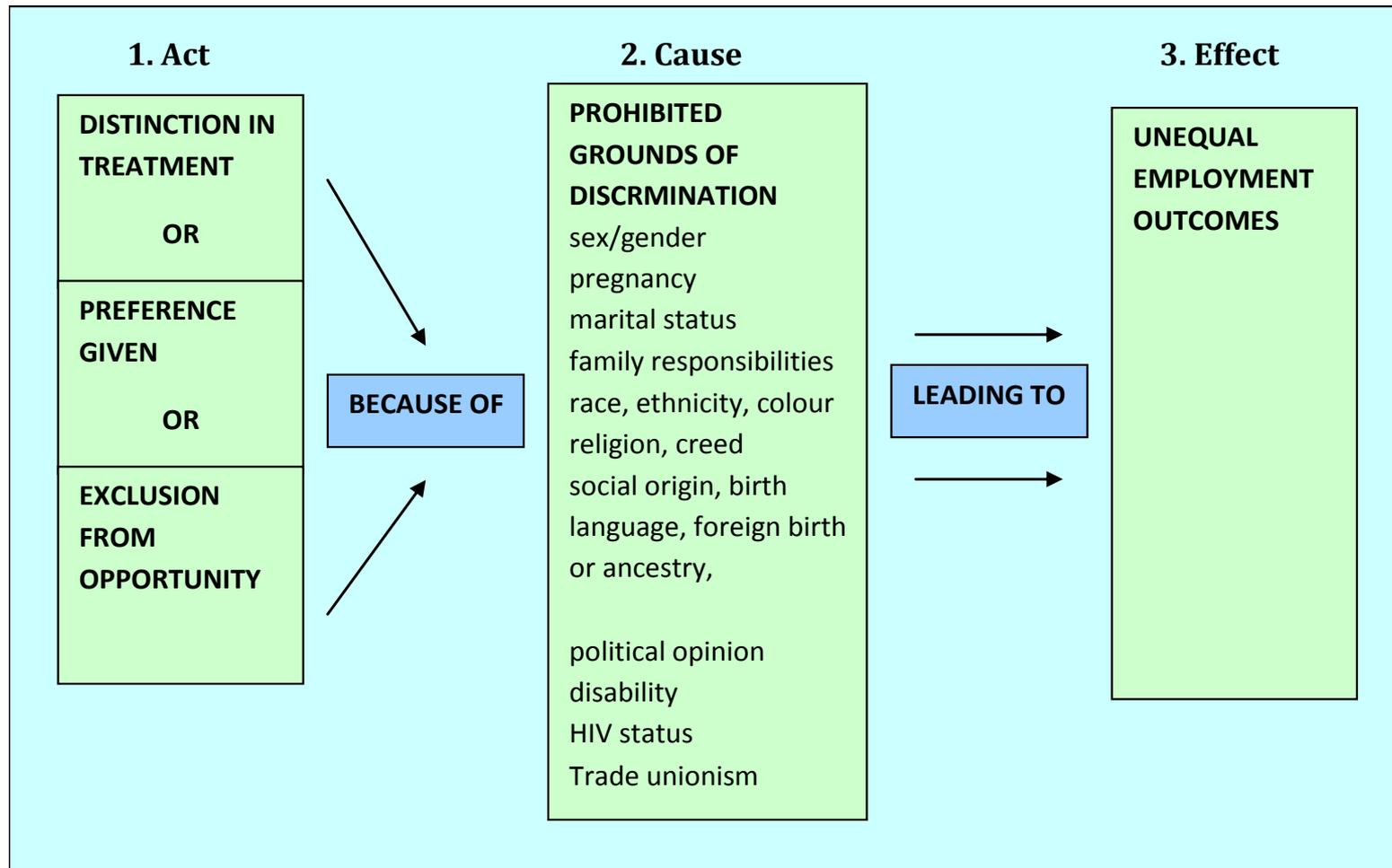
Example: during hiring /promotion, men applicants are systematically preferred over women applicants for management/supervisory jobs, even when their qualifications are equal/lower



Denial of rights, unfair differences in working conditions, denied realization of potential of current and prospective employees, divided and broken workplaces

Examples: Women employees only occupy lower-ranking jobs, the workplace is divided along gender lines, employees believe that good performance, skills and effort will not grant women any professional advancement

How does discrimination work?



Effects and threats posed by discrimination

Discrimination

- Violates human dignity of individual workers and denies access to means to pursue material and spiritual wellbeing
- Causes frustration, anger or even violence
- Reduces job satisfaction, morale and commitment
- Decreases productivity and performance
- Increases turnover
- Hampers creativity and innovation
- Hampers workplace cooperation
- Increases risks of workplace conflict and disputes
- Poses threats to companies' reputation



This and the following contents are largely drawn from the ILO Manual *Equality and non-discrimination at work in Cambodia*

Grounds of discrimination

Grounds of discrimination prohibited by international labour standards and national law in many countries

- × Sex
- × Race or ethnicity
- × Colour
- × Religion
- × Social origin, birth social status, wealth, other status
- × National origin and nationality
- × Political opinion
- × Sexual orientation
- × Maternity & marital status
- × Family responsibilities
- × Membership/involvement in trade union activities
- × Age
- × HIV status
- × Disability

Understanding biases and prejudices and their role in discrimination



- The inclination of human beings to distinguish among different groups of people is common
- **Gaps of information and understanding** can lead to **negative opinions and assumptions** about people who are different from oneself
- These negative opinions about certain people's attitudes and skills are **not based on evidence**, and yet they are taken for granted and left unquestioned: they are biases and prejudices
- **Bias and prejudice can threaten one's ability to make impartial, objective and fair decisions**
- When bias and prejudice influence decision-making concerning **employment and workplace behaviour**, they create **discrimination at work**

Exercise: what makes a woman and what makes a man? Drawing competition



Who can do the clearest sketch in the shortest time?

- Split into two teams (with the same number of male and female members in each)
- Each team is given one marker
- At one end of the room are two large slips of paper (one for each team). One has 'MAN' written on top, the other 'WOMAN'
- Each lines up at the other end of the room, opposite their slip of paper
- At the start, the first members of each team go up to the paper and draw **one** line, then go back to their team and hand the marker to the next team member
- Each team member does the same
- The winning team is the one that has made the clearest drawing in the shortest time

Discussion and reflection: what makes a woman and what makes a man?

Understanding sex and gender discrimination

- While there are biological differences between men and women, generalising beliefs about their abilities and attitudes are not based on facts, but are prejudices, bias and stereotypes

- Gender-role stereotyping, e.g. about different abilities and inclinations, limits free choice of employment and occupation for both women and men

- Women often face discrimination on the basis of (potential) pregnancy, family responsibilities and/marital status. E.g. discrimination in access to employment and career development

- Women are traditionally assigned the overall majority of family responsibilities, and many employers are reluctant to employ women due to their perceived higher cost. These perceptions are not backed up by evidence.



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Understanding discrimination based on ethnicity and religion

- Prejudices and biases towards people of different colour, ethnicity or religion take the form of assumptions on their attitudes and abilities or of acts of intolerance

- Discrimination in employment and occupation occurs if such prejudices and bias determine a person's access to job opportunities or his/her treatment at work.



What is disability?

Types of disability

- **Physical:** Disorders of the musculoskeletal, circulatory, respiratory and nervous systems
- **Sensory:** Restriction in hearing & vision
- **Intellectual:** Restrictions in cognitive functions & adaptive skills (e.g. learning difficulties)
- **Psychosocial :** Impairments relating to psychiatric & mental conditions influenced by psychological & social factors (e.g. mood, personality, eating, substance-related or psychotic disorders)
- **Non-visible or hidden disabilities:** Not immediately recognizable: e.g. arthritis, cancer, epilepsy, mental health difficulties, HIV, Chronic Fatigue Syndrome & dyslexia

Did you know?

650 million people worldwide have some type of disability - 10 % of the world's population

What is HIV and AIDS?

- **HIV:** Virus which attacks the human immune system
- **AIDS:** Acquired immunodeficiency syndrome (advanced stages of HIV infection)
- Routes of transmission:
 1. Unprotected sexual intercourse with an infected partner,
 2. Transfusions of infected blood or through infected needles,
 3. From mother to child during pregnancy, at birth or during breast feeding
- Can **NOT** be transmitted through casual contact (e.g. shaking hands or sharing food, bathroom or work equipment)
- There is no cure for HIV, but with antiretroviral therapy HIV-positive persons live longer and often have no loss of functional capacity

Stigma & discrimination are often based on misinformation about the transmission routes of HIV, inappropriate fear of the disease, and prejudices about the morality of infected persons

Understanding discrimination on grounds of disability and health status

- The limitations set by stereotypes, assumptions and prejudices about a disability or health condition threaten people's freedom to develop their personal abilities and make choices
- Stigma and misinformation about nature of disabilities, health conditions and transmission routes of infectious diseases should not be allowed to impact employment decisions.
- This does not mean that all people have the same abilities or have to be treated in the same way. It means that the different behaviour, aspirations and needs of persons are equally considered, valued and favoured, regardless of their disability or health condition.



Different forms of discrimination - not always easy to see

Direct discrimination (typically the most visible)

Unequal treatment between workers stems directly from laws, rules or practices making an **explicit difference** between workers on the basis of race, colour, sex or any other prohibited ground *E.g. job advertisements that specify the sex of the candidates*

Indirect discrimination (often harder to detect and eradicate)

Rules and practices which **appear neutral** but in practice **lead to disadvantages** primarily suffered by persons of one sex, race, colour or any prohibited ground. *E.g. job advertisements that set irrelevant height requirement that favour one sex over the other*

Be careful! Indirect discrimination is often invisible at first glance. It may be unintentional and come from unconscious and culturally accepted practices.



Differential treatment versus discrimination

Differential treatment is **NOT discrimination** in the case of:

- **Inherent requirements of the job:**

Differential treatment is allowed when e.g. the sex, race or religion of a person is an inherent requirement of the job: i.e. only a person with these characteristics can perform the job

E.g.: a fashion company has a legitimate reason to only hire male or female models to show fashions for men and women.



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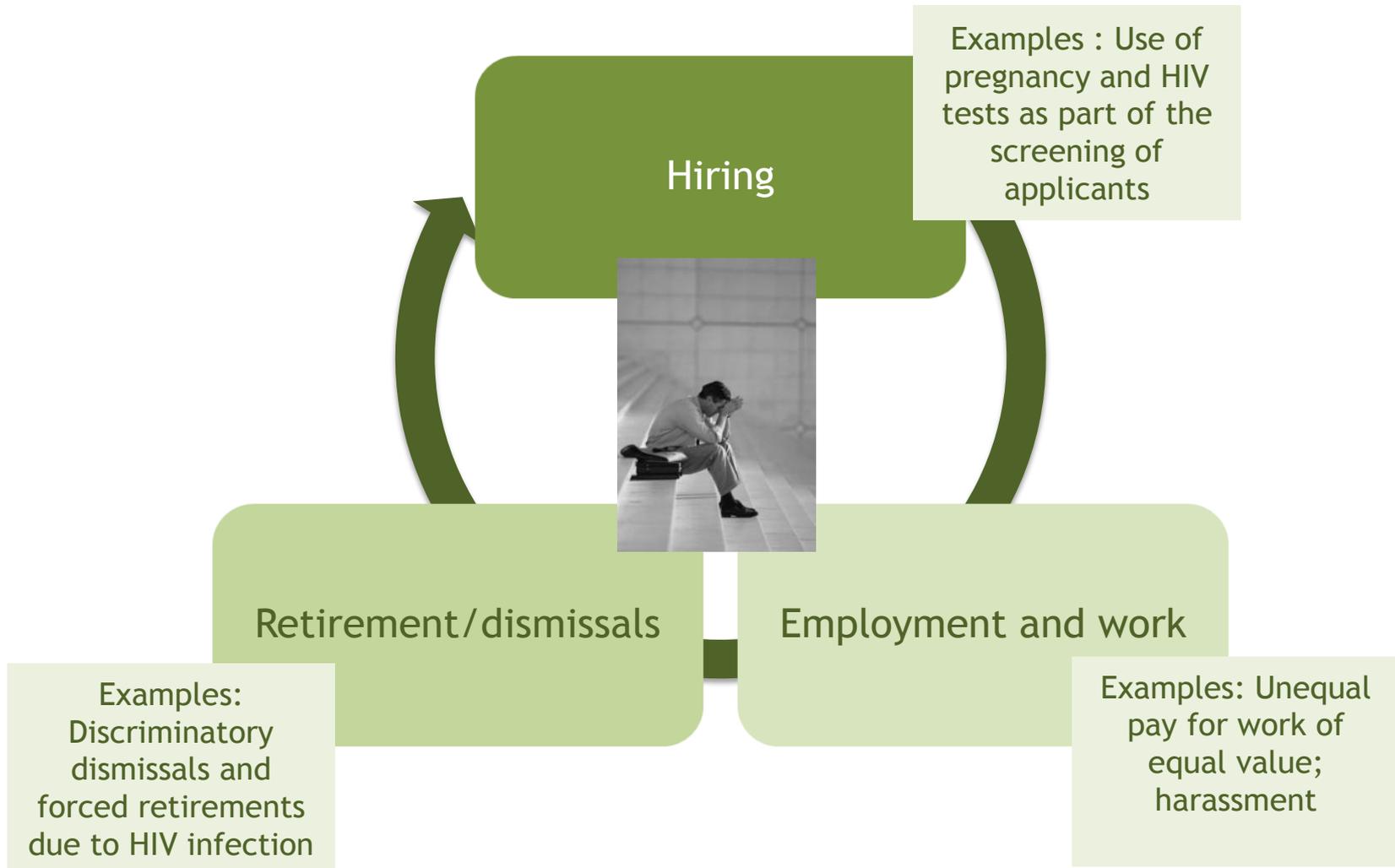
- **Special measures of protection or assistance**

These are needed for young and old workers, the disabled and for other workers when it concerns hazardous work; for women and women to protect their reproductive functions

- **Affirmative action measures**

Temporary special measures to remedy the effects of past or continuing discrimination & ensure equality in outcomes for the discriminated group. E.g. quotas for women in company higher management positions

Discrimination at different stages of the employment cycle

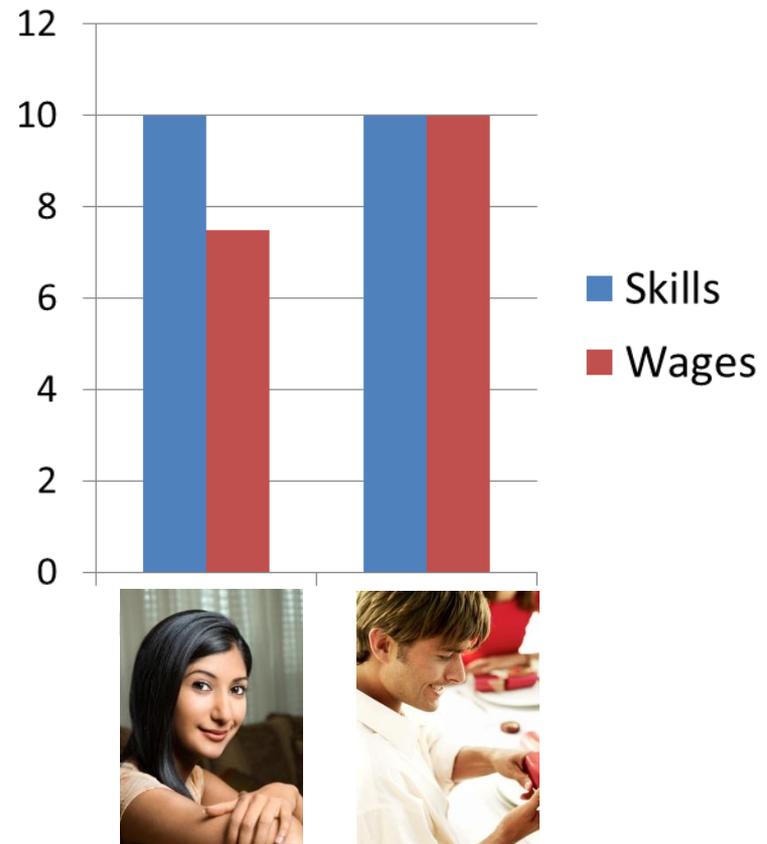


Is discrimination a real problem in the hotel sector?

Did you know?

In the Hotel, Tourism and Catering industries,

female workers are paid
25% LESS
than male workers
with COMPARABLE skills



Discrimination at the workplace - recruitment and access to employment

In the recruitment process, discriminatory practices include:

- Stereotyped ideas about suitability to different jobs - e.g. based on sex, health status, ethnicity - leading to exclusion of certain groups/people from jobs
- Use of pregnancy tests, unlawful questions about marital status, sexual orientation, ethnic origin, use of obligatory HIV tests as a condition for employment



Discrimination at the workplace - conditions of work

Discrimination can take the form of unequal conditions of work

These include:

- Unequal pay for work of equal value
- Disadvantages in professional development and promotion based on stereotypes and prejudices
- Harassment at work, including sexual harassment
- Lacking maternity protection and balance between work and family
- Discriminatory dismissals or forced retirement e.g. due to pregnancy, changed health status, HIV infection



Harassment at the workplace

Harassment refers to **Conduct** related to sex, ethnicity, religious belief or person's social origin that violates this persons' dignity and/or creates a threatening, hostile, humiliating or offensive working environment

- Harassment can happen during recruitment and during the period of employment
- Harassment can come from an employer, a supervisor, a colleague, a visitor, a customer or any other work-related party



Forms of harassment include

- “Quid pro quo” harassment (this for that) : e.g. sexual blackmail
- Verbal, non-verbal or physical conduct E.g. degrading jokes, bullying a person for his/her racial features, giving a person unwanted sexual attention



Exercise: is it sexual harassment?

- Participants are numbered 1 to 4
- All participants that are numbered as 1 form a group and sit together, same for all 2s, all 3s, all 4s
- Group 1 and Group 3 read case A , Group 2 and Group 4 read the case B
- Each group discusses the questions for their respective case and notes on the flipchart the main points from the discussions

Presentation to other groups and plenary discussion

- Group 1 starts by summarizing case A and then briefly presents their answers to the questions.
- Group 3 comments on what Group 1 says, based on their own discussion (on what they agree? What they disagree on? Do they want to add anything?)
- Group 2 presents case B and their answers to the questions
- Group 4 comments on case B based on their discussion (on what they agree? What they disagree on? Do they want to add anything?)
- The trainer summarizes discussion and main learning points

Case A.
 Ms. May worked at a company in Bangkok. Mr. Gao, her direct superior, often sent her emails and SMSs, saying he liked her, and repeatedly asking her to go out with him. He also frequently invited her to his house when discussing work, saying the discussion should be there. She did not permit him. Mr. May repeatedly stated that she was essential and it was inappropriate for him to do so. However, Mr. Gao kept his behavior. Mr. May said Mr. Gao had sexually harassed her from the time she started working. Mr. May also had had her own sexual and family planning sessions, because she knew that Mr. Gao liked women with long hair and skirts.
 When Mr. May consistently refused to go out with Mr. Gao, he became angry and started to retaliate. When he learned that Ms. May was the only child in her family and her mother needed her for financial reasons, Mr. Gao frequently disrupted her to work in a domestic role. However, he started sending messages and threats about Mr. May leaving other company employees. He told her, Mr. Gao also tried to force her to have an affair with another person, which she refused to do. Mr. May. As a result of the heavy sexual stress, Mr. May suffered acute depression.
 Mr. Gao stopped the nature of the harassment since Mr. May's refusal, while Mr. May and her mother moved to another place only recently. Mr. Gao kept harassing her in various ways.

Questions for discussion:
 - Does Mr. Gao's conduct in this case constitute sexual harassment? If yes, make a list of the acts or conduct by Mr. Gao that you consider as sexual harassment.
 - Does Mr. Gao's conduct constitute discrimination?
 - Think of the impact of Mr. Gao's conduct on the working environment and well-being of workers. Do you think it would be in the company management's interest to take action to address the situation?
 - What can the company management do to address the situation and prevent similar situations in the future?

Note: Examples based on ILO's Equality and non-discrimination at work in East and South-East Asia - Evidence and findings for women, 2011

Exercise: is it sexual harassment?

Learning points- 1



- The cases describe situations of sexual harassment because the behaviour and acts are unwelcome to the recipients
- Examples of sexual harassments in the two cases include; unwelcome suggestion to go on a date/become lovers, unwelcome touching and kissing, unwelcome personal questions
- They create a hostile and humiliating working environment, or involve sexual blackmail
- The cases are examples of discrimination and prevent equality at the workplace
- Enterprises and the employers that do not respond to complaints , e.g. case B, implicitly accept such behaviour, and commit an act of sex-based discrimination

Exercise: is it sexual harassment?

Learning points - 2



Appropriate response by employers include:

- Conducting a fact-finding process. Managers or designated staff should investigate and listen to the accounts of incidences by the alleged perpetrator and victim and third parties if necessary (while maintaining confidentiality for both parties).
- Determining an appropriate response to resolve the situation and to ensure such behaviour does not occur again in the company. The appropriate response will depend on the nature and extent of sexual harassment and the working relationship between the perpetrator and the victim. The priority for most victims is to stop the behaviour to stop and to have their respect restored. An apology and assurance that such behaviour will cease completely may often go a long way in solving and addressing the problem.

Based on ILO Equality and non-discrimination at work in East and South-East Asia

Eliminating discrimination, ensuring equality and opportunity in treatment

Discrimination and equality are two sides of the same coin



Discrimination = Absence of equality

Equality = Absence of **discrimination**

Equal opportunity and equal treatment at work

Equal opportunity at work aims to ensure that people have equal chances to develop their potential to the fullest and can allocate their time and energy where reward is the highest.



Equal treatment at work aims at ensuring that people's work performance is rewarded according to their productivity and merit. It refers to employment and working conditions, such as equal entitlements in pay and job security.



Ensuring equality of opportunity and treatment

Decisions at all stages of the work cycle (from access to training, recruitment, throughout the employment period, to retirement) **are made in relation to the inherent requirements of a job** in terms of skills, qualifications and work experience; responsibilities; efforts; working conditions

... without interference of discriminatory bias and assumptions based on the applicant's/worker's race, sex, ethnicity, religion, political opinion, social origin and other discriminatory grounds

Principles of equality



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- Equal rights, opportunities and treatment within all spheres of life and work for all people regardless of their sex, gender, ethnicity, health status and other discriminatory grounds
- All people are free to develop their personal abilities and make choices without the limitations set by stereotypes, assumptions and prejudices about their sex, ethnicity, health status and other discriminatory grounds
- Bias, prejudice, stigmas and misinformation should not be allowed to impact employment decisions
- This does not mean that all people are the same. It means that the different behaviour, aspirations and needs of persons are equally considered, valued and favoured, regardless of their sex, ethnicity, health status and other discriminatory grounds

Promoting equality and fighting discrimination at the workplace - Benefits

Benefits of workplaces are proactive in promoting equality include:

- More motivated and committed workers
- A more collaborative workplace
- A diverse team with diverse talents
- A more attractive workplace to retain existing employees and attract prospective ones



Promoting equality and fighting discrimination - How?

- Develop a policy to fight discrimination and promote equality at the workplace and ensure it is shared with all staff and management
- Ensure that equal opportunity and treatment are part of all stages of the human resource cycle and reflected in workplace behaviour and practices
- Clearly communicate and raise awareness among staff and management on the stand of the hotel towards equality and its value of diversity



Promoting equality and fighting discrimination at the workplace - key points

- All decisions related to recruitment and employment should be solely based on fair and objective criteria primarily relating to applicant's/ worker's merit in terms of skills, responsibility and effort
- Discriminatory bias or stereotyped assumptions should not interfere in any decisions related to recruitment, conditions of work, access to training and career development or termination of employment.
- Adequate attention should be given to team diversity and implementation of affirmative action measures.
- Employers should ensure that their organization is free from harassment and take measures to meet specific needs of different groups of workers (e.g. work-family balance, reasonable accommodation).

Practical examples - Recruitment

Job advertisements and application forms

- **Job advertisements** should clearly state the **genuine occupational requirements** of the job and define **objective selection criteria** related to these requirements.

No criteria related to applicants' personal characteristics (sex, ethnicity, health status etc.) should be used, except in those limited cases where the personal characteristic is an inherent requirement of the job

- **Job application forms** should not ask applicants to submit a photograph or provide personal information unrelated to the job (e.g. marital status, family responsibilities, ethnicity)



From manual

Practical examples - Recruitment - continued

Selection tests, interviews and medical tests

- **Selection tests** should relate to the genuine job requirements and be free from bias. **All applicants should be required to take the same test**
- During **job interviews** no questions should be asked on personal issues unrelated to the job
- **Pregnancy testing or screening for HIV should not be required** as part of routine pre-employment medical testing
- When recruitment is done through an **employment agency**, the agency should be required to apply non-discriminatory criteria and principles of merit-based recruitment



Exercise: Recruitment

Avoiding discrimination in job advertisements



- Each table group reads the job advertisement provided
- Each team discusses which criteria are actually required for the job, and which ones are clearly discriminatory - explaining why they
- Each team, using the flipcharts, lists **DISCRIMINATORY CRITERIA** and **NON-DISCRIMINATORY CRITERIA**
- Each table group reports back to the rest

- The trainer provides feedback and draws attention to the discriminatory criteria in the advertisement and discuss an example of a non-discriminatory advertisement for the same job.

Driver, Bangkok LDT Group

Requirements:

- Age 21-24, must be no less than 175 cm.
- Army-man transferred to civilian work
- No family responsibility, can live in dormitory.
- Healthy, can work overtime (male.)
- Over three years of safe driving experience, B-type license, familiar with roads in Bangkok
- Strong sense of safe driving.
- Bangkok resident

Exercise: Recruitment

Avoiding discrimination in job advertisements – 2



Discriminatory criteria underlined

Driver, Bangkok LTD Group - Thailand

Requirements:

- Age 21-24, must be no less than 175 cm.
- Army-man transferred to civilian work.
- No family responsibility, can live in dormitory.
- Healthy, can work overtime (male)
- Over three years of safe driving experience, B-type license, familiar with roads in Bangkok - Strong sense of safe driving.
- Bangkok resident

Example of non-discriminatory advertisement for the same job

Driver, Bangkok LTD Group - Thailand

Job description: Driver needed to dispatch and deliver orders in Bangkok and all over Thailand. The job requires ability to lift heavy weights (up to 30 kg) and to work flexible hours. The work involves spending 10-15 nights away from Bangkok every month.

Requirements:

1. B type driving licence; over three years of safe driving experience and strong sense of safe driving.
2. Familiar with roads of Bangkok.
3. Ability to lift heavy weights and to endure stress related to long shifts and night work.
4. Strong personal integrity and professional attitude.
5. All applicants are required to provide one reference.

From: ILO Equality and non-discrimination at work in East and South-East Asia

Practical examples - Conditions of work

Pay and benefits

- Employers should pay all employees **remuneration** commensurate with the **value of the job** they are performing. The value of the job should be determined with reference to the **effort, skill, responsibility and working conditions of the job in question**
- Eligibility to **salary increments** (e.g. seniority increments), **allowances**, pensions, health insurance plans, lunch vouchers, commissions, **bonuses** and any other fringe benefits should be based on objective and criteria and applied in non-discriminatory way
- Any performance appraisal systems used to determine **performance pay** should be free from prejudice and bias



Practical examples - Conditions of work - continued

Terms and conditions of work

- All employees should enjoy **equal terms and conditions of work** (e.g. Hours of work, including overtime; Assignment of work and duties; Rest periods; Annual leave; Occupational safety and health measures; Machinery, equipment and tools)
- Employers should ensure that the working environment is **free from violence and harassment, developing and clearly communicating to all measures to prevent, report and address harassment cases**

Practical examples - Conditions of work - continued

Supportive working environment

- All pregnant workers and new mothers should have the right to **maternity protection**, including **maternity leave, cash and medical benefits, health protection, employment protection and right to breastfeeding breaks and facilities** upon return to work.
- **Family friendly workplace practices** such as flexible work arrangements, family care leave or child care facilities should be promoted.
- Employers should take provide **reasonable accommodation**, taking special needs of employees into account (e.g. provision of special equipment or special working time arrangements for persons with disabilities or health conditions etc.)

Practical examples - Addressing sexual harassment at the workplace

Enterprise-level mechanisms to prevent and respond to sexual harassment should include:

- A policy statement prohibiting sexual harassment with a clear definition of what constitutes sexual harassment;
- A complaints/grievance procedure;
- Disciplinary rules and penalties against the harasser and against those who make false accusations;
- Protective and remedial measures for the victim;
- Communication and education initiatives to explain the company policy regarding sexual harassment and to raise awareness of sexual harassment and adverse consequences for breach of the policy should be provided to all employees, supervisors and managers of the company.
- Monitoring

Practical examples -Access to professional development

Training and promotion

- **All interested employees should be informed** about the opportunities for training or promotion as well as conditions and procedures for application
- Selection for training and promotion should be done based on **objective and non-discriminatory criteria** principally related to applicants' **merit** in terms of their **skills, qualities, aspirations and potential**
- **Affirmative action policies** should be given adequate attention in the selection for training and promotion. Women and men should be provided opportunities to benefit from **skills training in non-traditional trades**



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Practical examples - Termination of employment

Dismissal, retrenchment and retirement

- Dismissal must always be fair and based on **documented poor performance or misconduct** of the employee.
- Decisions to dismiss or to refuse **renewal of a fixed duration contract** shall never be based on pregnancy, health status, trade union activity etc. of the worker.



Practical examples - Termination of employment - continued

- Retrenchment policies, procedures and practices need to be fair and non-discriminatory, **without any unjustifiable or disproportionate impacts** on specific groups of employees. **Affirmative action** measures need to be taken into account when deciding on lay-offs.
- Retirement age for women and men should be equal, and **women should not be forced to retire earlier than men.**



Review identified problems, areas for improvement, and possible solutions
&
Discuss and list possible improvement actions