



# Memo

**Date:** 16/02/2012

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**To:** Better Work Jordan stakeholders

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**cc:** Better Work Global

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**From:** Phillip Fishman, Programme Manager, Better Work Jordan

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**Subject:** Response to Classic Fashion Apparel Industries allegations of sexual assault and Better Work Jordan follow-up on the issue of sexual harassment

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## Summary

Tackling sexual harassment in the workplace is a key component of the ILO's mission to eliminate discrimination at work and an important part of Better Work Jordan's (BWJ) mandate. Following the emergence of new evidence on this issue collected throughout 2011, as well as taking into consideration serious allegations of sexual assault and rape in one Jordanian garment factory, this report both presents an overview of the response to these allegations and offers a broader picture of sexual harassment in Jordanian garment factories. The report also outlines plans by Better Work Jordan to address sexual harassment through its core services and by working with national stakeholders.

Sexual harassment is unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated and/or intimidated. Sexual harassment can take various forms, ranging from staring, suggestive comments, unwanted touching or hugging, displaying sexually explicit pictures, to behavior punishable under criminal law such as sexual assault.

Following a more detailed definition of sexual harassment, this report summarizes the various investigations and inquiries conducted into allegations that were made against several managers in Jordan's largest garment factory for allegedly subjecting a large number of women workers to serial sexual assault over a period of five years. Investigations conducted by the Jordanian government, Sri Lankan government, the Jordanian National Center for Human Rights and BWJ have been unable to substantiate these allegations, despite extensive efforts to collect information from workers and other sources. There was evidence, however, suggesting that there may be a culture of quid pro quo sexual harassment at the factory in question.

The report goes on to provide an overview of sexual harassment in the garment industry worldwide. Research conducted on this issue in several developing countries indicates that sexual harassment is widespread and takes various forms. There are several structural features of the export-oriented garment industry in the developing world that make this industry particularly prone to higher incidence of sexual harassment. These are: 1) the large power differential between men and women workers in the industry, where it is common to see large numbers of women, especially young, inexperienced, often illiterate workers migrating from rural areas or overseas, who are supervised by a small number of men; 2) stereotypes about garment workers that lead to them being perceived as promiscuous and having "low status"; and 3) the pressure to meet production targets that leads to abusive disciplinary practices on the factory floor.

In Jordan, BWJ has worked to collect information on sexual harassment in this sector using a variety of data collection techniques including document reviews and manager and worker interviews. Drawing an accurate picture of the extent and nature of sexual harassment in garment factories is challenging. In many societies, the stigma attached to open discussions of sexuality and the potential loss of "honor" for victims means that women workers are reluctant to reveal experiences of a sexually exploitative nature. Thus, while BWJ data on sexual harassment in the sector provides some insights on this phenomenon, it should not be treated as providing a complete picture. To date, BWJ factory assessments conducted in accordance with standard Better Work methodologies have found little evidence of sexual harassment in Jordanian garment factories. However, through anonymous worker surveys carried out as part of Better Work's independent monitoring and evaluation, it emerges that 25 per cent of garment workers in Jordan feel that sexual harassment is a concern for workers in their factory. Approximately 11 per cent of workers have discussed this issue with their co-workers and with their supervisor or manager and approximately 4.5 per cent have considered quitting their job as a result of their sexual harassment concerns.

Such findings are not unusual in the context of the global garment industry. Research conducted in several developing countries (including Bangladesh, Cambodia, The Dominican Republic, Kenya and Mexico) indicates that sexual harassment in the garment industry is widespread and takes various forms. Surveys conducted in other Better Work country programmes (Haiti, Indonesia and Vietnam) also suggest that sexual harassment is a priority concern in the global garment industry.

In conclusion, sexual harassment is a critical issue in the Jordanian garment industry and must be given serious consideration. In order to address this issue effectively, BWJ will be working with its stakeholders to implement a specialized programme to combat sexual harassment including preventative measures and advocacy in the major industrial zones containing garment factories in Jordan. This approach will contain the following elements:

- **Providing specialized advisory services to factories.** Helping employers develop robust and effective policies and procedures to prevent, identify and deal with harassment on the enterprise level.
- **Advocating for strengthened legislation.** Providing technical support to the Jordanian government to bring Jordanian labor legislation in line with international labour standards related to sexual harassment in the workplace.
- **Raising awareness about sexual harassment.** Providing training to both managers and workers to ensure that they understand the concept of sexual harassment and the adverse impact of such behavior on workers and the enterprise.
- **Protection for workers facing sexual harassment.** Providing access to independent counseling and legal services for workers facing sexual harassment through the pilot workers' centre to be established in the Al-Hassan Industrial Zone in 2012.

Phillip Fishman  
Programme Manager  
BETTER WORK JORDAN



# **Sexual Harassment in the Jordanian Garment Industry:**

**Response to allegations of sexual assault at Classic  
Fashion Apparel Industries  
and Better Work Jordan follow-up on the issue of  
sexual harassment**

## Preface

I would like to express my appreciation to Ms. Thoraya El-Rayyes and Dr. Simel Esim for authoring this report. Ms. El-Rayyes has served as the International Labour Organization's (ILO) gender specialist in Jordan and was the gender focal point for the BWJ programme. Dr. Esim is the ILO's senior regional technical specialist on gender equality in the world of work for Arab States.

I would also like to thank Ms. Gudrun Jevne and Ms. Michela Martini for providing their inputs into the process and comments on the draft. Finally, I would like to thank Dr. Sepali Kottegoda and Ms. Nelummali Devasinghe who conducted the field research into sexual harassment among Sri Lankan migrant garment workers in Jordan, which is referred to in this study.

Phillip Fishman  
Programme Manager, Better Work Jordan

## Introduction

Over a number of months in 2011, serious allegations were made of serial sexual assault and rape by managers at an apparel factory in Jordan. In addition, over the past two years, Better Work has collected data from its country-level surveys of worker wellbeing, and recent analysis of these data indicates a serious problem with sexual harassment in garment factories, including in Jordan. This report presents an overview of the response to the allegations of sexual assault and rape made at one specific factory. It also offers a broader picture of sexual harassment in Jordanian garment factories, as well as plans by Better Work Jordan to address sexual harassment through its core services and by working with national stakeholders.

## Defining sexual harassment<sup>1</sup>

The elimination of discrimination at work has been a cornerstone of the ILO's mandate since its inception in 1919. Its paramount importance is echoed in the 1944 [Declaration of Philadelphia](#), the 1958 [Convention concerning Discrimination in Respect of Employment and Occupation](#), the 1998 [ILO Declaration on Fundamental Principles and Rights at Work](#), the 2008 [ILO Declaration on Social Justice for a Fair Globalization](#), and the 2009 [ILO Global Jobs Pact](#).

It is internationally recognized that sexual harassment in the workplace is a form of gender discrimination. Many surveys have shown that it is a significant problem in workplaces worldwide—one that occurs in every region and in different types of jobs and categories of occupations.<sup>2</sup> Thus, tackling sexual harassment is a key component of the ILO's efforts towards tackling discrimination at work.

*Definition: Sexual harassment is unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated and/or intimidated. Sexual harassment can take various forms, ranging from staring, suggestive comments, unwanted touching or hugging, displaying sexually explicit pictures, to behavior punishable under criminal law such as sexual assault. There are two kinds of sexual harassment in the workplace: Quid pro quo and hostile environment sexual harassment.*

### **“Quid pro quo” sexual harassment**

This includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when either of the following conditions is met.

1. Submission to such conduct is made or perceived to be either explicitly or implicitly a term or condition of an individual's employment; OR
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual.

### **“Hostile environment” sexual harassment**

This refers to all types of unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature when such conduct has the purpose or effect of

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<sup>1</sup> Adapted from: International Labour Organization (2010).

<sup>2</sup> International Labour Organization (2011).

unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

In workplaces where individuals from different cultures are working together, and particularly when there are cultural differences between managers and workers, there may not be a shared understanding of what could reasonably be assumed to be intimidating, hostile or offensive. In such situations, it is particularly important that managers and workers develop a shared understanding of what might contribute to a "hostile environment".

### **Sexual conduct is not always sexual harassment**

Sexual conduct is considered to be sexual harassment when it is unwelcome. The behaviour must be unwelcome in the sense that the person receiving the conduct did not solicit or incite it and in the sense that that person regarded the conduct as undesirable or offensive.

Behaviour based on mutual consent is not considered sexual harassment. Employers should not prohibit workers from forming genuine relationships based on mutual consent with co-workers.

In cases where one of the people in a relationship is in a position of authority or has power over the other, it can be difficult to determine whether consent is genuine. Because of the power imbalance, the voluntary nature of the consent is subject to question. For this reason many employers discourage such relationships. In addition, while not specifically sexual harassment, workers may perceive that a co-worker in a consensual relationship with a supervisor or manager receives special treatment.

### **Placing sexual harassment**

Sexual harassment can occur in almost every employment situation and relationship related to work. For example, it could occur at a social event organized by the employer, during work-related travel, at a client or customer's premises, at training events, business lunches or dinners, promotional campaigns or public relations events with clients, customers or prospective partners or during the course of work-related phone conversations or communications via electronic media.

### **Differentiating between sexual harassment and sexual assault in law**

Workplace sexual harassment includes a variety of behaviours, including sexual assault. However, sexual assault is generally defined as any involuntary sexual act in which a person is threatened, coerced, or forced to engage against his or her will, or any sexual touching of a person who has not consented. This can include for example, inappropriate touching, forced kissing, and rape. The abovementioned types of sexual assault are outlawed in most countries, regardless of whether they occur in the workplace or elsewhere. But there remain many countries in which other forms of workplace sexual harassment have not been outlawed.<sup>3</sup>

Not all types of workplace sexual harassment are illegal under Jordanian law. As the ILO's Committee of Experts on the Application of Conventions and Recommendations points out, *quid pro quo* sexual harassment and some types of hostile environment sexual harassment are not expressly prohibited in Jordan.<sup>4</sup>

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<sup>3</sup> International Labour Organization (2011).

<sup>4</sup> CEACR: Individual Direct Request concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111) Jordan (ratification: 1963) Submitted: 2011

Types of sexual harassment that constitute an offense under Jordan's Penal Code are:

- Sexual assault.
- Attempted sexual assault.
- Physical molestation or touching involving intimate areas of the body. These are defined as those areas which are customarily kept covered by clothing in public venues and conventional settings.
- Behaviour constituting a breach of public morality such as indecent exposure.

The Jordanian Labour Code gives the Minister of Labour the authority to either temporarily or permanently shut down any enterprise in which an incident of sexual harassment (as defined in the Penal Code) has taken place.<sup>5</sup>

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<sup>5</sup> Article 29-B of Jordan Labor Law as amended 2008.

## **Allegations of sexual harassment and assault at Classic Fashion Apparel Industries (CFAI)**

On June 7<sup>th</sup> 2011, the Institute for Global Labour and Human Rights (IGLHR), a US-based non-governmental organization, published a report alleging that since 2007 "scores of young Sri Lankan women [working for CFAI] have suffered routine sexual abuse and repeated rapes, and in some cases even torture" at the hands of the factory's managers.<sup>6</sup> The evidence provided in the report consisted of ten testimonies from people either claiming to have been subjected to sexual assault by CFAI managers or to have knowledge of other workers being subjected to such assault. All of the testimonies provided in the report were anonymous, and all but one of the sources were unverified. Upon the request of the Government of Jordan, IGLHR was able to produce one witness who testified that she had been raped by a CFAI manager a few months before. After filing her complaint and submitting to a medical examination, she immediately returned to Bangladesh, her home country, and did not participate in the subsequent criminal investigation and court case.

In light of the serious criminal nature of the allegations being made and in an effort to verify the information provided in the IGLHR report, a number of investigations and fact-finding missions have been carried out by various organizations, including Better Work Jordan, the Jordanian Government and the Jordanian National Center for Human Rights, to determine the veracity of the allegations. These are summarized below.

### **Better Work Jordan**

Better Work Jordan (BWJ) conducted two separate investigations regarding the allegations at CFAI, a fact-finding mission carried out by BWJ Enterprise Advisors immediately after the publication of the IGLHR report, and a detailed follow up carried out by two independent consultants in October 2011.

On June 8<sup>th</sup> 2011, one day after the publication of the IGLHR report, BWJ sent a team of three BWJ Enterprise Advisors to conduct a fact-finding mission focused on the allegations at CFAI. Enterprise Advisors were accompanied by official BWJ Sri Lankan translators. The fact-finding mission involved an unannounced visit to CFAI to interview workers and managers as follows:

- Private individual interviews with ten randomly selected CFAI workers and one security guard.
- Interviews with members of CFAI management, including one of the managers accused of sexually assaulting workers.
- Interview with the nurse employed in the CFAI clinic.

None of those interviewed claimed to have any knowledge of sexual assault taking place in the factory. Some indicated knowledge about managers at CFAI having sexual relationships with women workers, though these relationships are perceived by the interviewees to be consensual and were not acknowledged by the CFAI managers who were interviewed. Interviewed workers stated that they do not believe that these relations involved sexual assault.

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<sup>6</sup> Institute for Global Labour and Human Rights (2011)

As explained above when defining sexual harassment, however, it is important to be cautious in using the term “consensual” to describe these relationships without acknowledging the power imbalance between workers and managers at CFAI. In particular, it is important to note that migrant garment workers' employment contracts in Jordan prevent them from changing employers. For migrant garment workers in Jordan, the result of losing one's job is usually deportation to their home country.<sup>7</sup> This makes them highly dependent on their employers and creates a high level of anxiety and fear about job loss. Research shows that job insecurity is strongly associated with the inability to resist sexual harassment.<sup>8</sup>

In the context of such a relationship between the workers in Jordan and their managers, it is very difficult to determine whether consent is genuine or whether these relationships constitute quid pro quo sexual harassment. Nevertheless, interviewed workers indicated that to their knowledge, the worker/manager relationships known about at CFAI did not constitute sexual assault of the type described in the IGLHR report.

In October 2011, Better Work Jordan followed up its initial investigation by contracting a team of two Sri Lankan (Sinhala-speaking) consultants specializing in gender issues and experienced in working on issues of workplace sexual harassment in Sri Lanka to conduct additional interviews with workers, on both the sexual assault allegations at CFAI and about sexual harassment more generally. This work involved:

- Individual interviews with 25 randomly selected Sri Lankan women workers from CFAI. The interviews were conducted at the factory premises without management presence. Each individual interview took around 45 minutes. The vast majority of interviewees did not hesitate to respond to the questions asked by the members of the team.
- Five group interviews with a total of 40 randomly selected women workers from CFAI. These interviews were conducted at the factory dormitories following the end of a shift without management presence. Each group interview took around 75 minutes. Interviewees were very forthcoming in the group interviews.
- Information-sharing meetings with the Jordanian National Centre for Human Rights and Al-Tamkeen, a Jordanian human rights NGO.

Considering the amount of publicity surrounding the IGLHR allegations, it is unsurprising that most workers were aware of the accusations that had been leveled at CFAI managers. Although workers had varying views on the plausibility of the allegations, none of the workers interviewed had any knowledge or information about CFAI workers being sexually assaulted.

Four out of the 65 workers interviewed at CFAI expressed a view that the rape allegations were plausible. This opinion was based on these women's own experiences of being spoken to in a derogatory fashion by managers at CFAI and on their perception that some managers like “fair-skinned” young women workers and give them preferential treatment. Such statements should not be considered as evidence of sexual assault having taken place at CFAI. However, they do suggest that there may be a culture of sexual harassment at the factory.

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<sup>7</sup> In exceptional cases, the worker may be able to have his/her work permit transferred to another employer but this is rare.

<sup>8</sup> Haspels et al. (2001); Siddiqi, D. (2003).

**Jordanian Ministry of Labour**

On June 26<sup>th</sup> 2011, the Jordanian Ministry of Labour (MoL) published a report detailing the findings of its investigation, carried out by a joint team from MoL and the Jordanian Public Security Directorate. The report concluded that allegations of sexual assault and rape by managers could not be substantiated, but indicated that a criminal investigation of a new allegation of sexual assault by a Bangladeshi worker was being investigated by the appropriate authorities. That case was eventually dismissed in the criminal court for lack of evidence.

**Sri Lankan Ministry of Foreign Employment Promotion and Welfare investigation**

In July 2011, the Sri Lankan Ministry of Foreign Employment Promotion and Welfare sent a team to Jordan to investigate the allegations of sexual assault at CFAI. The team collected statements from 34 randomly selected Sri Lankan women workers at CFAI; the statements provided no information regarding the sexual assault of workers by CFAI managers nor were any accusations of sexual assault made against CFAI management. Four managers from the factory were also interviewed by the investigative team, all of whom denied any knowledge of workers at CFAI being sexually assaulted.

**Jordanian National Centre for Human Rights**

On September 4<sup>th</sup> 2011, the Jordanian National Centre for Human Rights (NCHR) published a report detailing the findings of its investigation into the allegations at CFAI. The investigation carried out by NCHR, which included interviews with workers, managers and government officials, raised issues at CFAI related to late payment of wages to migrant workers, poor quality of food provided to migrant workers and unsanitary conditions in worker dormitories. However, the investigation team did not uncover any information related to sexual harassment or the more serious allegations of sexual assault as made in the IGLHR report.

## Sexual harassment in the global garment industry

To fully understand the incidence of sexual harassment in the Jordanian garment industry it is helpful to consider the wider context of sexual harassment in the garment industry worldwide. Due to the sensitive nature of the issue and fears of reprisal among workers, sexual harassment in the workplace tends to be underreported. Workers subjected to sexual harassment are often reluctant to report it due to fear of stigma or retaliation. Nonetheless, research conducted in several developing countries indicates that sexual harassment in the garment industry is widespread and takes various forms.<sup>9</sup>

### Vulnerability to sexual harassment as a characteristic of the garment industry

There are several structural features of the export-oriented garment industry in the developing world that make this industry particularly prone to higher incidence of sexual harassment.

- **Gender differences in power.** Workers who are at particular risk of sexual harassment include those in situations where a large number of women, especially young, inexperienced, often illiterate workers migrating from rural areas or overseas, are supervised by a small number of men, as is common in the garment industry.<sup>10</sup> In garment factories, the organizational structure is vertical and hierarchical and those in positions of power are usually men. In such settings, sexual harassment of women becomes a manifestation of this large power differential.
- **Stereotypes about garment workers.** Women working in the garment industry are especially prone to sexual harassment because of their perceived “low” status and because of culturally dominant associations between poverty, women factory workers and promiscuity.<sup>11</sup> As noted by Siddiqi: "The reputation of the industry and the conditions of work offer an implicit license for otherwise unacceptable behavior, making garment workers fair game for male attention inside the factory and beyond."<sup>12</sup>
- **Pressure to meet production targets.** The export-oriented garment industry in developing countries is characterized by a fast pace of production and significant pressure on workers and supervisors to meet high production targets. This work environment can lead to abusive disciplinary practices on the factory floor, often taking on a sexual dimension.<sup>13</sup> Moreover, evidence from Bangladesh and Cambodia suggests that sexual harassment tends to be more prevalent in smaller factories<sup>14</sup>, partly because they are often subcontractors and thus work with smaller profit margins, under greater time and financial pressures.<sup>15</sup>

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<sup>9</sup> Ascoly and Finney (2005); Hancock, P. (2006); Haspels et al. (2001); Khan, S. (2003); Makin, J. (2006); Siddiqi, D. (2003).

<sup>10</sup> Haspels et al. (2001).

<sup>11</sup> Hancock, P. (2006); Haspels et al. (2001); Siddiqi, D. (2003); Makin, J. (2006); Pantaleo, K. (2006); Pantaleón, L. (2003).

<sup>12</sup> Siddiqi, D. (2003).

<sup>13</sup> Chappell and DiMartino (1998); Makin, J. (2006); Siddiqi, D. (2003); Zuñiga, M. (2004).

<sup>14</sup> Makin, J. (2006); Siddiqi, D. (2003).

<sup>15</sup> Siddiqi, D. (2003).

### **BOX: SAMPLE OF SEXUAL HARASSMENT STATISTICS IN THE GLOBAL GARMENT SECTOR**

In **Bangladesh**, sexual harassment is the most dominant source of stress for women garment workers.<sup>16</sup> It was found that 24 per cent of women garment workers have faced some form of sexual harassment.<sup>17</sup> Sexual harassment, and in particular incidents of quid pro quo harassment, was found to be more prevalent among workers in non-export processing zone factories. Common behaviours included standing too close to women workers, stroking their heads while at their stations or inviting them to go out. Workers reported that perpetrators of sexual harassment included factory owners, their close male relatives, production managers, supervisory staff and buyers' representatives.

In **Cambodia**, a survey found that 26.5 per cent of women workers reported that a manager/supervisor had used sexually derogatory language towards them. Five per cent said a manager/supervisor has courted or flirted with or asked the worker to go out or have sex with him. And 5.2 per cent had experienced unwanted sexual touching.<sup>18</sup>

In the **Dominican Republic**, a survey suggests that 41 per cent of women garment workers have been sexually harassed in the workplace. The most common form of sexual harassment was found to be quid pro quo sexual harassment, whereby supervisors either offer women workers preferential treatment or wage increases in return for sexual favors or threaten to punish them if they refuse sexual advances. Typically, such punishment includes threats of dismissal, pay deductions or reallocation to a more difficult assignment in the factory.<sup>19</sup>

In **Kenya**, a survey found that 93 per cent of women workers in export-processing zones acknowledge that sexual harassment is an issue in the factories and 90 per cent believe that promotions in the factory were related to some form of sexual relationship with supervisors. As in the Dominican Republic, the most common form of sexual harassment was found to be quid pro quo sexual harassment.<sup>20</sup>

The issue of sexual harassment in the garment industry of **Mexico** has been studied extensively<sup>21</sup>, and suggests that sexual harassment is widespread in the country's export-oriented *maquiladoras* (garment factories). Over two thirds of women workers in these factories have had a personal experience with sexual harassment in the workplace whether directly themselves, or indirectly by witnessing or hearing of someone else being subjected to harassment. In the vast majority of cases, the aggressor was a supervisor or a co-worker of a higher position.<sup>22</sup> Other studies also document a culture of sexualizing women workers in the *maquiladoras*. Many supervisors and managers were found to encourage women workers to wear revealing clothing to work and participate in beauty contests and bikini contests with cash prizes.<sup>23</sup>

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<sup>16</sup> Khan, S. (2003).

<sup>17</sup> Siddiqi, D. (2003).

<sup>18</sup> Makin, J. (2006).

<sup>19</sup> Pantaleón, L. (2003)

<sup>20</sup> Karega, R. (2002)

<sup>21</sup> See Pantaleo, K. (2006) and Ortiz-Magallón (2007) for an overview of key qualitative studies on this issue.

<sup>22</sup> Trueba de Avendano, L. (2003).

<sup>23</sup> Livingston, J. (2004)

## Sexual harassment in the Jordanian garment industry

Drawing an accurate picture of the extent and nature of sexual harassment in garment factories is challenging. In many societies, the stigma attached to open discussions of sexuality and the potential loss of “honor” for victims means that women workers are reluctant to reveal experiences of a sexually exploitative nature. This is true of Jordanian society as well as the Sri Lankan and Bangladeshi societies that most migrant garment workers in Jordan come from. Thus, while BWJ data on sexual harassment in the sector provides some insights into this phenomenon, it should not be treated as providing a complete picture.

### Factory assessments

To date, BWJ factory assessments have found very little evidence of sexual harassment in Jordanian garment factories. The assessment of sexual harassment is largely based on recounts collected through face-to-face interviews with garment workers. The interviews are brief (15-30 minutes each) and the interviewer does not have sufficient time to build the level of trust needed for workers to feel comfortable about reporting incidents of sexual harassment. Workers' reluctance to report sexual harassment in such interviews is compounded by the fact that the interviews are not anonymous. As a result, while these interviews have proven to be a valuable source of information about many types of labour non-compliances, they do not appear to be an effective tool for uncovering information about sexual harassment. The limitations of the factory assessment methodology in uncovering information about sexual harassment are a concern for Better Work country programmes worldwide. For example, Better Factories Cambodia staff has long expressed concerns about the low level of reporting of sexual harassment in its factory assessments.<sup>24</sup>

### Baseline surveys to measure the impact of Better Work

Better Work's independent impact assessment of country programmes, designed and implemented in collaboration with a multidisciplinary team from Tufts University, collects a wide range of data on workers' rights, working conditions, life satisfaction and wellbeing through confidential surveys with garment workers. Between March 2010 and April 2011, a random sample of 629 employees<sup>25</sup> of garment factories registered with BWJ was surveyed using the Audio Computer Assisted Self Interview (ACASI) procedure. This survey tool is designed to be suitable for respondents with low levels of literacy, since the entire interview and instructions are heard instead of read. The respondent listens to recorded question items over a headset in their native language and can also simultaneously read the questions on the computer screen. Research has found that this technology increases reporting of private and stigmatized behaviors compared to face-to-face interviews, since the person responds to the computer anonymously and in privacy.<sup>26</sup> This methodology has proven to be a more useful source of data about sexual harassment in Jordan's garment industry. Accordingly, the independent assessment of the Better Work Jordan programme is continuing on an ongoing basis.

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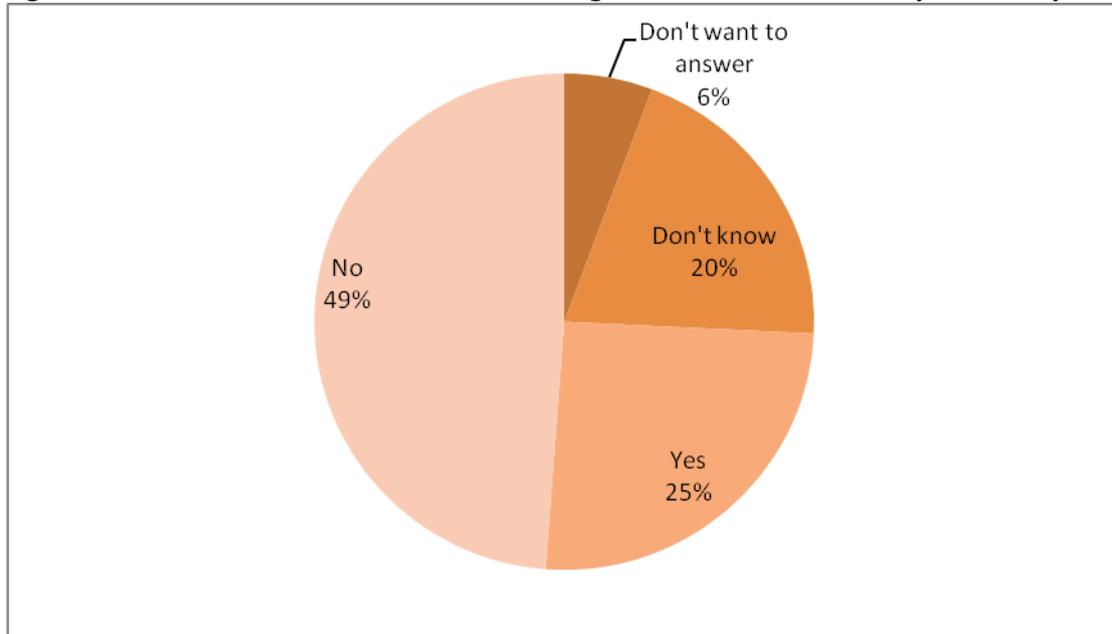
<sup>24</sup> Makin, J. (2006)

<sup>25</sup> The sample included 507 garment workers in standard production departments, 60 supervisors and 62 "other" employees not working in the standard production departments. The latter category of employees is likely to consist of office personnel.

<sup>26</sup> Turner et al. (1998)

The results of this survey found that 25 per cent of garment workers in Jordan feel that sexual harassment is a concern for workers in their factory (Figure 1). Furthermore, it is important to note that 6% of surveyed workers did not want to answer the question, suggesting that this is a sensitive issue subject to a high degree of reticence.

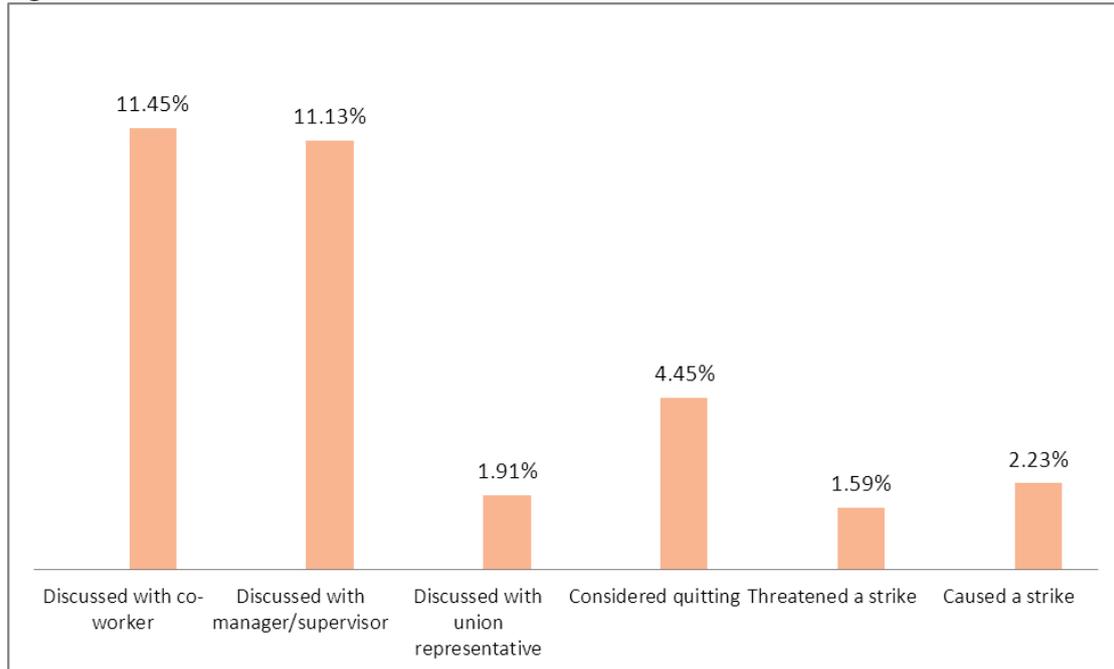
**Figure 1: Is sexual harassment or sexual touching a concern for workers in your factory?**



Source: Jordan Worker Survey Baseline Report (2011)

Figure 2 shows the possible responses that surveyed workers have taken following their concerns about sexual harassment. Workers can select more than one answer in the survey, so the options listed in Figure 2 are not mutually exclusive. Responses are designed to capture the gravity of the concern from workers' perspectives. From these findings it is possible to infer that workers who considered quitting (4.45% of the sample) are likely to have experienced directly some degree of sexual harassment or to have witnessed it very closely.

**Figure 2: Action on sexual harassment concerns**



Source: Jordan Worker Survey Baseline Report (2011)

Such findings are not unusual in the context of the global garment industry. As shown in the previous section, research in the garment industries of other developing countries has uncovered levels of sexual harassment comparable to those found in the abovementioned survey. Furthermore, as part of Better Work's impact assessment, worker surveys using the ACASI methodology are being carried out in Haiti, Indonesia and Vietnam. Preliminary findings from the surveys completed in those countries also underscore that sexual harassment is not a characteristic unique to the Jordanian garment industry and that it is similarly found to be present in factories participating in the Better Work programme in other countries and regions.

### **Focus groups and interviews among Sri Lankan garment workers**

In October 2011, BWJ commissioned a series of focus groups and individual interviews with Sri Lankan women garment workers in five garment factories throughout the country. In total, 65 workers took part in the study. As explained in Section 1, this study was spurred by the need to better understand the incidence of sexual harassment, especially in the Sri Lankan migrant community, following the allegations against CFAI managers made in the IGLHR report. The main findings of this qualitative research were:

- Workers had very little understanding of the concept of sexual harassment. They tended to conflate sexual relations, sexual harassment and sexual assault without differentiating between consensual and coerced sexual relationships.
- The interviews and focus groups revealed the existence of sexual relationships between supervisors and workers in Jordanian garment factories. Interviewed women workers believed that this behaviour is not appropriate, because there was a likelihood of the worker receiving preferential treatment from the supervisor, but they perceived these relationships as consensual, not as constituting sexual harassment.
- The workers recounted that they are often subjected to sexual harassment outside the workplace, both on their way to work and during trips to towns near the

industrial zone. This harassment usually takes the form of strangers touching the workers on their backs and breasts.

- The vast majority of women workers interviewed said they would like to participate in awareness raising programmes on prevention of sexual harassment and learn more about the laws and regulations relating to sexual harassment in the workplace.

## Conclusions and next steps

Sexual harassment is a common form of gender discrimination in the workplace throughout the world and is particularly common in workplaces where a large number of women are supervised by a small number of men. It is thus unsurprising that research has found widespread sexual harassment in garment industries around the world, including in Jordan.

In order to address this issue more comprehensively, BWJ will be working with its stakeholders as well as ILO colleagues to implement a specialized programme to combat sexual harassment including preventative measures and advocacy in the major industrial zones containing garment factories in Jordan. Approaches to dealing with sexual harassment should avoid sensationalizing the issue, which research has shown can have a negative effect on women garment workers by further stigmatizing them and perpetuating the negative stereotypes that many societies hold about them.<sup>27</sup> This approach will contain the following elements:

- **Providing specialized advisory services to factories.** Helping employers develop robust and effective policies and procedures to prevent, identify and deal with harassment at the enterprise level.
- **Advocating for strengthened legislation.** Providing technical support to the Jordanian government to bring Jordanian labour legislation in line with international labour standards related to sexual harassment in the workplace.
- **Raising awareness about sexual harassment.** Providing training to both managers and workers to ensure that they understand the concept of sexual harassment and the adverse impact of such behavior on workers and the enterprise.
- **Counseling, legal services and protection for workers facing sexual harassment.** Providing access to independent counseling and legal services for workers facing sexual harassment through the pilot workers' centre to be established in the Al-Hassan Industrial Zone in 2012. Further protection of workers' safety will be provided through referrals to shelters and safe houses in Jordan for victims of violence.

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<sup>27</sup> Siddiqi (2003)

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