TACKLING DISCRIMINATION SUPPLIER TOOLKIT

Practical guidance for businesses

OXFAM

Developed by
Oxfam Business
Advisory Service

Sainsbury's

CONTENTS

INTRODUCTION

INTRODUCTION

Have you ever felt as if you have been treated differently at work because of where you are from? Have you ever felt overlooked for promotion because you have children? Have you ever seen supervisors assuming that someone with a disability is less capable of carrying out a task? These are all forms of discrimination in the workplace. Discrimination affects everyone.

By developing an approach to tackle discrimination, your business can build a working environment where everyone is treated fairly and with respect. Taking proactive steps to tackle discrimination will also help your business to demonstrate its commitment to meet and exceed internationally recognised labour standards such as the ETI Base Code and the UN Guiding Principles on Business and Human Rights.

This Supplier toolkit, developed by Sainsbury's and the Oxfam Business Advisory Service, is designed to help your business to develop and implement an approach to identify and tackle discrimination in your direct operations and in your supply chains. The toolkit can also be used to strengthen existing activities, if your business already has an established approach to tackle discrimination.

DISCRIMINATION IS COMMON GLOBALLY

One in six people worldwide has experienced discrimination in some form, with women and people with disabilities disproportionately affected[1].

According to the World Justice Project between 2021 and 2022, 70% of countries have seen discrimination worsen[2].

The ILO estimates that across the world women on average continue to be paid about 20% less than men[3].

According to the Lloyd's Register Foundation's World Risk poll, foreign-born workers were more likely to have experienced violence and harassment at work (28% vs 22% of native-born workers)[4].

[1] Reduced Inequalities SDG report summary, UN (2023).
[2] Discrimination is Getting Worse Globally, World Justice Project (2023).
[3] Business & Human Rights Navigator: Discrimination, UN Global Compact.
[4] Focus On: The impact of income and migration on violence and harassment at work, Lloyd's Register Foundation (2023).

HOW TO USE THIS TOOLKIT

The toolkit is structured as follows:

KEY CONCEPTS

- Definition of discrimination
- Different forms of discrimination
- At-risk and under-represented groups
- A zero-tolerance to inaction approach

THE 4-STAGE APPROACH

Stage 1: Show commitment

Stage 2: Identify & engage at-risk groups

Stage 3: Take action

Stage 4: Monitor & communicate results

APPLYING THE 4-STAGES

Step-by-step guidance to tackle 3 different forms of discrimination:

- Gender
- Migrant worker
- Freedom of association

THE 4 STAGES

1 SHOW COMMITMENT

2 IDENTIFY & ENGAGE AT-RISK GROUPS

3 TAKE ACTION

4 MONITOR & COMMUNICATE RESULTS

The 4 stages set out the minimum recommended actions that your business should take to develop an approach to tackle discrimination in your direct operations and supply chain **(summarised in Figure 1 and Figure 2 on page 4 and 5).**

The recommended actions are not an exhaustive list. In consultation with workers and their representatives and based on workforce data, your business should identify additional activities to respond to areas where discrimination is a risk.

Each stage includes clickable links to further information, practical advice, recommendations and resources to support you in taking the outlined steps.

Navigation bar

Use this to move between the different sections of the toolkit

This toolkit is intended to support your business to develop a process to identify and address all forms of discrimination

MOVING FORWARDS Includes practical tools and additional resources for self-assessment

FURTHER INFO & RESOURCES

KEY

- Worker representation
- Grievance mechanisms
- Training for workers
- In your supply chain
- Good practice examples
- **FIND OUT MORE** Additional supporting information
- **CASE STUDY** Company case studies

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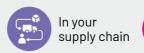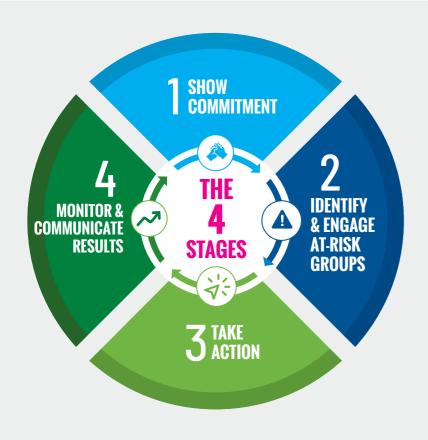
DIRECT OPERATIONS

The 4-stage approach applied to your direct operations

1 SHOW COMMITMENT

- Develop non-discrimination policy and/or code of conduct
- Assign responsibility to senior management for implementation of policy including activities to tackle discrimination

2 IDENTIFY & ENGAGE AT-RISK GROUPS

- Safely collect and review workforce data to identify at-risk groups
- Engage with at-risk groups and representatives to understand, identify, prevent and respond to discrimination risks and issues

3 TAKE ACTION

- Provide training for management and workers
- Establish accessible and equitable grievance mechanisms
- Facilitate dialogue with access to worker or union representatives and support to organise

4 MONITOR and COMMUNICATE RESULTS

- Create KPIs to monitor effectiveness of activities to tackle discrimination
- Share results with workers and management
- Gather feedback and update activities based on learnings

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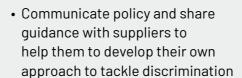
SUPPLY CHAIN

The 4-stage approach applied to your supply chain

1 SHOW COMMITMENT

- Communicate policy and share guidance with suppliers to help them to develop their own approach to tackle discrimination

2 IDENTIFY & ENGAGE AT-RISK GROUPS

- Safely collect and review data on supply chain workers and producers
- Work with suppliers to engage with at-risk groups to understand, identify, prevent and respond to discrimination risks

3 TAKE ACTION

- Encourage suppliers to provide accessible and equitable reporting channels for workers and producers
- Encourage suppliers to facilitate dialogue with workers and producers with access to representatives and support to organise

4 MONITOR and COMMUNICATE RESULTS

- Support and incentivise suppliers to collect and share data to measure impact of activities
- Monitor supply chain data and collect and share good practice examples of approaches to tackle discrimination

APPLYING THE 4-STAGE APPROACH

This toolkit is intended to:

Support your business to develop a process to identify and address all forms of discrimination no matter what stage you are at.

The toolkit looks at three types of discrimination:
Gender, migrant workers and freedom of association

It explains how to put the 4-stage approach into practice in such cases
Supported by further information and easy to follow case studies in easy to identify boxes

Many different types of discrimination exist:
e.g. age, disability, race, caste & sexual orientation

The toolkit includes a self-assessment tool to carry out a quick review of the activities that your business may already be undertaking to tackle discrimination in your direct operations and in your supply chain.

The toolkit is not intended to be read in one sitting from cover to cover. Rather, as your business takes steps to develop an approach to tackle discrimination or strengthen an existing activity, you can refer to the relevant stage and gather information to support you as you go along.

The toolkit is based on internationally recognised frameworks on responsible business conduct and tackling discrimination, including the UN Guiding Principles on Business and Human Rights, the OECD Due Diligence Guidance for Responsible Business Conduct, the ETI Base Code, and ILO resources on business, discrimination and equality.

KEY CONCEPTS

Discrimination is the inequitable negative treatment of an individual or a particular group of people based on specific characteristics.

Specific characteristics include race, caste, national or social origin, religion, age, disability, gender, sex, marital status, sexual orientation, union membership, political affiliation, HIV status, or any distinction, exclusion or preference[5]. This list of specific characteristics is non-exhaustive and people are discriminated against because of other characteristics.

Discrimination can limit or impair the equitable recognition, enjoyment or ability of a person to exercise their rights. It is common for discrimination to have a greater impact on people when multiple specific characteristics overlap – for example, migrant women workers or people from ethnic minority groups with disabilities.

[5] Q&As on business, discrimination and equality, International Labour Organization (ILO).

Different forms of discrimination

Discrimination can affect people in many different ways both inside and outside the workplace. It is important to recognise, prevent and address all forms of discrimination. Discrimination can occur from management towards workers. It can also occur from workers towards others in the same position or level.

DIRECT DISCRIMINATION IN THE WORKPLACE

Excluding or treating people unequally or unfairly compared to others in recruitment, access to promotion or training opportunities, or not allowing certain groups to have access to what is required to carry out their role effectively because they have specific characteristics.

For example, this could be not considering a job applicant because of their nationality, gender, disability or caste; favouring a worker for promotion because they are single; dismissing a worker because they are a member of a trade union; making assumptions that someone with a disability will not be able to do a particular role.

HARASSMENT IN THE WORKPLACE

When a person or group is exposed to unwanted behaviour that violates their rights and dignity as a result of having specific characteristics[6].

This unwanted behaviour includes telling or sharing offensive jokes about race or ethnicity, negative comments about a person's religion or beliefs, unwanted touching or pressuring others for sexual favours. Harassment can be a one-off incident, repeated behaviour and verbal or physical actions. It can take place between colleagues or between managers and workers.

BULLYING IN THE WORKPLACE

Persistent offensive, intimidating, humiliating behaviour, which attempts to undermine an individual or group of workers[7]. Bullying can occur in a variety of situations, crossing gender, race, age and other specific characteristics. It can involve one or a number of individuals.

Examples of bullying behaviour include ignoring views and opinions, setting unmanageable workloads or undermining a competent worker with constant criticism.

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6   Discrimination at Work: Harassment, ACAS.
7   Tackling bullying at work: A UNISON guide for safety reps, UNISON.

Different forms of discrimination

INDIRECT DISCRIMINATION IN THE WORKPLACE

A policy, practice or rule that applies to everyone in the same way but which has a negative, unequal impact on a particular group[8], making it harder for them to participate fully even though the policy or practice is not essential to carry out the required job role and duties.

For example, this could be having a requirement that all workers must work late in the evenings which may negatively impact workers with caring responsibilities or affect the personal safety of some groups of workers. In many contexts this is more likely to negatively affect women who often take on a greater share of care and domestic responsibilities and face a greater risk of gender-based violence and harassment both inside and outside the workplace.

SYSTEMIC DISCRIMINATION IN THE WORKPLACE

Where company policies, processes and practices indirectly and consistently affect certain groups negatively over time, although the effects on these groups are overlooked. For example, this could be:

- paying a worker from an ethnic minority group (e.g. Afro-Caribbean or Asian in the UK) less than a worker from the dominant racial group (e.g. white in the UK) for the same job;
- offering professional development opportunities that cannot be adapted or accommodate needs of working parents;
- paying young people less or offering fewer opportunities or professional development than for older workers;
- failing to hear, understand or respond respectfully to concerns raised, such as minoritised groups having particular traditions or practices which need to be respected (but which may not be known or recognised by the majority of the workforce).

Systemic discrimination can be the most difficult to detect. Whilst some of these practices may be legal in some contexts, they can affect the ability of certain groups to realise their full potential in the workforce. This can have a significant impact on individuals and on the business as a whole.

If this type of discrimination is not addressed over time, it can lead to low retention rates and high levels of absenteeism due to workers from affected groups feeling undervalued.

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[8] Business & Human Rights Navigator: Discrimination, UN Global Compact.

KEY CONCEPTS

At-risk and under-represented groups

Different individuals and groups are likely to face an increased risk of discrimination. Affected groups and individuals include: women and girls, ethnic minorities, indigenous people, migrants, young people, members of the LGBTQIA+ community, homeworkers, seasonal, contract and agency workers, people with disabilities and people from lower castes.

Negative attitudes and beliefs about certain groups, discriminatory laws that negatively affect different groups, and a high concentration of some groups in lower-paid and informal jobs can all contribute to and increase the risk of discrimination.

What types of challenges are at-risk and under-represented groups likely to face?

• Significant power imbalance with limited influence inside or outside the workplace.
• Greater exposure to unequal treatment.
• Limited ability to raise concerns due to fear of retaliation or negative consequences.
• Failure to be heard when raising concerns, or seeing a lack of action when others like them have reported similar concerns.
• Poor awareness about rights as workers or a lack of information on how to report discrimination.

Speaking with at-risk groups and providing safe spaces helps businesses to understand how certain workers are affected by discrimination. It also helps businesses to develop actions with their workers to create a shared approach to tackle discrimination.

CASE STUDY

Safe spaces boost productivity

Nike, the global footwear and apparel company, supported an Indonesian supplier to create women-only safe spaces to address productivity issues and worker wellbeing.

The safe space approach identified all sorts of challenges and solutions, including discrimination and harassment, which compliance approaches had failed to identify or address. During the piloting, safe spaces reduced the risk of production disruptions, and achieved cost savings, a 19% increase in production, a 7% improvement in quality, and left workers feeling 22% more valued[9].

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[9] Case study from Women's Perspectives Matter, Oxfam (2020).

A zero-tolerance to inaction approach

It is common for businesses to adopt a 'zero-tolerance policy' to discrimination. However, doing so can have unforeseen consequences – for instance, workers may have concerns about the effects of coming forward or managers may be unclear about how to deal with issues related to discrimination.

These consequences can become barriers for workers who may be affected by discrimination or for management tasked with responding to these issues.

A **'zero-tolerance to inaction' approach** is useful to address sensitive workplace issues by being clear that action will be taken and support will be provided if issues are raised.

This approach can help to provide reassurance for people affected by issues such as gender discrimination, sexual harassment or modern slavery that may be harder to detect due to low levels of reporting, fear of retaliation or the influence of negative social and cultural norms.

It is important to note that people who are being discriminated against are at greater risk of exploitation, such as being trafficked or held in modern slavery[10].

Therefore, proactive steps to identify and address abuses such as these, through a zero-tolerance to inaction approach, will need to be undertaken.

FIND OUT MORE

Examples of how a zero-tolerance to inaction approach is applied can be found in the Oxfam GB Modern Slavery Statement and an article by RISE (Reimagining Industry to Support Equality) on collaborative action to tackle gender-based violence in garment supply chains. Further materials are included in the Moving Forwards: Additional resources section of this toolkit.

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[10] Global Estimates of Modern Slavery: Forced Labour and Forced Marriage, International Labour Organisation, Walk Free, International Organisation for Migration (2022).

4-STAGE APPROACH
TO TACKLE DISCRIMINATION

STAGE **1** SHOW COMMITMENT

It is important for a business to clearly communicate that it is committed to building a working environment where there is no discrimination and where everyone is treated fairly and with respect.

The following steps will help your business to undertake the key activities needed to establish your commitment to tackle discrimination with support from leadership and management.

STEP **1** Develop a non-discrimination policy and/or a code of conduct

This should:

- define what is meant by discrimination;
- highlight the different forms of discrimination the business will address;
- summarise examples of actions the company will take to tackle discrimination;
- outline the channels available to report discrimination when it occurs.

The policy and/or the code of conduct should be visible, accessible, and shared in languages and formats that all workers in the business can understand. This might include posters, leaflets, digital and printed newsletters.

The policy and/or the code of conduct should be approved at the most senior level of the company.

STEP **2** Assign responsibility for implementing the non-discrimination policy to senior management or leadership

This should:

- assign responsibility to identify timebound activities and targets to prevent and respond to discrimination in your business;
- assign responsibility at board level to support and monitor implementation and to remedy discrimination issues that may arise.

STEP **3** Review & update the non-discrimination policy periodically

This should include:

- ensuring the policy responds to ongoing and evolving risks in the business;
- reporting regularly on key performance indicators (KPIs) internally and externally to monitor how the policy is being implemented.

FIND OUT MORE

The Effective Communication Toolkit for Multi-Language Workforces developed by Co-op and M&S in partnership with allianceHR and nGaje includes recommendations on different communication methods when sharing information with workers.

STAGE **1** SHOW COMMITMENT

In your supply chain:

Communicate your non-discrimination policy and share guidance with your suppliers to help them to develop their own approach to tackle discrimination. For example, your non-discrimination policy and/or code of conduct is shared with all of your suppliers, as part of explaining the requirements for suppliers to work with your business.
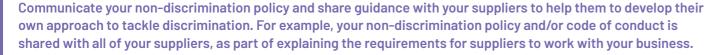
Your business may also have a specific supplier code of conduct or policy, which covers what is expected from suppliers to protect and respect the rights of workers in your supply chain, including no discrimination. The Sainsbury's Ethical Sourcing Policy is an example of a code of conduct for suppliers. The Joint Ethical Trade Initiative's Guide to buying responsibly also includes an example of a buyer-supplier code of conduct. Share further information, offer training and/or signpost your suppliers to resources and organisations to help them to prevent, identify and respond to risk of discrimination.

Suggestions for resources that you can use and share with your suppliers can be found in the 'Moving Forwards' section of this toolkit.

FIND OUT MORE

Good practice example

BBVA, a financial services company, developed and published a human rights action plan, which outlines their approach to identify and address key issues in their operations and their supply chains, including fighting against discrimination.

Activities include country- and area-specific targets and plans to promote gender equality, undertaking an annual review to understand the living wage gap, and inclusion of a non-discrimination clause and guidance in recruitment and selection processes.

STAGE **2** **a** IDENTIFY ⚠ AT-RISK GROUPS

Building a robust and detailed picture of your workforce by safely collecting disaggregated data is an important step to highlighting groups that may face a greater risk of discrimination. Data can be disaggregated by specific characteristics such as sex, age, gender, disability status, ethnicity, religion, cultural identities, contract type.

Disaggregated data can help to highlight trends to investigate further by speaking with workers and their representatives to learn more about possible discrimination issues. However, this should not compromise the safety or other rights of people that the data belongs to.

Safe collection and review of disaggregated data means that any data collected is stored and used with care, in line with data protection principles, for example GDPR legislation and rules[11] to ensure the rights of workers are protected as well as reducing the risk of negative consequences.

The following steps will help your business to collect and review disaggregated data safely to identify trends that may indicate potential discrimination in the workplace or supply chain.

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[11]   Protection of workers' personal data: General Principles, ILO (2022).

STAGE 2a IDENTIFY AT-RISK GROUPS

FIND OUT MORE

The Ethical Trading Initiative (ETI) has developed guidance on gender data indicators that businesses can use to understand the composition of their workforce, highlighting possible gendered risk areas where there may be potential discrimination risks.

STEP 1 Collect & review workforce data to identify at-risk groups

Safely review disaggregated data collected on the workforce profile (and supply chain workers and producers). Data already collected for human resources, equal opportunity monitoring or internal reporting purposes can be used to highlight at-risk and under-represented groups and to identify possible areas where there may be discrimination or gender risks.

Where possible, collect and review disaggregated data from your direct operations and from the supply chain.

STEP 2 Speak with at-risk groups and representatives

Consult with elected worker representatives* in order to find out if data is representative of workers' experiences. Review disaggregated data safely at different phases of worker journey, for instance, recruitment, training and development, promotion and representation at different levels of the business.

The aim is to identify trends that may indicate that some at-risk groups are affected by discrimination in the workplace (or in the supply chain).
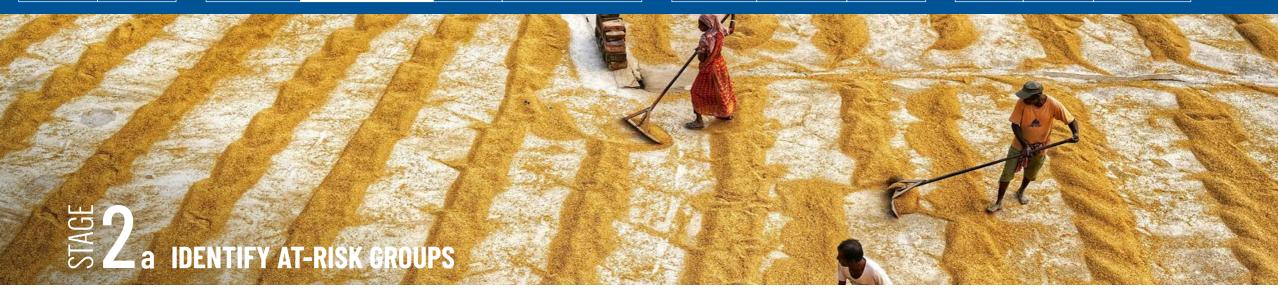
This should then enable you to establish focus areas for implementing your non-discrimination policy.

* Where there are no elected worker representatives in your own operations, your business should consult with workers directly. Your business should also try to support workers to form elected worker committees and/or to access elected union representatives to help support effective two-way communication and dialogue.

STEP 3 Review external data

Review demographics data regarding the wider community to see if the workforce profile is representative of local populations – or to see if there are different groups that are not represented in the workforce or only represented in certain areas or levels of the business.

STAGE **2a** IDENTIFY AT-RISK GROUPS

In your supply chain:

To help prevent and identify risk of discrimination, safely collect and review disaggregated data on supply chain workers and producers from Tier 1 suppliers (and further down the supply chain where possible).

Your business may have access to this data from activities or tools it uses to ensure suppliers are complying with labour laws and meeting internationally recognised labour standards such as the ETI Base Code. Examples of activities that may provide disaggregated data from your supply chain include independent, third-party audits of suppliers and sites, self-assessment questionnaires, worker voice programmes and confidential mechanisms for workers to highlight issues. Speak with unions, workers' rights and other civil society organisations that support women, migrant workers and other under-represented groups to gather information about at-risk groups that may be present in your supply chain.

Examples of civil society and workers' rights organisations that can help to identify at-risk groups in your supply chain can be found in the 'Moving Forwards' section of this guidance.

FIND OUT MORE

STAGE **2** b ENGAGE WITH AT-RISK GROUPS

Engaging with workers about their wellbeing and workplace experiences on a regular basis can help to identify possible issues affecting their full participation in the workplace.

These issues may be arising due to direct or indirect discrimination. The following steps will help your business to provide different accessible channels that workers can use to share feedback about their experiences. The steps also enable your business to design channels in collaboration with workers. This will help to create available channels that are accessible and tailored to the needs of at-risk groups. These actions can also contribute to creating a working environment that helps to prevent discrimination taking place.

Communication is important.

These steps can help your business to create a feedback loop - sharing updates with workers and hearing if activities to tackle discrimination are working. It can also increase workers' agency and influence on actions to prevent and address discrimination. It is vital to ensure that workers do not face negative consequences for sharing feedback about their workplace experiences and that management and supervisors can respond effectively to any concerns or issues raised. This is particularly important when addressing sensitive issues relating to discrimination such as gender-based violence, harassment or forced labour where cultural stigma or fear could be associated with speaking up and reporting the issue.

STEP **1** Provide options to give feedback

Provide different channels for workers to share feedback about their wellbeing and workplace experiences, both formally and informally.

For example, these channels could be:

- ✔ worker engagement surveys;
- ✔ focus groups;
- ✔ team meetings;
- ✔ speaking to the human resources team;
- ✔ dialogue with elected worker representatives e.g. trade union representatives; and
- ✔ formal grievance mechanisms.

FIND OUT MORE

A selection of suggested civil society organisations and unions are included in the 'Moving Forwards' section of this Supplier toolkit. The ILO Special List of NGOs and the UN Civil Society Participation database can also provide information about possible external organisations to collaborate with.

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STAGE **2**b ENGAGE WITH AT-RISK GROUPS

STEP 2 Create a working group

Set up an elected discrimination-working group or a committee of worker-elected representatives **to meet with management.** This should be made up of members of different at-risk groups that are present in the workforce. Meetings should aim to share feedback and enable two-way communication about possible discrimination risk areas and potential solutions. These solutions should focus on how to overcome barriers and mitigate further harm on topics such as recruitment, professional development, health and safety, fair wages, working hours, task allocation, and flexible working hours for people who are carers at home.

Ensure elected working group/worker committee members (or similar groups) are representative of the workforce. Targeted activities can support and monitor participation of workers from at-risk groups. They can also help to encourage workers from at-risk groups to put themselves forward to join working groups or committees. Targeted activities could include information sessions, meetings with individuals or workshops aimed at workers from at-risk groups.

Gather feedback from elected working group or committee members on the structure and processes that already exist for two-way communication or dialogue with management. Using their feedback, identify if there are opportunities to support active participation in a better way and to increase trust and confidence in the process. The aim should be that the elected working group or committee members feel able to raise concerns and issues on behalf of workers – and feel confident when doing so.

STEP 3 Form relationships with external organisations

Set up and maintain active relationships with local unions, elected worker representatives and civil society organisations that support marginalised or vulnerable groups such as women, migrant workers, and workers of certain castes. These links can help when implementing your business's non-discrimination policy, for instance, and to support speaking with different at-risk groups to design and implement activities to tackle discrimination.

Form partnerships with worker representatives and civil society organisations that support women, migrant workers and other at-risk groups to provide support for workers who come forward and speak up about workplace issues like discrimination. Communicate regularly with workers in direct operations (and across the supply chain where possible) about available support and how to access it.

Provide incentives to motivate managers when:

1) suggestions are identified with workers on ways to strengthen workplace policies and practices to address discrimination;

2) concerns relating to discrimination are raised, showing increased trust in channels and spaces available to discuss issues[12].

Examples of incentives include positive feedback, recognition from senior management and leadership, professional development or training opportunities, salary increases or bonuses and awards.

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[12] Step-by-Step Approach to Prevent Gender Based Violence at Production Lines in Garment Supplier Factories in Asia, Asia Floor Wage Alliance (2019).

STAGE 2b ENGAGE WITH AT-RISK GROUPS

FIND OUT MORE

A formal grievance mechanism describes the systems that enable workers and communities to raise issues, complaints and concerns about things that negatively affect them at work. The Grievance Mechanism Toolkit (also available in Spanish) provides detailed guidance on how to create a grievance mechanism or strengthen existing reporting mechanisms or processes in collaboration with workers.

Further materials are included in the Moving Forwards: Additional resources section of this toolkit.

CASE STUDY

Role of worker representative committee to resolve issues

The workers in a large shoe factory in mainland China were mainly locals, and were 80% female. Although there were few serious labour conflicts in the factory, and the management ran regular worker seminars and surveys, they still struggled to communicate about in-depth issues with the workers.

An elected worker representative committee mainly composed of women workers was set up. Structured communication meetings between managers and worker representatives were held to encourage information-sharing and joint problem-solving. During one of the regular meetings, the women explained that combining their childcare and work responsibilities was a major problem for them.

It was particularly difficult for female workers to take children to and from school during working hours. Women would have to take time off or risk being late to collect their children. The stress and concerns for their children's safety led some women to quit their jobs.

Female workers suggested that the factory provide transport for school drop-off and collection. The factory agreed to provide a shuttle bus for the workers' children to go to and come back from school and to hire a full-time teacher to take care of the children, with part of the costs shared by the workers[13].

In your supply chain:

Where possible, work with suppliers to engage with at-risk groups to understand, identify, prevent and respond to discrimination risks.

For example, your business may have a worker voice programme that can be made available to supply chain workers to gather feedback on their experiences using digital surveys. Making confidential mechanisms such as whistleblowing helplines available is another way to hear about potential discrimination issues in your supply chain. Your business can also work with global trade unions, workers' rights and civil society organisations that support women, migrant workers and other under-represented groups to connect suppliers with local and regional support for engagement with at-risk groups.

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[13] Adapted from Worker representation case study: supporting women workers to balance their work and childcare responsibilities, ETI.

STAGE 3 TAKE ACTION | TRAINING

Having made a commitment to tackle discrimination, it is important that your business can clearly demonstrate the activities it is carrying out to proactively tackle discrimination.

The following steps will help your business to implement activities that can help to prevent, detect and address discrimination that may occur in the workplace and within your supply chain.

STEP 1 Update worker induction training and onboarding

Ensure worker onboarding, induction training and materials include information about your business's non-discrimination policy and/or code of conduct and the channels available to report issues.

The training and materials should be available in different formats and languages to ensure they are accessible to all workers.

Provide training to managers and supervisors to strengthen communication skills, to increase their ability to manage conflict and cultural differences, and to respond sensitively to complaints or issues raised by workers.

STEP 2 Carry out awareness-raising activities and training

To increase knowledge and understanding of discrimination and ways to address it among all workers and management, carry out awareness-raising activities and training.

The activities should take place on a regular basis – not just as a one-off – and they should cover:

- what discrimination is;
- the non-discrimination policy and/or code of conduct of the business;
- types of behaviours and attitudes that are not acceptable in the workplace;
- available channels to report such behaviours, attitudes and related issues;
- promoting cultural sensitivity and respect for diversity.

STEP 3 Work with external organisations

Provide diversity, equity and inclusion training to workers, supervisors and management in collaboration with external organisations.

Diversity, equity and inclusion training promotes the fair treatment and full participation of all people.

This should include increasing awareness of unconscious bias and the influence of cultural and social norms that can lead to discrimination, and to help respond to discrimination issues received through available feedback channels or grievance mechanisms.

[The Effective Communication Toolkit for Multi-Language Workforces](#) developed by Co-op and M&S in partnership with allianceHR and nGaje, provides guidance on verbal, written and visual communication and approaches to manage cultural differences in the workplace.

FIND OUT MORE

The activities focus on the following 3 areas with progressive actions under each step:

Training for workers

Grievance mechanisms

Worker representation

STAGE 3 | TAKE ACTION: TRAINING

JETI Social Dialogue Programme in Bangladesh

CASE STUDY

Since it began in 2015, the Joint ETI programme has brought together brands, suppliers, local trade unions, and other stakeholders in 77 ready-made garment factories in Bangladesh.

The training programme works to empower female workers through increased knowledge and awareness on gender and discrimination issues. It also builds the capacity of factories and workers to address gender-based violence and create gender-friendly workplaces. This contributes to increased worker voice, improved productivity and sustainable growth[14].

In your supply chain:
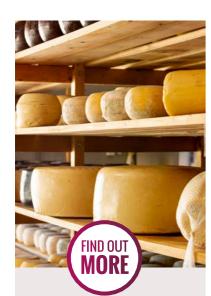
Your business can include its non-discrimination policy and/or code of conduct as part of the agreement and onboarding of new suppliers to raise awareness of the importance of tackling discrimination.

Provide training and/or share resources with suppliers on activities they can undertake to prevent, identify and respond to possible discrimination issues.

Work in partnership with civil society organisations to deliver training aimed at supply chain workers to increase awareness about risk of discrimination. Your business can also work with civil society organisations to develop training that supports two-way communication and dialogue, which are key to prevent and identify discrimination. For example, RISE (Reimagining Industry to Support Equality), the global initiative to advance gender equality in garment, footwear and home textiles supply chains, runs workplace programmes in collaboration with brands and their suppliers to increase visibility of challenges and issues facing supply chain workers, including gender-based discrimination.

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[14] Adapted from The JETI Social Dialogue Programme in Bangladesh - gender-sensitive workplaces, ETI.

STAGE 3 TAKE ACTION | ⚖ GRIEVANCE MECHANISMS

STEP 1 Put grievance mechanisms or formal reporting processes in place

Make multiple channels available that workers can use to report possible issues in the workplace.

A grievance mechanism describes the systems that enable workers to raise issues, complaints and concerns about things that negatively affect them at work.

STEP 2 Design available channels to report issues with at-risk groups to build trust

Check that any barriers to using channels are considered and addressed.

For example, the grievance mechanism should be accessible in terms of the language used (based on spoken languages of workers) and reporting format (verbal and written); it should be confidential and anonymous; and it should provide clear communication on the grievance process and how reported issues are dealt with.

STEP 3 Engage with trade unions, women's rights or civil society organisations

Ensure there is representation of at-risk groups in the planning, design and implementation of the grievance mechanism to improve legitimacy, accessibility and trust.

In your supply chain:

Encourage suppliers to provide accessible and equitable reporting channels for supply chain workers and producers.

For example, site-level grievance mechanisms that are accessible to all workers. Work with local civil society organisations and trade unions to support your suppliers to design accessible, site-level grievance mechanisms. Your business can also work with these organisations to support suppliers to implement their grievance mechanisms effectively.

This could be through training to supplier management and workers on grievance mechanisms or helping to respond to any issues received. Where possible, your business should also have a process in place to escalate grievances to a higher level in the supply chain (the lead firm or a multi-stakeholder initiative, for example) if the site-level grievance mechanism fails to produce an appropriate solution[15].

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15 Grievance Mechanism Toolkit, Reckitt and Oxfam Business Advisory Service.

STAGE 3 TAKE ACTION | WORKER REPRESENTATION

Further guidance on how to progress worker representation including ways to identify and overcome barriers for workers can be found in the Entry points to worker representation tool by ETI.

Further materials are also included in the Moving Forwards: Additional resources section of this toolkit.

FIND OUT MORE

STEP 1 Make sure that workers have access to an elected worker representative

Each worker must have access to an elected worker and/or union representative who is able to engage in an open dialogue with management about workplace issues.

STEP 2 Ensure that gender-balanced and worker representative committees are in place

Workers are able to freely elect or be nominated for participation on worker committees and have an open and regular dialogue with management about workplace issues including tackling discrimination.

Carry out targeted activities to increase representation of at-risk groups at different levels of the business and to promote diversity, equity and inclusion.

STEP 3 Nominate and train Equality and Inclusion representatives in the workplace

Elected Equality & Inclusion representatives can help to represent perspectives of different at-risk groups in the workforce. They can gather feedback and share how workplace policies and practices may increase the risk of – or lead to – discrimination.

They can help to identify discrimination risks, support the implementation of the non-discrimination policy, carry out activities to prevent and respond to discrimination risks, and ensure that perspectives from at-risk groups are heard.

Good practice example

The John Lewis Partnership, parent company of UK retailers, John Lewis & Partners and Waitrose & Partners, created the Black Partner Advisory Group to provide safe spaces for black and other ethnic minorities employee partners to talk about discrimination.

The 'It's not OK' film was created to bring to life experiences shared from listening sessions and describes what discrimination can feel like for some ethnic minority employee partners.

This activity has helped raise awareness on the issue in a clear, impactful and educational way, while creating space for questions and conversations for all employee partners[16].

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[16]   Adapted from Be Yourself. Always Report 2020, John Lewis Partnership (2020).

STAGE 3

TAKE ACTION: WORKER REPRESENTATION

FIND OUT MORE

Recognising risks and increasing dialogue with seasonal, agency or migrant workers:

Workers undertaking some types of labour (e.g. seasonal labour, agency labour, migrant labour and workers from different countries) may face increased risks of discrimination. To develop and strengthen a relationship of trust and regular contact with these workers, and to help reduce the fear of retaliation if issues are raised, the business can carry out the following actions:

✔ hold informal meetings between workers and management representatives to talk and get to know each other better;

✔ promote channels for raising suggestions and complaints;

✔ have an 'open door' policy to talk with management about different topics.

In your supply chain:

Encourage suppliers to facilitate dialogue with workers and producers with access to representatives and support to organise.

For example, sharing available guidance and resources with suppliers on how to support two-way communication and dialogue such as the Freedom Of Association (FOA) and worker representation: company guidance by ETI. The Framework on Meaningful Stakeholder Engagement by the STITCH consortium also provides guidance on ways to make sure the perspectives of supply chain workers are heard when identifying and responding to potential and actual risks such as discrimination.

Collaborate with trade unions and civil society organisations and connect your suppliers with local and regional representatives for further support and guidance on how to effectively prevent and address possible discrimination issues.

STAGE 4 — MONITOR & COMMUNICATE RESULTS

It is important to monitor the impact of your activities on tackling discrimination to ensure that these are having the intended results. Tracking your progress to tackle discrimination can also help to understand if activities are leading to negative unintended consequences such as retaliation against workers from at-risk groups.

The following steps will help your business to identify key performance indicators (KPIs) to track the results of activities to tackle discrimination over time. KPIs are a quantifiable metric that helps to measure the results of activities which contribute to a broader overall goal or objective, in this case tackling discrimination.

STEP 1 Create and track KPIs for activities to tackle discrimination

Establish and track key performance indicators (KPIs) regularly to understand the impact of activities to tackle discrimination in the workplace and in the supply chain.

For example, KPIs could measure increased understanding from workers and management about what discrimination is and confidence in the ability of the business to address discrimination if it occurs; or engagement with suppliers to increase data collection on the profile of supply chain workers down to producer level.

STEP 2 Develop and monitor KPIs for activities to increase representation of at-risk groups

Develop and monitor KPIs to measure the impact of activities aimed at increasing the representation of at-risk groups at different levels and for promoting diversity, equity and inclusion across the business.

Share results of activities to tackle discrimination, increase representation of at-risk groups and support diversity, equity and inclusion at regular intervals internally (i.e. at least every six months) and as part of any external environmental, social and governance (ESG) reporting.

STEP 3 Disaggregate reported issues

Safely disaggregate data by sex and other specific characteristics where possible, on issues reported through grievance mechanisms to help the business to identify trends. Make necessary changes to workplace practices or policies in response. Take care to ensure that no one can be identified by the disaggregated data.

Review and update activities and related targets to support implementation of your non-discrimination policy on a regular basis (e.g. at least once a year), based on feedback from workers and results of previous activities.

Good practice example

Sainsbury's, the UK retailer, have made public commitments to promote diversity and inclusion, covering diverse representation in leadership, inclusion and wellbeing. Targets include representation of women and ethnically diverse people in senior leadership positions and percentage of colleagues who say they can be themselves at work. Sainsbury's reports progress against the commitments publicly every year.

STAGE 4 | MONITOR & COMMUNICATE RESULTS

Additional activities to tackle discrimination in your supply chain

What your business can do:

✓ **Join multiple-stakeholder initiatives (MSIs)** which aim to influence government/industry practices that can contribute to discrimination in the workplace and supply chains. For example, the Ethical Tea Partnership (ETP), the global membership organisation aiming to drive change in the tea industry. ACT (Action, Collaboration, Transformation), the initiative between international brands, retailers, manufacturers, and trade unions to address the issue of living wages in the textile and garment sector is another example.

✓ **Invest in projects that tackle the root causes of discrimination** in different supply chains. For example, Lavazza Professional, a global hot drinks vending brand, Sainsbury's, the UK retailer, and Taylors of Harrogate, a UK tea company, have invested in the Empowering Tea Communities project with ActionAid. The project aims to empower smallholder farmers and informal workers in three tea growing communities in Kenya, challenging gender-based violence and increasing women's voice.

✓ **Adopt responsible purchasing practices** including moving to longer-term contracts with suppliers to support them to invest in activities that help to prevent discrimination. For example, investment in training to raise awareness about discrimination issues or providing targeted professional development activities to increase representation of supply chain workers from at-risk groups in better paid or higher skilled roles.

✓ **Have open dialogue with suppliers** on how purchasing practices can influence discrimination risks. Conventional purchasing practices, including aggressive price negotiation, inaccurate forecasting, late orders, short lead times and last minute changes put suppliers under intense pressure. This pressure can lead directly to poor working conditions for workers including low pay and discrimination[17]. Speak with your suppliers to understand how your purchasing practices may increase the risk of discrimination and to understand what changes are needed.

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[17] Joint Ethical Trade Initiative's Guide to buying responsibly, JETI (2017).

| Introduction | Key concepts | **1** Show commitment | **2** Identify and engage at-risk groups | **3** Take action | **4** Monitor & communicate results | Gender discrimination | Migrant worker discrimination | Freedom of association | Moving forwards | Additional resources | Supplier self-assessment tool |

STAGE 4 | MONITOR & COMMUNICATE RESULTS

In your supply chain:

Your business can support and incentivise suppliers to collect and share disaggregated data to measure the impact of activities to prevent, identify and address discrimination.

Work with suppliers to collect disaggregated data on any discrimination issues received through grievance mechanisms or other feedback channels. Recognise suppliers that consistently provide accurate data on the breakdown of their supply chain workers in self-assessment questionnaires, and/or as part of supplier site visits over time.

For example, renewing or offering longer-term contracts to suppliers that share disaggregated data on the breakdown of supply chain workers. Monitoring this supply chain data will help your business to increase its understanding of where at-risk groups are in the supply chain. Additionally, monitor supply chain data to see if activities aimed at suppliers and supply chain workers to tackle discrimination are having a positive impact. Update activities and processes to prevent and address any risk of discrimination in your supply chain based on data and feedback from your suppliers and their workers. Collect and share good practice examples of activities to tackle discrimination from your suppliers with other buyers and suppliers in your supply chain.

Find out more about how your business can reduce the risk of discrimination in your supply chain through responsible purchasing practices in the Joint Ethical Trade Initiative's Guide to buying responsibly and the ETI Common Framework for Responsible Purchasing Practices in Food. Further materials are also included in the Moving Forwards: Additional resources section of this toolkit.
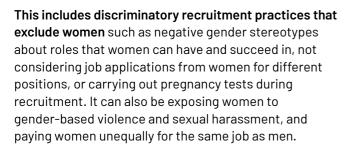
FIND OUT MORE

APPLYING THE 4-STAGE APPROACH
TO DIFFERENT FORMS OF DISCRIMINATION

GENDER DISCRIMINATION

Direct discrimination

This includes discriminatory recruitment practices that exclude women such as negative gender stereotypes about roles that women can have and succeed in, not considering job applications from women for different positions, or carrying out pregnancy tests during recruitment. It can also be exposing women to gender-based violence and sexual harassment, and paying women unequally for the same job as men.

Indirect discrimination

This can be not having separate sanitary or changing facilities for women; not providing personal protective equipment (PPE) in different sizes for women and male workers or pregnant workers; requiring all workers to work late or the same full-time hours; and restricting access to career development and progression opportunities for women.

Information should be shared regularly about the rights of all workers and the responsibilities of the business to respect and promote these rights.

Influence of negative social norms and behaviours

Not knowing what behaviour, attitudes and treatment are acceptable or appropriate when working in a culture that is unfamiliar can be a cause of discrimination or inappropriate workplace behaviour for some groups of workers.

For example, people from different cultures or countries who join a workforce may bring with them more conservative social norms regarding women, and may not realise these are unacceptable in a workplace. In other cases, it could mean that some at-risk groups are unaware of what discrimination is and how it may affect them.

In some instances, the influence of traditional gender norms may mean that men assume they have authority over women workers because they are male. Women from some cultures may also share this view. It could also mean that men hitting women is viewed as acceptable.

However, this type of behaviour, or any form of physical or verbal violence inside or outside the workplace is not acceptable. It is important for a business to clearly communicate about appropriate behaviour in the workplace, and throughout the supply chain through training.

Informal recruitment can exclude

CASE STUDY
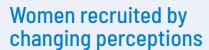
An example of indirect gender discrimination in internal recruitment processes was highlighted in a textile manufacturer where existing male supervisors were informing male production workers about new upcoming senior positions before women production workers so that they were able to prepare and apply for the roles in advance.

Roles were not always advertised beyond this informal approach meaning that women production workers did not have an opportunity to apply for the senior positions and were thus at a disadvantage.

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GENDER DISCRIMINATION: WHAT YOUR BUSINESS CAN DO

Some forms of gender discrimination – like gender-based violence, sexual harassment and bullying – are very sensitive issues, so speaking about them can be difficult. The influence of traditional gender social norms and stereotypes may mean that some individuals or groups are too scared or feel unable to speak up about issues affecting them. They may have concerns for their wellbeing or the potential impact on their jobs.

CASE STUDY

Women recruited by changing perceptions

A small machinery-hire company based in south Wales had never had any women apply to work with them and applications overall had been decreasing. They made a number of quite simple changes to their recruitment adverts:

- Imagery was added that clearly depicted both men and women.
- An overview of what it is like to work for the company was added, including a commitment to learning and development, with details on being a supportive employer and opportunities for progression.
- Language was modified to avoid jargon and non-essential technical terms.
- Equality and diversity statements and their 'Exemplar Employer' status were added.

Following these changes, a number of applications were received from women. The company now employs several women, one of whom is in a managerial position[18].

STAGE 1 SHOW COMMITMENT

- Specifically reference commitment to protect the rights of women and people of diverse genders and identities in non-discrimination policy.
- Implement specific activities to ensure women are able to fully participate in the workplace and have access to gender-sensitive reporting channels to raise any issues.
- Define targets to achieve gender balance and ensure that women are represented at different levels within the business and across the supply chain.

STAGE 2 IDENTIFY & ENGAGE WITH AT-RISK GROUPS

- Provide access to confidential or anonymous channels for workers to raise sensitive issues such as gender-based violence, sexual harassment and bullying.
- Work with external civil society organisations to offer safe spaces for workers to discuss their experiences or concerns relating to discrimination.
- Encourage women and under-represented groups to come forward and share feedback and concerns relating to discrimination and other workplace issues.
- Offer ways for workers to share feedback and report issues, verbally or in writing.
- Provide separate spaces for women, men and people of diverse genders to share feedback to build confidence and encourage two-way communication or dialogue on discrimination risks and its effects in the workplace.

Ensuring that workers are able to share feedback verbally or in writing helps account for possible lower levels of literacy among workers in lower-paid and informal positions. Such roles are often occupied by women in sectors such as the ready-made garment sector or by migrant workers in agricultural supply chains.

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18 Diversity requires modern working practices, C. Furlong, New Philanthropy Capital (NPC).

GENDER DISCRIMINATION: WHAT YOUR BUSINESS CAN DO

STAGE 3 TAKE ACTION

Training

- Send a clear message that any harmful or unfair treatment or behaviour towards any individuals or at-risk groups is unacceptable through training activities.

Grievance mechanisms

- Provide anonymous and confidential channels, designed together with workers, for workers to report to help build trust and reassurance to people who are affected.

- Be clear that action will be taken to prevent and respond to discrimination issues including gender-based violence when they occur by sharing examples of types of remedy available.

- Communicate how discrimination issues will be dealt with and provide reassurance that there will be no negative consequences for coming forward and using grievance mechanisms.

- Provide support and training to management to respond effectively to sensitive issues.

Worker representation

- Adopt a 'zero-tolerance to inaction' approach to help encourage open dialogue about sensitive issues among workers and management.

STAGE 4 MONITOR AND COMMUNICATE RESULTS

Collecting and reviewing gender-disaggregated data on pay can highlight if there is a gender pay gap which is a common form of gender-based discrimination.

- Collect and review gender-disaggregated data on pay for different roles and levels within the business.

- Identify if there is a gender pay gap which may highlight discrimination based on whether women, men and people of diverse genders receive equal pay for equal work.

- Recognise that having a higher proportion of women in lower-paid jobs in a business may also contribute to, and increase, the gender pay gap where present.

GENDER DISCRIMINATION:
WHAT YOUR BUSINESS CAN DO

Employee networks and how they can support your approach to discrimination

Employee or colleague networks are peer-to-peer spaces, either in-person or virtual, where workers who share specific characteristics or are affected by certain aspects of workplace policies, processes and culture because of parts of their identity, have the opportunity to meet.

There, they can discuss and provide advice to each other on ways to get their perspectives heard and get the business to respond to their needs.

These networks can help to build on or complement a workers' committee or the role of trade union or workers' representatives that also play a critical role in hearing from at-risk groups.

Good practice example

Sainsbury's, the UK retailer, support five dedicated colleague networks:

- **EnAble:** A network for colleagues with disabilities or long-term conditions, along with their allies, friends, and line managers.
- **I AM ME:** A network for ethnically diverse colleagues and allies of ethnic diversity.
- **Inspire:** A network for colleagues and allies advocating for gender equality.
- **Proud@Sainsbury's:** A network for LGBTQ+ community members and their allies.
- **We Care:** A network for colleagues who are carers and their allies.

These networks play a crucial role in amplifying the voices of underrepresented colleagues through a structured approach. The colleague networks meet with senior leaders on a quarterly basis to discuss feedback and ensure that Sainsbury's have actionable plans in place for each group. This ensures that progress is made swiftly and that the business remains accountable for delivering on its commitments.

FIND OUT MORE

Guidance on how to provide safe spaces to discuss sensitive gender-based issues are included in the Step-by-Step Approach to Prevent Gender Based Violence at Production Lines in Garment Supplier Factories in Asia by Asia Floor Wage Alliance and the report Safe Spaces – Creating the Enabling Environment by Women Working Worldwide and ETI.

MIGRANT WORKER DISCRIMINATION

Direct discrimination

This includes migrant workers not having access to equal pay, decent working conditions or higher paid jobs, not being able to participate in trade union or worker committees; being discouraged from applying for different job roles; or not having access to employment contracts, policies or remediation in accessible formats or different languages, which affects their ability to fully understand their labour rights and access remedies, such as grievance mechanisms or whistle-blowing helplines.

Indirect discrimination

This can be situations such as training and professional development opportunities only being available to workers who speak the native language of where the company is based; workers being unable to access social protections or benefits; limited access for workers to the formal labour market due to a lack of identification or right to work; workers being afraid of retaliation and negative consequences if they raise issues.

Where the employment of migrant workers is linked to their right to remain in the country, there is a greater power imbalance between the business and the migrant workers. This power imbalance can cause a lack of trust, with migrant workers being less likely to raise issues due to concerns about the impact on their job and residency status. There is also the risk that management could exploit that power, affecting the way that migrant workers are treated.

Impact of different literacy and language levels

Where possible when recruiting migrant workers, identify if workers have a minimum level of the local language to help ensure that they can read and understand company policies and processes.

Where this is not the case, steps should be taken by the business to make sure all workplace policies and employee information is provided in relevant languages, accounting for different literacy levels and different levels of language fluency in writing and verbally.

Among low-paid workers, literacy should not be assumed. The lowest-paid workers, for example in non-technical roles in factories, packing and warehouses, often express a preference for oral information, not written.

All workers need to be given time to understand information shared during working hours, without it affecting their time to focus on their targets or other performance measures, ideally adding to a balanced scorecard on worker wellbeing or as part of reviewing performance or providing incentives.

CASE STUDY

Immigrant farm workers' negative experience

On a poultry farm in the U.S., immigrant workers, who were primarily from Mexico and Honduras, described their experiences of discrimination after being supported by a civil society organisation to report issues on the farm.

Supervisors regularly shouted at immigrant workers and treated them in a hostile way for speaking Spanish.

Unlike their white, native-born co-workers, the immigrant workers were not allowed lunch breaks, water breaks, or time for holidays[19].

[19] Adapted from Food Empowerment Project article on Animal Agriculture Workers.

MIGRANT WORKER DISCRIMINATION: WHAT YOUR BUSINESS CAN DO

Being heard & speaking out

Migrant workers may face barriers that others do not, such as limited local language skills or lack of awareness of their rights as workers. This may lead them to feel that they have to accept terms of employment which seem too risky or abusive because there are very limited options available to them. They may also remain in difficult work situations as they can find no alternative jobs or channels to report issues.

Some migrant workers may be afraid to speak up for fear of losing their job, facing further discrimination if they try to access a new job, or fear of needing to pay additional visa expenses or having to leave the country.

In addition, migrant workers may be actively exploited as a result of the discrimination they have experienced. They then may find it harder to be heard if they raise a concern due to dominant groups not having the same experience and therefore not believing them or understanding it is a real problem.

STAGE **1** SHOW COMMITMENT

- Specifically reference commitment to protect the rights of migrant workers in non-discrimination policy.
- Identify and implement specific activities to prevent, identify and address risks that can arise as a result of discrimination such as forced labour, modern slavery, violence and harassment.
- Promote responsible recruitment including no recruitment fees for workers, and not withholding identification documents from workers.
- Ensure that contracts, policies, onboarding and induction training and materials are available in a range of languages spoken by migrant workers.

Good practice example

Pentland Brands, the sports, outdoor and lifestyle company, has developed a Migrant Worker Policy, which outlines their commitment to protecting the rights of migrant workers in their operations and supply chains. It includes clear information on how the policy is implemented and contributes to tackling discrimination.

STAGE **2** IDENTIFY & ENGAGE WITH AT-RISK GROUPS

- Review equal opportunities or disaggregated data to identify areas where at-risk groups are under-represented.
- Communicate processes in place to prevent and address discrimination among at-risk groups, including migrant workers.
- Highlight steps that have been taken to protect at-risk groups that come forward about possible issues.
- Provide material in the different languages spoken by the workforce.
- Provide accessible channels and safe spaces for migrant workers to share feedback and speak to representatives.
- Support ongoing two-way communication and dialogue on discrimination to identify and resolve issues and help to remove barriers to reporting.

MIGRANT WORKER DISCRIMINATION: WHAT YOUR BUSINESS CAN DO

STAGE 3 TAKE ACTION

Training

- Provide training and work with at-risk groups who may not be informed about their rights, or who have become used to being treated unequally or unfairly in the workplace.

Grievance mechanisms

- Increase awareness among management and workers about discrimination issues and how they affect at-risk groups to help highlight issues that may otherwise be overlooked or not reported.

Worker representation

- Increase recognition of skills and professional experience of migrant workers gained in other contexts which may not be equally valued, to help tackle indirect discrimination and to support access to technical and senior roles.

- Have open discussions about acceptable or 'normal' attitudes, behaviour or treatment of different groups in the workplace to identify potential issues or beliefs that may lead to groups being treated differently.

STAGE 4 MONITOR AND COMMUNICATE RESULTS

- Review equal opportunities or disaggregated data to identify areas where at-risk groups are not accessing available processes and activities to support their full participation in the workplace.

- Proactively promote equal opportunities and treatment at every stage of every worker's experience, including recruitment, retention, promotion, payment, and in termination of contracts.

- Consider the barriers faced by at-risk groups including migrant workers, and how this may impact their access to vocational training and skills development.

MIGRANT WORKER DISCRIMINATION: WHAT YOUR BUSINESS CAN DO

Other ways to tackle discrimination risks for migrant and seasonal workers
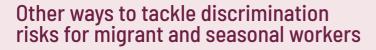
Sectors such as the fresh produce sector have a high proportion of migrant and seasonal workers who are vulnerable to different forms of discrimination. Steps must be taken to ensure the physical and emotional wellbeing of these workers.

Whether workers are recruited directly or indirectly via labour providers, it is important to ensure the following:

✓ All workers receive up-to-date contractual documentation and information on non-discrimination policies and related processes.

✓ Decent and dignified accommodation is provided with basic amenities, space to rest and socialise, and separate living spaces for men and women.

✓ Information on how to report issues are communicated regularly and displayed in different formats e.g. verbally in training, onboarding and induction, or on posters.

✓ Recruitment processes are reviewed periodically to highlight and address any potential discriminatory risks or practices.

✓ Contracts are only terminated with workers in line with what is written in the contract (to avoid risk of discrimination-based termination).

Good practice example

Migrant worker resource centres (MRCs) help to ensure migrant workers have access to adequate and free information and services in countries of origin and destination. MRCs provide a range of information and services for migrant workers, members of their families and community – for potential migrant workers at the pre-decision and pre-departure stage; for migrant workers during the transit stage and at destination; and during the return and reintegration phases of migration[20].

Some businesses work in collaboration with MRCs to ensure migrant workers have access to relevant support. For example, ASOS, the global online apparel retailer, provided funding for Anti-Slavery International, the human rights and advocacy NGO, to support an MRC in Mauritius[21]. The funding contributes to the running of the centre and supports Anti-Slavery International in continuing to provide technical advice, monitoring and learning support to the MRC's staff.

Further resources on responsible recruitment and accommodation is shared by the Stronger Together, the civil society organisation helping businesses to implement fair labour practices in their own operations and supply chains.

FIND OUT MORE

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[20] Guidance Note on Migrant Worker Resource Centres, ILO (2024).

[21] Press release, ASOS announces continued support for Mauritius' Migrant Resource Centre on Anti Slavery Day (2021).

FREEDOM OF ASSOCIATION

Direct discrimination

This includes trade union members losing their jobs, having pay docked, being ignored, not being allowed to attend union meetings, being excluded from certain work and/or worker committee meetings, restricted access to work benefits due to union membership, being threatened or harassed for raising issues about working conditions, and not being allowed to be nominated or elected as a worker committee member.

Indirect discrimination

This can be in situations where workers are labelled as 'troublemakers' by management, when training and work meetings are scheduled to intentionally conflict with union meetings, where workers are challenged for raising issues with management or trying to organise with other workers.

FIND OUT MORE

Further guidance on what businesses can do to respect freedom of association and the right to participate in collective bargaining are included in Principle 3 of the United Nations Global Compact and the ILO Guidance on Promoting Collective Bargaining.

Freedom of association and the right to collective bargaining enable workers to organise and join together to protect their labour and human rights.

This can take place through trade unions or other formal and informal workers' rights organisations and groups. Your business should be supportive and provide an enabling environment where unions can function and workers can access them.

In some geographies and contexts, there may be laws against trade unions or restrictions on trade union rights, or a lack of independent trade unions. In countries where there are restrictions, workers can find alternative ways to organise. If trade unions are allowed, alternative organised worker groups should be complementary and not replace trade unions. Where possible, your business should support finding alternative ways to organise and should not discriminate against workers who choose to do this.

Unfortunately, it is common for workers who participate in collective bargaining to face anti-union discrimination from businesses, intimidation, having their hours reduced or being fired for their involvement in organising and union activities. However, there are legal frameworks and standards to protect the rights of workers from this type of discrimination and examples of workers who have successfully challenged companies when this form of discrimination has occurred.

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FREEDOM OF ASSOCIATION: WHAT YOUR BUSINESS CAN DO

STAGE **1** SHOW COMMITMENT

What your business can do:

- Specifically reference commitment to support the rights of workers to organise, have representatives and participate in workers' rights organisations in your non-discrimination policy.
- Undertake activities that support and encourage all workers to participate in regular and open two-way communication and dialogue with management.
- Make extra effort to engage and support workers who may be under-represented or marginalised such as women, migrant workers, young people, people with disabilities, or workers from lower caste groups.

CASE STUDY

Successful farmworkers' challenge to bad practice

The US Equal Employment Opportunity Commission (EEOC) and the Migrant Farmworker Project has addressed cases where farmworkers faced retaliation for union organising.

For instance, Moreno Farms, Inc. was ordered to pay $450,000 to 13 women and to implement extensive training on employment discrimination laws after allegations of harassment and retaliation. Women workers faced sexual harassment including regular groping, propositions, and threats of firing if they refused sexual advances. Five women were fired for opposing the sexual harassment but received support to organise and take their former employer to court.

Good practice

The Bakers Food and Allied Workers Union (BFAWU) Agreement with Warburtons aimed to secure guaranteed minimum hours, an increase in the basic hourly rate and more stable shift patterns for workers. It also sought to ensure long-term job security with opportunities to improve skills in jobs. The agreement set out to integrate workplace union representatives throughout the company to help facilitate dialogue and collective bargaining for workers.

FREEDOM OF ASSOCIATION: WHAT YOUR BUSINESS CAN DO

STAGE 2 IDENTIFY & ENGAGE WITH AT-RISK GROUPS

- Share information on how workers can participate in worker organisation processes.
- Make sure that workers do not face intimidation, harassment or any other forms of discriminatory behaviour or actions for engaging in these processes.
- Clearly communicate that participation in freedom of association and collective bargaining will not negatively affect workers' conditions of employment, decisions about their progression, or cause their dismissal or transfer within the business.
- Ensure that action is taken to address discriminatory behaviour against workers who participate in collective bargaining and provide remedy to affected groups.

FIND OUT MORE

Further guidance on the important role that businesses can play to support and enable social dialogue is included in Respecting Trade Union Rights in Global Value Chains: Practical Approaches for Business by Shift and Monidaal FVV.

STAGE 3 TAKE ACTION

Training

- Provide training to actively support workers from at-risk groups to participate in open and regular dialogue with management.

Grievance mechanisms

- Provide safe spaces for workers to meet and form self-organised groups to discuss workplace issues.
- Develop approaches to tackle discrimination in collaboration with workers and their representatives to increase their agency and ensure grievance mechanisms meet their needs, address risks and resolve concerns quickly.

Worker representation

- Proactively support and encourage workers to elect worker representatives and engage with union representatives.
- Be clear and take steps to ensure that workers who engage in these processes are not treated negatively or differently from other workers who are not part of these processes.
- Ensure workers are not discouraged or threatened with penalties or negative consequences if they choose to participate in unions or worker groups.
- Provide accessible channels for workers to report issues if they are mistreated or discriminated against as a result of participating in elected worker groups or committees.

STAGE 4 MONITOR AND COMMUNICATE RESULTS

- Collaborate with worker representatives and trade unions to understand the effectiveness of the business's approach to tackle discrimination and to identify additional activities to build on this.
- Clearly communicate and track activities that demonstrate efforts to ensure that workers are supported to participate in collective bargaining processes.

CASE STUDY

Strengthening supply chain working conditions

Large multinational companies such as H&M, the Swedish clothing company, and Tchibo, the German coffee and consumer goods company.

They have formed Global Framework Agreements with the global trade union confederation IndustriALL Global Union, to strengthen freedom of association and improve conditions for workers across their supply chains, demonstrating a clear commitment to engage effectively in these processes.

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FREEDOM OF ASSOCIATION:
WHAT YOUR BUSINESS CAN DO

CASE STUDY

Indian workers' union wins agreement

In April 2022, the Tamil Nadu Textile and Common Labour Union (TTCU), a union led by Indian women and Dalit workers, signed an historic agreement with the clothing and textile manufacturer Eastman Exports, to end gender-based violence and harassment at Eastman factories in Dindigul, in the southern state of Tamil Nadu in India.

The Dindigul Agreement requires brand signatories to support and enforce the TTCU-Eastman Exports agreement. Under the terms of the agreement, if Eastman Exports violates its commitments, brand signatories are obligated to impose business consequences on Eastman Exports until Eastman comes into compliance. Brands in the agreement legally commit to use their supply chain relationships to support a worker- or union-led programme at different factories and worksites. This case study is an example of cross-over issues related to gender discrimination and freedom of association[22].

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[22] Fact sheet: The Dindigul Agreement to End Gender-Based Violence and Harassment, Asia Floor Wage Alliance, Global Labor Justice, International Labor Rights Forum and Tamil Nadu Textile and Common Labour Union (2023).

MOVING FORWARDS

MOVING FORWARDS FURTHER INFORMATION BY STAGE

STAGE 1 SHOW COMMITMENT

Development of an accessible non-discrimination policy

- ✓ Have you consulted with everyone who will be affected by the policy to get feedback on the best ways to share it?

- ✓ Can you make use of visuals and info-graphics alongside sharing the policy in writing?

- ✓ Are you aware of any differences in the way signs, symbols or expressions are understood by different communities in the workforce (e.g. thumbs-up gesture is positive in Western cultures but offensive in parts of West Africa and the Middle East)[23]?

- ✓ Where and how do workers consume information (verbally, written, visual, on mobiles, on social media, online) and can you make the policy available in different formats?

- ✓ Can you host group information sessions, with all staff, department, team or individual briefings to discuss the policy?

In your supply chain:

Commitment to tackle discrimination in your direct operations and your supply chain

Showing commitment and undertaking activities to tackle discrimination in the direct operations of your business is likely to be more straightforward than in your supply chain. This is because your business has better access to the information needed to develop an approach to tackle discrimination, as well as direct control over all policies and practices[24]. On the other hand, it can be difficult to get information such as workforce profile data or details about policies or activities to tackle discrimination from suppliers in your supply chain. Despite these challenges, it is important to speak with your suppliers about discrimination risks. It is also important to provide support and information to help your suppliers prevent, detect and respond to these risks. Sharing resources such as this toolkit and encouraging suppliers to look at ways to implement activities can be a starting point to tackle discrimination across your supply chain.

[23] How do different cultures perceive symbols in icons?, Khmelyk, CIEDEN (2024).
[24] Adapted from Human Rights Due Diligence: An overview, Oxfam (2023).

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FURTHER INFO: BY STAGE

STAGE **2** IDENTIFY & ENGAGE WITH AT-RISK GROUPS ⚠

Safely review disaggregated data

Collecting and reviewing disaggregated data safely will help to build a picture of the workforce breakdown of your business and supply chain.

Your business may already be collecting sex- or gender-disaggregated data. Other available data such as disability status, age, contract type, length of service, and job level may highlight other potential areas of discrimination because certain groups may be highly represented in some areas and significantly under-represented in others.

For example, there may be a very low proportion of women in senior or supervisor positions despite their high representation at lower levels of the business, or perhaps there is a high proportion of young staff members on short-term or temporary contracts.

How to manage disaggregated data safely

✓ Ensure that any data collected is stored and used with care, in line with data protection principles, for example GDPR legislation and rules.

✓ Ensure that all data collection is based on the free, prior and informed consent of workers, who understand that this consent can be withdrawn at any time.

✓ Minimise the amount of personal data collected, and ensure that there are tight restrictions on how, where and for how long it is stored and used.

✓ Maintain anonymity wherever possible – caution must be taken if data disaggregation could lead to individuals being identified.

Unsafe management of disaggregated data can expose at-risk groups to further prejudice and discrimination that affects their safety or increases risk of harm to at-risk groups from supervisors or other workers, and possibly the state – for example, in countries where LGBTQIA+ people are criminalised, or where union activists and human rights defenders face persecution[25].

[25] Adapted from Business Briefing - Valuing Women's Work, Oxfam International (2023).

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FURTHER INFO: BY STAGE

STAGE 2 IDENTIFY & ENGAGE WITH AT-RISK GROUPS ⚠

Trends that may indicate a risk of discrimination

TREND IN DISAGGREGATED DATA	POSSIBLE RISKS AND IMPACTS
Low percentage of at-risk groups in supervisor and management roles compared to their representation in entry-level or junior positions	• Potential barriers to advancing in the business for some groups due to discriminatory policies. • Practices or the influence of cultural and social norms, which may limit full participation and access to better paid roles for some groups.
Low percentage of at-risk groups engaged with unions or worker committees as members	• Lack of awareness about opportunities to engage, a fear of speaking up, or fear of retaliation, bullying and harassment if they participate. • Lack of representation or engagement of at-risk groups in worker committees or worker representative organisations, which can lead to an increased risk of issues affecting these groups not being heard. • Workplace policies and practices may not effectively take into account the needs of at-risk groups and may indirectly discriminate against them as a result.
High percentage of at-risk groups on temporary or short-term contracts	• Risk of discrimination during recruitment processes. • Potential influence of conscious or unconscious bias relating to which groups are able to access certain roles. • Workers on short-term or temporary contracts may have less access to employee benefits and professional development opportunities compared to permanent staff. • Ability to participate in collective bargaining can be affected, with reduced worker voice or access to worker representatives.
High percentage of at-risk groups in lower-paid roles and/or on lower wages	• Risk of discrimination in recruitment and management of staff with less access to better paid roles or higher wages.
Low or no reporting of concerns relating to discrimination, especially from at-risk groups	• Lack of awareness or trust in available channels to raise issues, or concerns that issues raised will not be resolved adequately. • If reported cases only come from some at-risk groups, it is important to explore if there are any barriers that may prevent different groups from coming forward.

FURTHER INFO: BY STAGE

STAGE **2** IDENTIFY & ENGAGE WITH AT-RISK GROUPS ⚠

Role of elected worker committees for dialogue on discrimination

Setting up an elected worker committee or elected working group with diverse worker representatives and management can be a useful tool to identify potential discrimination issues and to develop activities to address discrimination with groups who are affected.

Ideally, the elected working group or committee is made up of an equal number of management and elected worker representatives and with representatives from each of the at-risk groups.

Different channels for workers to share feedback about their experiences

Channels your business can use to gather feedback from workers include:

- worker engagement surveys
- focus groups
- formal grievance mechanisms
- confidential helplines
- team meetings facilitated by union and/ or worker committee representatives
- check-ins with managers or supervisors
- speaking to the human resources team
- self-organised safe spaces.

When monitoring channels available for workers to report issues such as discrimination, it is important to check that:

- affected workers agree that their concern has been understood;
- their concern was responded to and resolved within an appropriate time;
- managers took proactive actions to ensure affected workers did not experience retaliation for having raised a concern;
- managers responded quickly to protect workers from retaliation and to prevent perpetrators from doing further harm;
- workers' concern was fully and fairly resolved (and if it was not, to find out why, recognising that the business may need to learn about where its hidden barriers are and how best to address them).

Active relationships with unions, worker and civil society organisations

Building and maintaining active relationships with trade unions, worker and civil society organisations that support marginalised or vulnerable groups such as women, migrant workers and workers with disabilities, can boost activities that a business may be undertaking to engage with workers in their own operations and across the supply chain to tackle discrimination.

When engaging with at-risk groups who may face barriers to raising discrimination issues, working with their elected representatives or collaborating with civil society organisations can help to identify and increase understanding of possible issues in the workplace or supply chain. Where possible, efforts should be made to engage with your suppliers to facilitate connections and access to regional or local branches of worker representative and civil society organisations, as well as the wider business being engaged with unions locally to understand local issues.

FURTHER INFO: BY STAGE

STAGE **3** TAKE ACTION

Training for workers and management to promote cultural sensitivity

Promoting cultural diversity and increasing awareness of approaches to support cultural sensitivity and effective communication can play a key role in building a positive and inclusive working environment.

It is common for businesses to have a diverse range of cultures represented in their workforce and supply chains. Training for workers and management can help to build understanding about the social and cultural norms that influence behaviour and attitudes, and can lead to discrimination.

Good practice

Recognising the importance of strengthening social dialogue between management and workers to better identify and respond to discrimination issues, an apparel company decided to focus on raising awareness and building capacity at the local level around trade union rights. The company partnered at international and national levels with trade unions and other employers, and provided training to their local teams to facilitate better relationships between factory workers and factory owners through capacity-building on social dialogue, and encouraging suppliers to engage with local unions and civil society organisations[26].

FIND OUT MORE

The Effective Communication Toolkit for Multi-Language Workforces developed by Co-op and M&S in partnership with allianceHR and nGaje, provides guidance on approaches to manage cultural differences in the workplace including practical tools and case studies.

Further guidance on how to create a grievance mechanism or strengthen existing reporting processes and mechanisms in collaboration with workers can be found in the Grievance Mechanism Toolkit (also available in Spanish).

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[26] Case study adapted from guidance on Respecting Trade Union Rights in Global Value Chains: Practical Approaches for Business by Shift and Monidaal FVV (2019).

FURTHER INFO: BY STAGE

STAGE 3 TAKE ACTION

Grievance mechanisms or formal reporting processes

Having an effective grievance mechanism or formal reporting process in place enables workers to raise issues, complaints and concerns about things that negatively affect them at work including discrimination. An effective grievance mechanism provides trusted, safe, transparent, accessible and gender-sensitive channels that can help to increase workers' voice and play a key role in tackling discrimination in the workplace.
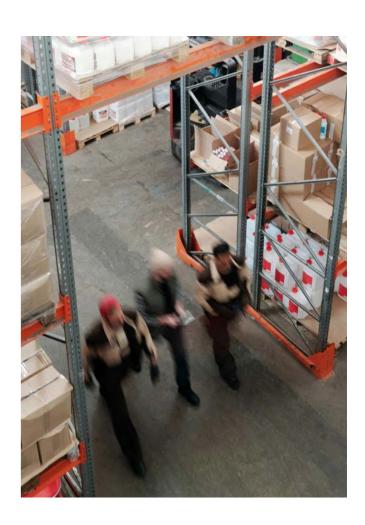
Grievance mechanisms should be designed in collaboration with workers to ensure that they respond to any possible barriers to access, particularly for at-risk groups such as women, migrant workers and people with disabilities, and to make sure that they provide remedy to those who may be affected by discrimination and other workplace issues.

Businesses should also work with their suppliers to ensure grievance mechanisms are in place and to track their effectiveness.

How to effectively implement a grievance mechanism

A summary of recommended activities to help implement your grievance mechanism is outlined below, adapted from the Grievance Mechanism Toolkit:

- ✓ Provide training on how to use the mechanism in the main languages spoken by workers.

- ✓ Provide examples of the types of issues that can be raised.

- ✓ Clearly communicate the types of remedy that may be available to all users.

- ✓ Gather feedback from workers and management on a regular basis to understand how effective the mechanism is.

- ✓ Test the mechanism by running mock complaints at regular intervals and make changes if needed.

- ✓ Monitor implementation of the grievance mechanism by recording each grievance received in a system (online or on paper) and tracking the case until it is closed.

- ✓ Regularly report on the number of grievances raised and the outcomes (without identifying individuals).

- ✓ Engage with worker representatives and civil society organisations to identify challenges for at-risk groups and to support ways to resolve the grievances raised.

FURTHER INFO: BY STAGE

STAGE 3 TAKE ACTION

Gender-balanced and representative worker committees

A gender-balanced worker committee is a working group formed of elected workers and management with an equal number of women, men and people of diverse genders to discuss workplace issues.

It is important that the worker committee is gender-balanced and representative of the diversity of the workforce because this helps to ensure that the perspectives of all groups who may be affected by discrimination are heard. It is also critical to hear the perspectives of workers who may directly or indirectly be influenced by unconscious bias or by social and cultural norms that may lead to discrimination. Hearing their views will help to un derstand the views and perspectives that may lead to discriminatory behaviour in the workplace. Discussing the attitudes and behaviours that underpin any norms and biases is the first step to shifting negative perspectives and preventing discrimination.

All staff must be engaged to effectively tackle discrimination. A gender-balanced and representative worker committee can act as a taskforce to discuss potential and actual risks, develop activities to address these issues based on feedback from worker and management at different levels, and help to communicate what action is being taken across the business.

Further information on approaches to support worker representation and open dialogue is included in the Ethical Trade Initiative Freedom of Association and worker representation: company guidance.

FIND OUT MORE

Access to elected union representatives and/or elected worker representatives

Ensuring that workers have access to elected union representatives where present and/or elected worker representatives is an important step to facilitate two-way dialogue between workers and management.

It also helps to build a better understanding of workplace experiences for at-risk groups and to highlight possible discrimination.

These elected representatives can help to ensure that at-risk groups are listened to by management and are responded to in meaningful, respectful and timely ways. It is critical that these representatives are elected freely by workers to help make sure they are acting independently and on behalf of workers, sharing their priorities while acting confidentially where needed[27].

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[27] Women's Perspectives Matter, Oxfam (2020).

FURTHER INFO: BY STAGE

STAGE **3** TAKE ACTION

Equality and inclusion representatives in the workplace

What is an Equality and Inclusion representative?

Equality and Inclusion representatives are elected workers who can help to amplify the voices of at-risk groups, by gathering feedback and sharing how workplace policies and practices may increase the risk of or lead to discrimination.

How is an Equality and Inclusion representative different from other worker representatives?

Equality and Inclusion representatives have a specific focus on identifying and addressing discrimination risks, helping to highlight the specific concerns or issues affecting at-risk groups and identifying priority or focus areas to prevent and address these challenges. With training and support, existing elected worker representatives could fulfil the role of Equality and Inclusion representatives, however, it is important to ensure that preventing and addressing discrimination is a priority and focus area.
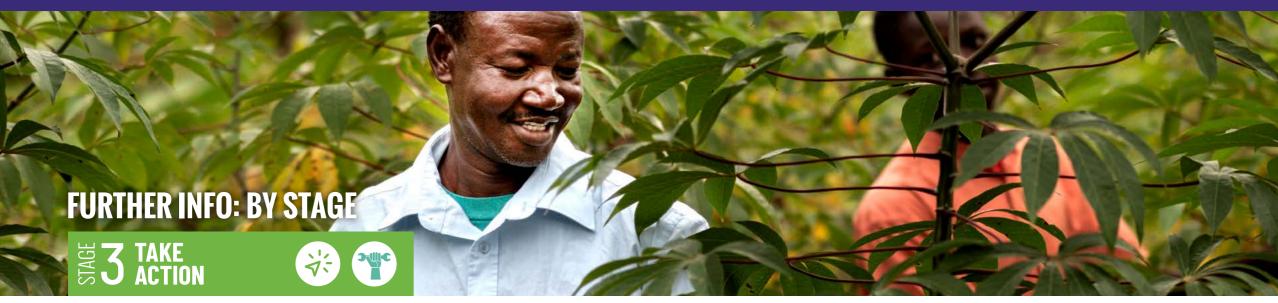
How can they help to tackle discrimination in the workplace?

Based on their own direct lived experiences or by representing the experiences shared by others, Equality and Inclusion representatives can play an important role in highlighting potential and actual discrimination risks by sharing the perspectives of at-risk groups.

These representatives can help to facilitate dialogue and build a stronger connection between workers and management as part of efforts to prevent and respond to discrimination issues, building on the responsibilities of other worker representatives that may look at a broader range of workplace risks and issues.

They can also help to review the effectiveness of activities to address and remedy discrimination issues by collecting feedback from at-risk groups as part action to monitor the results and impact of activities to tackle discrimination. They can help to raise awareness of the topic in collaboration with others to ensure it remains a priority and that there is communication between management and at-risk groups about measures to prevent and address these issues.

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FURTHER INFO: BY STAGE

STAGE 3 TAKE ACTION

Two-way communication with management about workplace issues

A common barrier to tackling discrimination is a lack of understanding among individuals and groups about how they may be affected by discrimination or how their behaviour or attitudes may directly or indirectly discriminate against others. Similarly, it may not be immediately clear to management how some workplace policies and practices may inadvertently discriminate against different groups.

Encouraging two-way, regular dialogue about the issue to increase awareness among workers and management about what discrimination is, the forms it can take in the workplace, and what they can do to prevent and address it, is a critical step to tackling discrimination.

Existing spaces can be used to help build a culture where workers have a better understanding and increased confidence to discuss and raise issues.

Such spaces could be team, department and company-wide meetings, training and onboarding, and induction sessions. Equally, this could happen b y creating dedicated spaces to raise awareness and talk about discrimination, and through proactive activities.

Regular and open dialogue can also help management to identify possible discrimination issues earlier and to collaborate with workers to develop and implement preventative actions in response.

FURTHER INFO: BY STAGE

STAGE **4** MONITOR AND COMMUNICATE RESULTS

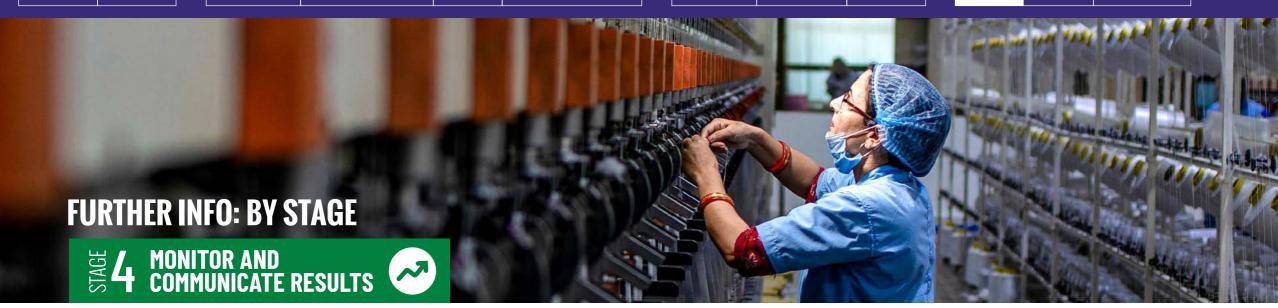## Track key performance indicators (KPIs) regularly to understand impact of activities

To understand whether activities to prevent, detect and respond to discrimination are working effectively it is important to establish key performance indicators (KPIs).

KPIs are a quantifiable metric that helps to measure the results of activities which contribute to a broader overall goal or objective, in this case tackling discrimination.

Where possible, the business should encourage its suppliers to develop and implement activities that help to tackle discrimination. The business should work with suppliers to collect and analyse data to measure the effectiveness of these activities, to help monitor the wellbeing of supply chain workers and producers.

Examples of KPIs to track results of activities to tackle discrimination:

✓ **Representation of at-risk groups** at different levels and in different areas of the business

✓ **Completion of timebound targeted activities** to support the participation and progression of at-risk groups in the business. For example, training, professional development and career advancement opportunities

✓ **Feedback from workers and management** about the effectiveness of targeted activities: for example, increased knowledge and understanding of discrimination issues and how to respond effectively

✓ **Awareness of available channels to report** discrimination issues, likelihood of using these, and confidence in using them

✓ **Number of discrimination cases reported** and resolved

✓ **Number and types of cases** that workers understand to be fully resolved

✓ **Number of concerns raised** that at-risk groups agree were resolved

✓ **Number and types of cases that managers understand** to be fully resolved

✓ **Workers and managers feel able to openly discuss** discrimination issues

✓ **Workers and managers feel safe** to engage in open dialogue

✓ **Workers and managers from at-risk groups feel safe to speak up** and challenge the way things are done

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FURTHER INFO: BY STAGE

STAGE 4 MONITOR AND COMMUNICATE RESULTS

Share results of activities to tackle discrimination

Regular and proactive communication on the activities that your business is undertaking to tackle discrimination can help to demonstrate your ongoing commitment to address the issue.

It can also continue to increase awareness among workers and management about the importance of discussing the issue and coming forward if they are affected.

This can be done through existing communication channels such as team, department or company-wide meetings, newsletters and other communication channels, and can be linked to updates on other key areas of business performance.

It takes time to shift the traditional attitudes, beliefs and mindsets that can lead to discrimination in the workplace. It is crucial to be clear that discrimination and retaliation against tackling discrimination that might have been ignored or overlooked in the past, will now be noticed and promptly and fairly addressed.

It is important that staff are supported to learn more about discrimination, and that the topic is discussed on a regular basis with management and workers.

Being clear that if discriminatory behaviours do not change, serious and prompt action will be taken can also help to build a workplace culture that promotes and protects the rights of at-risk groups.

Good practice

Company reporting on progress with diversity, equity and inclusion (DEI) can be an indicator of proactive steps being taken to understand the workforce profile and the results of activities to ensure representation of different groups across the business. For example, Microsoft publishes an annual Global Diversity & Inclusion Report, which shares data on the percentage of the workforce made up of under-represented groups and how those numbers have changed year to year. Deloitte shares similar data on DEI initiatives in its annual DEI Transparency Report[28].

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[28] Examples of DEI initiatives and how to ensure they make a difference, Chronos, Sokolowsy (2024).

ADDITIONAL RESOURCES

ADDITIONAL RESOURCES

GENERAL

[Guidance for Business,](#) Equality and Human Rights Commission [Q&A on business, discrimination and equality](#), ILO

[Tools and resources for business on non-discrimination and equality](#), ILO

[Transforming enterprises through diversity and inclusion](#), ILO

[Diversity, Equity and Inclusion - the non-discrimination course](#), UN Global Compact

[Non-discrimination,](#) FairtradeILO

STAGE 1 SHOW COMMITMENT

[Direct and Indirect Discrimination,](#) Equality and Human Rights Commission

[Preventing Discrimination: Advice for employers](#), ACAS

[Equality, diversity and inclusion policy template](#), ACAS

[Business and Human Rights Navigator-Discrimination](#), UN Global Compact Fairtrade ILO

STAGE 2 IDENTIFY AND ENGAGE WITH AT-RISK GROUPS AND THEIR REPRESENTATIVES

[Gender Data Indicators Guidance - Level 1](#), ETI

[Gender Data Indicators Guidance - Level 2 and 3](#), ETI

[Meaningful Rights Holder Engagement: An Introduction](#), Oxfam America (guidance in [Spanish](#))

[Bringing a Human Rights Lens to Stakeholder Engagement](#), Shift

[Stakeholder engagement - making it meaningful](#), Global Compact Network Netherlands, Oxfam and Shift

[Meaningful Stakeholder Engagement Framework](#), STITCH

[Meaningful Stakeholder Dialogue - self-assessment](#), Social and Economic Council of the Netherlands (SER)

STAGE 3 TAKE ACTION

[Grievance Mechanisms Toolkit](#), Reckitt and Oxfam Business Advisory Service (available in [Spanish](#))

[Effective Communication Toolkit for Multi-Language Workforces](#), allianceHR, nGaje, Co-op, M&S

[The role of employers in prevention and protection from violence and harassment](#), ILO

[Non-discrimination & Equality standard](#), Columbia Center on Sustainable Investment and UN Sustainable Development Solutions Network

[Entry points to worker representation](#), ETI

Case study example - [Modern Slavery Act Statement](#), Oxfam GB

ADDITIONAL RESOURCES

STAGE 4 MONITOR & COMMUNICATE RESULTS

Case study example – Global Diversity & Inclusion Report, Microsoft

Case study example – DEI Transparency Report, Deloitte

IN PRACTICE - GENDER DISCRIMINATION

Business Conduct and Gender Equality, ILO

Approach to Addressing Violence and Harassment in the World of Work: Guidance for Suppliers, Fair Wear

Fact sheet: The Dindigul Agreement to End Gender-Based Violence and Harassment, Global Labor Justice - International Labor Rights Forum

Gender and the Base Code, ETI

Gender and human rights due diligence, ETI

Safe Spaces - Creating the enabling environment, ETI & Women Working Worldwide

Applying a gender lens to sustainable procurement, UN Global Compact

Spotlight Initiative, UN

Language Matters: How words impact women and men in the workplace, LinkedIn

IN PRACTICE - FREEDOM OF ASSOCIATION

Protection against acts of anti-union discrimination: Evidence from the updated IRLex database, ILO

Respecting Trade Union Rights in Global Value Chains: Practical Approaches for Business, Shift and Mondiaal FVV

Freedom of association and worker representation: company guidance, ETI

Implementing Freedom of Association: A five step plan, ETI

Freedom of association policy template, Stronger Together

IN PRACTICE - MIGRANT WORKER DISCRIMINATION

Combating Discrimination and Promoting Equal Treatment and Opportunities for Migrant Workers, ILO

Guidance Note on Migrant Worker Resource Centres, ILO

Migrant workers' access to remedy: Business Briefing, Anti-Slavery International

Case study example – Migrant worker policy, Pentland Brands

ADDITIONAL RESOURCES

IN PRACTICE - DISABILITY DISCRIMINATION

Base Code Guidance: Disability inclusion in the global supply chain, ETI

Global Business and Disability Network self-assessment, ILO

Towards Disability Inclusion: A Handbook for Inclusion of Persons with Disabilities in Government Programmes and the Apparel Industry, Centre for Disability in Development (CDD)

IN PRACTICE - CASTE DISCRIMINATION

Base Code Guidance: Caste in Global Supply Chains, ETI

Caste and Business, International Dalit Solidarity Network (IDSN)

Dalit Discrimination Check, International Dalit Solidarity Network (IDSN)

WORKER REPRESENTATIVE ORGANISATIONS

IndustriALL, Global union, Manufacturing, Mining and Energy

IUF, Global union, Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations

UNI Global Union, Global union, Services including agency workers and packaging

CIVIL SOCIETY & NON-GOVERNMENTAL ORGANISATIONS (NGOS)

Change Associates Ltd, Bangladesh, Apparel and Garments sector

Emerging Leaders, Global, Manufacturing and Agriculture

Migrant Resource Centres, Global, Manufacturing and Agriculture

RISE (Reimagining Industry to Support Equality), Global, Apparel and Garments

SEWA Manager NI School, India, Manufacturing and Agriculture

Sheva Nari O Shishu Kallyan Kendra (Sheva), Bangladesh, Apparel and Garments

Swasti, Global, Manufacturing and Agriculture

WISE (Women in Struggle for Empowerment), Pakistan, Manufacturing and Agriculture

Women Working Worldwide, Global, Agriculture

SUPPLIER SELF-ASSESSMENT TOOL

STAGE 1 SHOW COMMITMENT

This self-assessment tool allows for a quick review of the activities that your business may already be undertaking to tackle discrimination in your direct operations and in your supply chain. The tool can help you to identify potential gaps in, or opportunities to strengthen, your existing approach to identify and address discrimination. Further information on how to develop and implement the activities covered in the self-assessment are included in this toolkit. A summary of materials from the 'Moving Forward: Additional resources' section are also included for each topic area.

QUESTION	YES	NO	ADDITIONAL RESOURCES
Does the business have a non-discrimination policy and/or code of conduct that outlines its commitment and approach to tackle discrimination?	☐	☐	Preventing Discrimination: Advice for employers, ACAS
If yes, is the policy and/or code of conduct:			Equality, diversity and inclusion policy template, ACAS
• Available publicly?	☐	☐	
• Published in different languages?	☐	☐	Q&A on business, discrimination and equality, ILO
• Available in accessible formats?	☐	☐	
• Approved at the most senior level of the company?	☐	☐	
Have senior management or leadership been assigned responsibility for implementing the non-discrimination policy, including identifying timebound activities and targets to prevent and respond to discrimination in the business?	☐	☐	
Is there responsibility at board level to support and monitor implementation of the non-discrimination policy and/or code of conduct and to remedy discrimination issues that may arise?	☐	☐	
Has the business identified activities to support the implementation of the non-discrimination policy and/or code of conduct?	☐	☐	
Has the business identified targets to monitor implementation and effectiveness of activities to prevent and respond to discrimination?	☐	☐	
Does the business communicate the non-discrimination policy and/or code of conduct with its suppliers?	☐	☐	
Does the business share guidance, offer training and/or signpost suppliers to resources to help them to develop their own approach to tackle discrimination?	☐	☐	

SELF-ASSESSMENT TOOL

STAGE 2 IDENTIFY & ENGAGE WITH AT-RISK GROUPS

QUESTION	ADDITIONAL RESOURCES

Does the business collect workforce data on the following areas within your direct operations: (indicate which, or none)

☐ Sex	☐ Gender	☐ Age	☐ Disability status	☐ Ethnicity	☐ Contract type	☐ Other	☐ None

Question			
Does the business collect and/or have access to disaggregated workforce data from your supply chain? (e.g. from Tier 1 suppliers, on supply chain workers, on producers)	☐ Not applicable	☐ Yes	☐ No
Is the business able to safely analyse disaggregated workforce data to identify at-risk groups within your direct operations?		☐ Yes	☐ No
Does the business proactively seek feedback from workers on workplace conditions and their experiences in your direct operations?		☐ Yes	☐ No

If yes, how often?	☐ Quarterly	☐ Bi-annually	☐ Annually	☐ Ad hoc

If yes, what approaches are used to gather worker feedback:

☐ Surveys	☐ Focus groups	☐ Department-wide meetings	☐ Town halls	☐ Audit processes	☐ Worker interviews	☐ Other	☐ None

Question		
Does your business engage with workers and their representatives to identify and respond to discrimination risks in your direct operations?	☐ Yes	☐ No
Does the business work with suppliers to engage with their workers, producers and their representatives to identify and respond to discrimination risks in the supply chain?	☐ Yes	☐ No

ADDITIONAL RESOURCES

Gender Data Indicators Guidance - Level 1, ETI

Gender Data Indicators Guidance - Level 2 and 3, ETI

Meaningful Rights Holder Engagement: An Introduction, Oxfam America (guidance in Spanish)

Bringing a Human Rights Lens to Stakeholder Engagement, Shift

Stakeholder engagement - making it meaningful, Global Compact Network Netherlands, Oxfam and Shift

SELF-ASSESSMENT TOOL

STAGE **3** TAKE ACTION | TRAINING

QUESTION	YES	NO	ADDITIONAL RESOURCES
Does the business include its non-discrimination policy and/or code of conduct in staff induction and onboarding?	☐	☐	[The role of employers in prevention and protection from violence and harassment](#), ILO
Does the business carry out refresher training to raise awareness of its non-discrimination policy and/or code of conduct with workers?	☐	☐	
Does the business provide training to management and HR (human resources) staff to increase awareness of bias and discrimination risks, and how these may show up at the following stages of a worker's experience:			[Effective Communication Toolkit for Multi-Language Workforces](#), allianceHR, nGaje, Co-op, M&S
• Recruitment and hiring	☐	☐	
• Access to training	☐	☐	
• Performance appraisal/review	☐	☐	
• Promotion	☐	☐	
• Employment termination/dismissal	☐	☐	
Does the business provide training to all workers to increase awareness of discrimination risks and how these may affect them at different stages of their work experience?	☐	☐	
If yes, is the training:			
• Available in different languages?	☐	☐	
• Available in accessible formats for participants with low literacy levels or additional learning needs?	☐	☐	
Does the business undertake standalone training with at-risk groups to raise awareness of discrimination risks in the workplace and processes in place to report and respond to discrimination issues?	☐	☐	
Does the business include its non-discrimination policy and/or code of conduct as part of agreement and onboarding of new suppliers?	☐	☐	
Does the business provide training and/or share resources with suppliers to raise awareness of its discrimination policy and/or code of conduct, and activities they can undertake to prevent, identify and respond to possible discrimination issues?	☐	☐	

SELF-ASSESSMENT TOOL

STAGE 3 TAKE ACTION | ⚖ GRIEVANCE MECHANISMS

QUESTION			RESOURCES
Does the business have a formal reporting process or grievance mechanism with multiple channels available that workers can use to report possible issues in the workplace and/or supply chain?	☐ Yes	☐ No	[Grievance Mechanisms Toolkit](#), Reckitt and Oxfam Business Advisory Service (available in [Spanish](#))
Are workers involved in the design and implementation of the formal reporting process or grievance mechanism?	☐ Yes	☐ No	
What are the access points or channels for raising issues or complaints?			
Options (indicate which or none):			
☐ Information available in appropriate languages understood by workers, ☐ Confidential helpline	☐ Other	☐ None	
☐ Talking to union representative ☐ Talking to worker representative and/or worker committee			
☐ Access to external organisation ☐ Face-to-face meeting with managers and/or HR supervisor representative			
Have any issues relating to discrimination been detected through the above channels?	☐ Yes	☐ No	
In what ways do the channels consider and accommodate barriers faced by at-risk groups such as women, migrant workers, youth, home-workers?			
Options (indicate which or none):			
☐ Information available in appropriate languages understood by workers ☐ Ability to submit grievances verbally	☐ Other	☐ None	
☐ Information available in accessible formats (visual/use of images, audio or audio description, easy to read			
☐ Access to female and male worker representatives ☐ Access to support from external organisations e.g. unions, civil society organisations, community support groups			
How does the business publicise its formal reporting process or grievance mechanism?			
Options (indicate which or none):			
☐ Training ☐ Posters on site ☐ Brochures ☐ Through grievance officer/community liaison officers	☐ Other	☐ None	
☐ Trade unions or other worker representations ☐ Worker committee members			
Is there a requirement for suppliers to have their own formal reporting process or grievance mechanism available for use by their workers or producers?	☐ Yes	☐ No	
If suppliers do not have their own formal reporting process or grievance mechanism, are they are able to use the reporting process of your business?	☐ Yes	☐ No	

SELF-ASSESSMENT TOOL

STAGE 3 TAKE ACTION — WORKER REPRESENTATION

QUESTION	YES	NO	ADDITIONAL RESOURCES
Does the business provide training to elected worker representatives and/or committee members to support them to undertake their roles and identify possible discrimination issues?	☐	☐	[Respecting Trade Union Rights in Global Value Chains: Practical Approaches for Business](#), Shift and Mondiaal FVV
Does the business consult with any worker representative organisations (e.g. trade unions), civil society organisations and/or community groups that support marginalised or vulnerable groups such as women, migrant workers, and homeworkers to help identify and respond to possible discrimination issues for at-risk groups?	☐	☐	[Freedom of association and worker representation: company guidance](#), ETI
Does the business work with trade unions and civil society organisations to connect suppliers with local and regional support and guidance on how to support open dialogue and/or to prevent and respond effectively to discrimination issues?	☐	☐	
Does the business carry out targeted activities to increase participation and representation of at-risk groups in worker committees or groups in the business?	☐	☐	
Does the business carry out targeted activities to increase participation and representation of at-risk groups in job roles at different levels of the business?	☐	☐	

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SELF-ASSESSMENT TOOL

STAGE **4** MONITOR AND COMMUNICATE RESULTS

QUESTION							ADDITIONAL RESOURCES
Does the business review and update its non-discrimination policy and/or code of conduct, based on engagement with workers in its own operations?					☐ Yes	☐ No	Case study example – Global Diversity & Inclusion Report, Microsoft
How often?							Case study example – DEI Transparency Report, Deloitte
Options (indicate which or none):	☐ Quarterly	☐ Bi-annually	☐ Annually	☐ Ad hoc	☐ Other	☐ None	
Does the business regularly review and adapt its activities and processes to support implementation of the non-discrimination policy and/or code of conduct and to address any risk of discrimination based on feedback from workers?					☐ Yes	☐ No	
How often?							
Options (indicate which or none):	☐ Quarterly	☐ Bi-annually	☐ Annually	☐ Ad hoc	☐ Other	☐ None	
Does the business regularly review and adapt its activities and processes to prevent and address any risk of discrimination in its supply chain, based on supply chain data, feedback from suppliers and/or supply chain workers and producers?					☐ Yes	☐ No	
Does the business share updates and publish results of activities to address discrimination in the workplace:							
Internally?					☐ Yes	☐ No	
Externally?					☐ Yes	☐ No	

The self-assessment tool was developed based on the following self-assessment materials:
• ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) – A self-assessment tool for enterprises
• UN Global Compact Self-assessment – Non-discrimination in respect of employment and occupation

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