



A Business Case for Gender Equality and Empowerment in the Workplace

The Untapped Power of Women Migrant Workers in ASEAN

Policy Brief

The Asian Confederation of Employers

Key Data

- 42.4%¹ of migrant workers in ASEAN are women, with 0.6 million migrating in 2017.²
- Gender inequality in the work place reduces women's productivity by 24%.³
- Only 36% of women hold management positions in ASEAN.⁴ Increasing the number of women in leadership positions increases company performance and corporate returns by at least 3.7% per annum.⁵
- Increasing the number of women in the workforce and in higher productive sectors, increases their contribution by approximately 48% of annual GDP.⁶
- Companies with workplace gender equality report 20% increased profitability, 70% increased investment,⁷ and improved reputation.⁸
- Gender equitable work opportunities means women's full potential could contribute up to US\$3.2 trillion to Asia and Pacific economies.⁹

Summary

Workplace gender inequality in ASEAN Member States has a significant negative impact on specifically women migrant workers.¹⁰ This is due to interconnecting discrimination and exploitation from multiple sectors and actors due to :

- harmful patriarchal social and cultural attitudes disadvantaging them as women
- xenophobia as migrants
- stigma associated in temporary low-skilled and low paid sectors including manufacturing, construction, agriculture, and domestic work that are dominated by women migrant workers.

However, businesses that achieve workplace gender equality and empowerment of women achieve :

- Improved well-being of employees
- Higher productivity
- Increased profitability.

This policy brief will look at

- The various types of gender inequality at work experienced by women migrant workers and the negative economic impact.
- The importance of gender inequality and empowerment of women migrant workers at work.
- Business case for promoting gender equality and empowerment of women at work.
- Recommendations for ASEAN employers to promote and achieve gender equality and empowerment of women at work.

Recommendations for ASEAN Employers

are in line with The Convention on the Elimination of All Forms of Discrimination against Women, (CEDAW 1979);¹¹ the UN's Sustainable Development Goals; IOE's commitment to world of work diversity and ethical practices,¹² working alongside International Trade Union Confederation (ITUC), World Employment Confederation (WEC), ILO's Fair Recruitment Initiative,¹³ IOM's International Recruitment Integrity System (IRIS); and UN Global Compact's commitment to gender equality and empowering women at work, marketplace and community.¹⁴

Various Types of Work Inequality Experienced by Women Migrant Workers

Their Work

- In Asia Pacific, 80% of unpaid work is done by women, 4 times more than men, and restricts women's contribution to paid work. Their work is consistently undervalued. If valued at the minimum wage, these services would be the equivalent of US\$11 trillion.¹⁵ This unequal occupational segregation is reflected in types of work and the gender pay gap that migrant women experience.
- A 'motherhood employment penalty' means only 47.6% are in paid work, compared to 87.9% of fathers and increases women's unpaid work and reduces their paid work.¹⁶
- Women migrant workers are often exposed to multiple forms of discrimination, including being young; from ethnic minorities; limited education due to unequal access resulting from male cultural preference in accessing schooling; and so are vulnerable to exploitation.¹⁷
- Women migrant workers have fewer economic opportunities being restricted to lower skilled, more precarious working conditions, and lower paid insecure, part-time work in informal sectors such as garment and manufacturing, hospitality and entertainment industries (including sex work).¹⁸ Care and domestic work in particular are continually undervalued due to being associated with unpaid 'women's work' and is dominated by women migrant workers.
- The gender pay gap is significant in ASEAN countries¹⁹ with women migrant workers earning 30-50% less than men.²⁰ The World Economic Forum suggests it would take 210 years to close the gap at the current rate.²¹
- Unequal and unfair terms and conditions gives men priority and retention of jobs and promotions over women,²² and lowers women's productivity to 24% in South Asia.²³

In Legislation

- Multiple gender-specific laws and policies restrict women's migration within ASEAN Member States preventing them from migrating for certain jobs (such as domestic work) or countries; with limitations based on age, marital status, religion, and education.
- Legal barriers directly decrease the labour-force participation rates of women.²⁴
- Inability to obtain legal documents reduces access to regular migration channels and work. Irregular migration channels means working in unregulated sectors that fall outside of labour laws and reduces protection and legal solutions for statutory violations.²⁶
- Irregular migration involves brokers and recruiters charging large amounts of money for illegal documents, navigating borders and securing jobs that can lead to physical and sexual abuse, debt bondage and trafficking.²⁷
- Approximately 65% of domestic workers in ASEAN are especially vulnerable²⁸ as only the Philippines is a party to ILO Convention 189 that affords them protection.
- Women migrant workers are especially vulnerable to violence and harassment at work yet most current domestic nor international legal provisions make sufficient reference to it.²⁹

In Essential Services

- Restrictive ASEAN policies often prevents migrant women workers from accessing comprehensive healthcare, social and income security, housing, and other essential services,³⁰ including if they experience violence and abuses. This can have significant consequences for absenteeism, reduced productivity and economic deprivation.³¹
- Many women migrant workers do not have a bank account, access to computers, or financial and computer skills to transfer money. Relying on colleagues or costly money transfer practices can lead to financial exploitation without assurances of safe receipt.

Their Physical Security³²

- Exploitation at multiple stages during migration can lead to threats of or actual violence; increased debts resulting in debt bondage and extreme exploitation, including trafficking, physical and sexual harassment, and abuse in their final destination and work placement.³³ Reporting is rare due to fear of stigma, discrimination, further abuse, exploitation and deportation.³⁴

Their Political Voice

- Disproportionate burden of family responsibilities impacts on accessing and retaining work and reduces productivity and career opportunities.

Women's lack of inclusion and participation due to unequal gender norms and attitudes means they are frequently prevented from achieving their full potential and contributes to a bias male-dominated work culture that can encourage and condone unequal treatment.

- Women only make up around 42% of trade union membership, and approximately 10% of women on a board of directors. This prevents effective dialogue that is essential to safe, fair, decent and equal work.³⁵

Business Case

Women's Empowerment Through Equality in the World of Work Will Achieve

- Economic growth through access to education/training, healthcare, equal pay and safety from physical, sexual and psychological violence.
- Increasing the number of women in the workforce and in higher productive sectors, increases their contribution to the world of work by approximately 48% of annual GDP.³⁶
- Addressing gender equal opportunities for 75% of women attracts more global customers and investment by up to 70% and profitability by up to 20%.³⁷
- Increasing the number of women in leadership positions, increases company performance and corporate returns by a minimum 3.7% per annum³⁸ and enhances company reputation and innovation.³⁹

Recommendations to Empower Women Migrant Workers

Employers Open Forum⁴⁰

- To share experiences and best practices in removing all discriminatory migration policies based on gender.
- Continue working with trade unions, and governments, in developing a regional strategy to reduce exploitation, including signing or incorporating international conventions, especially ILO C. 100; C. 111; C. 156; C. 183; C. 189; C.190

and R.201 and R. 206⁴¹ and a joint action plan to provide guidance and set minimum standards for all employers to achieve gender equality as per the Sustainable Development Goals for empowering women migrant workers.⁴²

- Work towards implementing legal protection under more comprehensive labour laws,⁴³ fair and regulated recruitment practices, and prevention of violence and harassment.⁴⁴

Training

- Provide gender-sensitivity training on prevention of violence and harassment at work for employers and employees.⁴⁵
- Utilise women migrant workers as trainers and mentors.
- Provide specific skill-building programmes, including health and safety, IT and finance.

Safe and Fair Recruitment

- Using registered recruitment agencies that assist in settling and reintegration of women migrant workers.
- Using formal legal migration channels and no recruitment costs charged to workers
- Promote and assist the legalization of women migrant worker status to ensure their human rights, labour protection and social justice.
- Implement equal and fair wages and benefits⁴⁶ in both formal and informal sectors.
- Transparent and valid contracts with reasonable right of termination.
- Allowing freedom of movement and no retention of documents.
- Establishing free internal and external dispute resolution and remedies.
- Include travel costs home, health insurance, social security, paid leave, child-care, maternity leave, and safe accommodation where appropriate.

Investing in Women Migrant Workers

- Recognise and match skill sets with suitable roles.
- Promotion and inclusion of women in strategic leadership roles.⁴⁷
- Financial support through equal and fair wages and benefits including comprehensive healthcare⁴⁸ for all employees, access to social and family support services, flexible work arrangements, paid family leave and child care support.
- Equal access to personal and professional developmental opportunities.

Gender Mainstreaming

- Review and eliminate differentials based on gender, nationality and other identity category in all Employer/Employee Policies, Programmes, Training, Risk Assessments and PPE.
- Collect and incorporate gender disaggregation data to raise awareness of women migrant workers' specific vulnerabilities necessary for recruitment, promotion, training, assessment and retention.
- Non-discrimination and sexual harassment policies and confidential reporting mechanisms.

Good Business Practices

- a. Café Galilee, Singapore, employs approximately 70 per cent women migrant workers from Myanmar or China. Use licenced recruitment agencies and verifies agency conduct, terms and conditions and fees. Company provides: post-arrival orientation briefing; emergency numbers; information on Singapore's laws, regulations and cultures; safety issues; leisure activities; English lessons; counselling services; work-based activities such as company lunches and overseas retreats. Frequent promotions due to high retention rates.
- b. Vodafone established global minimums of 16 weeks fully paid maternity leave, followed by six months of flexible working arrangements of 30 hours per week on full salary.

References

- ¹ILO Technical Changing Attitudes and Behaviour Towards Women Migrant Workers in ASEAN, 2018
- ²UNDESA, 2017
- ³Third Report on the Advancement of Women in ASEAN, 2007
- ⁴Peoplemattersglobal.com State of Women Leaders in ASEAN based on the average across ASEAN Member States.
- ⁵Mckinsey Global Institute (MGI Report) The Power Of Parity: How Advancing Women's Equality Can Add \$12 Trillion To Global Growth, 2015
- ⁶Ibid.
- ⁷ILO Business Case for Change, 2019
- ⁸ILO Business Case for Change, 2019
- ⁹https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_645601.pdf
- ¹⁰Ibid and UN Women & ILO Public Attitudes Towards Migrant Workers in Japan, Malaysia, Singapore, and Thailand, 2019
- ¹¹CEDAW General Recommendation 19, para. 17 states that "Equality in employment can be seriously impaired when women are subjected to gender-specific violence, such as sexual harassment in the workplace"
- ¹²IOE Fact Sheet for Business: Diversity and <https://www.ioe-emp.org/policy-priorities/labour-migration>
- ¹³<https://www.ilo.org/global/topics/fair-recruitment/lang--en/index.htm>
- ¹⁴<https://www.unglobalcompact.org/what-is-gc/our-work/social/gender-equality553996247>
- ¹⁵ILO Care Work and Care Jobs for the Future of Decent Work, 2018
- ¹⁶ILO Care Work and Care Jobs for the Future of Decent Work, 2018
- ¹⁷Often 15-24 years old with only primary or intermediary education. Women Migrant Workers In The Asean Economic Community, 2017
- ¹⁸Women Migrant Workers in the ASEAN Economic Community, 2017
- ¹⁹With the exception of the Philippines,
- ²⁰Women Migrant Workers in The ASEAN Economic Community, 2017
- ²¹ILO Care Work and Care Jobs for the Future of Decent Work, 2018
- ²²ILO found that men are three times as likely to hold leadership positions than women
- ²³Mckinsey Global Institute (MGI Report) The Power Of Parity: How Advancing Women's Equality Can Add \$12 Trillion To Global Growth, 2015. This excludes India.
- ²⁴Mckinsey Global Institute (MGI Report) The Power Of Parity: How Advancing Women's Equality Can Add \$12 Trillion To Global Growth, 2015
- ²⁵This includes arbitrary laws refusing entry if suspected of prostitution; refusing women to enter alone; banning women as domestic workers; limiting the number of visas. Protected or put in harm's way? Bans and restrictions on women's labour migration in ASEAN countries. (Thailand, 2015)
- ²⁶UN Women: Managing labour migration in ASEAN: Concerns for women migrant workers (BKK, 2013), p. 6
- ²⁷ILO General Principles and Operational Guidelines for Fair Recruitment, 2019
- ²⁸ILO and ADB: ASEAN Community 2015: Managing integration for better jobs and shared prosperity (Bangkok, 2014), p. 6 and p. 14.
- ²⁹Refer to Policy Brief on Empowering Women Migrant Workers and Businesses: A Business Case for Preventing Workplace Violence and Harassment
- ³⁰ILO: Domestic workers across the world: Global and regional statistics on the extent of legal protection (Geneva, 2013) and Women Migrant Workers in The ASEAN Economic Community, 2017
- ³¹ILO UN Women Handbook Addressing Violence and Harassment Against Women in the World of Work, 2019
- ³²Refer to Policy Brief: Empowering Women Migrant Workers and Businesses: A Business Case for Preventing Workplace Violence and Harassment
- ³³This can lead to debt bondage; trafficking; multiple forms of violence including sexual and physical violence against them and their families; being forced to work in alternative exploitative jobs including the sex industry.
- ³⁴UN Women: Managing labour migration in ASEAN: Concerns for women migrant workers (BKK, 2013), p. 15
- ³⁵https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_674831.pdf
- ³⁶Ibid.
- ³⁷ILO Business Case for Change, 2019
- ³⁸Mckinsey Global Institute (MGI Report) The Power Of Parity: How Advancing Women's Equality Can Add \$12 Trillion To Global Growth, 2015
- ³⁹ILO Business Case for Change, 2019
- ⁴⁰This is in line with ACE's policy position on protecting and promoting the rights of migrant workers in the AEC 2015 and the Employers' policy framework for sustainable labour migration in the ASEAN region.
- ⁴¹C. 97 Migration for Employment, 1949; C. 100 Equal Remuneration; Convention, 1957; C. 111 Discrimination (Employment and Occupation) Convention, 1958; C143 Migrant Workers (Supplementary Provisions) Convention, 1975
C. 156 Workers with Family Responsibilities, 1981; C. 183 Maternity Protection, 2000; C. 189 Domestic Workers Convention, 2011; C190 - Violence and Harassment Convention, 2019; R. 201 Domestic Workers Recommendation, 2011; R. 206 Violence and Harassment, 2019.
- ⁴²Value of domestic work and attaining gender equality and preventing gender-based violence (Goal 5), reduce remittance costs to 3 per cent (Goal 10), promote full and productive employment and decent work for all including for women migrant workers (Goal 8); and ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, as implemented by the ASEAN Committee on the Implementation of the Declaration.
- ⁴³Including ILO General Principles and Operational Guidelines for Fair Recruitment, 2019
- ⁴⁴See Policy brief 2: Empowering Women Migrant Workers and Businesses: A Business Case for Preventing Workplace Violence and Harassment
- ⁴⁵Behaviour Change Journey or Theory of Change: Spotlight Initiative Changing Attitudes and Behaviour Towards Women Migrant Workers in ASEAN, 2018
- ⁴⁶Include travel costs home, health insurance, social security, paid leave, child-care, maternity leave, and safe accommodation where appropriate.
- ⁴⁷This is in line with ACE positions on skills matching and labour mobility in the AEC 2015 and Employers' policy framework for sustainable labour migration in the ASEAN region.
- ⁴⁸Including sexual and reproductive services and rehabilitation and return to work assistance. Details of essential services to be available and to offer independent support to accompany them if desired and provided in multiple languages. In compliance with ILO C.190 and R.206.