



MALAWI CONGRESS OF TRADE UNIONS

GENDER POLICY

DECEMBER 2017.

SECOND EDITION

ACRONYMS:

MCTU - MALAWI CONGRESS OF TRADE UNIONS

CIAWU- COMMERCIAL, INDUSTRIAL AND ALLIED WORKERS UNION

TUM- TEACHERS UNION OF MALAWI

HIVOS -

CEDAW – CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

OATTU - ORGANISATION OF AFRICAN TRADE UNION UNITY

HIV - HUMAN IMMUNO DEFICIENCY SYNDROME

AIDS - ACQUIRED IMMUNO DEFICIENCY SYNDROME

NGO - NON- GOVERNMENTAL ORGANISATION

ILO - INTERNATIONAL LABOUR ORGANISATION

STI - SEXUAL TRANSMITTED INFECTION

OHS - OCCUPATIONAL HEALTH AND SAFETY

SDGs- SUSTAINABLE DEVELOPMENT GOALS

MDWCP- MALAWI DECENT WORK COUNTRY PROGRAMME

MGDS111- MALAWI GROWTH AND DEVELOPMENT STRATEGY

GEA- GENDER EQUALITY ACT (No. 3. of 2013)

EA- EMPLOYMENT ACT (No. 6. 2000)

FOREWORD

The Malawi Congress of Trade Unions works towards ending inequalities, defending, promoting and protecting workers rights with an aim of improving the working and living conditions of workers.

Since its formation, the Malawi Congress of Trade Unions has noted with concern the low involvement and participation of women in employment, trade union structures and activities hence women contribution in MCTU development has been very minimal despite the many challenges women face in employment.

It is for the above reasons that MCTU seeks to review its gender policy so that it articulates recent gender trends and provides a guide for the promotion of decent work and equality for the continued development of MCTU democratic processes.

The aim of this second edition of the gender policy for MCTU is to work towards achieving gender equality, equity for men and women in decision making structures of the trade union movement by according equal access and opportunities for resources and services. MCTU is committed in ensuring that women's voice is recognized and heard in all its structures.

Luther Mambala

President

ACKNOWLEDGEMENT

FIRST EDITION

Malawi Congress of Trade Unions (MCTU) has developed the first edition of the gender policy with financial support from HIVOS in 2004.

We greatly appreciate and thank our partners who financially supported the production of the first edition of the policy in particular the project coordinator and also Ministry of Gender, Children, the Elderly and Social Services, (Mr. Kankhumbwa) and Malawi Human Rights Resource Centre, (Mrs Mankhambwa) for their moral and technical support in developing this Gender Policy. The first edition of the policy was completed by an able MCTU task force which comprised of Victoria Nyirenda-CIAWU, Prince Mudolo-WETUM, Ronald Mbewe-TGWU, Late Nizia Chrissie Ndhlovu-CIAWU, Sophie Chitenje-TGWU and Grace Mulima-TUM from MCTU affiliates.

SECOND EDITION

The second edition of the MCTU Gender Policy has been made possible with the solidarity financial and technical support of Union to Union of Sweden under the Organizational Development through Gender Equality project-MCTU is very grateful for such a gesture. The Ministry of Gender officials have been handy in guiding the process hence they deserve thanks

A series of activities were carried out including leadership conferences where leaders discussed and agreed on the need to have the policy reviewed in line with recent gender trends and organizational needs, MCTU is grateful to all its affiliates who took part in the review of the policy, which will go a long way in supporting the attainment of gender equality.

MCTU has high expectations and hope that this gender policy will be useful tool for MCTU, its affiliates and the employers including all relevant stakeholders by g. implementation of Gender Policy will be meaningful and beneficial to MCTU and its affiliates and all the employers by developing implementable plans and strategies in achieving gender equality and equity in unions and the workplace.

Denis Chalera Kalekeni

SECRETARY GENERAL

THE MCTU GENDER POLICY

1.0 PREAMBLE

Malawi Congress of Trade Unions has recognized the different concerns of women and men in its affiliates, and source the need to make provisions to address them. Some of the concerns include women marginalization, gender and HIV/AIDS. One of the MCTU objectives is "equality for all without discrimination on the basis of sex, race, color, creed or religion." In recognition of the relative marginalization of women in the workplace and in trade unions activities. MCTU increased women's participation and developed their leadership skills. The basic framework for MCTU's activities with regard to women has been the ratification of the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW 1987). Malawi Congress of Trade Unions has created a department on gender and has formulated a gender policy as a guide on the promotion of women issues and gender equality to ensure that women are supported and their contributions recognized.

In pursuance of the principle of gender equality, MCTU has undertaken the following activities:-

- 1.1 Lobbying affiliates to established structures within their trade unions to cater for the interest of working women and men.
- 1.2 Encouraging affiliates to involve both women and men in all activities at all levels.
- 1.3 Urging member affiliates to include more women on official delegations, even at their quadrennial conferences.
- 1.4 Insisting on a minimum participation of 50% in the all and programmes that it conducts.
- 1.5 Allocation of minimum of 10% finances from union subscriptions on a monthly basis for women activities, and where possible develop proposals that support the activities of the women and gender committees.
- 1.6 Launched a 50:50 gender equality in the Union and Workplace –MAKE IT HAPPEN campaign.
- 1.7 Establishment of women networks using social media.

2.0 RATIONALE FOR THE MCTU GENDER POLICY

The Malawi Constitution provides for the protection of Rights for both men and women and the position of MCTU is that the marginalization of women at work place and in unions must come to an end. Women must be able to participate fully in activities at the international, regional and national levels. While the willingness to pursue gender equality has been clearly demonstrated, there is lack of a definite policy document and articulated strategies to mainstream gender in MCTU.

This second edition gender policy therefore, will articulate the efforts that MCTU will make over the years to promote the concerns of women workers alongside men's; provide a systematic basis of fulfilling the different needs and interests of men and women; and fine-tune gender mainstreaming in MCTU.

This second edition of the MCTU Gender policy is in conformity with the Malawi Republican Constitution and the MCTU Constitution and has been guided by the existence of the:

- I. Second Edition National Gender Policy in Malawi and national gender machinery
 - II. Organization of African Trade Union Unity (OATTU) Gender Policy, III. The Beijing Conference outcomes
 - IV. Southern Africa Trade Union Council (SATUCC) Gender Policy
 - V. The Gender equality Act 13.2013. VI. The employment act 6. 2000.
 - VII. The Sustainable Development Goals 5, 3, and 8. VIII. The Malawi Decent work County programme.
 - IX. The National Employment and Labor Policy
 - X. The International Labor Conventions ratified by Malawi
 - XI. Global and regional gender commitments signed XII. Other National Gender related laws and policies
- The themes covered under this policy are:-**

1. Unequal participation

2. Equal participation of men and women in trade unions
3. Marginalization of and Violation and Discrimination Against Women at work place
4. HIV/AIDS at work place

4.0 GENDER POLICY GOALS AND GUIDING PRINCIPLES

4.1 Policy Statement

The overall goal of MCTU Gender Policy is to promote attainment of gender equality and full participation of both men and women at all levels of programming and development process for sustainable and equitable development and the well being of workers through gender mainstreaming. The policy also commits affiliates to fulfill their gender obligations under the various international and regional instruments, which Malawi has ratified.

4.2 General Objectives

In order to achieve the policy statement, MCTU is committed:-

3.2.1 Mainstreaming gender perspectives in the conceptualization, formulation of all policies, planning, programme, implementation, monitoring and evaluation of all programmes and activities.

3.2.2 Advancing the recognition and values of women's multiple roles and responsibilities, their contributions towards MCTU development as active participants and beneficiaries of the development process.

3.2.3 Reviewing and revising MCTU policies and programmes to make them gender responsive, so as to enhance the participation of both women and men at all levels.

3.2.4. Promoting and facilitating equal access to and control over services and opportunities by both men and women in MCTU affiliates and in work places.

3.2.5 Ensuring an implementation management a framework, which initiates, coordinates, implements, monitors and evaluates gender responsive plans and programmes in MCTU and its affiliates.

3.2.6. Ensuring mainstreaming of HIV/AIDS and human rights in all its policies and programmes as well as in all its affiliates.

3.2.7. Enhancing the capacity of the gender department in MCTU and its affiliates to facilitate implementation of the Gender policy.

3.2.8. Promoting partnerships with public sector, private sector, civil society, International and regional institutions and other stakeholders for implementation of the Gender Policy.

4.3 Guiding Principles

MCTU Constitution clearly states that the central position of MCTU is on maintaining and sustaining democracy and commitment to defend, protect and promote trade union and worker's rights. MCTU therefore provides a forum for discussion of workers' rights, education of affiliates, monitoring of government's relationships with workers and drawing attention to the implications of national development processes and economic and social policies on workers in Malawi.

4.3.1 In the event of political and economic change, MCTU has committed itself to ensuring the establishment of principles of democracy, good governance, worker's rights and the rule of law. It has committed itself to capacity building of affiliates to organize and develop themselves as well as comment and respond to structural adjustment progress and democratization process.

4.3.2 For attainment of sustainable development it has supported initiatives to promote self-reliance among affiliates and pursue national integration. The gender policy acknowledges and affirms these principles and orientation within those context and focuses on the needs of working women vis a vis of their male counterparts and the relations between them.

4.3.3 The gender policy seeks to harmonize MCTU and National Policies with the International and Regional Declarations and Conventions on the status of men and women that Malawi has ratified.

4.0 SPECIFIC POLICY OBJECTIVES AND STRATEGIES FOR THE THEMATIC PRIORITY AREAS

4.1 Unequal Representation of men and women

Under law, all persons are granted equal and effective protection against discrimination and shall have the right to equal opportunities, ownership and access to resources and fair labour practices in particular.

4.1.0 Key Objectives

4.1.1 To promote increased participation of women in decision-making and management of MCTU programmes, activities and national development.

4.1.2. To develop women's leadership skills and encourage them to become more active in trade union movements.

Key Strategies

4.1.2.1. Advocate for setting up gender focal points in all MCTU affiliates to be follow up and monitoring of gender mainstreaming activities.

4.1.2.2 Facilitate sensitization and education of workers on their rights and trade union rights at work places and the informal sector.

4.1.2.3. Strengthen equal participation men and women workers in all undertakings of MCTU activities and programmes at all levels including at Congresses by ensuring affirmative action in the election of President and General Secretary /Secretary General with one of such positions to be held by a woman, where The General Secretary of Secretary General is a Woman the President will be a man or vice versa.

4.1.2.4. Facilitate empowerment of women in leadership, decision-making, management, negotiation skills to level playing held with men by having 50:50 participation in negotiations teams.

4.1.2.3 Conduct Capacity building activities in leadership and assertiveness.

4.1.2.5. Enhance dissemination of information regarding legal, constitutional and international provisions for promoting gender equality and equity.

4.2 Marginalization, violation and Discrimination against Women have the right to protection by law and have the right not to be marginalized, harassed and discriminated against on the basis of gender or marital status.

4.3 Train more women organizers and engage in women friendly organizing strategies.

4.4 Use of gender segregated data (skills, qualifications and disability considerations).

4.5 Negotiate and lobby for paternity leave and flexible working hours.

4.6 Work towards attaining decent work including gender analysis capacities, health and safety, HRM gender sensitive guidelines including nondiscriminatory disciplinary and promotion processes.

Key Objectives

4.2.1. To reduce the violation, marginalization of women's rights and discrimination of women at work places and all levels to its affiliates.

4.2.2. To recognize women's rights and influence decisions that affect them at all levels of the working environment in the process of promoting, reinforcing and defending trade union and workers rights; as well as ensuring and protecting their right to associate and build their capacity for effective participation.

Key Strategies

4.2.2.1. Sensitize and educate affiliate members on the rights of women and human/workers rights that are enshrined in Malawi Constitution, ILO Conventions and declarations through seminars, workshops, meetings and other educational programmes;

4.2.2.2. Lobby with the employers for creation of an enabling environment at workplace for workers to report sexual and verbal abuse and harassment and enhance the adult literacy programmes

4.2.2.3. Promote partnership, networking and linkages with stakeholders in addressing and mitigating the effects of discrimination, marginalization, sexual and verbal abuse and harassment of women in the work places.

4.3. HIV and AIDS/non communicable diseases

MCTU and its affiliates shall address the HIV/AIDS problems as one of the priority areas to improve the health status of women and men especially the disadvantaged and vulnerable majority at the work places.

Key Objectives

4.3.1. To prevent the spread of HIV/AIDS and increase productivity at work places.

4.3.2. To motivate the impact of HIV/AIDS among the workers in order to increase labour productivity levels.

4.3.3. To lobby with stakeholders and other NGO's for the elimination of all forms of harmful sexual cultural practices.

Key Strategies

4.3.2.1. Promote the HIV/AIDS awareness campaigns among the affiliates on the dangers of HIV/AIDS at workplaces.

4.3.2.2. Educate both women and men to abstain from unsafe sex practices by promoting the use of condoms as a means of safe sex and care for themselves particularly in relation to HIV/AIDS and other sexual transmitted diseases (STI).

4.3.2.3. Develop guidelines for selection of Occupation Health and Safety (OHS) Committees.

4.3.2.4. Lobby for establishing and strengthening HIV/AIDS work place programmes in MCTU and its affiliates.

4.3.2. Carryout advocacy programmes to address stigma and provide for positive living styles

4.3.3. Provide for reasonable accommodation for staff and support to worker families

4.3.4 Advocate and negotiate for medical insurance and support for non communicable diseases

5.0 BUDGETING

This policy will only succeed if enough resources are allocated for its effective implementation. MCTU shall promote main streaming of gender in its budgetary allocation for all aspects of the MCTU gender policy within the available resources. MCTU shall also advocate for all affiliates to increase budgetary allocation to gender main streaming activities.

Mainstreaming gender concerns into MCTU budgetary process shall be achieved in particular by analyzing MCTU budget for gender sensitivity and projecting budgetary expenditures going towards priority areas as they affect women and men including 10% provision of union fees for women activities.

1.0 IMPLEMENTATION FRAMEWORK

The frame work for implementation of gender policy shall include structures and affiliates within and outside MCTU whose aim is to achieve equality for women and men as participants, decision makers and beneficiaries in the economic, political, civil social and cultural spheres. MCTU Executive Board

responsible for spearheading gender responsive development and in particular insuring the improvement of women's status shall coordinate these structures and affiliates. Hence, the framework embraces and all other systems put in place by the affiliates including government and other stakeholders.

To promote gender equality and equity in National development system, MCTU and other stakeholders' machinery shall be harnessed for the implementation of the MCTU Gender policy.

At MCTU level, the establishment of gender department machinery is to spearhead the overall condition of mainstreaming gender in MCTU and all affiliates.

- At the apex there is MCTU Executive Board whose role is to approve and pass policies. It will also give direction on the reviewed gender policy and programme implementation.
- Below is the Gender Department, whose role is to examine and review the gender policy issues before they are presented to the Executive Board and Quadrennial Congress.
- There shall be a permanent office of the coordinator for gender and women's activities whose office bearer shall be appointed by the Executive Board.
- Linked to it is MCTU Women's Committee, whose major role is to lobby and advocate for gender equity and equality issues at Executive Board level.
- To enhance the implementation of this gender policy, MCTU will use its affiliates, NGO gender networks, Government and other stakeholders to share information and strategies for mainstreaming gender concerns in their respective development programmes.
- Insisting on a minimum of 50% women participation in various programmes.
- Reviewing the MCTU Constitution to make provision for the 50% minimum of the executive board membership, thus insuring the representation of women. (Article No. X of the MCTU Constitution).

1.1 MCTU Gender Machinery

MCTU Gender Machinery, which is the department of gender, is charged with responsibility of spearheading and coordinating gender responsive development and in particular ensuring the improvement of women status. For efficiency and effectiveness, this department must be adequately financed.

A gender programme shall be established within the gender for day to day management of Gender policy. To facilitate efficient and effective policy decision making, the coordination of gender programme must be at the Executive Board level.

The gender policy implementation management shall comprise of all the focal points from the implementation partners, department, affiliates and its major roles will be to identify priority gender issues, plan relevant intervention, asses and review progress made in the implementation policy and report to the Executive Board.

6.2. ROLES OF MCTU GENDER MACHINERY

6.2.1. To provide technical guidance and backstopping services to affiliates including gender training, gender analysis and planning skills to build capacity for gender responsive interventions.

6.2.2. To coordinate the gender and sexual Harassment policy formulation, implementation and mainstream lining of gender at all levels.

6.2.3. To liaise with other stake holders in identifying and drawing attention to key gender concerns and related needs;

6.2.4. To advocate and lobby for gender issues;

6.2.5. To promote social mobilization for creating gender awareness and establishment and maintenance of gender equity and equality;

6.2.6. To coordinate the collection of gender desegregated data for MCTU;

6.2.7. To facilitate monitoring and evaluation of the implementation of the policy at all levels;

6.2.8. To facilitate creation of data bank at MCTU and its affiliates levels and linkages with the Malawi National Gender Machinery.

7.0 MONITORING AND EVALUATION

The MCTU Gender policy implementation requires a cross analysis and effective monitoring and evaluation system with appropriate and efficient feedback mechanisms. This requires all monitoring and evaluation functions at all levels including gathering information at MCTU, affiliates and grassroots.

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