



AIM-Progress Supplier Event

24 OCTOBER 2023

Agenda

Time	Session	Speakers
08.30 – 09.00	Registration and Coffee	
09.00 – 09.20	Welcome & Opening	Organisers AIM-Progress & Partner Africa Co-sponsors The Coca Cola Company, Unilever, and Diageo
09.20 – 09.45	Setting the Scene: Business and Human Rights in Kenya	Joseph Kibugu, Business and Human Rights Resource Centre Kenya
09.45 – 10.45	Gender and Sexual Harassment	Maggie Opondo, University of Nairobi
10.45 – 11.15	Coffee Break	
11.15 – 11.45	Grievance Mechanisms <i>Introducing the GM toolkit from Oxfam and Reckitt</i>	Blandina Bobson, Oxfam Kenya & Ghulam Dastgeer, Reckitt
11.45 – 12.30	Case study: Human Rights Due Diligence and Kakuzi's Operational Grievance Mechanism <i>Learnings and challenges</i>	Stella Wangechi, Kakuzi PLC & Violet Mavisi, Head of the Independent Human Rights Mechanism (OGM) for Kakuzi PLC
12.30 – 12.45	Q&A with all speakers from the Sexual Harassment and Grievance Mechanisms sessions	
12.45 – 13.45	Lunch	
13.45 - 15.30	Workshop 1: Regenerative Agriculture	Robai Liambila, Jomo Kenyatta University
	Workshop 2: Sexual Harassment/Grievance Mechanism	Maggie Opondo, University of Nairobi
	Workshop 3: Casualisation of the workforce	Andrew Odete, International Labour Organisation
15.30 – 16.00	Coffee Break	
16.00 – 16.45	Key Messages of Workshops	Workshop participants
16.45 – 17.00	Closing & Key take-aways	Partner Africa



Housekeeping

- Chatham house rules
- No recordings
- Pictures will be taken throughout the day and used for social media purposes
- Notes will be taken and circulated after the event
- Please be on-time after the coffee breaks and lunch as we have a packed agenda
- There is a Q&A session in the morning and room for additional questions during the interactive afternoon workshops and informal discussions over coffee and lunch
- Any questions or concerns, please raise them with any of the Partner Africa or AIM-progress staff
- Security: fire exits
- Wifi SPH (no password needed)



Introducing the organisers of the event



Partner Africa:

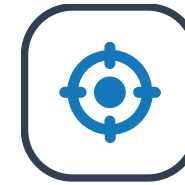
Get to know us

We believe that the Africa of tomorrow is
built on responsible business practices



Our vision

Our vision is the **widespread adoption of responsible business practices across Africa** that meet international and national social, environmental and safety standards **that respect workers' human rights and improve working conditions.**



Our mission

Our mission is to **provide clients with premium quality social audit, advisory and training services** that enable them to **achieve the highest social and environmental standards** in their organisations and supply chains in Africa.

About AIM-Progress

AIM-Progress is a global forum of **fast-moving consumer goods manufacturers** and **common suppliers**, joining forces to drive positive change in their supply chains.

Our global membership is made up of a diverse set of brands and **suppliers linked through the commonality of our supply chains.**



Vision

To **positively impact people's lives** and **ensure respect for human rights**, while delivering value to our members and their supply chains.

Mission

Co-create solutions and **share best practices** to drive positive impact quickly, efficiently and at scale **through collaborative action**, within the branded consumer goods supply chain.

Purpose

We **build capability** with **member** and **supplier** organisations so that they have the confidence, knowledge and ability to develop and execute robust responsible sourcing programmes.

Our VALUES

1

We focus on issues that matter - **respect for human rights**

2

We aim to drive **positive impact** through responsible sourcing

3

We prioritise **practical action**, not just conversation, to create lasting change in global supply chains

4

We believe in **collaboration** between brands and suppliers

5

We believe in building **partnerships** and networking

6

We collaborate to drive **convergence** in approaches to responsible sourcing

AIM-PROGRESS MEMBERSHIP

Our focus areas AT A GLANCE

Human rights

Is at the heart of what we do through helping our members implement the UNGPs and human rights due diligence, eliminate forced labour, ensure responsible recruitment practices, implement effective grievance mechanisms, work towards Just Transition and measure impact

Mutual recognition, convergence and sharing

Providing common “AIM-Progress ways” through mutual recognition of audits, sharing other types of assessments and responsible sourcing tools, to drive convergence of our responsible sourcing practices.

Capability building

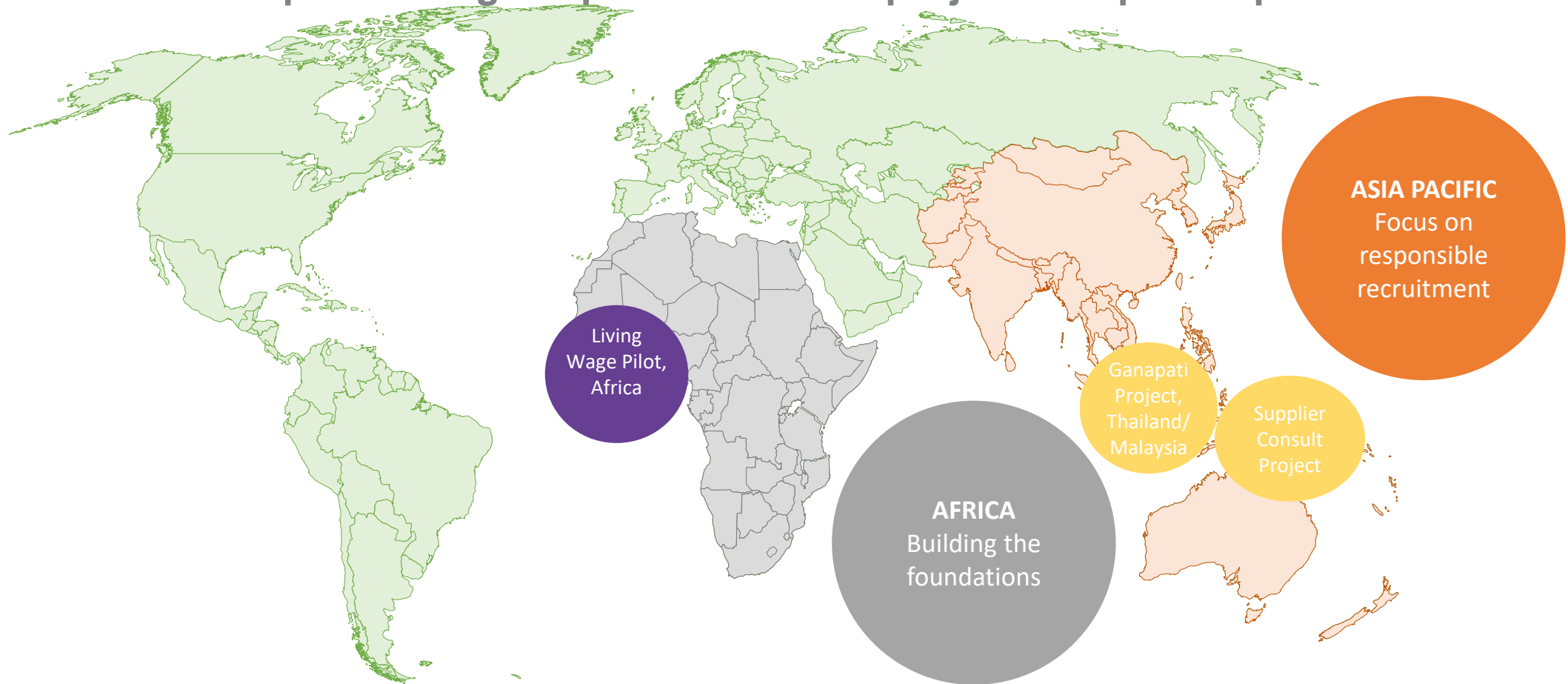
Elevating our members' and suppliers' Responsible Sourcing capability through training events and best practice guidance

Regional hubs

- Asia-Pacific
- Africa

Regional hubs

Our regional hubs enable regional company representatives to drive the responsible sourcing agenda and make impact through implementation of projects in specific parts of the world





Collaborating for positive impact through
responsible sourcing

CONNECT WITH US

www.aim-progress.com

Info@aim-progress.com



DIAGEO

Aim-Progress Supplier Event

Arthur Mamvura

Head of Procurement, Diageo Africa

3 January 2024

The Coca-Cola Company Global Human Rights



Winfridah M. Nyakwara

Senior Manager, Social Sustainability.

Unilever





Business and Human Rights Trends in Kenya

Joseph Kibugu

Business & Human Rights Resource Centre

Kibugu@business-humanrights.org

INTRODUCTION TO BUSINESS AND HUMAN RIGHTS

- What is the difference between Human Rights and Corporate Social Responsibility (CSR)?

Human Rights

- Bottom-up Approach
- Rooted in law
- Ought to be the mainstream of a company's strategies

CSR

- Top- down Approach
- Voluntary Initiative
- Company decides what issues to address

UNITED NATIONS GUIDING PRINCIPLES (UNGPs)

- The United Nations Guiding Principles (UNGPs) set out the duties of states and the responsibilities of companies to ensure businesses respect human rights.
- The UN Guiding principles are primarily founded on three pillars:
 1. The state duty to protect human rights
 2. The corporate responsibility to respect human rights
 3. Access to remedy

Kenya National Action Plan on BHR

- The UNGPs provide internationally accepted framework for enhancing standards and practices with regard to business and human rights.
- NAP focuses on key thematic issues identified from recurring business-related human rights concerns:
 1. Land and Natural Resources
 2. Environmental protection
 3. Revenue transparency
 4. Labour rights
 5. Access to remedy

Jurisprudence from Kenyan Courts

Constitution

- Bill of Rights Applies to ALL Persons
- ‘Persons’ includes legal persons

Kagendo vs Prime Bank Limited

- The case highlights the role of corporations in human rights violations and their lack of accountability.
- Kagendo filed a petition against Prime Bank for disseminating outdated and inaccurate credit information without due notice and refusing to correct them.
- The High Court dismissed the bank’s objection that constitutional rights could not be enforced against private entities.

WHY RESPECT HUMAN RIGHTS?

1. Reputation / Branding
2. Legal Liability
3. Enlightened self-interest
4. Corporate Sustainability Due Diligence Directive (CSDDD)- the upcoming EU Law

STEPS OF HUMAN RIGHTS DUE DILIGENCE

- The process of human rights due diligence entails identifying and addressing the human rights impacts of a business enterprise across its operations, products and services, and throughout its business network.
- The process includes:
 1. Assessing actual and potential human rights impacts
 2. Integrating and acting upon the findings
 3. Tracking responses
 4. Communicating how the responses are addressed

Thank you!

Contact: Kibugu@business-humanrights.org

Q&A



Outline

- Sexual Gender Based Violence & Harassment (SGBVH)
- SGBVH at the workplace
- Impacts of SGBVH on workers and businesses
- Root causes of SGBVH at the workplace
- Addressing SGBVH at the workplace



Presented by

Maggie Opondo



What is Sexual Gender Based Violence & Harassment (SGBVH)?

- Sexual and gender-based violence and harassment at the workplace involves acts of violence, harassment, and discrimination that target individuals based on their gender or sex.
- This can create a hostile work environment and have severe physical, emotional, and professional consequences for survivors.
- Organizations must take proactive steps to prevent and address SGBVH.
- The Constitution of Kenya prohibits discrimination either directly or indirectly against any person on the basis of race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.
- The Employment Act, 2007 requires every employer to ensure that men and women workers are paid equally for work of equal value. It is also a liable offence to discriminate in remuneration matters.



SGBVH at the Workplace

- *Quid pro quo* harassment
- Hostile work environment
 - Unwanted sexual attention
 - Sexual coercion
 - Gender-based harassment
 - Sexual comments and innuendos
 - Non-consensual sexual advances
 - Online or cyber harassment



Exercise 1: Instructions

1. Each table of participants receive a sexual harassment workplace scenario.
2. Each table to discuss what type(s) of sexual harassment is/are present in the scenario.
3. Each table to report back to plenary by responding to the questions asked in each scenario.

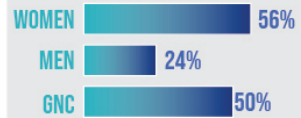


Is Sexual Harassment real at the workplace in Kenya?

SEXUAL HARASSMENT IN AFRICAN MEDIA ORGANISATIONS

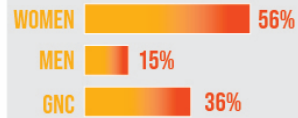


VERBAL SEXUAL HARASSMENT



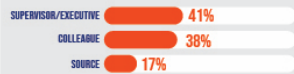
Some 56% of women faced verbal sexual harassment at work, against 24% of men and 50% of gender-nonconforming individuals.

PHYSICAL SEXUAL HARASSMENT

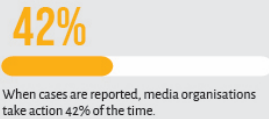


56% of women had faced sexual harassment at work, against 15% of men and 36% of gender-nonconforming individuals.

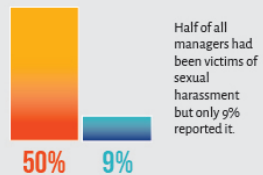
THE PERPETRATORS



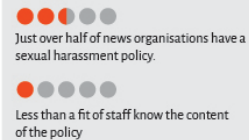
ACTION



MANAGERS ARE VICTIMS TOO



MANAGING SEXUAL HARASSMENT



The cost of SGBVH on businesses

- Sexual gender-based violence and harassment have significant impacts on both individual workers and businesses as a whole.
- Understanding these consequences is essential for organizations to recognize the importance of addressing and preventing these issues.



Group Work

Using the Sexual Harassment Compensation Case provided, discuss the various impacts of sexual harassment at the workplace on employees and businesses.



Health costs

- Mental health symptoms
- Physical symptoms
- Additional health services



Productivity costs

- Absenteeism
- Reduced performance
- Lower job satisfaction



Career costs

- Employee's costs of changing jobs
- Employer's costs to replace employee



Reporting/legal costs

- Legal fees
- Filing/processing reports
- Settlements or awards
- Damage to reputations

Source: GAO analysis of relevant literature. | GAO-20-564



Exercise 2: Instructions

Group Work

Using the Sexual Harassment Compensation Cases (that were brought before the Employment and Labour Relations Court in Nairobi) provided, discuss the various impacts of sexual harassment at the workplace on employees and businesses.



Case 1: Participant Discussion

In the case of **CNR [female employee] versus FITM [1st Respondent/managing director] & JT [2nd Respondent/country manager] in 2021, CNR claimed that the 2nd Respondent sent her several offensive text messages that had a detrimental sexual connotation effect on her employment, job performance and job satisfaction. She states that despite reporting the matter to the 1st Respondent, no action was taken and she was pushed to resign after the 2nd Respondent became more hostile to her. She enumerated the particulars of malice on the part of the 1st Respondent including: failing to call for investigations on the sexual harassment matter; failing to take action against the 2nd Respondent; threatening to declare the Claimant redundant and promoting another employee to take over her position; demanding that the Claimant gets a recommendation from the 2nd Respondent if she was to continue working in other positions for the company.**

In this matter, the court found that Section 6 of the *Employment Act 2007* requires the 1st Respondent to have measures to prevent sexual harassment at the workplace. In addition, it was required to take disciplinary action against the 2nd Respondent. As such the 1st Respondent having failed the Claimant since there was no policy against sexual harassment in place to safeguard against such a scenario as occurred in the matter before the Court. The failure amounted to unfair labour practice in contravention of Article 41(1) of *the Constitution*. The conduct of the Respondents resulted in the contravention of the Claimant's inherent human dignity and the right to have that dignity respected and protected. The Claimant ought not have had to choose to resign due to the harassment by the Respondent. In claims where an employee is forced to resign, the employee is deemed to have been constructively dismissed. The Claimant is therefore entitled to recover damages for the sexual harassment as well as compensation for the constructive dismissal. The court awarded a compensation of approximately USD 20,000.



Case 2: Participant Discussion

In the case of **SRM [female employee] versus GSS (K) Limited & another [male employee]** in 2017, SRM disclosed that she was being sexually harassed by a male employee in top management. She was dismissed after making her complaint.

The court found the employer guilty of failing or ignoring to investigate the claim expeditiously and impartially as required by the company's internal procedures. It was outlined in the business ethics policy, that when an allegation of sexual harassment is made, the same should be raised with the employer's Human Resource Manager who would arrange for the claim to be investigated impartially, confidentially and without delay. The court held that the process outlined within the business ethics policy was not followed by the employer. In this matter, the court found that the employee had been unfairly dismissed and awarded her compensation of approximately USD 60,000.



Case 3: Participant Discussion

In the case of **CAS** [female employee] **versus CS Ltd** in 2016, CAS disclosed that she was constantly sexually harassed by various staff members, including some who were in management. The employee further explained that the lack of a sexual harassment policy by the employer added to her frustration and harassment.

The court found the employer guilty of failing to have a sexual harassment policy in violation of section 6 of the Employment Act. Another issue that was brought up in the case was the employee's unfair termination stemming from the lodging of the sexual harassment complaint. After making her complaint, the employee was issued with a show-cause letter and later dismissed. The judge held that the reasons given for dismissing the employee were not valid given that she was dismissed for seeking help at the employer's head office. In this matter, the court found that the employee had been summarily dismissed and awarded her a compensation of approximately USD 4,000.



Root causes of SGBVH at the workplace

- Unequal power dynamics
- Gender inequality
- Fear of retaliation
- Lack of accountability
- Inadequate policies and reporting mechanisms
- Cultural Norms and Stereotypes
- Lack of Awareness

- Source of powerlessness:
- Race
 - Female
 - Single
 - Minority ethnic group
 - Unskilled worker
 - Young
 - Primary education



- Source of power:
- Race
 - Male
 - Married
 - Dominant ethnic group
 - Managerial position
 - Middle-aged
 - Tertiary education



Using grievance mechanisms to address SGBVH at the workplace ———

- Grievance mechanisms are an essential component of addressing sexual harassment in the workplace.
- Effective grievance mechanisms:



Legitimate



Accessible



Predictable



Equitable



Transparent



**Rights-
compatible**



**A source of
continuous
learning**



**Based on
engagement
and dialogue**

Source: UN Guiding Principles: Effectiveness criteria for non-judicial grievance mechanisms
https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf



Coffee break





GRIEVANCE MECHANISMS: INSIGHTS FROM TOOLKIT IMPLEMENTATION

OCTOBER 25, 2023

Monica Romis
Private Sector Human Rights Advisor
Oxfam Business Advisory Service

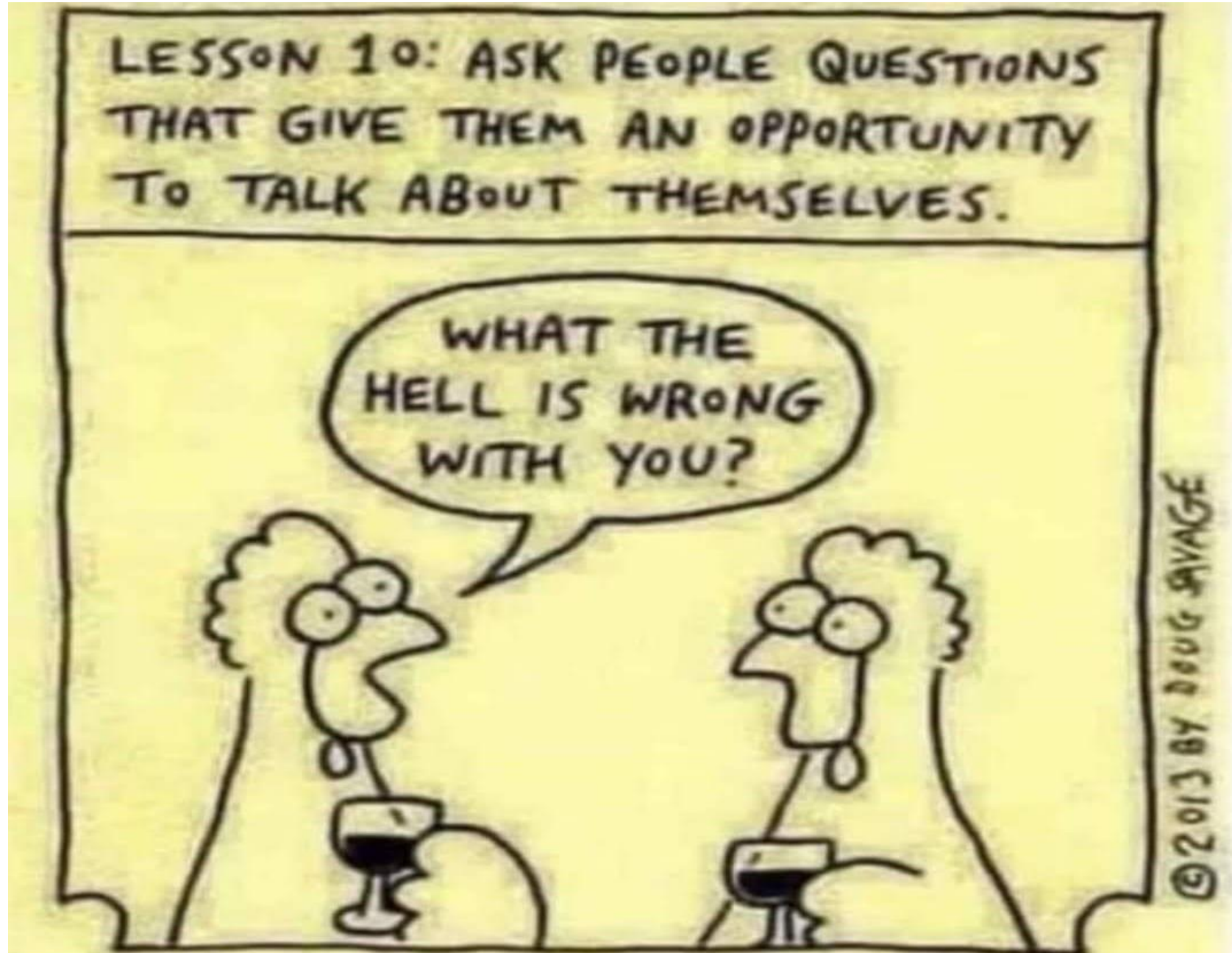
EXPERIENCES ON THE GROUND

Blandina Bobson
Director of Programmes
25/10/2023



OXFAM

Receiving Feedback



How do New Ideas Reshape Systems?



Crazy Person/s

A sentiment is captured in a coherent enough form to communicate



Tribe

The dedicated few see the potential of the innovation and come together to advance it



Movement

Networks and methods form that enable the idea to be more broadly distributed



Institution

The practice becomes the default way of operating in the system, i.e. an institution

Functionality of the Grievance Mechanism

KPI = KEY PERFORMANCE INDICATOR?

KEEP PEOPLE INFORMED



KEEP PEOPLE INVOLVED



KEEP PEOPLE INTERESTED



KEEP PEOPLE INSPIRED

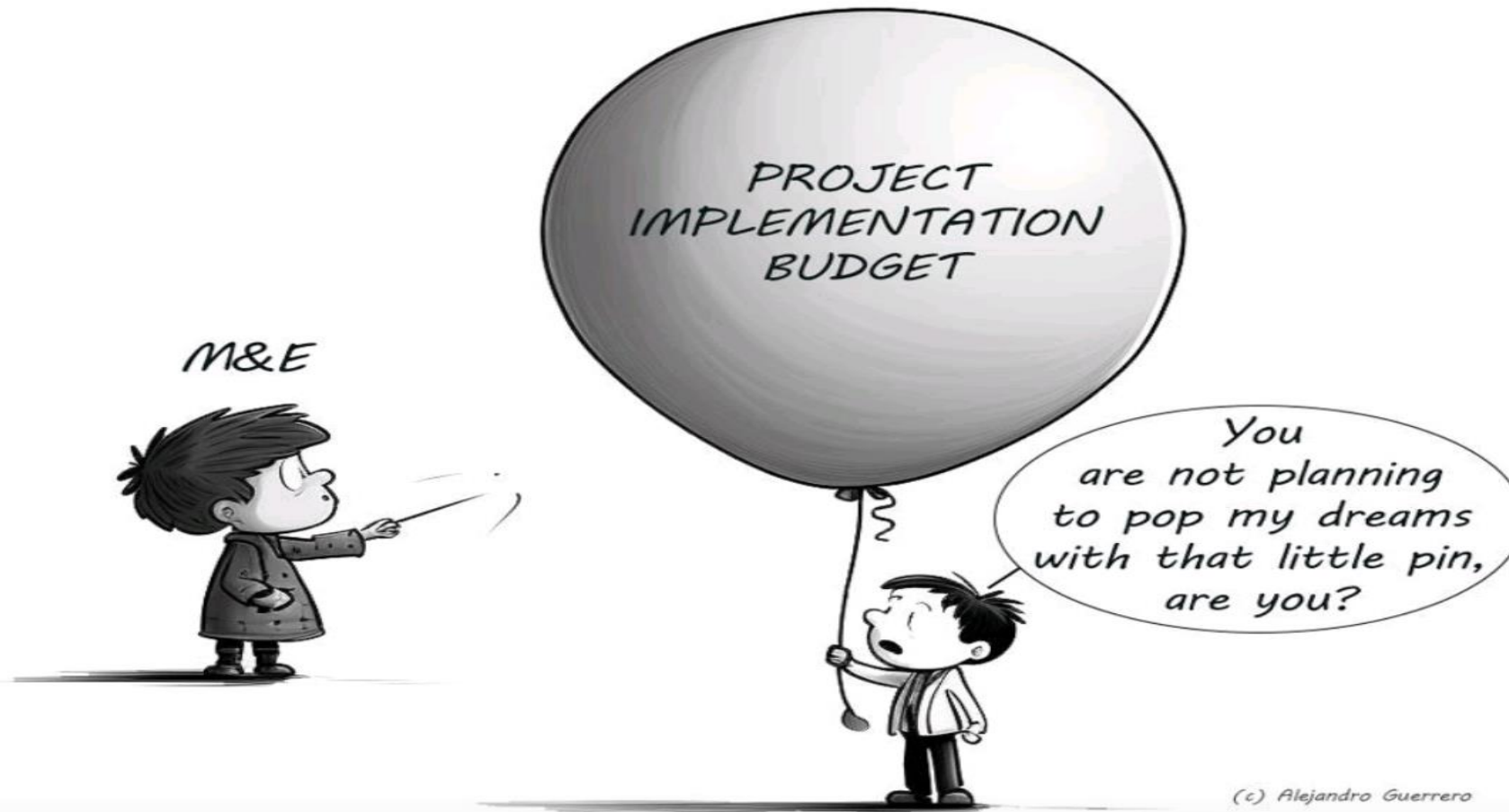


Adapting Grievance Mechanisms



Evaluating Grievance Mechanisms

2. The Budget Balloon



Maxed out on action, short on reflection

THANK YOU!



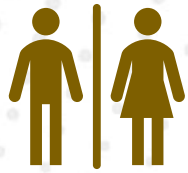
Human Rights & Business

From Policy to Practice

Summary of Presentation

- ✓ Top Level Facts
- ✓ Governance and policy framework
- ✓ Human Rights due diligence
- ✓ Remediation process
- ✓ Lessons/challenges

Top Level Facts



3,000 employees
Wages Ksh 600 Million per Year



Listed on the NSE
1,300 Shareholders



First Large Scale Blueberry
Producer In Kenya



4,500 head of Boran
Beef Cattle



3,000 Small Holder
Avocado Farmers



Largest Kenyan Producer
Exports Ksh 1.3 Billion per Year



Largest Kenyan Producer
Exports Ksh 1.0 Billion per Year



1,500 ha of Sustainable
Commercial Forestry

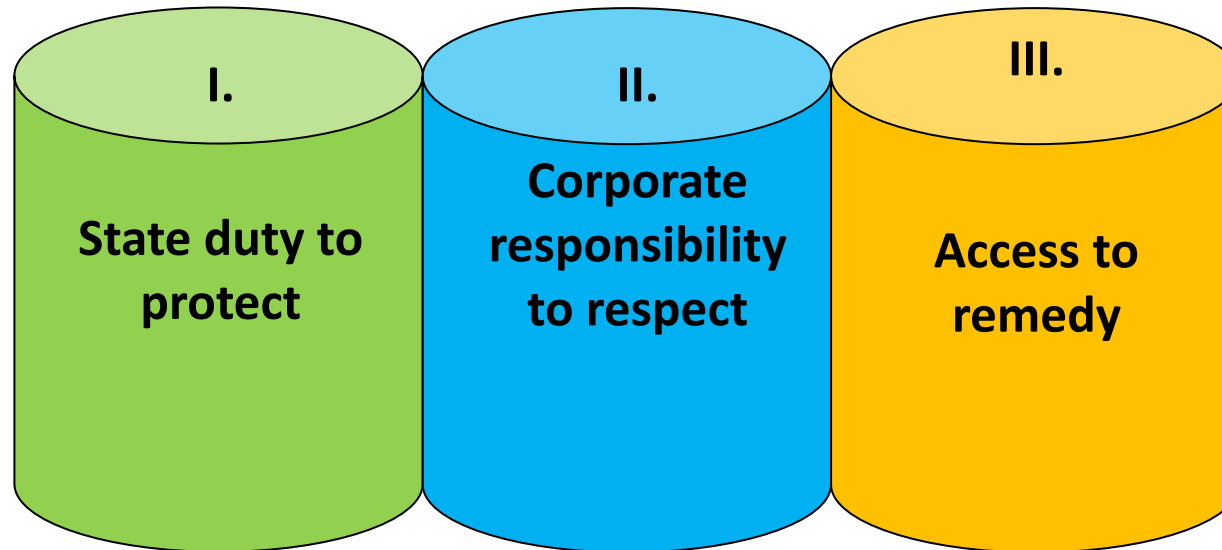


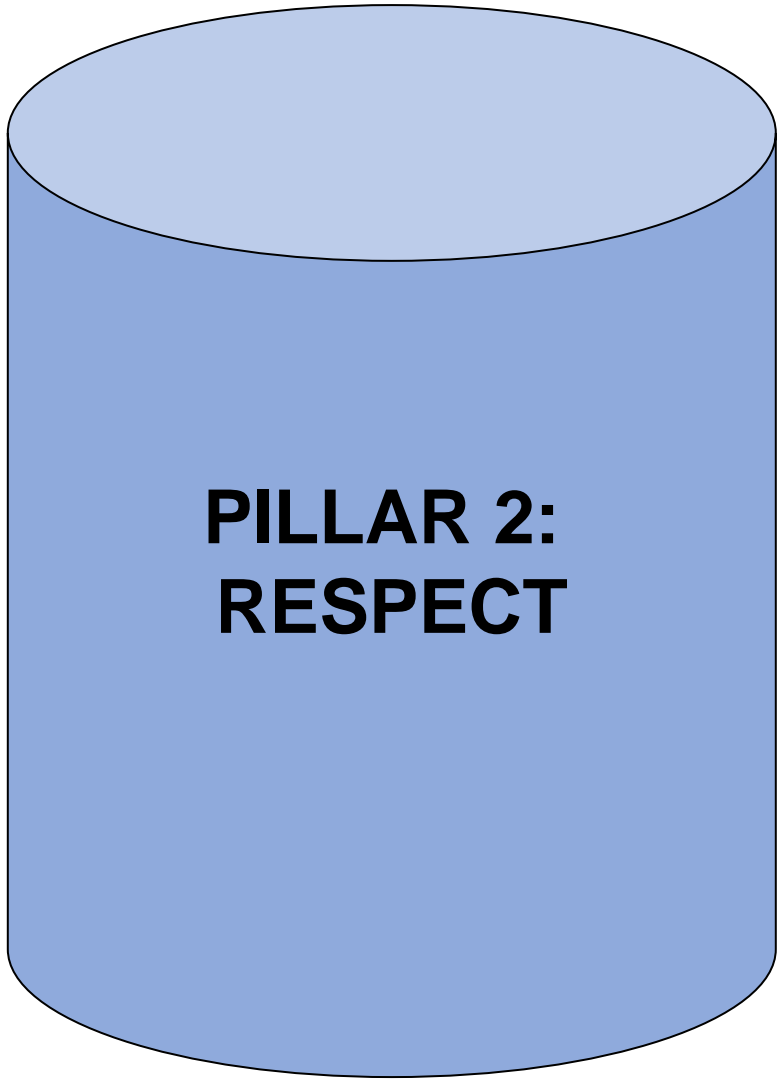
UN Sustainable Development
Goals



UN Guiding Principles on
Business & Human Rights

UN Guiding Principles on Business and Human Rights





**PILLAR 2:
RESPECT**

❖ **“Respect”** means: ***Do no harm:** companies should not “infringe on the rights of others” and **address** adverse impacts by providing remediation*

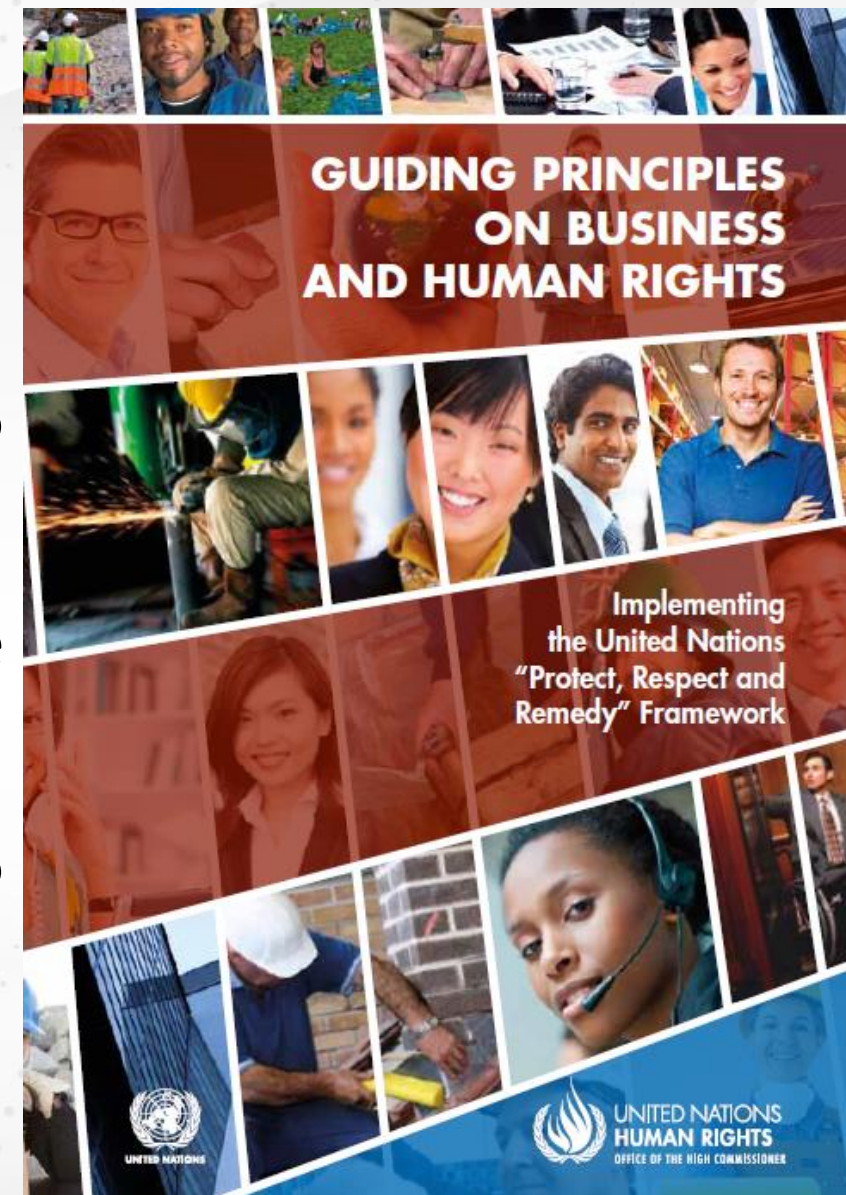
❖ In order to meet the Corporate Responsibility to respect companies must demonstrate:

- ✓ Policy Commitment
- ✓ HR Due Diligence
- ✓ Remediation process

PILLAR 2

How to implement?

- A **Policy** commitment –Public commitment to meet responsibility to respect
- A **HRDD** - process to identify, prevent, mitigate and address impacts
- **Remediation** processes to enable access to remedy for adverse impacts



Consultation and awareness creation

- Focussed on getting a sound understanding of the adverse impacts from the perspective of stakeholders.
- Idea is not to resolve issues but get a feel of the gaps and action points to effectively respond
- Stakeholder identification – mapping exercise
- Documentation of their concerns and feedback
- Training and capacity building of stakeholders – IEC material
- Partnerships established – NGOs, NHRI



Human Rights Due Diligence

- A process to prevent, mitigate, and address impacts by taking appropriate and effective action.
- Entails undertaking assessments and integrating findings across all business functions and processes
- A key element before acting upon is to understand how a business is potentially involved with each impact, and therefore what kind of response is expected.

Human Rights Due Diligence

1. Assess:

- What risks to people could we be connected to? which ones should we focus on?

2. Integrate and Act:

- What actions should we take to address the risks?
- (Integrate the findings of your assessments - safeguards for victims of sexual harassment, new recruitment policy etc.)

3. Track:

- How do we know if our actions are working? Track effectiveness (e.g. KPIs, feedback from local communities and workers etc.). This is why documentation is so important.

4. Communicate:

- What do we need to communicate? To whom?



"Graphic courtesy of Shift Project, Ltd. All rights reserved".

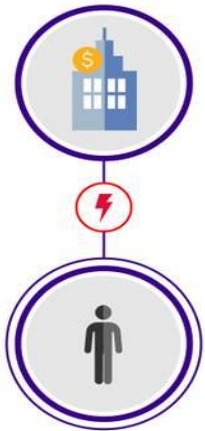
Engage Stakeholders:

- Who do we need to engage with through this process?

Kakuzi - Human Rights due diligence

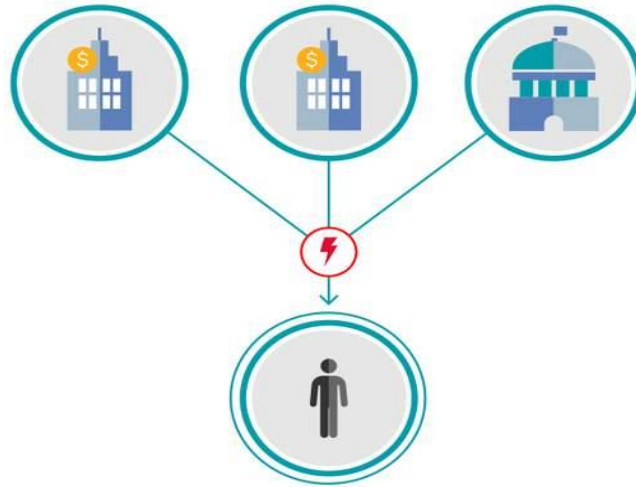
CAUSE

Solely and directly



CONTRIBUTION

In parallel



CONTRIBUTION

Facilitate / Incentivize



LINKAGE

No contribution, but still linked through relationship



Kakuzi - Human Rights due diligence

- Undertook 3 Assessments:
 - ✓ Human Rights Impact Assessment
 - ✓ Grievance Management systems assessment
 - ✓ Security and Human Rights Assessment



Phase 3: Impact identification



Phase 4: SALIENT ISSUES



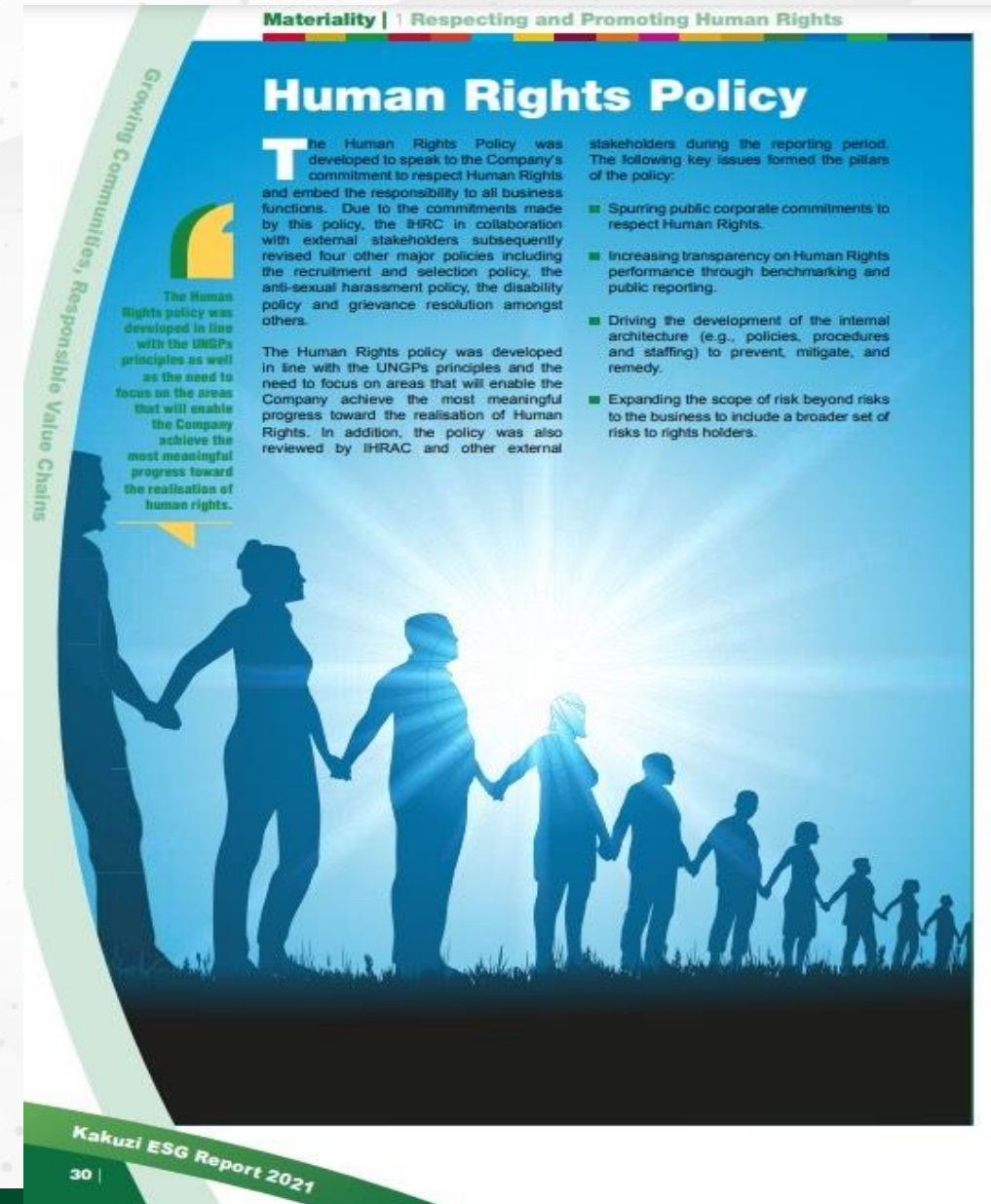
UNGPs recommend addressing impacts according to severity process to determine the Salient Issues was based on Severity. Scale and remediability indicators used.

Human Rights Action plan

- Recommendations from all assessments including social audits collated and into a Human Rights Action Plan.
- Thematically spells out how to address each of the salient issues with actionable items, allocates internal responsibility, with timelines
- **Tracking** effectiveness of actions over a period of time. Key element for continuous improvement and change process.

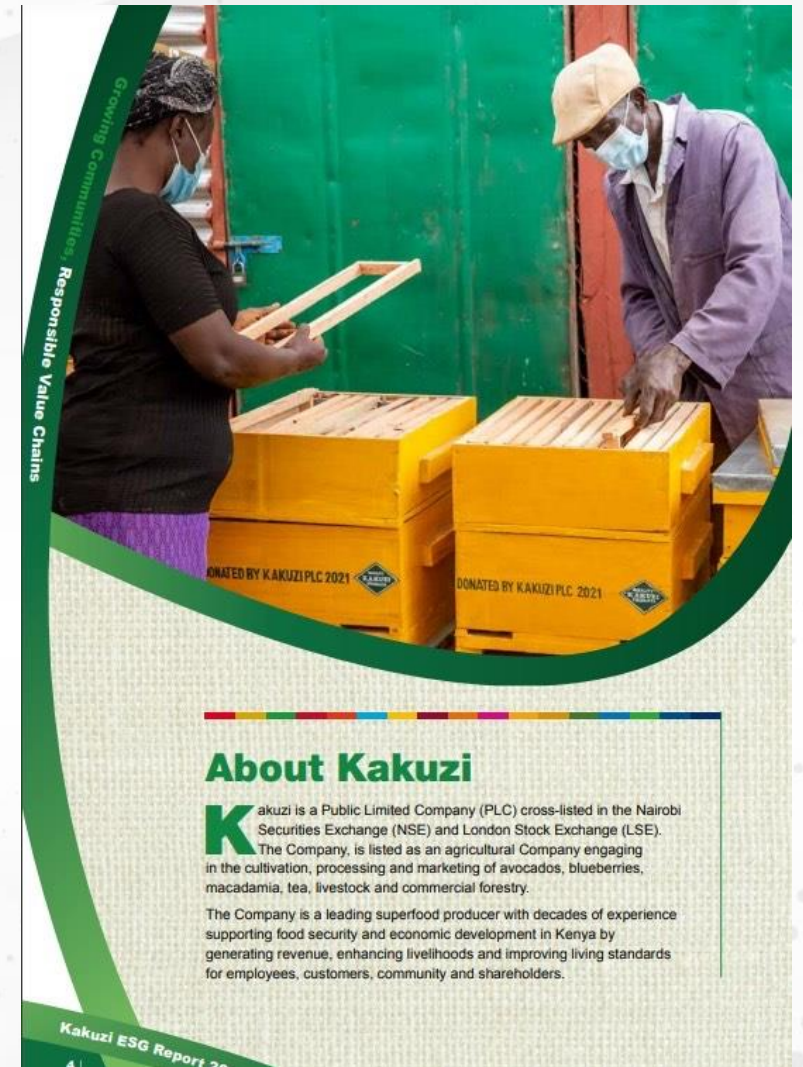
Communication

- UNGPs recommend that you *'know'* and *'show'* through HRDD process
- Proactive communication to stakeholders about the effectiveness of the actions taken helps to “show” that a company is taking meaningful steps to manage risks.
- Our *'show'* has been in formal and informal ways, ESG Report 2021, Op-eds, community engagement, website.



What information ?

- On the governance and embedding of human rights across the organization
- About the business salient impacts and processes in place to manage
- How directly affected stakeholders perspectives have been taken into account in decision-making
- A highlight of performance against actions
- Data that indicates year-over-year improvement of the salient impacts



HRDD System

Identification of Material issues

Human Rights Action Plan

Tracking and Integration

Communication

Reporting

Remediation

- In any business and despite a company's best efforts to prevent, adverse impacts will occur.
- This means that remediation of impacts has to be at the center of meeting the responsibility to respect HR.
- Kakuzi has developed an OGM as a means for individuals, workers or communities impacted by the company's activities to raise complaints, questions or concerns in order to get them addressed in a formal, prompt and consistent manner.

Respecting and Promoting Human Rights | Materiality

Operational Grievance Mechanism

The platforms were established after extensive stakeholder consultations and multiple direct engagements with local communities to explain the two distinct grievance procedures of Kakuzi's Operational Grievance Mechanism (OGM) 'SIKIKI' Tier I and II.

OGM is a systematic, transparent, nonjudicial process for receiving, investigating, and addressing Company-related grievances from affected communities, workers, farmers who supply avocados through Kakuzi's economic empowerment programme, and other relevant stakeholders. In Kiswahili, Kakuzi's OGM dubbed SIKIKI, means "to be heard".

The overall objective of SIKIKI is to enhance Kakuzi's existing processes to respect Human Rights, provide access to remedy for those impacted by Kakuzi's operations or business relationships and to strengthen relationships with all its stakeholders. The OGM's approach is focused on identifying early resolution and remedy for grievances through a transparent process of fact finding and respectful dialogue aimed at mutually-agreed outcomes.

SIKIKI's robust procedures are designed to provide all participating stakeholders a fair process and reasonable opportunities to present their case. Where a particular party may face certain risks or disadvantages vis-à-vis others, SIKIKI will provide appropriate safeguards and support to ensure a fair and safe process for all. In line with enhancing accountability, SIKIKI has an Independent Monitor that ensures the processes are fully aligned to the effectiveness criteria of the UN Guiding Principles.

The overall objective of SIKIKI is to enhance Kakuzi's existing processes to respect human rights, provide access to remedy for those impacted by Kakuzi's operations or business relationships and to strengthen relationships with all its stakeholders.

OGM Tier I

Tier 1 is a company-managed process that concerns impact that may occur during the normal course of business operations that can best be handled and resolved by Kakuzi staff. During the reporting period, Tier 1 received over 400 complaints related to labour, safety and health, work-related injuries, sexual harassment, pollution, living and working conditions. About 98% of the complaints have been resolved through collaborative approaches. The outcomes will be more evident later in 2022 as the Company continues to track, monitor and measure effectiveness against the UNGP criteria of: legitimacy, accessibility, predictability, equitability, transparency, rights-compatibility, a source of continuous learning, and engagement and dialogue.

Grievance Issues	Incidences	Remediation
Labour	7	Fair labour practices, training, town hall sessions
Safety and health	15	Training and capacity building, PPEs.
Work related injuries	38	Compensations, Operation Safety and health (OSH) Training, provision of PPEs
Sexual harassment	1	Reporting to law authorities i.e. police, termination, medical attention, counseling, therapy
Operational	6	Provision of technology, retraining, staff reassignments, training
Social	12	Counseling, whistle blowing mechanisms, reporting to HR, rehabilitation, wellness programmes
Human rights	169	Reporting mechanism established under Tier 2 to which the grievances were transferred for investigation and remedy. UNGPs have been mainstreamed and external audits included in the mechanism.
Environmental	5	Adoption of new/alternative technology, sustainability mainstreaming.

400
During the reporting period, Tier 1 has received over 400 complaints related to labour, safety and health, work-related injuries, sexual harassment, pollution, living and working conditions.

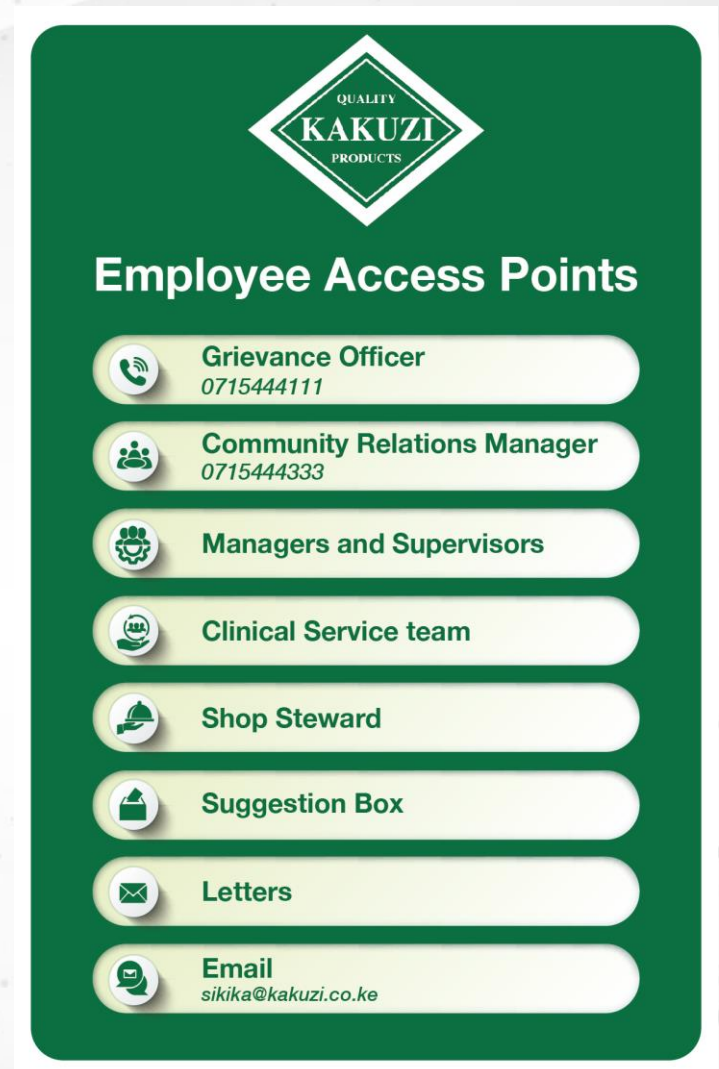
OGM Tier II

Tier 2 consists of a Head of the Independent Human Rights Mechanism (IHRM) responsible for adjudication, a Legal-Administrative Assistant and Independent Investigators. Grievances handled by this tier concern allegations of severe human rights impacts that have been caused by, contributed to, or are directly linked to Kakuzi and/or its business partners. Tier 2 is set to be established in March 2022.









Kakuzi ESG Report 2021 | 31

SIKIKA

- The OGM has a local name *SIKIKA*, meaning “to be heard”.
- Granting the OGM a local name enhances local ownership of the process.
- SIKIKA takes a victim centred approach in the resolution of grievances by safeguards such as confidentiality, counselling (‘psycho-social support’) and other measures as necessary.



The graphic is a vertical list of employee access points on a dark green background. At the top is the KAKUZI PRODUCTS logo, which consists of a diamond shape containing the text 'QUALITY KAKUZI PRODUCTS'. Below the logo is the title 'Employee Access Points' in white. The list contains eight items, each with a small icon and a white rounded rectangular box containing the text:

-  **Grievance Officer**
0715444111
-  **Community Relations Manager**
0715444333
-  **Managers and Supervisors**
-  **Clinical Service team**
-  **Shop Steward**
-  **Suggestion Box**
-  **Letters**
-  **Email**
sikika@kakuzi.co.ke

Purpose

- To provide remedy through the effectiveness criteria under the UNGPS
- To offer a transparent process of fact finding; mutually agreed outcomes.
- Consistent and harmonious resolution of grievances across operations
- To encourage dialogue in resolution, thus strengthened relationships with stakeholders.



Design



Tier 1

**for grievances about
operational impacts**

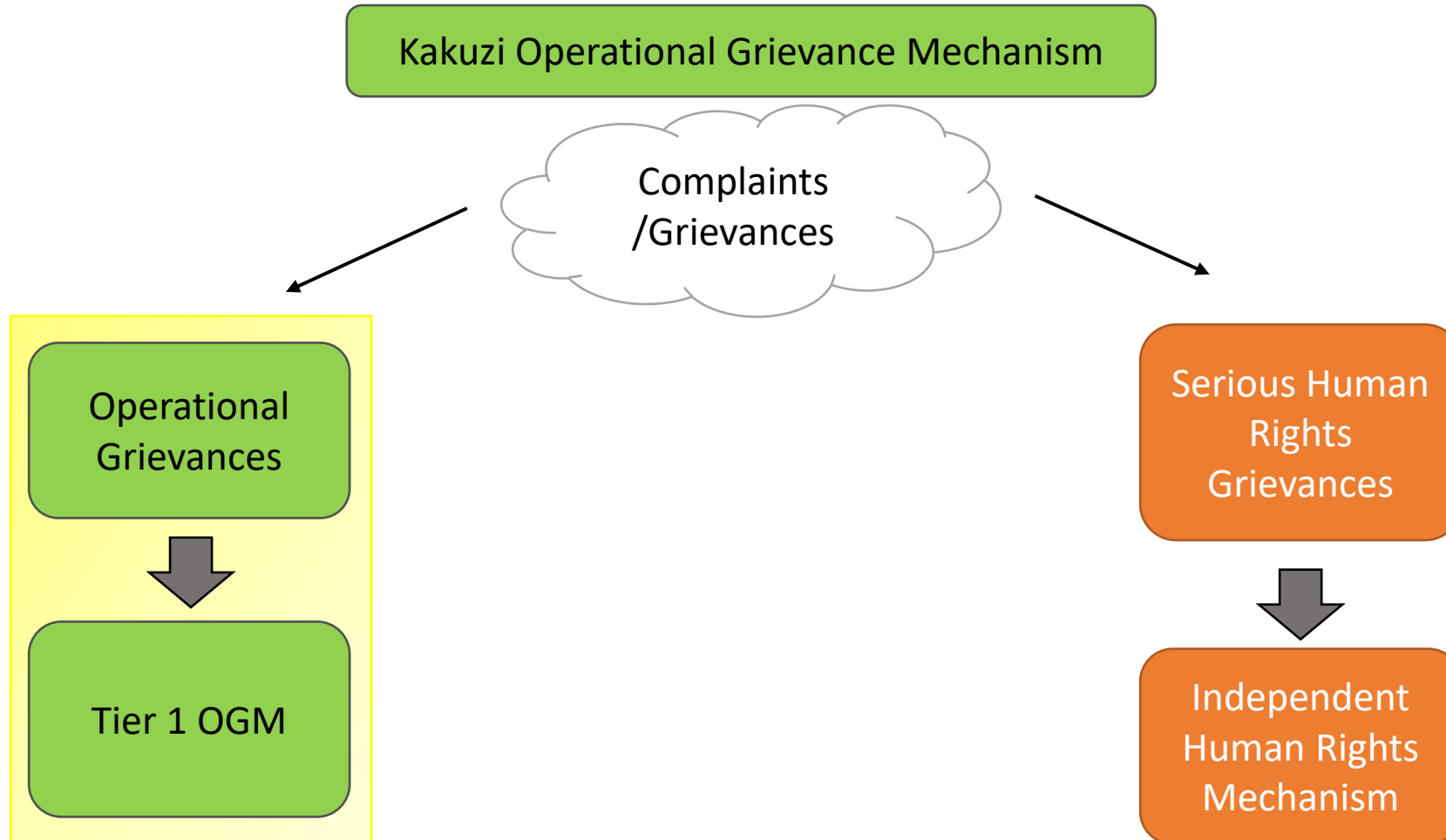
that can best be handled and resolved internally.



Tier 2

**for grievances that
raise severe human
rights impacts**

How Grievances are Channelled



TIER 1

Access Points for Lodging Grievances



**Mobile-
phone line**



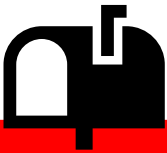
In Person
Grievance Officer
CLOs
Extension Officer
Managers + Supervisors
Community Office
Clinical Service Team
Shop Steward



Letters



Email



**Suggestion
Box**

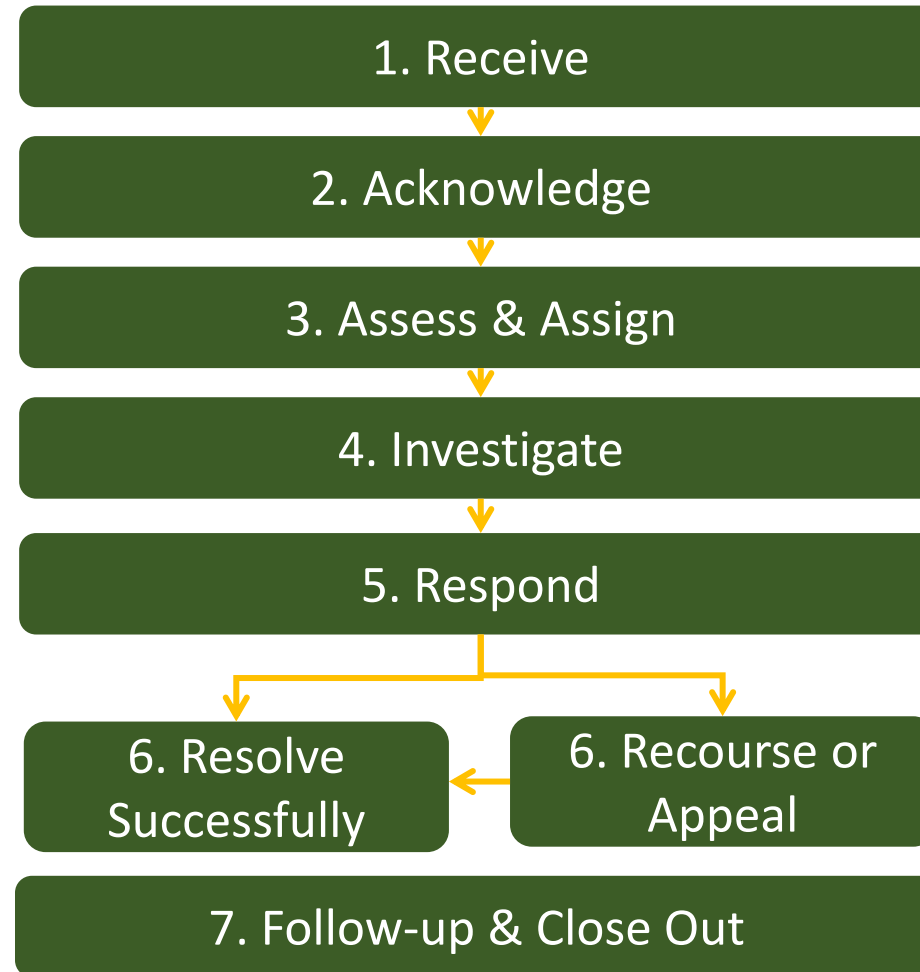
Step-by- Step (1)

- 1 Complaints will be registered at or through specific access points
- 2 Complainants will receive an Acknowledgement Slip
- 3 Company commits to providing a response within 30 days
- 4 Grievance Officer conducts rapid investigation
- 5 Referral to Head of Dept: a dedicated Officer investigates case within timeframe
- 6 Case escalates if internal deadlines for feedback are not met

Step-by-Step (2)

- 7 The investigating officer and the Head of Department suggest a company response/resolution
- 8 Company response is determined by the Grievance Committee
- 9 The Grievance Officer communicates the outcome of the investigation to the complainant in writing as well as verbally
- 10 If complainant disagrees with outcome: option for an appeal is provided
- 11 Resolutions based on dialogue and mediation

Process Steps





SIKIKA



Step 1

Receive

Your verbal or written concern or complaint can be submitted via phone, letter or the Kakuzi community center.



Step 2

Register

A Kakuzi Officer will register your complaint. You will receive a copy of the grievance registration form.

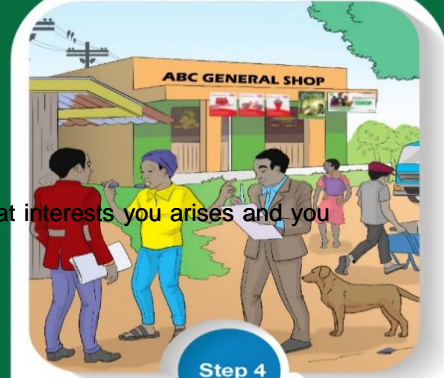
We therefore encourage that you present an application whenever an opportunity that interests you arises and you shall be considered amongst other applicants.



Step 3

Review

The Kakuzi grievance officer will review the complaint and refer it to the relevant department for investigation.



Step 4

Investigate

Investigations will start within 5 days of registering the complaint and will involve all relevant parties. The Kakuzi Grievance Officer will keep you updated on the progress of investigations.

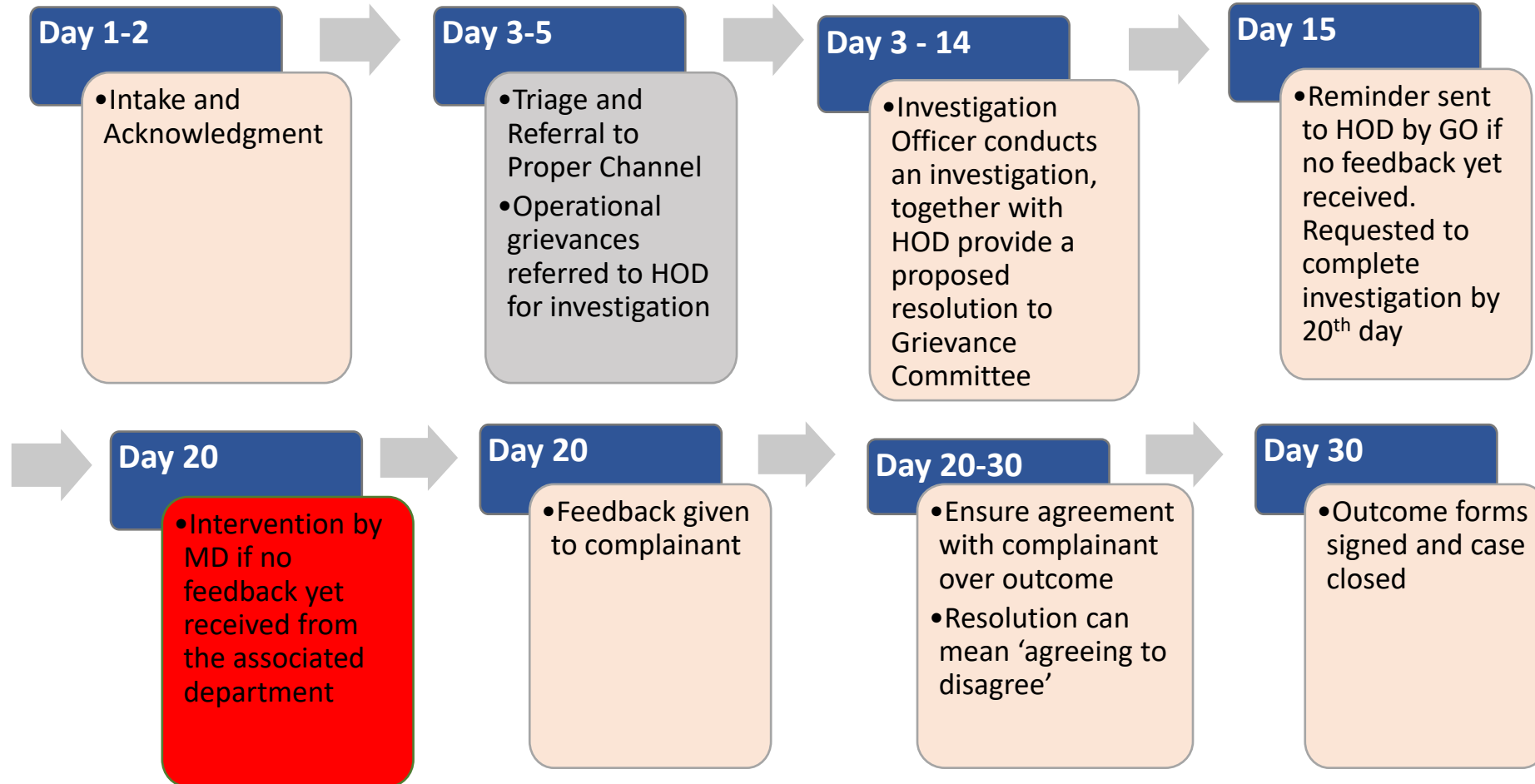


Step 5

Resolve and Closure

Once the investigation is completed, you will be contacted by the Kakuzi grievance officer to discuss the proposed resolution. Unless the investigation takes longer, you should receive a response within 30 days.

Timeframe for Tier 1 – Operational Grievances



TIER II

Tier 2 Access Points



Letters

Independent Human Rights Grievance Mechanism (IHRM),
P.O. Box 6206
Thika, 01000



In Person

Tier 2 Legal - Admin

Kakuzi Clinical Service Team

Kakuzi Grievance Officer
(referral from Tier 1)



Confidential Email

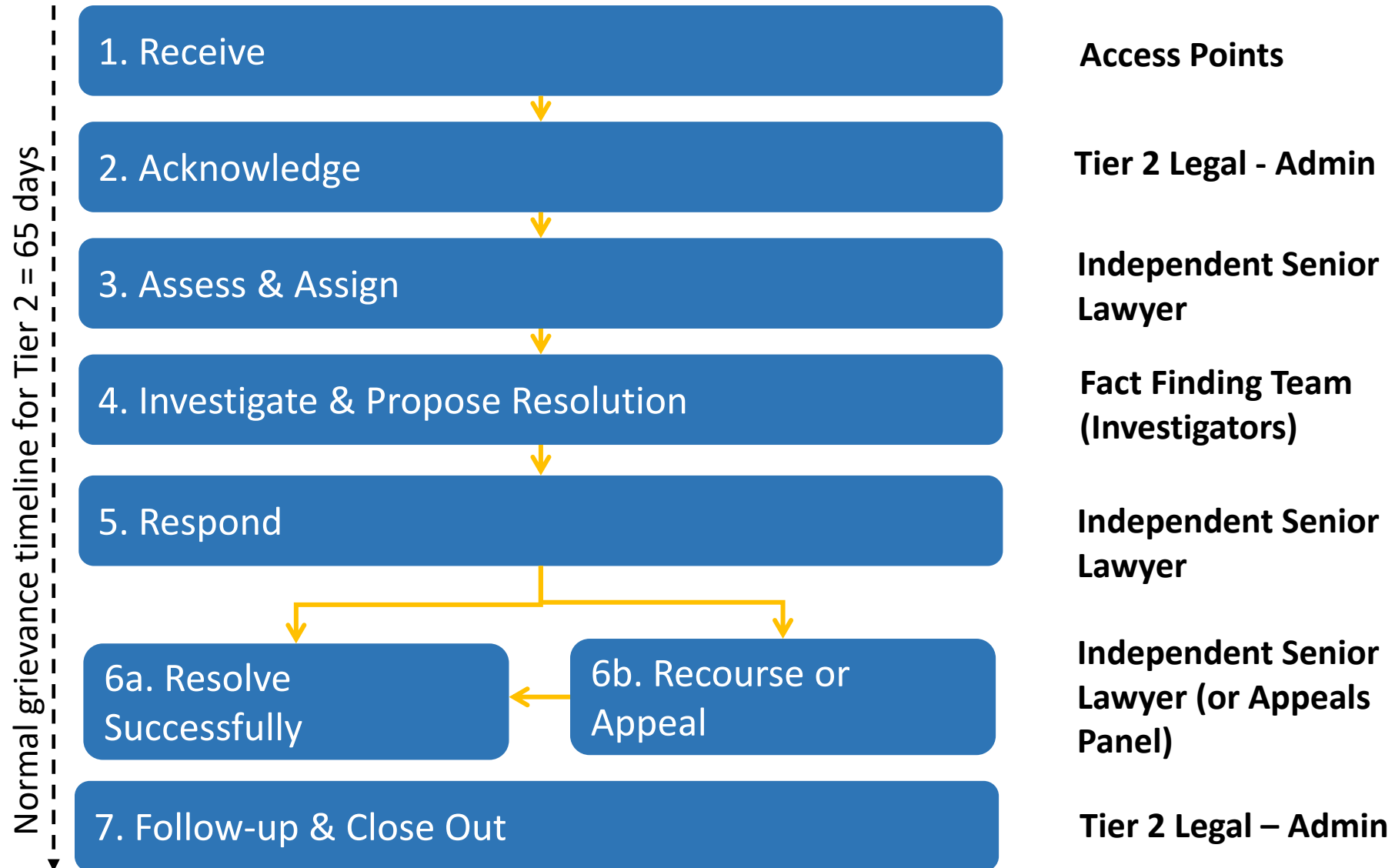
complaints@sikikatwo.co.ke



Mobile-phone line

0800-7211157 (*toll-free*) or 0715444111

Process Steps + Responsibles



SIKIKA

Independent Human Rights Mechanism

SIKIKA consists of two parts, one managed by Kakuzi, another managed independently. The independently-managed mechanism is only for complaints about severe human rights impacts involving personal injuries that Kakuzi may have caused, contributed to, or is directly linked to through its operations or business relationships.

Step 1 – Receive

Your verbal or written complaint can be submitted confidentially via phone, letter or the office of the Independent Human Rights Mechanism.

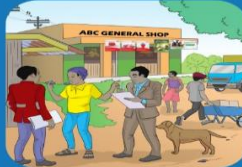


Step 2 – Register and Acknowledge

Within 3 days, someone from the Independent Human Rights Mechanism will register your complaint and discuss if you need urgent support and/or protection. You will receive an acknowledgement slip of the grievance registration form so that you know your complaint is being dealt with.

Step 3 – Assign and Interview

Within 10 days, an independent investigator will invite you to an interview meeting. You will be asked to make a statement to explain what exactly has happened to you. You should bring any evidence you may have, and you are welcome to bring a trusted person.



Step 4 – Independent Investigation

The independent investigators will verify all information and evidence you submitted, visit the relevant area and collect any other useful information. They may also interview witnesses and Kakuzi personnel. The independent investigators will keep all your information confidential and will never share personal information.

Step 5 – Independent Decision

After reviewing the investigation report, the Head of the Independent Human Rights Mechanism will decide whether there is sufficient evidence to support the complaint or not. You will be invited for a meeting, or someone will visit you, to explain the decision and discuss any proposed remedial action(s), where applicable.



Step 6 – Resolve

If you agree with the proposed resolution, it will be confirmed in a settlement agreement and/or letter. If you do not agree, you can either leave the matter, write a formal appeal to the independent Appeals Expert, or take the complaint elsewhere.

Step 7 – Closure

After the agreed actions have been completed, the complaint process will be closed. Unless the investigation process takes longer, your complaint should normally be resolved within 65 days.



Conclusion

- One size does not fit all; Depending on size of business GM can look different ; UNGPs are to be implemented despite size
- The process of resolving grievances is more important than outcome
- Cost is high; companies need to be innovative about this
- The process has to reflect effectiveness criteria by the UNGPs
- important to note that none of these is a straightforward process. This is about continuous learning, communication and listening.
- Understanding that in doing so we may also get some things wrong is critical and something we should not be afraid to admit to but use those challenges as lessons.

END



SIKIKA

Step 1 – Receive

Any verbal or written concern or complaint can be submitted via the Kakuzi community resource center.



Step 2 – Register

A Kakuzi Officer will register your complaint. You will receive a copy of the grievance registration form.

complaint and refer it to

Step 4 – Investigate

Investigations will start within 5 days and involve all relevant parties. The Kakuzi Officer will be updated on the progress of investigation.

Step 5 – Resolve and Closure

Once the investigation is completed, you will be invited to meet with a grievance officer to discuss the proposed resolution. If the investigation takes longer, you should receive a response within 10 days.

matter to us and we welcome you to visit our office on 0715444111 or 0800721157 (toll-free).



Q&A SESSION



After lunch..

- Breakout sessions on three topics:
 - Sexual Harassment and Grievance Mechanisms
 - Regenerative Agriculture
 - Casualisation of Labour
- Introduction to the topic by your facilitator
- Each group will work towards the same 'output' (on a flipchart) through interactive exercises and case studies
- Assign one 'speaker' who will feed back to the plenary
- Each breakout group to share their flipchart and key messages

Common challenges

Examples that worked well

**Support / guidance /
collaboration needed**

Next steps



Group 1: Regenerative Agriculture

Name	Company
Aila Aliongo	Dhl
Alex Sykes	Diegeo
Ben Ochieng Akuku	Point East Africa Ltd
Brenda Osodo	Twinnings
Dishon M Terrah	Manipal International Printing Press
Elizabeth Nengo	Tsebo Facilities Solutions
Emma Kinya	NCBA Group
Esther	Firmstar Ltd
Eva Muthoni Wambui	Lekai Commodity Merchants
Goodwill Shandu	The Coca-cola Company
Jayasimhan Leon	Milly Glassworks Limited
John Mwanzia	DFG Africa
Josiah Mutsogu Amugongo	Maersk Kenya
Julius Chege	Orbit Products Africa Ltd
Leigh Ann Winowiecki	World Agroforestry (ICRAF)
Moses Machayo	Del Monte Kenya Ltd
Pearse MC Mullen	Designer Group
Peter Kaloki	Diegeo
Susan Omondi	Fairoils Group
Wambui Kimani	Designer Group
Winnie Abwao	Agility Global Logistics
Winslous Wafula Wanyonyi	IOTA Engineering & Construction Ltd
Yael Fattal	Aim-progress

Location: Main Conference Room (Bougainville)
Facilitator: Robai Liambila



Group 2: Sexual Harassment and Grievance Mechanisms

Name	Company
Agnes	Q-sourcing Limited
Ann Rotich	Agility Logistics Limited
Antony Wainaina	Dodhia Packaging Kenya Limited
Beatrice Chelangat Kirui	Agl Kenya
Brenda Aoko	Agventure Limited
Carol Mutuku	Sasini PLC- Kipkebe Limited
Caroline Gichuru	Marina Healthcare
Caroline Ochieng	Hurricane Global Facilities Management
Christopher Etemesi	
Matendechere	Manipal International Printing Press
Danvas Makori Anyona	Fairoils EPZ LTD
Dorine Ndunde	Highchem East Africa Ltd.
Eugene Omudeck	Agility Logistics Ltd.
Faith Mugo	Intraspeed Arcpro Kenya Ltd
Fancy Mosore	Eastern Produce Kenya Limited
Genevieve Taft-vazquez	Tccc
George Maina Gatimu	The Paper House Of Kenya Ltd
Gerald Gacheru	KBL / Diageo
Ghulam Dastgeer	Reckitt
Grace Adhiambo	General Printers 2021 Limite
	Scheme Constructions And Technology
Grace Mwikali Mutie	Designers Limited
Hellen Moraa Nyayo	Unilever
Jacob Lesirma	Del Monte

Name	Company
Jacob Ndirangu	EAST AFRICA BREWERIES LIMITED /
Githigi	Diageo
	Environmental And Combustion
James Kitavi	Consultants Ltd
Jane Terry	
Nyambura Magochi	Independent Consultant
Joan Wahu Wachira	Intraspeed Arcpro Kenya Limited
Josephine Mwangi	Amitruck Ltd
Judithmwende	Q-sourcing Servtec Group
Jyoti Chana	Harleys Limited
Martha Wathome	General Printers 2021 Limited
Nark Origi	NCBA Leasing LLP
Nene Kimani	Dodhia Packaging Kenya Ltd
Nilah Mitchell	60 Decibels
Peris Ochieng	Twinings
Philip Omuhakah	Skanem Interlabels Nairobi Ltd
Robert Hobson	James Finlay Kenya
Sarah Gikonyo	Eabl
Sarah Njeri	Intraspeed Arcpro Kenya Limited
Serah Nyaruiru	DHL Supply Chain Kenya Limited
	Manipal International Printing Press
Sylvans Ouko	Limited
Teresa Gathogo	Del Monte Kenya Ltd
Tony	Intraspeedarcpro
Truphena Njoki	General Printers 2021 Limited

Location: Main Conference Room (Bougainville)
Facilitator: Maggie Opondo



Group 3: Casualisation of Labour

Name	Company
Anthony Kioko	Cereal Growers Association
Arthur Mamvura	Diageo
Bernard Nyamrer	Ryce East Africa Ltd
Charles Mutai	Mars Wrigley Confectionery Ltd
Cosmas Ochieng Otieno	Acme Containers Ltd
Dr. Onyango Moses Onyango	Printpak
Edna O. Ayiemba	Fairoils EPZ Ltd.
Faith Munyao	Amitruck Limited
Francis Wadenya	Kensalt Limited
Gerald Matoke	Del Monte Kenya Ltd
Grace Joan Macharia	Car & General Trading Limited
Habiba A Shariff	Towfiq (K) Ltd
Harry Odoni	Del Monte
Harsh Shah	Euro Industrial Chemicals Ltd
	Power Transmission And Controls Limited
Hezron Mureu	Dry Construction Ltd
James Kihui	Hurricane Global FM Kenya Ltd
Jeremiah Ogeka Nyamemba	Kensalt Ltd
Job Ntengeri Ongubo	Mara Moja Commercial Agencies Ltd
Judy Njeri	Multi Color Coperation
Lenity Gakii Mutegi	Tsebo Facilities Solutions Kenya Ltd
Lilian Njaya	Tetra Pak

Name	Company
Magdaline Wanjiku Nyayieka	Baharini Consultants Ltd
	Conventional Cargo Conveyors Ltd
Maureen Mwaura	DHL Supply Chain Kenya Limited
Mercy Kyalo	Magic Chemicals Kenya Limited
Monicah Kuria	Towfiq (K) Ltd
Muna Mohamed Khalif	Silpack Industries Limited
Parit Shah	PHD Media (Saracen)
Patrick Handa	Loxea Limited
Paul Namu	Loxea Limited
Peter	Conventional Cargo Conveyors Limited
Peter Chege Maichuhie	Oxygene Mcl
Polly Mwonjoria Mwangi	Hurricane Global Facility Management
Rachael Sotsi	Nairobi Plastics Ltd
Rushab	Skanem Interlabels Nairobi Limited
Sachen Gudka	Raicon Development Service
Samwel Mwendwa	EABL / Diageo
Sarah Odero	Dhl Supply Chain Kenya Limited
Sharon Munyua	Arichem Limited
Sheila Gacheri Murithi	Q-sourcing Limited
Simon Ng'ang'a Kamau	Tccc
Sivaranchani Ramachandran	Torrent East Africa Limited
Teresa Josephine Anyango	Unilever
Winfridah Mora Nyakwara	

Location: Bogoria
Room
Facilitator:
Andrew Odete



Lunch break



AIM-PROGRESS AFRICA HUB
IN-PERSON SUPPLIER EVENT KENYA
REGENERATIVE AGRICULTURE

FACILITATED BY
LIAMBILA ROBAI (PhD)

24th OCTOBER 2023

SAFARI PARK HOTEL



*“To live in harmony with
nature we look to nature
for answers”*

Liambila

THE STORY SO FAR!

- As a “farmer”, it’s not always an easy job –faced with the challenges of a changing climate, reduced biodiversity and negative effects of chemicals on soil fertility.
- Started on a small scale then a large scale.
- We became experts at exploiting and manipulating natural ecosystems for our own purposes.
- As a result, human farming began to change the landscape, environment and local climate.

THE STORY SO FAR!

- Our **environment** has paid a heavy price:

More than any other human activity, agriculture has changed our natural world.

- That's why we need an **agricultural revolution**:

one which maintains productivity in a sustainable way, while offering a decent livelihood to farmers and their communities.

THE STORY SO FAR!

The current state of African agriculture

Problems

- Low yield growth
- Increasing food insecurity
- Climate change
- Population growth
- Land degradation.

The shape of Africa depends on these factors

FARMING UNDER PRESSURE

- Our natural capital and ecosystem services are under pressure.

Threats to Natural Capital in Africa:

- Soil Erosion
- Climate Change
- Biodiversity loss and ecosystem degradation
- Greater occurrence of pests and plagues
- Land abandonment

SOLUTION: Regenerative Agriculture

UNDERSTANDING REGENERATIVE AGRICULTURE

RA is not a new idea.

- An agricultural philosophy birthed by our Indigenous ancestors for over a millennium.
- Ancestral agricultural wisdom is rooted in **humility for Mother Nature.**

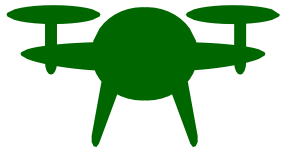
*RA is aimed at continuously **restoring** rather than degrading the soil, improving the **sustainability and resilience** of ecosystems and bringing **environmental and economic benefits** to farmers, communities and nations.*

"Farm Like The World Depends On It"

REGENERATIVE

AGRICULTURE

Where Innovation Meets Tradition



*An **outcome-based** food production system*

***Nurtures and restores** soil health, protects the climate, water resources and biodiversity, and*

***Enhances** farms' productivity and profitability*

IPCC Measure	Traditional Agriculture	Conventional Agriculture (IPCC, 2019)	Organic Agriculture (European Commission)	Regenerative Agriculture (ROC, 2019)
Reduced fertilizer use	✓	×	✓	✓
Increased crop diversification	✓	×	✓	✓
Increased use of quality seeds	×	×	✓	✓
Promotion of low energy production systems	✓	×	×	✓
Avoiding burning of crops	×	×	×	✓
Promotion of legumes in crop rotation	×	×	×	✓
Increasing biodiversity	×	×	×	✓
Integrated crop/livestock	✓	×	×	✓

*“ It’s about **future-facing innovation** - learning how to farm more effectively based on science and the nature of your farm.”*

PRINCIPLES OF REGENERATIVE AGRICULTURE

Understanding
your Climate
context



Soil Health



Water Management

Regenerative
Agriculture

Livelihoods



Biodiversity

PRACTICES OF REGENERATIVE AGRICULTURE

Farmer-managed natural regeneration

Agroforestry

Crop practices such as windbreaks and alley-cropping

Silvopasture

Including integrated livestock/grazing practices

Crop management

such as cover cropping, crop rotation and crop diversification

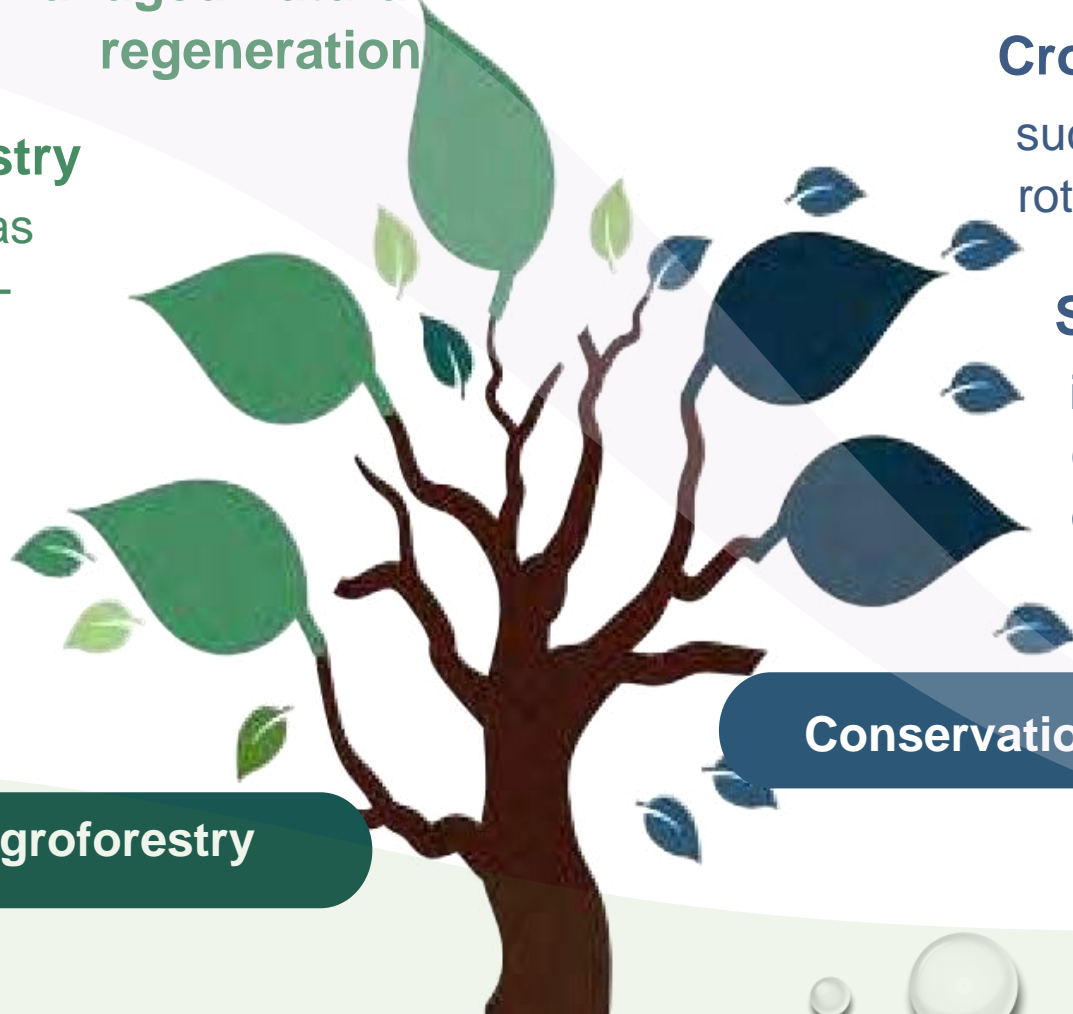
Soil management

including reduced tillage, soil cover and methods which build organic soil carbon

Conservation Agriculture

Agroforestry

Regenerative agriculture cannot be defined.



SOCIAL INEQUITIES IN AFRICAN AGRICULTURE

- Exploitation of farm workers by landowners.
- Keeping minority /excluded groups from accessing land and agricultural financing.
- Excluding low-income and minority communities from healthy food access.
- Polluting the water and air in rural communities.
- Long-standing inequities for farmers with limited access to resources.
- Less access to land, tools, information and training for women.

How can we improve social equity and justice through Regenerative Agriculture?

GENDER GAPS IN AGRICULTURE

- In sub-Saharan Africa, women perform 48.7% of agricultural labour but comprise only 15% of agricultural landholders.
- In North Africa, women perform 40% of agricultural labour and comprise just 5% of landowners.

How do we address these gender gaps?

WHY REGENERATIVE AGRICULTURE?

Can Regenerative Agriculture Restore Lost Biodiversity?

- Regenerative farming practices, with a focus on **soil health**, nurture biodiversity both below and above ground.
- Around **25%** of the World's Biodiversity is **Found Underground**.
- All the **principles of regenerative agriculture** – nourish biodiversity.

WHY REGENERATIVE AGRICULTURE?

Group Exercise

- **Can Regenerative Agriculture Feed the World?**

WHY REGENERATIVE AGRICULTURE?

Regenerative agriculture works

- A conservative increase of yields by 13% and could be as high as 40% in the future.
- Boost to economies would create new full-time jobs in farming, processing and supportive industries.

BENEFITS OF REGENERATIVE AGRICULTURE

Improved biodiversity

Mitigates impact of extreme weather

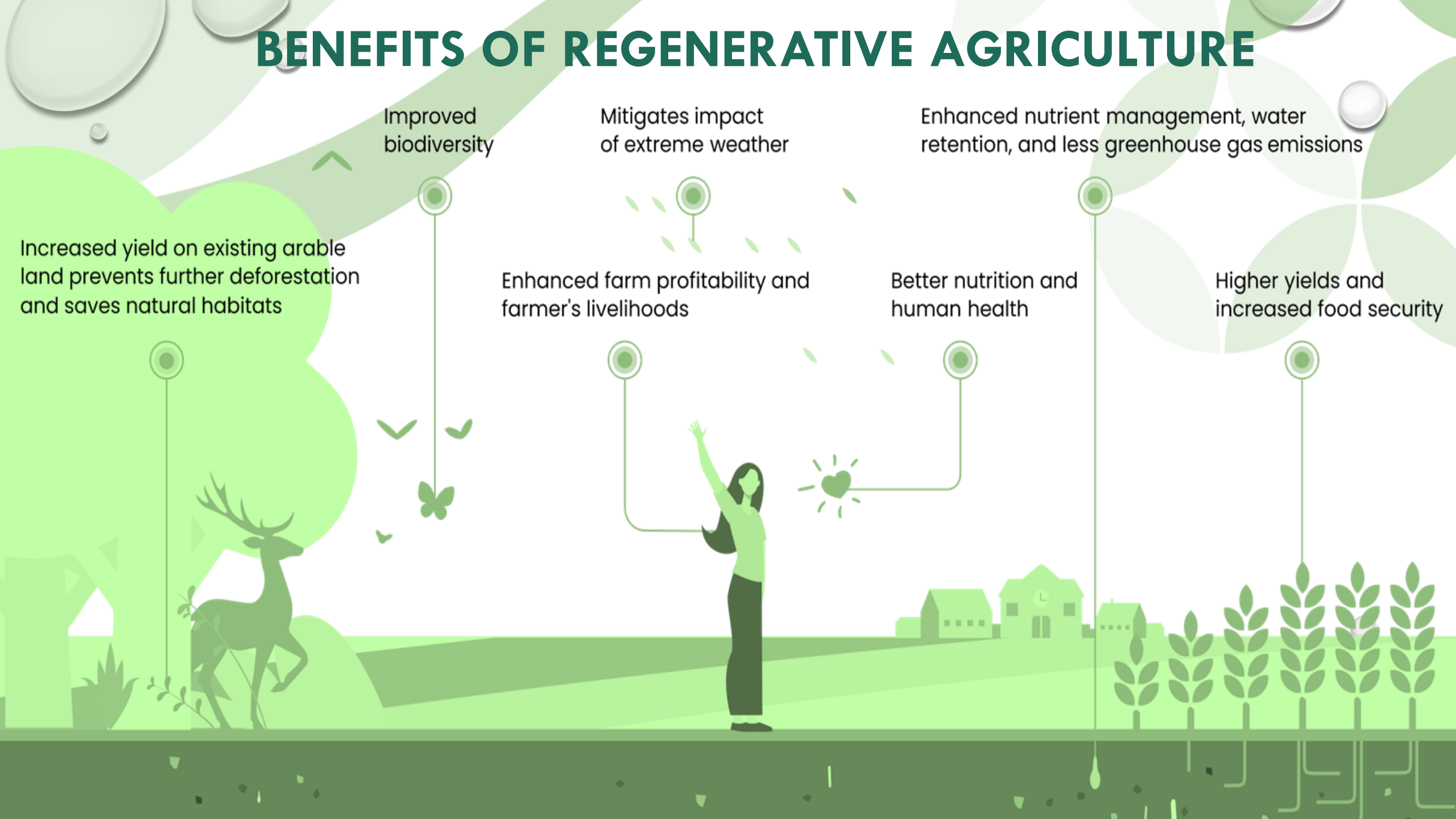
Enhanced nutrient management, water retention, and less greenhouse gas emissions

Increased yield on existing arable land prevents further deforestation and saves natural habitats

Enhanced farm profitability and farmer's livelihoods

Better nutrition and human health

Higher yields and increased food security



WHAT ARE THE BARRIERS TO ADOPTING REGENERATIVE AGRICULTURE?

Gaps in scientific understanding

Uncertain return on investment

Consumer Demand

Behavioural and cultural change

Trusted technical advice

Access to Capital

Policy and incentives

If these practices benefit farmers and the ecosystem, what is holding the world back from adopting these practices?

CLIMATE CHANGE REGENERATIVE AGRICULTURE

Regenerative agriculture's climate adaption benefits

Soil health and fertility

Water retention

Biodiversity

Regulating
Ecosystem services

▲ Soil organic content

▲ Water holding capacity

▲ Biodiversity below ground

▲ Resilience to pests

▲ Soil nitrogen content

▲ Infiltration capacity

▲ Biodiversity above ground

▲ Resilience to floods and drought

▼ Fertilizer inputs

▼ Water requirement

▼ Cost for pest management

CURRENT PRACTICES IN REGENERATIVE AGRICULTURE

Case Study: Agroforestry and regenerative land management are being piloted to revive an abandoned and degraded farm.



LEAF Africa is promoting productive agriculture and forestry, encouraging the adoption of regenerative agricultural practices through demonstrations and training.

LEAF works to enact diverse and profitable regenerative agricultural systems by engaging with farmers.

Project Impacts

- The project has already seen ecological and economic benefits.
- More **productive soils, carbon sequestration** and **richer biodiversity** as evidence of positive impacts on the ecosystem.
- Breaking even and enjoying high levels of demand for produce.
- Its success has encouraged neighbouring farmers to participate in training.

FARM AFRICA REGEN AG - A DIVERSIFIED MODEL (CASH & ENVIRONMENT)?



▼ Embu and Tharaka Nithi counties:

- 250 VBAs village based advisors
- 50,000+ farmers
- 200,000 indirect beneficiaries

Partners: IKEA Foundation & AGRA & Rabobank ACORN

Project duration: 2022-2025 (Pilot 2020-21)

Value chains: Maize, beans, green grams, millet, sorghum, soybeans (+ agroforestry crops fruit trees)

Collaborative partners

- Embu and Tharaka Nithi county governments
- KALRO, CROPNUT, Ministry of Agriculture, Livestock and Fisheries, aggregators, digital technology providers MS Agribot, financial services providers, seed companies and markets.
- Rabobank ACORN standard

CURRENT RESULTS

- ✓ **319** VBAs reached **43,978** farmers with RA practices, majority female (**M 16,509, F 27,469**)
- ✓ 257 VBAs trained on micro business models, 6 identified, 4 business cases being developed (*commodity aggregation, Kitchen/Home gardens, pay for work extension services, Input sales*)
- ✓ 74 Super VBAs identified, 17 trained soil sampling, 46 trained on Agroforestry and Carbon Credit Markets

- ✓ 3 clusters of regenerative agriculture practice 1) manure + mulch + microdose 2) manure + microdose 3) mulch + microdose.

- ✓ 2 digital Ag platforms identified MS AgriBot & Acorn DCT, **10,523** farmers registered on Digital platforms developed for extension by 173 VBAs.

- ✓ Market and finance linkage (22 Agro dealers identified and trained and linked to VBAs to create linkage to last mile delivery **critical**)
- ✓ 15 VBAs linked to MFIs/SACCOS (**micro-finance**)
- ✓ 7 SME Agribusinesses trained on RA investments principles through Business models developed.

Also...Agroforestry: Fruit (cash) trees, Medicinal trees and fodder trees and nurseries:

- ✓ A total of 11,000+ farmers on boarded and a total of 4,000 farmers ready for CRU payments by end 2023.
Rabobank ACORN standard

SUPPORTING REGENERATIVE AGRICULTURE

- Specific social and environmental targets.
- Scalable technology solutions
- Establishing partnership networks.
- Digital Agriculture and Artificial Intelligence to speed up the learning curve.
- Innovative financing mechanisms.
- Tracking product quality, origin, and impacts through traceability systems.
- Government incentives for regenerative farming.



REGENERATIVE AGRICULTURE IN SUPPLIER INDUSTRIES

- Accelerating corporate action on nature.
- Sector-specific approach.

***Putting nature first benefits
everyone***



HOW ARE COMPANIES SUPPORTING REGENERATIVE AGRICULTURE?

PRESENTATION FROM DIAGEO

REGENERATIVE AGRICULTURE IN SUPPLIER INDUSTRIES

Examples include:

- Energy businesses can adopt circular designs and incorporate recycled materials in turbines.
- Household and personal care product companies can increase investment into nature-conscious products and business models, such as refillable products, waterless formulations, and reusable or durable products to minimize water consumption and pollution of water systems.
- Cement and concrete businesses can **replace freshwater with non-freshwater sources such as harvested rainwater** or treated municipal water, establish water recycling systems, and create artificial wetlands to reduce water withdrawal and improve water quality.
- Agri-food companies can **avoid the degradation** – and accelerate the regeneration – of land and ecosystems by committing to and implementing deforestation and conversion-free production and/or sourcing and supporting farmers to embed regenerative agricultural practices.

HOW POLICYMAKERS CAN CONTRIBUTE TO GOING FURTHER IN SCALING UP REGENERATIVE AGRICULTURE AS A MAINSTREAM PRACTICE



- “Build the framework” (e.g. guidelines) in collaboration with stakeholders in order to avoid greenwashing and criticism.
- Flagging public funding towards regenerative practices to help farmers.
- Recognize regenerative agriculture in relevant upcoming policies: healthy soils, carbon removal certification, and nature restoration law.

THE SCALE OF POTENTIAL OPPORTUNITIES

Long-term socio-economic impacts

Regenerative agriculture



Economic
Impacts



Food supply
& security




Climate
mitigation



Access to capital


WORKSHOP OUTPUTS

Buzz groups




Group Activity 1- What are the common challenges with regard to regenerative Agriculture?

?



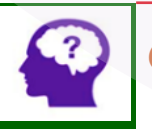
Group Activity 2- What have you / anyone in your group done on this topic that worked well?

?



Group Activity 3- What support/guidance/collaboration would you need in order to implement or improve on regenerative agriculture?;

?



Group Activity 4- What will you do as a next step? Practical action point.

?

A scenic view of a tea plantation at sunset. The foreground shows a close-up of tea leaves, while the background features rolling hills with terraced tea fields under a warm, golden sky. The sun is low on the horizon, creating a soft glow over the landscape.

REGENERATIVE AGRICULTURE

A

WIN-WIN-WIN CLIMATE SOLUTION

that is ready for widescale implementation now.

WHAT ARE WE WAITING FOR?



Championing responsible
business in Africa



Collaborating for positive impact
through responsible sourcing



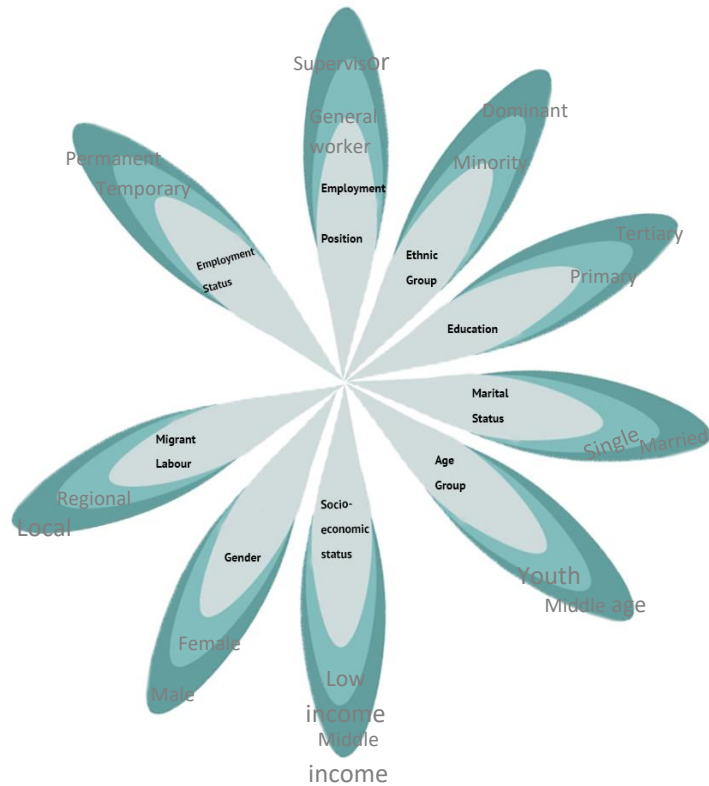
Workshop 2: Sexual Harassment/Grievance Mechanisms

Exercise 1: Instructions

- In the first part of the workshop, we will engage in an exercise that helps us to reflect on our own societal position relative to power and vulnerability so that we might develop some insights into how this plays out in driving/addressing SGBVH at our places of work.
- Then, we will explore some practical strategies for humanizing the workplace by being allies in addressing SGBVH in workplaces.
- Using the Power Flower provided as an illustration identify the main sources of power that enable/disable sexual gender-based violence and harassment to take place in your organization(s).



Power Flower



- Every one of us has multiple identities from which we draw power/privilege
- This power can be abused or used for a good cause
- Just as our own identities are complex so too are those with whom we interact with at the workplace
- The power flower helps us to reflect on our sources of power/vulnerability at the workplace
- As an introduction to a broader analysis of power, the Power Flower promotes a fuller understanding of the multiple identities that helps us become more integrated and sensitive human beings which we can employ to make our workplaces safe

In a horticultural supply chain in Kenya various sources of power intersect and interact in enabling SGBVH at the workplace: gender; socio-economic status; ethnicity; age; education; marital status and migrant labour



Exercise 1: Instructions (cont'd)

- Now work on the following questions – writing responses down on a flipchart:
 - What are the common challenges with regards to addressing sexual harassment at the workplace?
 - What have you / anyone in your group done to address sexual harassment that worked well?
 - What support / guidance / collaboration would you need in order to implement improvements on this SGVH?
 - What will you do as a next step?

Response Template

Common challenges	Examples that worked well
Support / guidance / collaboration needed	Next steps



Exercise 2: Grievance Mechanisms

- Review the information report and discuss as a team:
 - Based on this information, what is the outcome of the investigation?
 - What sort of next steps, if any, do you recommend?
 - Any other comments?
- Do you find the process that has been used in handling the grievance (s) effective/not effective and why/why not?
- How can/have grievance mechanisms be effectively used to address sexual and gender-based violence and harassment in your organisations?



Exercise 2: Instructions (cont'd)

- Now work on the following questions – writing responses down on a flipchart:
 - What are the common challenges of using grievance mechanisms in addressing sexual harassment at the workplace?
 - What have you / anyone in your group done to in ensuring the grievance mechanism that worked well?
 - What support / guidance / collaboration would you need in order to implement improvements on grievance handling?
 - What will you do as a next step?

Response Template

Common challenges	Examples that worked well
Support / guidance / collaboration needed	Next steps



AIM-PROGRESS AFRICA HUB: IN-PERSON SUPPLIER EVENT KENYA

Casualization and Working Hours

ANDREW ODETE – October 24,
2023



Highlights



1. Concepts:

- Casualization of Work(ers)
- Hours of Work
- Informal Labour

2. Legal Framework
Underpinning Casualization,
Mechanization and Working
Hours

4. Case Study

3. The Practice:
Good Practices,
Bad Practices
Business Case?

Casualization of Labour



CASUALIZATION OF LABOUR or CASUAL WORKING – Situation where an individual has no set hours of work and can be called in as and when required.

“CASUAL EMPLOYEE - A person the terms of whose engagement provide for his payment at the end of each day and who is not engaged for a longer period than twenty-four hours at a time.

Hours of Work



The hours (number and times) or parts of hours during which an employee performs work for an employer and includes hours during which an employee is required by the employer to be present and available to work.

The concept also subsumes the question of right to rest, leave, leisure and other protections required by the employee to effectively engage at work.

Informal Labour



The term “informal economy” refers to all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements.

Introduction to Casualization of Labour



Historical and current day increases in casual employment can be attributed to:

- Economic recessions
- Decline in unionisation
- Changes in the structure of modern-day work
- Increased Mechanization
- Expansion of the service sector

Introduction to Hours of Work



- ❑ The regulation of working time is one of the oldest concerns of labour legislation. The main aim was to regulate excessive hours of work which was harmful to the health and wellbeing of workers.
- ❑ ILO Hours of Work (Industry) Convention, 1919 (No. 1) limited hours of work and provided for adequate rest periods for workers.
- ❑ Subsequent ILO standards on working time provide the framework for regulated hours of work, daily and weekly rest periods, and annual holidays.
- ❑ They also seek to address productivity while safeguarding workers' physical and mental health.

Key ILO standards on Hours of Work

- ❑ Hours of Work (Industry) Convention, 1919 (No. 1)
- ❑ Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
 - These above two conventions set the general standard at 48 regular hours of work per week, with a maximum of eight hours per day.
- ❑ Forty-Hour Week Convention, 1935 (No. 47)
- ❑ Reduction of Hours of Work Recommendation, 1962 (No. 116)
 - These above two instruments set out the principle of the 40-hour workweek.



□ Weekly Rest (Industry) Convention, 1921 (No. 14)

□ Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)

- The above two conventions set the general standard that workers shall enjoy a rest period of at least 24 consecutive hours every seven days.

□ Holidays with Pay Convention (Revised), 1970 (No. 132)

- Every person to whom the convention applies shall enjoy at least three working weeks of annual paid holiday for one year of service.

CASE STUDY



Company A is a large agribusiness in Kenya. The company relies a lot on machinery, especially for harvesting. But a lot of work is still done manually. Due to the seasonal nature of the work of company A, the company contracts casual labourers during peak times such as planting of the crop and spraying of the crop because the companies' seasonal employees are not enough to fill these labour gaps in peak times. The company also thinks it reduces labour costs (because labour costs for permanent and seasonal workers are already high enough due to the CBA in place, and because they are getting all sorts of benefits and allowances including food housing and healthcare).

During peak times, the casual labourers show up at the gates of the company to see if there is any work that they can be doing. They are paid on a daily basis, and most of them are NOT given a payslip or a worker contract. A few of them have 3-months contracts and get payslips. After that 3-month contract end, they enjoy a break and then return to the company in the hope for more work.

Questions?

1. What are your thoughts about this case?
2. Which labour rights risks do you identify in this case?
3. What risks do the casual labourer face?
4. Do you think the company is operating within the law (for both casual labour examples)?
5. Why is this company hiring casual labourers?
6. What would you advise the company to do?
7. How does this impact the labourer?



Key Points for Discussion



How can we better protect and safeguard people's rights to jobs?

How can we better manage working hours? How to avoid overtime work?

What are the reasons for casualisation of labor in Kenya / Africa?

How is Casualization regulated?

How does it relate to mechanization of labour?

How does this impact workers?

How does this affect the workers in terms of working hours?

How can we address the issue of casualisation of labour?

END



Coffee break



Key Messages from the workshops

Group 1
Regenerative Agriculture

Group 2
Sexual Harassment &
Grievance Mechanisms

Group 3
Casualisation of Labour



Regenerative Agriculture (RA)

Common challenges

- Adoption of RA practices
- Transition timeline
- Access to finance
- Understanding the Context
- Land tenure systems – land ownership
- Climate Change

Examples that worked well

- Collaboration and Networking
- Capacity Building
- Soil Testing
- Crop Rotation
- Extension Services
- Supply of Quality Seed

Support / guidance / collaboration needed

- Collaboration
- More Capacity Building
- Demonstration Centres
- Private extension service
- Private / public partnerships

Next steps

- More Collaboration and Education
- Monitor Progress of RA
- Capacity Building
- Networking
- Innovation, IT and Technology
- Data Collection and Management
- Financial Support



Sexual Harassment and Grievance Mechanisms

Common challenges

- A focus on meeting KPIs could lead to harassment
- Outsourcing
- Cultural norms and stereotypes
- Lack of Confidentiality in GM
- Lack of safe spaces
- Lack of communication

Support / guidance / collaboration needed

- Psychosocial support
- Awareness
- Training

Examples that worked well

- A focal point person (not manager) who is rotated regularly.
- Timebound
- Multiple members in a grievance committee or any other committee
- De-incentivise false reporting
- Open door policy

Next steps

- Double check policies
- Sensitisation of workforce
- Get feedback from employees in process
- Gender balance at workplace
- Procedures should be accessible
- Grievance Mechanism infrastructure
- Having conversations



Casualisation of Labour

Common challenges

- Casual workers become dehumanized
- Productivity and H&S issues
- Breeds indecent jobs and lack of security
- Lack of social security and benefits
- Mechanisation
- Seasonality

Examples that worked well

- Awareness / training
- Due diligence of agencies
- Stronger legislation to protect workers

Support / guidance / collaboration needed

- Stronger legal framework
- Stakeholder engagement on the definition of casual worker
- Reporting of social performance
- Investors to put pressure on businesses to reduce casualization
- Producers to collaborate on seasonable work to provide social security to casual workers

Next steps

- Purchasing practices: cost implications
- Upskilling casual workers



Key takeaways & Closing Remarks

- CSR is not Human Rights.
- The business requirement to respect human rights is enshrined within the Constitution of Kenya and has been recognized by the courts.
- Imbalance of power is at the centre of Human Rights
- We all have sources of power and we can choose how we use or abuse that power.
- We need to continue to challenge our gendered understanding of what constitutes sexual harassment.
- Sexual harassment is a salient issue within Kenya
- GM and safe spaces are key to addressing sexual and gender-based violence and harassment in the workplace.

“It’s not how you spend your money, it’s how you earn your money”



Key takeaways & Closing Remarks

- Companies are struggling to implement effective and gender sensitive grievance mechanisms
- There are resources available to support suppliers navigate grievance mechanisms
- Engage stakeholders and different types of workers in the development of your grievance mechanism
- The larger the business, the larger the impacts
- Communication is key
- Grievance mechanisms do not stand alone, they are part of a holistic framework
- The UNGP GM effectiveness criteria can be used as a roadmap to continually improve GMs
- If you are not accountable, people will not trust you
- GM's should be victim centred
- Peer to peer learning can help companies to develop and implement GM's, without reinventing the wheel.

“If you don't own your story, others will tell your story”



Key takeaways & Closing Remarks

- Please complete our survey!

<https://www.surveymonkey.com/r/K7B5C6C>





Partner
Africa

Thank you