Update: Industrial Relations Bill

THE newly proposed Industrial Relations Bill is the answer to every woman's prayer, as it will provide comprehensive legal protection for women workers, which is not provided under any of the current employment legislations.

This includes the recognition of domestic workers as workers, equal employment opportunity protection, sexual harassment in the workplace, and better maternity protection, to name a few.

The mistreatment of women workers is rife in our country, with many incidents where women are abused or mistreated is not unreported.

The FWRM survey on sexual harassment in the workplace indicated that one in three women in Fiji have experience Sexual Harassement sometime in their working life, with one in seven women in Fiji currently experiencing multiply forms of harassment.

FWRM coordinator,Virisila Buadromo said these figures are quite high and a cause of concern. This newly proposed Industrial Relations Bill would ensure that their stories are heard and the perpetrators are dealt with accordingly.

The original IR Bill was first drafted by the Soqosoqo Ni Vakavulewa ni Taukei (SVT) Government in 1997 through the technical assistances provided by the International Labour Organization. However due to the numerous change of Government, the IR Bill was shelved, despite submissions on the draft bill by the Unions, the Employers and civil society to the Ministry of Labour.

"Social partners were not advised that the bill would be shelved, we spent a lot of money working on the IRB proposal. For example, FWRM hired two specialists to assist the Movement critique the initial IRB.Other social partners have invested a lot of time, effort and money," said FWRM Programme Manager, Laisa Bale.

However, Prime Minister Laisenia Qarase, during the recent ***Stakeholders' Roundtable Consultation on Sexual Harassment in the Workplace*** confirmed that the IRB would be the first law in Fiji to specifically address sexual harassment.

"It defines it, provides a procedure to be followed when there is a grievance and lays down remedies such as compensation, reimbursement of lost wages and reinstatement," Mr. Qarase said.

Reiterating the PM's words, the Labour Minister, Kenneth Zinck in his closing remarks said, "Indeed, one of the first things that we are already doing is to ensure the enactment of the draft Industrial Relations Bill."

"The IR Bill is very important and all encompassing legislation, which will consolidate quite a number of legislation that my ministry is now dealing with. If all goes well my ministry hopes to table the IR Bill in pa rliament next year," Mr. Zinck said.

"The IR Bill, as it is most commonly referred to, is now being sent out to the stakeholders for review and comments," Mr. Zinck said.

"This is a landmark legislation and we are pleased that the Fiji Women's Rights Movement is already contributing to consultations on the Bill. You have my undertaking that the government will listen carefully to your views"
(PM, Laisenia Qarase)

(from page 2)

be contesting the national elections.

"At the moment only NGO's are involved in ensuring women know about their rights and it's about time government do its part," she said.

Mrs Naivaqa said government should encourage the participation of women in all political spheres in Fiji.

"Half of the population of this country are women so I don't see why they shouldn't be included."

"Women's perspective on issues and their active and equitable involvement in politics is an intergral aspect of any democratic process," said Movement Coordinator, Virisila Buadromo.

"FWRM call on political parties to adopt an affirmative action policy, that provides an enabling environment that encourage women to stand as candidates." Ms Buadromo said the idea behind this is to recurit women into positions and ensure that women are not isolated in political life.

Government says NO to sexual harassement in the workplace

PRIME Minister Laisenia Qarase promised his government's support on issues relating to women during the recent Stakeholders Roundtable Consultation on Sexual Harrassment in the Workplace.

"Our manifesto on issues relating to women is very clear. We truly apprcciate their unique and value their place in this nation," Mr Qarase said.

"We are concerned for their dignity, their rights and their economic and social welfare." "The aspirations of women are to be taken into account in all our policies and initiatives."

Mr Qarase said his government intends to review all laws, lending and credit policies that do not fully serve the interest of women."I can confirm that our proposed Industrial Relations Bill will be the first law in Fiji to specifically address sexual harassment," he said.

The workshop was jointly hosted by FWRM, and the Ministry for Women, Social Welfare & Poverty Alleviation and the Ministry of Labour.

"State Parties shall take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women." (UN CEDAW 1997)

Director for women, Alefina Vuki stated that under their strategic objectives of violence against women and children, "we have a campaign to promote a sound and stable environment that is free of violence, especially domestic violence, sexual harassment and child abuse."

"The major strategic objective is to educate the community and law enforcement agencies to prevent and eliminate violence against women and children."

The findings of a FWRM commissioned research on sexual harassment was revealed during the workshop.The survey which was conducted from August and September of this year, found that Sexual Harassment in the Workplace is significant, widespread, varied in nature and that the offences were predominantly multiple.

At the same workshop, Labour Minister, Kenneth Zinck thanked FWRM and the Ministry for Women for their initiative.

"There is, I know, a lot of work to be done, but I think a good start has been made here today and we as stakeholders should all work together to eliminate sexual harassment." "Let's move this process forward. and lets talk more about this subject so that we are aware of the problem of sexual harassment and lets not sit back but act on it," Mr Zinck said.

A surprising discovery was the multiplicity of sexual harassment in the workplace.

Women who experienced sexual harassment in the workplace did not experience only verbal harassment or only physical harassment, they experienced an average of 2.17 different types of harassment.

As for the number of times they were harassed, 20 % stated that they had been harassed a countless number of times, that it had been occurring for so long that they couldn't even count the number of times it happened.

The survey also revealed that threats and promises by the offender are not prevalent as 89 % said that neither threats nor promises were a factor in their sexual harassment.

As for reporting the offense, only 23 % reported it, and of these, 30 % stated that no action was taken.

When asked what happened to the offender, the main response (39 %) was "nothing".

Angry , offended and the wish to avoid it happening again were the main motivations to reporting sexual harassement. The major barriers to reporting many thought it was a joke, the victims thought they could handle it themselves, and they did not want to make a big issue out of it.

70 % of those who experienced sexual harassment in the workplace discussed it with their work colleagues, signifying that even women who have not experienced sexual harassment would have at least heard of it.

(FWRM Sexual Harassement Survey)

Do you know what sexual harassement in the workplace is?

It is unwanted and unwelcome sexual advances, requests for sexual favour or other non-veral or phyiscal conduct of a sexual nature which has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile , abusive or offensive working enviroment.

There is a widesptead recognition that sexual harassment is an obstacle to equality of opportunity and treatment and an unacceptable aspect of the working enviroment which must be addressed.

Sexual harassment includes:

Physical contact – ranging from unwanted patting, touching to more extreme cases of sexual assault and rape.

Verbal abuse – unwanted comments, leering, explicit jokes, insinuations of a sexual nature, observations about the woman's personal life and body, and lewd gestures.

Visual materials – pornographic pin-ups, letters, e-mails with a sexual content.

It is the responsibility of management to ensure that the workplace is free of harassment.

The Pasture is not always Green

THE militant group Migrante International recently reported the scheduled behading of 44 Overseas Filipino Workers (OFWs) in Saudi Arabia after being convicted of various crimes.

At the same time, Migrante revealed some 1,500 other OFWs who escaped from their employers are stranded in the country since their passports have been withheld.

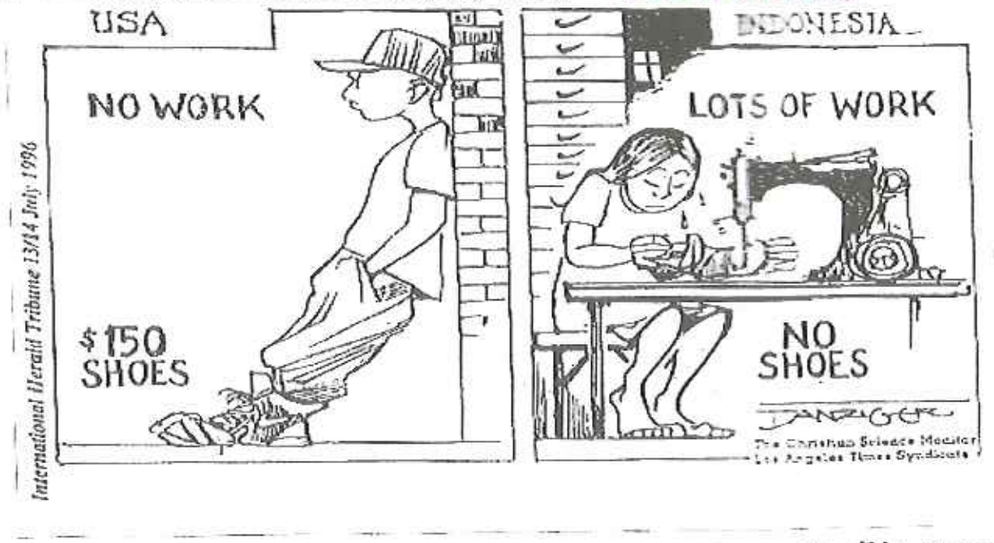
"We urge the Department of Foreign Affairs (DFA) to actively monitor and intervene in the cases of the imprisoned OFWs, especially those sons in Death Row," said Poe Gratela, Migrante secretary general. Gratela cited the cases of three OFWs recently declared innocent of murder charges but who still remain jailed. Lito Alejo of Bulacan, Romeo Cordova of Cavite and Ramiro Esmero of Laguna who were all declared innocent last July. They were charged with killing a Saudi Arabian policeman and have been imprisoned for almost six years, waiting for the Saudi court to process their release papers, Gratela said.

Gratela said President Arroyo even visited Alejo's wife and promised he would be home in five weeks. "That was 13 weeks ago," he added.

Another group of Filipino migrants aching to go home are the stranded workers. Gratela said there are around 1,500 stranded workers in Saudi Arabia, 200 of them in Riyadh. To be able to return to the Philippines, Gratela said, the stranded workers need release papers from their former employers, as well as their passports and plane tickets which are often also kept by the employers.In some cases, even when the employers have given the documents, the OFWs still could not return because they did not have money for planetickets.

"The plight of Filipino migrants in Saudi Arabia is ironic given the Philippine government's statements about
its contingency plans for the OFWs when the United States attacks Iraq," said Gratela.

He urged that in addition to intervening in the legal cases of the imprisoned OFWs, the Arroyo administration should also focus its resources toward bringing these Filipino migrants home. For this, the government need not wait for the outbreak of war," he said. (Source: Saudi Gazette)



picture: The Big Picture

Women worker migrants - Popular International trend

IN this era of globalisation, the migration of women is fast becoming a very popular trend.

According to a report by the United Nations Development Program (UNDP), "In the face of economic downturn, women involved with migration, (including women who are spouses of migrant workers currently employed overseas, women who are dependents of male migrants, and women who are themselves migrant workers with dependent families either at home or abroad) are in a vulnerable position."

Lack of schooling and host language facility, social isolation of women migrants in the host country, and gender discrimination were identified by the UNDP as a major contributor to the distinctive set of disadvantages experienced by women migrants in the labour market.

In Fiji, the proposed increase in value added tax, will impact most on the lower and middle class, many of whom are women and children. Those of whom who can try and find alternative means of increasing their purchasing power, may consider working abroad or emigrating .

One such person is Mereani Liku who's dream to go abroad finally came true, two years ago. She was granted a visa to travel to the United States of America. But there was a slight problem. She was handed a tourist visa.

But the 35-year-old mother of four was determined to do as much as she can while she was in the US.

Her two eldest sons are both attending institutions; one was in secondary school while the third one was just four years old. Ms Liku was determined not to let her children down. Two years after her husband passed away, she became the sole breadwinner of the family, doing odd jobs wherever she can.

Then one of her relatives told her about the many Fijian women who are leaving our shores in search of greener pastures overseas. That was her turning point.

Arriving in Los Angeles, she quickly secured a job as a caregiver. "I was shocked. It was really quick and the money was very good," the Lomaiviti woman said.

Under her tourist visa, Ms Liku was prohibited from working in the US. However Ms Liku could not resist the temptation to stay in the US ilillegally

"But someone told the police and I was deported to Fiji after just a few months," she said with a sad look on her face.

The issue of women over-staying in foriegn countries to earn a living and support their families back home , is not new. Its happening here at home. Asian women involved in prostitution, marriage of convenience and money laundering has been hitting the headlines in Fiji.

But the focus has always been on the negative side. Many tend to forget that like our Asian sisters Fijian women flock overseas (mainly USA) in search of greener pastures.

"As women, as migrant workers, migrant women are often victims of specific forms of exploitation, abuse and discrimination." (UNDP)

It's now becoming a vicious cycle that is also becoming an international concern which has resulted in December 22nd in being commemorated as the United Nations Day of Migrant Women. This is a date - very few in Fiji are aware of. To mark the occassion everyone can participate by dedicating a prayer to all migrant woman who are struggling to be treated equally and fairly as any other worker - in their host country.

The next two pages highlights the tragedies faced by some migrant workers.

↳

Vatukoula.....12 years on

Poverty and a sense of hopelessness have forced some striking Emperor Gold Mine workers to return to their villages or urban centers around Fiji seeking alternative, often casual and low paid employment in order to support their families. The workers walked off their jobs on February 27, 1991in protest against poor working conditions and low wages as well as poor housing, lack of educational opportunities, poor medical facilities, polluted drinking water and lack of transport for shift workers. In some instances women were often forced to work night shifts against their will.

Emperor Gold Mines and Western Mining Corporation, the two Australian mining conglomerates then jointly managing the Vatukoula mines in 1991 reacted swiftly to silence this perceived threat to their *autocratic no-negotiations* style of management. The foreign-owned joint venture sought and was immediately given a High Court ruling declaring the strike illegal, prompting the sacking of close to 500 striking workers.
Today, nearly 12 years later, 370 of the "dismissed" striking workers are still on the picket line, hoping that this grave injustice and the consequent human suffering they and their families have had to endure over the years will be finally addressed and justly resolved.
To this day they continue to endure a life of poverty, a daily struggle for their next meal, and children missing out on many educational and employment opportunities. Women and children are often the forgotten victims of industrial disputes particularly in a traditionally male dominated industry like mining.

Every person has the right to fair labour practices, including humane treatment and proper working conditions". (This is a fundamental and universal human right as explicitly expressed in section 33(3) of our Constitution.) It is a national problem and demands a national solution. The Social Justice Fund to be established to compensate the striking workers and other recommendations contained in the 1995 Commission of Inquiry Report (into the Vatukoula Dispute) would be a good place to start for any government committed to seeing a just and fair solution to the Vatukoula dispute. The Report and its recommendations should not be allowed to continue to collect dust in the Parliamentary library at Veiuto.

The current court case between government lawyers and the mining company, is scheduled for January, when oral submissions will be heard. The workers are describing this as simply another delaying tactic on both the parts of the company and the state. Like most of his peers, Justice Byrne of the Lautoka High Court is fully booked out for 2003 and will not be able to hear this case. Even if he sets aside a weekend hearing, on the grounds of public interest, a positive outcome for the government side will not guarantee a resolution of the Vatukoula dispute.

It will only be the beginning of yet another conglomerates protracted legal process that historically has never favoured working class interests. International capital have far more resources at their disposal in long drawn out legal battles against trade unions. The Fiji Mine Workers Union, representing the striking Vatukoula workers, appeals to the government to find a solution to the Vatukoula dispute.

Vatukoula has a predominantly indigenous workforce though there has been much rhetoric of the government's racially-divisive Blueprint affirmative action intended to assist working class indigenous Fijians. The Government will do justice to its constituencies by taking a leaf from GP Lala's observation when he stated back then in 1995 that, "it is my view that the duty of the Government of the day is to legislate, to clear social problems of the magnitude we are facing in Vatukoula. This was a social disaster of great magnitude. The dismissals had led to suffering and created a social problem and it is my view that there are no other legal ways to solve it".

Twelve years is far too long a period to struggle for basic rights.
The Vatukoula saga lends credence to the saying that,"Justice delayed is justice denied!"

Seema and Susana keen to educate

Seema Naidu is FWRM's newly appointed Legal Rights Training Officer

AS the newly appointed Legal Rights Training Officer at FWRM, Seema Naidu's main aim is to ensure that the principles of CEDAW are abided by.

The hardworking young woman who hails from Natabua in Lautoka attributed her interest in human rights issues in her Christian upbringing.

"When I attended St.Thomas High School in Lautoka we were taught to respect every human being despite their gender, color, and race," Ms Naidu said.

Working with an organization that enforces the principles of human rights has always been a dream for this outgoing girl and when the opportunity arose at FWRM she quickly grabbed it.

"I have so much respect for this organization as they have done so much for the people of this country in terms of human rights and democracy."

Ms Naidu said she would do her best to ensure that the Fiji population is thoroughly educated about human rights and democracy.

"In the previous workshops I had conducted so far I found out that these such terms as CEDAW are quite alienated to them."

Assistant LRTO Susana Naivaqa

SUSANA Naivaqa is no stranger to community work.

So when she arrived at the doorsteps of FWRM she fitted into the scene perfectly.

As the new Assistant LRTO she said people are always attracted to her outgoing and friendly personality. In fact her easygoing manner quickly earned her the title, "Aunty Su" at FWRM.

Mrs Naivaqa's contribution to society all started in Vatukoula when she became involved in the school committee.

That was just the beginning.

A former member of the Tavua District Council of Social Services, a branch of the Fiji Council of Social Services, and a Basic First Aid Trainer with the Red Cross, Mrs Naivaqa aims to educate as many people as possible regarding human rights, especially on CEDAW.

"I will do my very best to uplift the standard that already exists in Fiji and at the same time learn more from my interaction with members of the community," Mrs Naivaqa said.

What's next on the agenda. The LRTO's discuss their next step

Networking...Aunty Su and Suman chat with the ladies of FWCC during their Diwali lunch hosted by FWRM.

fem'LINK begins pilot on women's NGO's

THE team from fem'Link Pacific have been in and out of the Fiji Women's Rights Movement office, interviewing and filming staff of the Movement.

This documentation is part of fem'Link Pacific's latest pilot video called, "FEM'TALK, WOMEN'S CIVIL SOCIETY".

" It is hoped that the interviews that we have had with the trainers, the advocasy staff and management of FWRM will give the public an insight on how the Movement legal rights training, and advocacy is carried out."

According to Ms Bhagwan-Rolls, who is the coordinator of fem'LINKpacific says "The video will highlight what non government organizations like FWRM and the Fiji Women's Crisis Centre (FWCC) are doing in ensuring that the principles of human rights are disseminated to the wider community.

Hard at work, Andrea interviewing Sheila Charan for "A Day in the Life Series" Photo courtesy of fem'LINKpacific

Ms Bhagwan Rolls who is also the producer and the director of the series, hopes the pilot will be an on-going project that her team which includes Peter Sipeli and Andrea Waqa, will work on.

"It is important for the wider community to know the contribution these women's organizations are making towards nation building, peace and reconciliation. They play a major role and are still striving daily to try and achieve that goal," says Ms Bhagwan Rolls

***Sharon and Peter** pose with an announcer during their visit to Z FM in Lautoka :Photo courtesy of fem'LINKpacific*

"I am hoping to also involve FWCC, if they are willing," Ms Bhagwan-Rolls said.

fem'LINKpacific is a community media NGO which is committed to the development, production, and distribution of community media initiatives.

The organization also provides an additional viewpoint on issues concerning women and communities, especially on critical social, political and economic issues.

These stories are then shared with members of society which the organization hopes will contribute to national and regional peace-building and reconciliation.

"Women have the skills and experiences to enable them to make a greater contribution, especially during times of post-conflict reconstruction." (Kofi Annan)

Editorial Comment

WELCOME to another issue of ***Balance*** for 2002.

As they say life in the fast lane is never dull, especially for the staff , members of the Management Board of FWRM.

In regards to staff, the Movement welcomes the addition of three new passionate and committed women to our fold.

They are Seema Naidu who was recently appointed the Legal Rights Training Officer; Susana Naivaqa – the Assistant Legal Rights Officer and Anna Padarath who has joined FWRM as the Young Women's Officer. Find out more about them and their work programmes in this issue.

Also in this issue, there is an piece on women candidates who contested the recent local municipal elections; some results and figures from the national Sexual Harassment in the Workplace survey which FWRM commissioned Tebbutt Research to conduct as well as some of the recent campaigns that the Movement has been involved in.

On a personal note, FWRM would also like to congratulate one of our Management Board members, Shayne Sorby on the arrival of her new baby , Makare Elisa Sorby.

We would also like to give double congratulations to our Trustee, Lisa Apted – who not only got married recently to Bradley Bower but is also expecting a baby as well.

Until our next edition of Balance, stay safe, stand tall and be counted.

WHERE HAVE ALL THE WOMEN GONE?

THE lack of women contesting elections in Fiji is a cause for concern. The recent municipal elections is an excellent example, where only a handful of women contested. Majority of the women interviewed by ***Balance*** agreed that Fiji needs to at least have an equal number of men and women in leadership.

"There's so many problems facing women in our country and these issues can only be addressed effectively by our women leaders," said Merconi Tupou, a housewife in Lami.

Mrs Tupou said it was unfortunate that the current minister for Women reflects more on her religious beliefs than reality.

"She should keep her religious beliefs to herself and seriously do something about the plight of women who voted her into parliament," she said.

Rosalia Wainiqolo, a young woman said Fiji needs a lot more women involved in decision making especially at the national level because dealing with all the problems should not only involve men .

"Both genders make up this nation so responsibilities must be shared equally ," the 18-year old said.

Only ten women were successful in their bid to be included in councils during the recent municipal elections.

FWRM's Assistant Legal Rights Training Officer, Susana Naivaqa agreed that more women should be contesting the national elections.

"At the moment only NGO's are involved in ensuring women know about their rights and it's about time government do its part," she said.

(to page 6)

Anna faces a new challenge

Hardworking and determined, Anna Padarath

AFTER just a month on the job Anna Padarath's working group is already looking forward to a hectic but enjoyable 2003.

Being the new Young Women's Officer is proving to be an enjoyable task for this ambitious young woman.

With the commencement of the Young Women's Programme, Anna is initially undertaking a research project to determine what is being done in the area of young women in leadership by women's organizations and other stakeholders.

At the end of the project FWRM intends to document all findings in a paper that will be made available at all levels. "The objectives of the Young Women's Programme are to identify, raise awareness of and address the concerns of young women, to help young women to understand the basis of feminism and to foster new leadership for the future," Ms Padarath said.

The daughter of former minister for Women and Culture, Lavinia Padarath , Ms Padarath said young women's needs often get lost between children or youth programmes and women's programmes."

The Young Women's Programme is monitored by a Working Group comprised of young women from different sectors of the community.

The Working Group meets regularly for updates on activities and also to exchange ideas on approaches to be taken. The group is currently considering preparations for International Women's Day and would like to focus the theme for IWD 2003 on young women.

"Another idea is to produce a 2003 diary for young women that would also contain basic information on the feminist movement, women's health and employment issues, and avenues of assistance and funding is currently being sought for this project," Ms Padarath said.

Anna and Seema brainstorming for their next project

Updating themselves with the news is a must for young women members.....as seen here Young women member Rosalia Wainiqolo and Anna devour the papers

Merry Christmas

Happy New Year

MEMBERSHIP

TO become a member, it is necessary for you to pay a subscription fee of **F$10**. Men are welcome to join as Friends of the Movement and will receive the newsletter. For overseas friends, a subscription fee of **F$45** (Pacific Islands), **F$45** (Australia and New Zealand), **F$55** (USA) and **F$55** (Europe) will be required to enable us to mail copies of ***Balance*** to you. Please forward cheque and money order to the postal adress provided below: Do not forget to include a forwarding address.

Fiji Women's Rights Movement
P.O.Box 14194
Suva
FiJi ISLANDS

balance

FWRM

May-November 2002

Newsletter of the Fiji Women's Rights Movement

ISSN:1605-2048

P.O.Box 14194
Suva
Fiji Islands
Tel (679) 3313 156
Fax (679) 3313 466

Violence against women is a costly affair

VIOLENCE against women is fast becoming one of Fiji's most expensive exercise.

Costing around $200-500 million dollars a year it has also been dubbed the most destructive and most costly way to resolve conflicts.

This was revealed by the Governor of the Reserve Bank of Fiji, Savenaca Narube at the launch of the Fiji Women's Crisis Centres 16 days of Activism on Violence Against Women.

Due to these horrific findings Mr Narube is urging all citizens of Fiji to join hands and try to combat violence against women.

"We must, as a matter of course, tackle the root causes and implement solutions. Men can and should play a more active and upfront role. Education should start with our young children," Mr Narube said.

He reiterated that without violence there would be no cost.

"Beyond such calculable costs, lie the costs of human suffering, which are vast. The most significant long term effect and ultimate cost of wife battery, however, is the perpetration of the societal structure confirmed by marital violence, that keeps women inferior and subordinate to men politically, economically and socially." (UN)

The economist said the biggest challenge on the studies of violence against women is the lack of statistics which is a huge challenge for developing countries like Fiji.

According to the 1996 census statistics, the high number of women in the workforce in Fiji highlighted the contributions and the potential of women to the economic development of Fiji.

"So if there is no violence against women, the money spent on these costs could be better use on other worthwhile projects," Mr Narube concluded.

Production

Losana McGowan

Editorial Comment

Virisila Buadromo

Contributors

Andrea Waqa
fem'LINKpacific
Ponipate Ravula

In this Issue

Editorial Comment – Page 2
Fem'Link begins new pilot – Page 3
Women workers migrants – A popular trend – Page 4
The pasture is not always green – Page 5
Update – IRB – Page 6
Government says no to Sexual Harassment in the workplace – Page 7-8
Vatukoula 12 years on – Page 9
Seema and Susana keen to educate – Page 10
Anna faces a new challenge – Page 11
How to become a member of FWRM – Page 12